

**BOROUGH OF WATCHUNG  
RESOLUTION: R1**

**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: MD Radio Services, Post Office Box 969, Bound Brook NJ 08805  
Item: Communication Tower  
Total Price: \$5,800.00  
Charged to: C-02-815-B01

Vendor: Solitude Lake Management, 1320 Brookwood Dr, Little Rock, AR, 72202  
Item: LED Lighting for Lake  
Total Price: \$3,898.00  
Charged to: 0-01-610-202

Vendor: Northern Nurseries, Inc. 487 Elizabeth Avenue, Somerset, NJ 08873  
Item: Yoshino Cherry Trees  
Total Price: \$4,255.00  
Charged to: 0-01-155-254

  
Wendy Robinson, Council President

  
Keith S. Balla, Mayor

Date: March 18, 2021  
INDEX: Purchases  
C: Finance

**BOROUGH OF WATCHUNG  
RESOLUTION: R2**

**WHEREAS**, escrow money was deposited for performance bonds, planning board fees, board of adjustment fees, and engineering review fees and balances remain as follows.

**WHEREAS**, the Borough Professionals have determined that the projects have been accepted and professional charges incurred have been billed against the escrow accounts.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey that the Chief Financial Officer is hereby authorized and directed to return the balance of the escrow deposits to the applicants.

Name	Escrow Account	Amount
WAGFBFB	E-BOND1613	\$5,354.98
Joseph Villani	E-BND17103	\$ 500.00
Elite Construction of Warren	E-BOND0723	\$1,000.00
	E-BOND1038	\$ 500.00
	E-BOND1035	\$7,747.74
	E-BOND1135	\$ 228.72
Tyree Environmental Corp	E-BOND0910	\$ 500.00
Peter Santos	E-BND16117	\$8,408.46
Pinnacle Construction Services	E-E08-096	\$ 742.50
Pinnacle Construction Services	E-BOND0896	\$ 397.50
Andrew Bubniak	E-BOND1700	\$ 63.76
Giacomo & Christine Fiorenza	E-BOND0450	\$ 500.00
Frank Bisignano	E-BOND1014	\$1,000.00

  
Wendy Robinson, Council President

  
Keith S. Balla, Mayor

Date: March 18, 2021  
Index: Finance-Misc., Bonds-Maint.Perf.  
C: Finance

**BOROUGH OF WATCHUNG  
RESOLUTION: R3**

**WHEREAS**, a property located at 305 Ridge Road, also known as Block 7004 Lot 2, made their tax payment by mail;

**WHEREAS**, due to post office issues, the payment was not received until after the due date; and

**WHEREAS**, it has been determined that the property owners should not pay delinquent interest and the tax payments have been made in full.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey that the Tax Collector is authorized to reimburse the property \$11.64 in interest that was assessed for the delinquent payment.

  
Wendy Robinson, Council President

  
Keith S. Balla, Mayor

Date: March 18, 2021  
Index: Finance Misc.  
C: B Hance  
D Gaebele

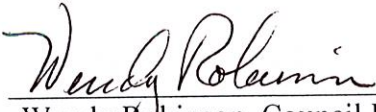
**BOROUGH OF WATCHUNG**  
**RESOLUTION: R4**

**WHEREAS**, a property located at 1515 Route 22 West, also known as Block 5703 Lot 2.02, and a property located at 1511 Route 22 West, also known as Block 5703 Lot 2.01, both assessed in the name of Watchung Square Associates made their tax payment by mail;

**WHEREAS**, due to post office issues the payment was not received on time; and

**WHEREAS**, it has been determined that the property owners should not pay delinquent interest and that the tax payments have been made in full.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey that the Tax Collector is authorized to reimburse the two properties a total of \$4,611.37 in interest that was assessed for the delinquent payment.

  
Wendy Robinson, Council President

  
Keith S. Balla, Mayor

Date: March 18, 2021  
Index: Finance Misc.  
C: B Hance  
D Gaebele



**BOROUGH OF WATCHUNG**  
**RESOLUTION: R5**

**WHEREAS**, PSE&G mailed their 1<sup>st</sup> Quarter 2021 tax payment for various properties with UPS and the package was lost; and

**WHEREAS**, it has been determined that the property owner should not pay delinquent interest and that the tax payments have been made in full; and

**WHEREAS**, the property information and delinquent interest amounts are as follows:

Block 6201 Lot 2	Route 22	\$10.66
Block 6403 Lot 1	Route 22	\$21.74
Block 6909 Lot 32	Oakwood Road	\$15.02
Block 7008 Lot 5	Plainfield Avenue	\$5.90
Block 7302 Lot 16	Valley Road	\$35.35

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey that the Tax Collector is authorized to reimburse the properties a total of \$88.67 in interest that was assessed for the delinquent payment.

