

**BOROUGH OF WATCHUNG  
RESOLUTION: R1**

**BE IT RESOLVED** that Ordinance **OR:21/06** entitled:

***“ORDINANCE AMENDING CHAPTER 28 ENTITLED, “LAND DEVELOPMENT CHAPTER OF THE BOROUGH OF WATCHUNG”, TO AMEND THE DEFINITION OF “IMPERVIOUS SURFACE,” OF SECTION 28-203, ENTITLED “DEFINITIONS AND DESCRIPTIONS,” TO EXCLUDE DECKS IN CERTAIN CIRCUMSTANCES.”*** can now be adopted after public hearing.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey, that the Borough Clerk is hereby authorized to publish notice of adoption in accordance with law. This ordinance shall become effective after final passage, adoption and publication in accordance with law.



Pietro Martino, Council Member



Keith S. Balla, Mayor

ADOPTED: SEPTEMBER 9, 2021  
INDEX: PLANNING BD, CODE  
C: COURTS, GENERAL CODE, CONSTRUCTION,  
ENGINEERING, PLANNING BD

**BOROUGH OF WATCHUNG  
ORDINANCE NO: 21/06**

**AMENDING CHAPTER 28 ENTITLED, "LAND DEVELOPMENT CHAPTER OF THE BOROUGH OF WATCHUNG", TO AMEND THE DEFINITION OF "IMPERVIOUS SURFACE," OF SECTION 28-203, ENTITLED "DEFINITIONS AND DESCRIPTIONS," TO EXCLUDE DECKS IN CERTAIN CIRCUMSTANCES**

**WHEREAS**, Chapter 28 of the Code of the Borough of Watchung, entitled "Land Development Chapter of the Borough of Watchung," governs and regulates land development within the Borough; and

**WHEREAS**, specifically Section 28-203, entitled "Definitions and Descriptions," defines "Impervious Surface" for use in the interpretation and regulation of the land development ordinances and regulations of the Borough; and

**WHEREAS**, after review and consideration and because a deck may be constructed immediately above an area of ground that is not highly resistant to infiltration by water, the Mayor and Council of the Borough of Watchung have determined to amend the definition of "Impervious Surface" under certain circumstances.

**NOW THEREFORE BE IT ORDAINED**

by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey, that they hereby amend Chapter 28 of the Code of the Borough of Watchung, more specifically, the definition of "Impervious Surface" contained in Section 28-203 to state as follows:

**IMPERVIOUS SURFACE**

As applied to all surfaces, that portion of the premises covered by buildings, principal and accessory, and improvements, such as driveways, parking lots, pools, tennis courts (except grass), patios, porches, and walkways. All surfaced parking areas and driveways, all required parking areas which are permitted to remain unsurfaced, and all gravel driveways and gravel parking lots shall be considered an impervious surface for the purposes of this chapter. In the event that a deck is constructed above ground and the area below the deck is highly resistant to infiltration by water, the total area of the deck shall be considered an impervious surface for purposes of this chapter. In the event that a deck exceeds eight hundred (800) square feet and the area below the deck is not highly resistant to infiltration by water, the area of the deck that exceeds eight hundred (800) square feet shall be considered impervious surface for the purposes of this chapter. Further, in order to be excluded from the definition of "impervious surface," the decking surface of the deck shall be composed of wood, composite lumber or other such material placed in the form of generally parallel boards to the pervious surface beneath and shall not consist of concrete, tile, pavers or other such surface that does not allow water runoff to fall to the pervious surface below.

**BE IT FURTHER ORDAINED** by the Mayor and Council that all prior ordinances, or sections of ordinances, inconsistent with the within Ordinance are hereby repealed.

**BE IT FURTHER ORDAINED** by the Mayor and Council that all remaining sections of Chapter 28, and the "Definitions and Descriptions" of Section 28-203 not specifically mentioned or amended herein or inconsistent with the within Ordinance shall not be affected hereby and shall remain in full force and effect.

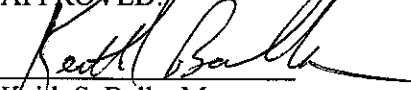
**BE IT FURTHER ORDAINED** by the Mayor and Council that this Ordinance shall become effective upon final passage and publication according to law.

