

**BOROUGH OF WATCHUNG  
MAYOR & COUNCIL MEETING MINUTES**

**DECEMBER 16, 2021 | 7:30 P.M.**

***[THIS MEETING WAS HELD IN PERSON & BROADCASTED VIA ZOOM]***

**MAYOR'S OPENING STATEMENT:** Mayor Keith S. Balla called the meeting to order at 7:30 P.M. and stated the following “ *In order to comply with all NJ Executive Orders and to protect members of the public, this meeting will be held in person and virtually for all parties. Public Comments will be accepted through zoom or by email to the Borough Clerk. For those joining through Zoom, please note that upon arrival you are automatically muted. If you wish to speak during the public portion, you will need to click on the “raise your hand” feature. For those joining us through the conference call line, you will need to press \*6 to unmute yourself. Under the provisions of N.J.S.A.10:4-6 et seq., notice of the time and place of this meeting was given by way of the Revised Annual Meeting Notice to the Courier News, Echoes Sentinel, the Star Ledger, posted at Borough Hall and on the Borough’s website.*”

**SALUTE TO THE FLAG AND A MOMENT OF SILENCE FOR OUR SERVICE MEN AND WOMEN, SERVING HOME AND ABROAD.**

**ROLL CALL:**

Robinson [P ] Goodloe [P] Eisenberg Knegten [P] Jubin [P] Martino [P] Hayeck [P]

Mayor Balla noted resolution R10 was added to the agenda and removed the discussion item on the tree bank ordinance from the agenda for further review.

Mayor Balla thanked all the Borough volunteers for dedicating their time, talents, and treasures and experience in serving the borough this past year.

**PROCLAMATIONS**

Mayor Balla read the following proclamation: Commending Daryl Eisenberg Knegten

Councilmember Jubin thanked Councilmember Eisenberg Knegten for always being warm and caring. He also mentioned she always did her job as a Councilmember with conviction, kindness and collaboration and hopes to stay in touch as residents and friends.

Councilmember Hayeck stated it’s been an enjoyable experience serving alongside Councilmember Eisenberg Knegten and thanked her for all she has done for the town.

Councilmember Martino thanked Councilmember Eisenberg Knegten for her service to our community. He thanked her for always trying to understand his views and working towards a common goal. He feels she truly served this Borough, her neighbors and family with all her strength.

Council President Robinson thanked Councilmember Eisenberg Knegten for her excessive energy and hard work. Council President Robinson stated the effort she put into making Watchung a better place is unparalleled and wished her continued success in all her endeavors.

Councilmember Goodloe expressed what an honor and privilege it has been to work alongside Councilmember Eisenberg Knegten and more importantly, having gained a close friend.

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Councilmember Eisenberg Knegten spoke on the honor it's been to serve Watchung over the last three years. She commented on how important it is for everyone to get involved in the community. She also thanked all the friends she has made along the way and everyone who has offered support and guidance throughout her journey.

Mayor Balla read the following proclamation: Commending Lindsay Goodloe

Councilmember Jubin commented on the amount of kindness Councilmember Goodloe has always shown and commended all her efforts done to make Watchung a better place.

Councilmember Hayeck thanked Councilmember Goodloe for all her service to the town.

Councilmember Martino commented on the tireless work Councilmember Goodloe has always put into her position and hoped they will stay connected.

Council President Robinson thanked Councilmember Goodloe for all her commitment and hard work. She wished her tremendous success and thanked her for her service to Watchung and her friendship.

Councilmember Goodloe thanked everyone who was supported her along this journey.

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**PUBLIC PORTION / AGENDA ITEMS ONLY**

- 1) Virginia Hartmann, Ellisen Road, thanked Councilmember Goodloe and Councilmember Eisenberg Knegten for all their time and dedication from the Library Advisory Board.
- 2) Adam Kraft, Summit Way, thanked Councilmember Goodloe and Councilmember Eisenberg Knegten for all their hard work and passionate vision they both have always had for Watchung's future.
- 3) Barry Burner, Hillside Avenue, inquired on how streets are paved and expressed that his street currently is full of potholes. Administrator Damato spoke in detail on the paving process. He also said the roads that get paved are typically determined by the Borough Engineer and the Director of Public Works. Councilmember Martino encouraged everyone to send emails with their concerns. Mr. Burner asked for any new updates relating to the Watchung Municipal Dump. Administrator Damato advised the owner is not cooperative and the residence has already been cleaned up once.
- 4) Christine Reese, Hillside Avenue, asked if there has been a traffic study for the proposed development on Bonnie Burn Road. Mayor Balla advised there was a traffic study submitted with the developers plans located for public inspection on the Borough website. Ms. Reese also expressed her concern relating to the residence previously discussed in extreme disrepair and how the filth of the property has affected her living conditions.
- 5) Carol Chory, Johnston Drive, advised Johnston Drive is in desperate need of repair. She mentioned she has sent emails and spoken with borough employees regarding this issue. She feels it is unacceptable to wait until June of 2022 for her road to be repaired. She also discussed her concerns relating to the Bonnie Burn development project such as the school systems becoming very overcrowded.