  
Wendy Robinson, Council President

  
Keith S. Balla, Mayor

Date: March 18, 2021  
Index: Finance Misc.  
C: B Hance  
D Gaebele

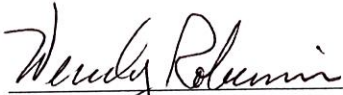
**BOROUGH OF WATCHUNG  
RESOLUTION: R6**

**WHEREAS**, a property located at 40 Jared Court, also known as Block 6802 Lot 16, made their tax payment by mail;

**WHEREAS**, due to post office issues, the payment was not received until after the due date; and

**WHEREAS**, it has been determined that the property owners should not pay delinquent interest and the tax payments have been made in full.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey that the Tax Collector is authorized to reimburse the property \$56.73 in interest that was assessed for the delinquent payment.

  
Wendy Robinson, Council President

  
Keith S. Balla, Mayor

Date: March 18, 2021  
Index: Finance-Mis.  
C: B Hance, D Gaebele


**BOROUGH OF WATCHUNG**  
**RESOLUTION: R7**

**WHEREAS**, a property located at 77 Redmont Road, also known as Block 4308 Lot 7, made their tax payment by mail;

**WHEREAS**, due to post office issues the payment was not received until after the due date; and

**WHEREAS**, it has been determined that the property owners should not pay delinquent interest and the tax payments have been made in full.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey that the Tax Collector is authorized to reimburse the property \$44.94 in interest that was assessed for the delinquent payment.

  
Wendy Robinson, Council President

  
Keith S. Balla, Mayor

Adopted: March 18, 2021  
Index: Finance-Misc.  
C: B Hance  
D Gaebele

**BOROUGH OF WATCHUNG  
RESOLUTION: R9**

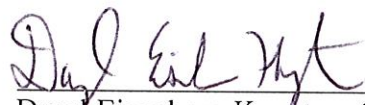
**WHEREAS**, the Governing Body of the Borough of Watchung originally adopted Resolution R10 at its June 4, 2020 municipal council meeting which temporarily relaxed the prohibition of outdoor dining until July 17, 2020 in order to provide assistance to local retail businesses during the current public health pandemic; and

**WHEREAS**, the Governing Body also adopted various resolutions further extending the original resolution until December 18, 2020, unless again extended further by way of formal resolution; and

**WHEREAS**, the Mayor and Council now wish to resume temporarily allowing outdoor dining under the current social distancing restrictions to its local retail businesses and wish to allow such extension until April 16, 2021.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey that Resolution R10 originally adopted on June 4, 2020 is hereby further extended until April 16, 2021, unless again further extended by formal resolution; and

**BE IT FURTHER RESOLVED THAT** all other sections of Resolution R10 adopted on June 4, 2020 remain unchanged and in effect, including but not limited to the required compliance with all Federal, State and local rules and regulations, including but not limited to N.J.A.C. 5:23-2.14 et seq.



Daryl Eisenberg Knechten, Council Member



Keith S. Balla, Mayor

DATE: MARCH 18, 2021  
C: BOH, ZONING, POLICE  
INDEX: MISC.



**BOROUGH OF WATCHUNG  
RESOLUTION: R10**

**WHEREAS**, the Local Finance Board of the State of New Jersey adopted formal rules regarding "Electronic Disbursement Controls for Payroll Purposes" in order to provide formal authority for local governments to hire third-party payroll services / disbursing services to disburse funds to payroll agencies: and

**WHEREAS**, in order to have a payroll servicer provide disbursement services, the governing body of the Borough of Watchung must formally approve the principle of third-party having access to Borough funds, formally assigning responsibility to an official to oversee the process and by approving all contracts or extensions,