INTRODUCED: MARTINO  
PASSED: JUNE 17, 2021  
AMENDED: AUGUST 12, 2021  
PUBLISHED: JUNE 24 & AUG 26, 2021  
ADOPTED: SEPTEMBER 9, 2021

ATTEST:

  
Edith G. Gil, Borough Clerk

APPROVED:

  
Keith S. Balla, Mayor

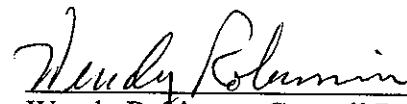
**BOROUGH OF WATCHUNG  
RESOLUTION: R2**


**WHEREAS**, Section 2-25.13 of the Code of the Borough of Watchung requires that contracts for purchases or services involving more than two thousand dollars be awarded by a resolution of the Mayor and Council.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey, that the Purchasing Agent be authorized to issue Purchase Orders as follows:

Vendor: Fox Fence Enterprises, Inc., 417 Crooks Ave, Clifton, NJ 07011  
Item: Posts & Rail Fence – Lake Morris County Co-op (new split rail)  
Total Price: \$5,055.00  
Charged to: 1-01-155-254

Vendor: Round Top Swim & Tennis Club, 106 Mount Horeb Road, Warren, NJ 07059  
Item: 6-Week Summer Camp (Registration, Wednesday Lunch, Bingo Winner Snacks)  
Total Price: \$8,253.50  
Charged to: 1-01-245-202

  
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Wendy Robinson, Council President

  
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Keith S. Balla, Mayor

ADOPTED: SEPTEMBER 9, 2021  
INDEX: PURCHASES  
C: FINANCE

**BOROUGH OF WATCHUNG:  
RESOLUTION: R3 (FORM 1B)**

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, The Governor Body of the Borough of Watchung, County of Somerset, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

**WHEREAS**, the Mayor and Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS**, the Mayor and Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Somerset;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Watchung, County of Somerset, State of New Jersey hereby recognizes the following:

1. The Mayor and Borough Council does hereby authorize submission of a strategic plan for the Watchung Hills Regional Municipal Alliance grant for fiscal year 2021-2022 in the amount of:

DEDR	\$ 9,954.00
Cash Match	\$ 2,488.50
In-Kind	\$ 7,465.50
2. The Mayor and Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.
3. The Mayor and Borough Council accepts subsequent award of this grant.

APPROVED: \_\_\_\_\_

  
Keith S. Balla, Mayor

**CERTIFICATION**

*I, Edith G. Gil, Municipal Clerk of the Borough of Watchung, County of Somerset, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Borough Council on this 9<sup>th</sup> day of September, 2021.*

  
Edith G. Gil, Municipal Clerk


**BOROUGH OF WATCHUNG  
RESOLUTION: R4**

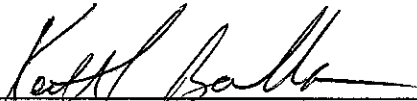
**WHEREAS**, the Borough has received a Field and Facility Permit application and the Borough's Recreation Coordinator and Administrator have reviewed the completed application as submitted by Sharon Friedman on behalf of the Chai Center for Jewish Life; and

**WHEREAS**, the Governing Body of the Borough of Watchung, County of Somerset, State of New Jersey wish to authorize the use of the Watchung Lake Gazebo.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Watchung, County of Somerset that the use of the Watchung Lake Gazebo is hereby authorized for the intended use as noted below:

1. Chai Center for Jewish Life, use of Watchung Lake Gazebo for a holiday ritual from 4 PM to 5 PM, on Tuesday, September 7, 2021.
2. This resolution is hereby ratified to approve and allow this event on September 7<sup>th</sup>.