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Mayor Balla stated it is best to pave the streets in warmer weather. He also noted traffic studies were already presented to the Planning Board regarding the Bonnie Burn project.

- 6) Wayne Ling, Watchung, spoke on his concerns relating to the population increase regarding the Bonnie Burn Development project. He questioned if the impacts of the population increase have been studied. Mayor Balla explained the process that the redevelopers have gone through and advised the taxes on the improvements will be explained via the ordinance. The resident expressed his concern with increasing property taxes.
- 7) Rachel Funcheon, Cedar Road, thanked Councilmember Eisenberg Knegten and Councilmember Goodloe for all their service to the town. She commented on all the support they provided towards the Environmental Commission.
- 8) Jin Qiu, Johnston Drive, spoke on the Bonnie Burn Development project and how the increase in children will impact our schools and resident property taxes. Councilmember Martino explained this development has been an ongoing 24-month process and spoke on his own personal research conducted. He advised everyone has been working diligently to get to this point in the process. Ms. Qua commented on the projected future trend of increased borough taxes. Mayor Balla suggested Ms. Qua set up a meeting with our Borough Tax Assessor to help her better understand how the taxes are assessed as a homeowner.

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**UNFINISHED BUSINESS**

Mayor Balla provided a detailed summary on the factual information regarding ordinance 21/12. He commented on the estimated cost of the project, the assessment, improvements, and the projected rents from the property.

Attorney Murphy also provided comments on the timeline of the project and noted that at the last Planning Board meeting final approval was granted to the developer. He also advised that the property will still be taxed on the land however the exemption is on the improvements and the borough would also receive a 2 percent administrative fee and went on to further explain the details of the financial agreement.

All Council Members expressed their position on this matter and reminded the public that they had to act as a result of prior agreements done by former Council Members. They stressed the importance of taking action and if they failed to do this, they would be in direct violation of former agreements in regards to the Fair Share Housing Coalition.

Motion to open public hearing by Martino on below item/ Second by Robinson  
RC: Robinson [Y] Goodloe [Y] Eisenberg Knegten [Y] Jubin [Y] Martino [Y] Hayeck [Y]

Clerk Edith Gil read a written public comment into the record.

1. Wayne Voipyo: Question 1, why the developer 31.8 million will not be used to fund schools?  
Question 2, why can't Watchung residents vote on it?

Attorney Murphy responded that the law allows the governing body to decide by vote verses having a referendum.

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Upon request, Attorney Murphy provided an explanation on the borough’s liability with regard to the PILOT agreement, he provided an overview of builder’s remedy lawsuit and how that would affect the borough.

2. Tony Utway, questioned if the borough had any kind of guarantee that it would not be in the same position for their 2025 affordable housing obligation. Mayor Balla provided some suggestions and noted vacant land sites that could be redeveloped.

Public Hearing of Ordinance **OR 21/12 - “AN ORDINANCE APPROVING THE FINANCIAL AGREEMENT BETWEEN THE BOROUGH OF WATCHUNG AND BONNIE BURN REDEVELOPERS URBAN RENEWAL, LLC (formerly STERLING WATCHUNG, LLC) UNDER THE LONG-TERM TAX EXEMPTION LAW (N.J.S.A. 40A:20-1, ET SEQ.) FOR AN INCLUSIONARY HOUSING PROJECT ON PROPERTY KNOWN AS 291 BONNIE BURN ROAD IDENTIFIED AS BLOCK 7403, LOTS 5 AND 10 AND BLOCK 7402, LOTS 19.01 AND 19.02 ON THE TAX MAP OF THE BOROUGH OF WATCHUNG”**

R1: Adoption of Ordinance **OR: 21/12** – An Ordinance Approving and Authorizing the Execution of the Financial Agreement with Bonnie Burn Redevelopers Urban Renewal, LLC.