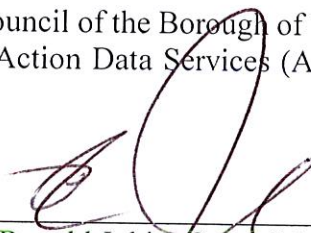
**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey as follows:

1. The Borough of Watchung is authorized to use a payroll service to prepare payment documentation, take possession of Borough funds, and make such disbursement itself on behalf of the Borough.
2. The following payroll service providers shall be required to comply with these regulations:
  - a. Payroll service providers who use their own customized programming process to execute disbursement for the Borough;
  - b. Payroll service providers who use a third-party to execute disbursements for the Borough.
3. The appointment of a payroll service shall be pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and shall require the contractor to do the following, not by way of limitation; data collection, agency report preparation, calculation of withholding, direct deposit of payroll disbursements, and/or transfer of Borough funds to contractor's account for subsequent disbursement of payment.
4. The Chief Financial Officer is hereby appointed the approval officer and is responsible for authorizing and supervising the activities of the payroll service.
5. The payroll service is permitted to hold Borough funds pending transmittal to a payee.
6. A payroll service must meet all of the following requirements:
  - a. Report any irregularities that may indicate potential fraud, noncompliance with appropriate laws, dishonesty or gross incompetence on the part of approval officer.

**BOROUGH OF WATCHUNG**  
**RESOLUTION: R10**

- b. Report circumstances that could jeopardize its ability to continue operations or otherwise interrupt the services provided to the Borough.
- c. Meet the requirements of N.J.A.C. 5:30-17.5, requiring that the approval officer be assured that the servicer has its own internal controls and appropriately guard against theft and other adverse conditions.
- d. All contracts entered into pursuant to these regulations and the laws authorizing the same shall comply with the requirements of N.J.A.C. 5:30-17.6, which sets out a series of mandatory contractual terms and conditions.

**BE IT FURTHER RESOLVED**, by the Mayor and Council of the Borough of Watchung that the contract for the 2021 payroll services be awarded to Action Data Services (ADS) in an amount not to exceed \$20,000.00

  
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Ronald Jubin, Council Member

  
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Keith S. Balla, Mayor

Date: March 18, 2021  
Index: Finance Misc.  
C: W. Hance

**BOROUGH OF WATCHUNG  
RESOLUTION: R11**

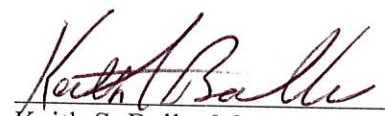
**WHEREAS**, a recycling plan has been enacted by the Borough of Watchung for all recyclable materials as designated by the Somerset County Solid Waste Management Plan and amendments thereto; and

**WHEREAS**, the Borough of Watchung is desirous of retaining the services of the County for said recycling services.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey that a contract be entered into with Somerset County to provide recycling services for Borough residences for the year 2021 at an annual rate of \$26.70 per household.

**BE IT FURTHER RESOLVED**, that pursuant to N.J.S.A. 40A:11-5 this contract be issued without competitive bidding is awarded in accordance with law.

  
Daryl Eisenberg Knegten, Council Member

  
Keith S. Balla, Mayor

Date: March 18, 2021  
INDEX: Fin. Misc., Awards-Contracts  
C: W. Hance, County DPW



**BOROUGH OF WATCHUNG  
RESOLUTION: R12**

**GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

**WHEREAS**, the Annual Report of Audit for the fiscal year ended December 31, 2019 has been filed by a Registered Municipal Accountant with the Borough Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations, and,

**WHEREAS**, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

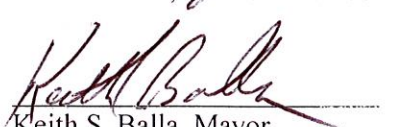
**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE BE IT RESOLVED**, that the Governing Body of the Borough of Watchung, County of Somerset, State of New Jersey hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

  
Ronald Jubin, Council Member

  
Keith S. Balla, Mayor

Adopted: March 18, 2021  
Index: Finance-Budget  
C: DLGS, B. Hance

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF A RESOLUTION PASSED AT THE MAYOR AND COUNCIL MEETING HELD ON \_\_\_\_\_, 2021.