  
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Wendy Robinson, Council President

  
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Keith S. Balla, Mayor

ADOPTED: SEPTEMBER 9, 2021  
INDEX: RECREATION  
C: LM,

**BOROUGH OF WATCHUNG  
RESOLUTION: R5**

***AUTHORIZING ADDITIONAL EXTENTION OF TIME OF THE DESIGNATION OF THE  
CONDITIONAL REDEVELOPERS OF THE BONNIE BURN ROAD PROPERTY***


**WHEREAS**, on May 20, 2021 the Borough Council adopted a resolution to conditionally designate Sterling Watchung, LLC as redeveloper of the Property known as 291 Bonnie Burn Road, Watchung, New Jersey, and identified as Block 7403 Lots 5 and 10 and Block 7402 Lots 19.01 and 19.02 on the tax maps of the Borough of Watchung (“Conditional Designation Resolution”); and


**WHEREAS**, pursuant to the terms of Resolution the designation was conditioned upon, among other things, the parties negotiating and entering into a Redevelopment Agreement and Financial Agreement acceptable to both parties within ninety (90) days of the adoption of the Conditional Designation Resolution; and

**WHEREAS**, by way of correspondence dated July 9, 2021, legal counsel for the Bonnie Burn Redevelopers Urban Renewal, LLC (formerly Sterling Watchung, LLC) advised that approval was obtained from the Department of Community of Affairs on May 25, 2021 for Sterling Watchung, LLC to convert to the urban renewal entity Bonnie Burn Redevelopers Urban Renewal, LLC and requested the Borough extend the ninety (90) day timeframe contained in the Conditional Designation Resolution for an additional thirty (30) days in order to allow the parties sufficient time to negotiate a Redevelopment Agreement and Financial Agreement that is acceptable to both parties; and

**WHEREAS**, the Mayor and Council of the Borough of Watchung determined that it was in the best interest of the Borough to extend the designation as Conditional Redevelopers of the Bonnie Burn Road Redevelopment Area until September 17, 2021 and did so by previously authorizing resolution R12 on July 15, 2021 and with to further extend this designation.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey, that it hereby extends the timeframes originally extended via R12 on July 15, 2021 for an additional thirty (30) days until October 17, 2021.

  
Wendy Robinson, Council President


  
Keith S. Balla, Mayor

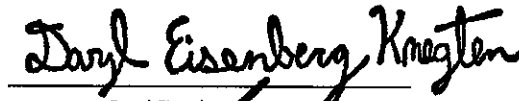
ADOPTED: SEPTEMBER 9, 2021  
INDEX: PLANNING BD, MISC.  
C: T. SNYDER,

**BOROUGH OF WATCHUNG  
RESOLUTION:R6**

**BE IT RESOLVED, by the Mayor and Council of the Borough of Watchung,**  
that the Borough Treasurer be, and is hereby directed to pay bills in the amount of  
\$4,663,898.90 per the attached bill list. The expenditures can be broken down into  
the following categories:


Affordable Housing Trust	\$	994.00
Animal Control	\$	1.20
Developer Escrow	\$	4,119.75
Other Escrow	\$	74,373.00
Grant Fund	\$	306.98
Capital Fund	\$	24,337.10
Watchung Community Foundation	\$	-
Watchung Borough Board of Education	\$	2,304,190.00
Watchung Hills Regional High School	\$	1,339,587.00
Current Fund	\$	915,989.87
<b>Total:</b>	<b>\$</b>	<b>4,663,898.90</b>


  
Wendy Robinson

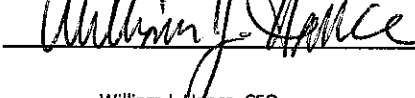
  
Daryl Eisenberg Knegten

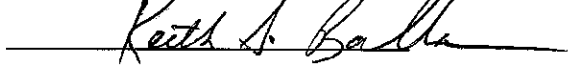
  
Lindsay Goodino

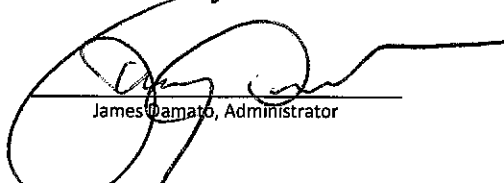
  
Ronald Justin

  
Pietro Mastino

  
Freddie Hayeck

  
William J. Hance, CFO

  
Keith Balla, Mayor

  
James Damato, Administrator

Date: September 9, 2021  
Index: Finance

**BOROUGH OF WATCHUNG  
RESOLUTION: R7**

***AUTHORIZING THE BOROUGH TAX APPEAL ATTORNEY TO ENTER INTO A STIPULATION OF SETTLEMENT RELATIVE TO THE TAX APPEAL CAPTIONED PSE&G TAX DEPT T6B VS. WATCHUNG BOROUGH, TAX COURT OF NEW JERSEY, DOCKET NO. 012795-2018.***

