

**BOROUGH OF WATCHUNG**  
**RESOLUTION: R1**

**BE IT RESOLVED** that Ordinance **OR:21/03** entitled:

**“ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK WHEN THE COLA IS EQUAL TO OR LESS THAN 2.5 PERCENT (N.J.S.A. 40A:4-45.14)”** 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.

  
\_\_\_\_\_  
Ronald Rubin, Council Member

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

Adopted: April 15, 2021  
Index: Finance-Budget  
C: B. Hance,

**BOROUGH OF WATCHUNG  
ORDINANCE: OR 21/03**

**CALENDAR YEAR 2021**

***ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING  
ALLOWANCE AND TO ESTABLISH A CAP BANK WHEN THE COLA IS EQUAL TO OR  
LESS THAN 2.5 PERCENT (N.J.S.A. 40A:4-45.14)***

**WHEREAS**, the Local Government Cap Law, N.J.S. A. 40A:4-45.1 *et seq.*, provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% or the Cost-of-Living Adjustment (COLA), whichever is less, over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS**, N.J.S.A. 40A:4-45.14 provides that a municipality may, in any year in which the COLA is equal to or less than 2.5% increase its final appropriations by a percentage greater than the COLA, but not to exceed the 3.5% rate as specified in the law, when authorized by ordinance; and

**WHEREAS**, the COLA for 2020 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as 2.5%; and

**WHEREAS**, N.J.S.A. 40A:4-45.15a provides that a municipality may, in any year in which the COLA is equal to or less than 2.5%, may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

**WHEREAS**, the Borough Council of the Borough of Watchung in the County of Somerset finds it advisable and necessary to increase its 2021 budget by more than 2.50% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$115,745.23 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS**, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Governing Body of the Borough of Watchung, County of Somerset, State of New Jersey that a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2021 budget year, the final appropriations of the Borough of Watchung shall, in accordance with this ordinance and N. J.S.A. 40A:4-45.14, be increased by 3.5% amounting to \$405,108.31 and that the 2021 municipal budget for the Borough of Watchung be approved and adopted in accordance with this ordinance; and,

**BOROUGH OF WATCHUNG**  
**ORDINANCE: OR 21/03**

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

INTRODUCED: JUBIN  
PASSED: APRIL 15, 2021  
PUBLISHED: APRIL 8, 2021  
ADOPTED: APRIL 15, 2021

ATTEST:

  
Edith G. Gil, Borough Clerk

  
Keith S. Balla, Mayor

Adopted: April 15, 2021  
Index: Finance-Budget,  
C: B. Hance, DCA

**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: Sparta Discount Tire, Inc. 150 Woodport Road, Sparta, NJ 07871  
Item: Eagles/ Wrangler Goodyear (Tires and Tubes)  
Total Price: \$3,244.84  
Charged to: 1-01-190-249

  
Wendy Robinson, Council President

  
Keith S. Balla, Mayor

Date: April 15, 2021  
INDEX: Purchases  
C: Finance

**BOROUGH OF WATCHUNG  
RESOLUTION: R3**

***CERTIFYING COMPLIANCE WITH THE U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISION UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964"***

**WHEREAS**, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

**WHEREAS**, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit from of the governing body attached hereto.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey, hereby states that it has complied with N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

  
Wendy Robinson, Council President

  
Keith S. Balla, Mayor

Adopted: April 15, 2021  
Index: Budget Misc., Misc.  
C: B. Hance

*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 a resolution adopted by the Mayor and Council at a meeting held on April 15, 2021.*

\_\_\_\_\_  
*Edith G. Gil, RMC*

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

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 through 7.5 the Borough of Watchung has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough meets the necessary conditions to participate in the program for the 2021 budget year, so now therefore

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Watchung that in accordance with N.J.A.C. 5:30-7.6a and b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - A. Payment of interest and debt redemption charges
  - B. Deferred charges and statutory expenditures
  - C. Cash deficit of preceding year
  - D. Reserve for uncollected taxes
  - E. Other reserves and non-disbursement items
  - F. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitations on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met (complies with the "CAP" law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

**BOROUGH OF WATCHUNG  
RESOLUTION: R4**

4. That pursuant to the Local Budget Law:
  - A. All estimates of revenue are reasonable, accurate, and correctly stated
  - B. Items of appropriation are properly set forth
  - C. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

  
Wendy Robinson, Council President

  
Keith S. Balla, Mayor

DATE: APRIL 15, 2021  
INDEX: FINANCE-BUDGET,  
C: W. HANCE  
DLGS

*I, Edith 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 a Resolution adopted by the Mayor and Council at a meeting held on April 15, 2021.*

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Edith Gil, RMC

**BOROUGH OF WATCHUNG  
RESOLUTION R5**

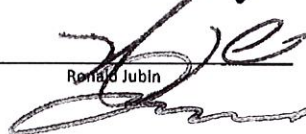
**BE IT RESOLVED**, by the Mayor and Council of the Borough of Watchung,  
that the Borough Treasurer be, and is hereby directed to pay bills in the amount of  
\$3,538,853.45 per the attached bill list. The expenditures can be broken down into  
the following categories:

Affordable Housing Trust	\$	75.00
Animal Control	\$	40.20
Capital Fund	\$	5,800.00
Developer's Escrow	\$	1,661.51
Other Escrow	\$	32,216.23
Somerset County Taxes	\$	-
Somerset County Open Space Taxes	\$	-
Somerset County Library Taxes	\$	-
Watchung Board of Education Taxes	\$	1,004,108.00
Watchung Hills Regional High School Taxes	\$	599,812.00
Current Fund	\$	1,895,140.51
Grant Fund	\$	-
Watchung Community Foundation	\$	-
<b>Total Expenditures:</b>	<b>\$</b>	<b>3,538,853.45</b>

  
Wendy Robinson

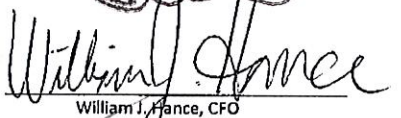
  
Daryl Eisenberg Knegten

  
Lindsay Goodloe

  
Ronald Jubin

  
Pietro Martini

  
Freddie Hayeck

  
William J. Fance, CFO

  
Keith Balla, Mayor

  
James Damato, Administrator

Date: April 15, 2021  
Index: Finance  
C: Finance

**BOROUGH OF WATCHUNG  
RESOLUTION: R8**

**WHEREAS**, William P. Kelly, III began his employment as a patrolman with the Borough of Watchung in 1997 and was promoted to the rank of Sergeant in 2008 and elevated to the rank of Lieutenant in 2012; and

**WHEREAS**, Lieutenant Kelley was promoted to the rank of Chief of the Watchung Police Department in 2020, and led with the utmost integrity and the respect of the members of his Department; and

**WHEREAS**, from the time he was a patrolman to his last days in the Borough of Watchung, Chief Kelly was warmly and highly regarded by residents and business owners locally and regionally, and by members of law enforcement state-wide; and

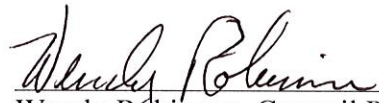
**WHEREAS**, Chief Kelly has always exhibited diligence, initiative and enthusiasm in carrying out his law enforcement responsibilities at an exemplary level, including earning valuable State of New Jersey Accreditation status for the Watchung Police Department; and


**WHEREAS**, Chief Kelly has submitted his request to retire and wishes to pursue other endeavors; and

**WHEREAS**, and the Mayor and Council wish to thank and commend him for his outstanding actions that have exemplified the highest levels of police service.

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey wish to express their appreciation to William P. Kelly, III for everything that he has done for the Borough during his distinguished and meritorious career.

**BE IT FINALLY RESOLVED** that the Mayor and Council wish Chief Kelly and his family much good health and happiness as they begin the next chapter of their lives.

  
Wendy Robinson, Council President

  
Keith S. Balla, Mayor

ADOPTED: APRIL 15, 2021  
INDEX: MISC.  
C:

**BOROUGH OF WATCHUNG  
RESOLUTION: R9**

**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

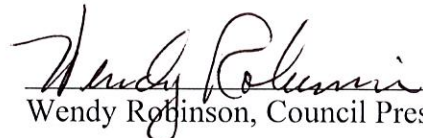
**WHEREAS**, the Governing Body is of the opinion that such circumstances presently exist.

**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 April 15, 2021.
2. The general nature of the subject matter to be discussed is as follows:

Personnel Matters  
Attorney-Client Privilege Matters

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: April 15, 2021  
Index: Misc.

**BOROUGH OF WATCHUNG  
RESOLUTION: R10**

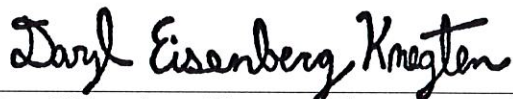
**WHEREAS**, the Governing Body of the Borough of Watchung originally adopted Resolution R10 at its June 4, 2020 municipal council meeting which temporarily relaxed the prohibition of outdoor dining until July 17, 2020 in order to provide assistance to local retail businesses during the current public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

**WHEREAS**, the Governing Body also adopted various resolutions further extending the original resolution until April 16, 2021, 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 June 18, 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 June 18, 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 and further 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: APRIL 15, 2021  
C: BOH, ZONING, POLICE  
INDEX: MISC.

**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 **Andrew Hart** be and is hereby appointed as **Acting Police Chief** of the Department of Police effective April 15, 2021 with an additional stipend of \$5,000.

  
Wendy Robinson, Council President

  
Keith S. Balla, Mayor

ADOPTED: APRIL 15, 2021  
INDEX: PERSONNEL, APPOINTMENTS  
C: E. HORSFALL  
B. HANCE

**BOROUGH OF WATCHUNG  
RESOLUTION: R13**

**BE IT HEREBY RESOLVED** by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey, that appointment of the following Probationary Police Officers at an annual salary of \$50,000 are hereby confirmed:

- Darren Calleo, Jr.
- Alyssa N. Krum
- Kendall Blayne Bohannon
- Casey L. Breese

  
Wendy Robinson, Council President

  
Keith S. Balla, Mayor

ADOPTED: APRIL 15, 2021  
INDEX: PERSONNEL, POLICE  
C: E. HORSFALL  
B. HANCE