\_\_\_\_\_  
EDITH G. GIL, BOROUGH CLERK



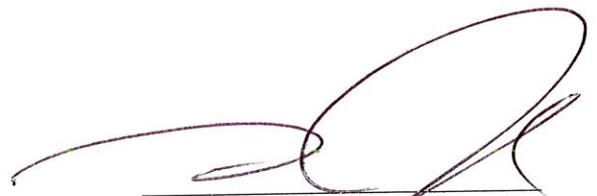
**BOROUGH OF WATCHUNG**  
**RESOLUTION: R13**

**WHEREAS,** the Division of Local Government Services requires preparation of a Corrective Action Plan in accordance with the Single Audit Act, U.S. Office of Management and Budget, and New Jersey Office of Management and Budget; and

**WHEREAS,** a Corrective Action Plan has been prepared by the Chief Financial Officer as required, and copies have been distributed to the Governing Body and filed with the Borough Clerk.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey that the 2019 Corrective Action Plan is hereby approved as submitted.

**BE IT FURTHER RESOLVED** that a copy of the Plan be submitted to the NJ Division of Local Government Services as required.

  
Ronald Jubin, Council Member

  
Keith S. Balla, Mayor

Adopted: March 18, 2021  
Index: Finance-Budget  
C: W. Hance, DLGS

*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 correct and true copy of an Resolution adopted by the Mayor and Council at a meeting held on March 18, 2021.*

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Edith G. Gil, RMC

**BOROUGH OF WATCHUNG  
RESOLUTION: R14**

**WHEREAS**, the Governing Body of the Borough of Watchung has received a proposed plan and recommendation submitted by the Recreation Commission for upcoming Borough sponsored events; and

**WHEREAS**, the Governing Body wishes to authorize the Recreation Commission and the Recreation Coordinator to move forward with the preparation of the borough-sponsored events specifically named below.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey that the planning of the following events, as recommended by the Recreation Commission, are approved as follows:

1. Spring Fling, a "*Paint and Pot Spring Plants*" family activity with music and food trucks, proposed date of May 1, 2021, to take place at Mobus Field.
2. Music in the Park along with food trucks, proposed date of May 22, 2021, to take place at Phillip's Field, subject to obtaining necessary approvals.
3. Summer Camp Program – proposed dates of July 5<sup>th</sup> through August 13<sup>th</sup>, to take place at Round Top Swim Club/ Bayberry School as rain location, subject to obtaining necessary approvals.
4. All approvals here are subject to having a complete covid plan approved by the Office of Emergency Management and the Board of Health.

  
Freddie Hayeck, Council Member

  
Keith S. Balla, Mayor

Date: March 18, 2021  
INDEX: Recreation, Permits  
C: Rec.Com., LM,

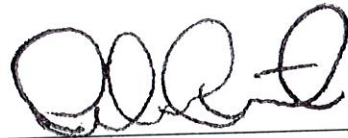
**BOROUGH OF WATCHUNG**  
**RESOLUTION: R15**

**WHEREAS**, on February 22, 2021 the Governor of the State of New Jersey signed into law legislation legalizing and regulating cannabis use and possession and municipalities have a set amount of time to take action to either prohibit or limit the number of cannabis establishments, distributors, or delivery services; the location, manner, and times of operation, and establishing civil penalties for violation of ordinances; and

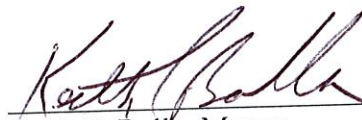
**WHEREAS**, if municipalities do not take action within 180 days, any class of cannabis establishment or distributor will be permitted to operate in the municipality, and depending on the type of establishment, be considered a permitted use in certain zones; and

**WHEREAS**, the Planning Board has powers granted to it by the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., in addition to other powers established by law and the Governing Body of Watchung is desirous of having the Borough Planning Board review the cannabis legislation(s) recently signed by the Governor and provide recommendations to its Governing Body.

**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 directs the Planning Board to review the cannabis legislation(s) recently signed by the Governor and work on a comprehensive cannabis plan and make recommendations for the Borough of Watchung.



Pietro Martino, Council Member



Keith S. Balla, Mayor

DATE: MARCH 18, 2021  
INDEX: PLANNING BD  
C: ZONING, PLANNING,



**BOROUGH OF WATCHUNG**  
**RESOLUTION: R16**

**WHEREAS**, the Borough of Watchung is requesting permission from Somerset County to place Yoshino Cherry Trees located on licensed county property shown and reflected in Exhibit A; and

**WHEREAS**, the Governing Body of the Watchung is desirous of entering into a License Agreement with Somerset County for this purpose.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey that the Mayor and Borough Clerk are hereby authorized to execute the License Agreement presented by the County of Somerset in order to place Yoshino Cherry Trees on county property.