**WHEREAS**, PSE&G Tax Dept T6B (the "Taxpayer"), the owner of a parcel on Route 22, Block 6403, Lot 1, Qualifier C-TOW (the "Property") on the Borough of Watchung Tax Assessment Maps, filed an appeal of their 2018 tax assessment on the Property in the Tax Court of New Jersey, Docket No. 012795-2018; and

**WHEREAS**, the Property formerly contained a cell tower, which the Taxpayer removed prior to October 1, 2017, the relevant 2018 tax year valuation date; and

**WHEREAS**, the Property's tax assessment for 2018 may not have taken into account the removal of the cell tower from the Property; and

**WHEREAS**, the Mayor and Council of the Borough of Watchung met and considered the aforesaid tax appeals and the recommendations of its Tax Assessor and Borough Tax Appeal Attorney; and

**WHEREAS**, an acceptable settlement has been reached reducing the assessment by the amount of \$171,000 from a total tax assessment in 2018 of \$342,000 to \$171,000; and

**WHEREAS**, the Tax Assessor has already adjusted the property for the 2019, 2020, and 2021 tax years to an assessment of \$5,000 to reflect the removal of the cell tower; and

**WHEREAS**, the Borough Tax Assessor reviewed the market value of the property with other comparable properties; and

**WHEREAS**, the reduction in assessment is nominal when compared with the costs of litigation in continuing the defense of these tax appeals; and

**WHEREAS**, the Taxpayer will waive the payment of interest if the refund is paid within 60 days of judgment to the Taxpayer, and forwarded to the Taxpayer's attorney at Zipp & Tannenbaum, LLC, 280 Raritan Center Parkway, Edison, New Jersey 08837; and

**WHEREAS**, the aforesaid reductions have no general application to other properties within the Borough of Watchung as a result of the aforesaid specific facts situation; and

**WHEREAS**, the Mayor and Council of the Borough of Watchung will make this settlement with the Taxpayer, without prejudice to its dealings with any other Borough of Watchung taxpayers' request for tax assessment reduction.

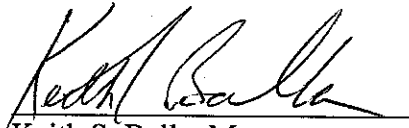


**BOROUGH OF WATCHUNG  
RESOLUTION: R7**

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey, as follows:

1. The Borough Tax Appeal Attorney is hereby authorized to execute the Stipulation of Settlement relative to the tax appeal of PSE&G Tax Dept T6B v. Watchung Borough, Docket No. 012795-2018, which provides for a reduction in the total tax assessment in 2018 from \$342,000 to a total tax assessment of \$171,000; which further provides that PSE&G Tax Dept T6B will waive the payment of interest if the refund is paid within 60 days of judgment to the Taxpayer, and forwarded to the Taxpayer's attorney at Zipp & Tannenbaum, LLC, 280 Raritan Center Parkway, Edison, New Jersey 08837; all pursuant to the terms, conditions and provisions more specifically described in the Stipulation of Settlement.
2. The form of Stipulation of Settlement is annexed hereto, having been reviewed by Mayor and Council of the Borough of Watchung.
3. The settlement outlined above shall be without prejudice to the Borough of Watchung's dealings with any other taxpayer's request for tax assessment reductions.