Motion to lose public hearing and Adopt above by Martino / Second by Jubin

RC: Robinson [Y] Goodloe [Y] Eisenberg Knegten [Y] Jubin [Y] Martino [Y] Hayeck [Y]

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**NEW BUSINESS**

Acknowledging Receipt of the following Borough Reports:

Annual Audit Review	2020
Board of Adjustment Meeting Minutes	September 9, 2021
Building Department Monthly Report	November 2021
Engineer Capital Project Status Report	December 2021
Environmental Commission Meeting Minutes	October 25, 2021
Library Advisory Board Meeting Minutes	September 15, 2021
Municipal Council Meeting Minutes	November 22, 2021
Planning Board Meeting Minutes	October 19, 2021
Planning Board Meeting Transcripts	October 19, 2021 October 27, 2021
Police Activity Monthly Report	November 2021
Stormwater Management Plan	March 2005 (Revised November 2021)

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Acknowledging Receipt of the following Correspondence:

#47- Butler & Butler 12.2.21 re: Complaint in Lieu of Prerogative Writs, Bonnie Burn Redevelopment,  
*Revised 12/16/21*

Motion to Accept above by Robinson/ Second by Jubin

RC: Robinson [Y] Goodloe [Y] Eisenberg Knegten [Y] Jubin [Y] Martino [Y] Hayeck [Y]

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**CONSENT AGENDA RESOLUTIONS:**

R2: Authorizing Purchase Orders over \$2,000 – Foveonics Document Solutions (*Planning, Zoning & Construction Office File Scanning w/OCR*)

R3: Authorizing Budget Appropriation Transfers

\*R4: Authorizing Bill List

Motion to Adopt above by Robinson / Second by Eisenberg Knegten

RC: Robinson [Y] Goodloe [Y] Eisenberg Knegten [Y] Jubin [Y] Martino [Y] Hayeck [Y]

\*For R4, Eisenberg Knegten [Abstain]

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**NON-CONSENT AGENDA ITEMS:**

R5: Certification of the 2020 Annual Audit Review by the Governing Body

Councilmember Jubin thanked CFO Bill Hance for the clean audit report.

Motion to Adopt by Jubin/Second by Goodloe

RC: Robinson [ Y] Goodloe [ Y] Eisenberg Knegten [Y] Jubin [Y] Martino [Y] Hayeck [Y]

R6: Authorizing One-year Contract for Animal Control Services – St. Hubert’s Animal Hospital

Motion to Adopt by Jubin/ Second by Goodloe

RC: Robinson [ Y] Goodloe [ Y] Eisenberg Knegten [Y] Jubin [Y] Martino [Y] Hayeck [Y]

R7: Authorizing Change Order #1 for Emergency Contract Awarded to Black Rock Enterprises for Repair and Replacement of Elsinore Drive Culvert and Roadway

Motion to Adopt by Eisenberg Knegten /Second by Goodloe

RC: Robinson [ Y] Goodloe [ Y] Eisenberg Knegten [Y] Jubin [Y] Martino [Y] Hayeck [Y]

R8: Authorizing Execution of Redevelopment Agreement with Bonnie Burn Redevelopers Urban Renewal, LLC (formerly Sterling Watchung, LLC) as Redeveloper of Property Known As 291 Bonnie Burn Road, Block 7403/ Lots 5 and 10 and Block 7402/ Lots 19.01 and 19.02

Motion to Adopt by Martino /Second by Robinson

RC: Robinson [ Y] Goodloe [ Y] Eisenberg Knegten [Y] Jubin [Y] Martino [Y] Hayeck [Y]

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R9: Authorizing Winter Holiday Display Application – Watchung IDEA

Councilmember Hayeck inquired on how this display would be secured to the ground. Administrator Damato noted that Public Works employees would secure the display in a safe manner.

Council Members thanked the Watchung IDEA Committee.

Motion to Adopt above by Hayeck /Second by Goodloe

RC: Robinson [ Y] Goodloe [ Y] Eisenberg Knegten [Y] Jubin [Y] Martino [Y] Hayeck [Y]

R10: Supporting Mayor’s Letter to NJ Department of Transportation Regarding Hillcrest Road, CR 531

Mayor Balla noted that this resolution was seeking the improvement and safety of Hillcrest Road. Council Members thanked all involved in drafting this letter and noted this was a great collaborative effort to ensure the protection and safety of our residents.

Motion to Adopt by Robinson / Second by Jubin

RC: Robinson [Y] Goodloe [Y] Eisenberg Knegten [Y] Jubin [Y] Martino [Y] Hayeck [Y]

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**PUBLIC PORTION - GENERAL DISCUSSION**

1. Christine Ead, Washington Drive, thanked the Council for adopting the animal control policy with St. Hubert’s and hopes the Borough can put infrastructure as a priority for years to come.

Council Members wished everyone Happy Holidays and a Happy New Year.

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**ADJOURNMENT**

Upon there being no further business before Council, the meeting ended at 9:40 P.M. to the Call of the Chair. The next meeting of the Mayor and Council is the Re-Organization Meeting scheduled to be held on January 6, 2022 at 6:00 P.M.

Respectfully Submitted,

Regina Angelo  
Deputy Clerk