  
Daryl Eisenberg Knechten, Council Member

  
Keith S. Balla, Mayor

Date: March 18, 2021  
INDEX: Fin. Misc., Awards-Contracts  
C: W. Hance, County



**BOROUGH OF WATCHUNG**  
**RESOLUTION: R17**

**WHEREAS**, Section 8 of the Open Public Meetings Act (N.J.S.A. 10:4-12(b)(1-9)) permits the exclusion of the public from a meeting in certain circumstances; and

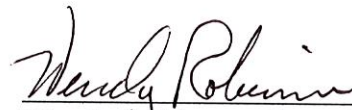
**WHEREAS**, the Governing Body is of the opinion that such circumstances presently exist.

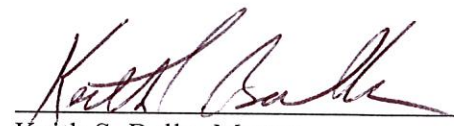
**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Watchung, County of Somerset, State of New Jersey, as follows:

1. The public shall be excluded from discussion of the closed session of March 18, 2021.
2. The general nature of the subject matter to be discussed is as follows:

Litigation Matters  
Personnel Matters  
Contract Negotiations

3. Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.
4. The Borough Council may take official action on those items discussed in executive session upon completion of the executive session.

  
Wendy Robinson, Council President

  
Keith S. Balla, Mayor

Date: March 18, 2021  
Index: Misc.

**BOROUGH OF WATCHUNG  
RESOLUTION: R18**

***AUTHORIZING THE SUBORDINATION OF A HOUSING REHABILITATION  
MORTGAGE ISSUED BY THE BOROUGH OF WATCHUNG***

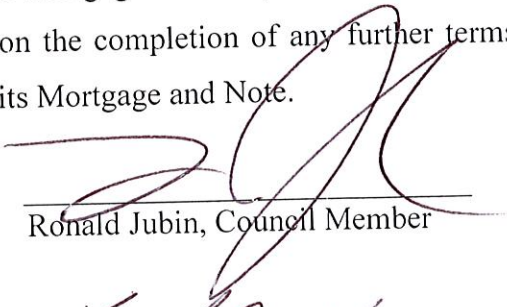
**WHEREAS**, the Borough of Watchung, County of Somerset, is the holder of a deferred mortgage issued under the Watchung Housing Rehabilitation Program (WHRP) in the amount of \$16,850.00 and recorded on July 24, 2013 in book 6654 Pages 3127-3131 in Somerset County's Clerk's Office and subsequently modified to \$25,000.00 on May 17, 2013, for property located at 75 Lakeview Terrace also known as Block 1702, Lot 12, Watchung, New Jersey; and

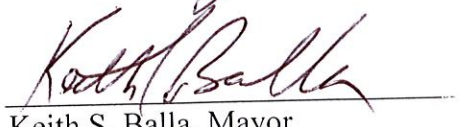
**WHEREAS**, the owners of the property are re-financing the mortgage on the property which will result in a new mortgage on the property to secure an amount not to exceed \$262,000.00 (the "New Loan"); and

**WHEREAS**, the owners of the property have requested that the Borough of Watchung subordinate its loan to the New Loan; and

**WHEREAS**, the Borough has reviewed the current assessed value of the property which exceeds eighty-five percent (85%) of the New Loan and the Borough's mortgage, and have determined that the property has sufficient equity to protect the interests of the Borough.

**NOW THEREFORE BE IT RESOLVED**, by the Borough of Watchung, that the Mayor and Clerk are hereby authorized to execute and sign a Subordination Agreement and any other documents necessary to provide for the Housing Rehabilitation Mortgage on said property to be subordinate in its line position to the New Loan and mortgage issued by Home Point Financial Corp. in the amount not to exceed \$262,000.00 upon the completion of any further terms and conditions provided by the Borough consistent with its Mortgage and Note.

  
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Ronald Jubin, Council Member

  
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Keith S. Balla, Mayor

Adopted: March 18, 2021