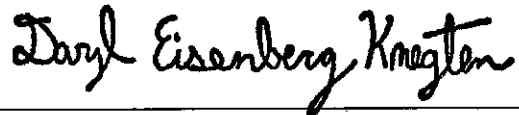
  
\_\_\_\_\_  
Ronald Julin, Council Member

  
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Keith S. Balla, Mayor

ADOPTED: SEPTEMBER 9, 2021  
INDEX: FINANCE-MISC.  
C: B. HANCE, E. KERWIN,

**BOROUGH OF WATCHUNG  
RESOLUTION: R9**

**BE IT HEREBY RESOLVED**, by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey that the appointment of **Mathew King** as **Part-time Custodian** at a salary of \$30,000 per year, with a maximum of 30 hours/week, effective September 13, 2021, is hereby confirmed.



Daryl Eisenberg Knegten, Council Member



Keith S. Balla, Mayor

ADOPTED: SEPTEMBER 9, 2021  
INDEX: APPOINTMENTS  
C: FINANCE

**BOROUGH OF WATCHUNG  
RESOLUTION: R10**

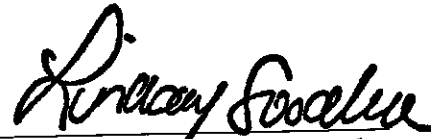
**WHEREAS**, the Borough of Watchung greatly appreciates the many volunteers who donate their time for the good and well-being of all residents; and

**WHEREAS**, the Governing Body is aware that volunteerism is becoming rarer as people try to juggle many activities in their busy lives; and

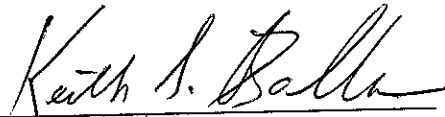
**WHEREAS**, this is especially true when the position one is volunteering their time for is a dangerous one, where in a moments' notice their life can be put on the line for the safety of others.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey, that the appointment of **Joseph Buro**, as a member of the Watchung Fire Department is hereby proudly approved.

**BE IT FURTHER RESOLVED**, that the Governing Body of Watchung hereby commends this volunteer for serving our community in this capacity.



Lindsay Goodloe, Council Member



Keith S. Balla, Mayor

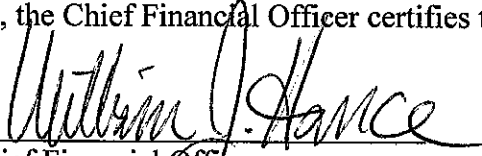
ADOPTED:     SEPTEMBER 9, 2021  
INDEX:        FIRE CO.  
C:             FIRE DEPT., FINANCE,

**BOROUGH OF WATCHUNG  
RESOLUTION: R11**

**WHEREAS**, the Watchung Rescue Squad has submitted the roster of Volunteers eligible for a stipend for the year 2020; and

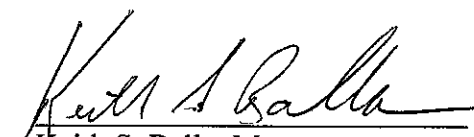
**WHEREAS**, it is necessary to formally approve the stipend amounts; and

**WHEREAS**, the Chief Financial Officer certifies that funds are available in the 2021 budget.

  
\_\_\_\_\_  
Chief Financial Officer

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey that the Chief Financial Officer is hereby authorized to pay the Watchung Rescue Squad 2020 stipends per the attached schedule.

  
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Ronald Jubin, Council Member

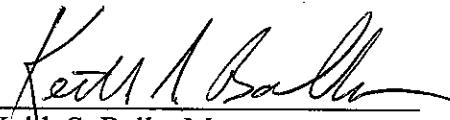
  
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Keith S. Balla, Mayor

ADOPTED:           SEPTEMBER 9, 2021  
INDEX:             FINANCE-MISC.  
C:                    B. HANCE, RESCUE SQ

**BOROUGH OF WATCHUNG  
RESOLUTION: R12**

**BE IT HEREBY RESOLVED**, by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey that the 2020 funding request of the Watchung Rescue Squad is hereby approved in the amount of \$18,900.00

  
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Ronald Jubin, Council Member

  
\_\_\_\_\_  
Keith S. Balla, Mayor

ADOPTED:           SEPTEMBER 9, 2021  
INDEX:             FINANCE-MISC.  
C:                    B. HANCE, RESCUE SQ