

Christine B. Ead, Council President
Curt S. Dahl, Council Member
Paul Fischer, Council Member
Paolo Marano, Council Member
Sonia Abi-Habib, Council Member
Robert Gibbs, Council Member



Ronald Jubin, Ph.D. Mayor

James J. Damato, Business Administrator
Joseph V. Sordillo, Esq., Borough Attorney
Edith G. Gil, Borough Clerk

15 Mountain Blvd
Watchung, NJ 07069

Mayor & Council Meeting AGENDA

**January 30, 2025
7:30 PM**

MAYOR'S STATEMENT

This meeting is being held in compliance with the Open Public Meetings Act. 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 Special Meeting Notice to the Courier News and Echoes Sentinel, posted at Borough Hall and on the Borough's website.

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

ROLL CALL

PUBLIC PORTION - GENERAL DISCUSSION

Individuals commenting are limited to 3 minutes per person.

EXECUTIVE SESSION

R1: Authorizing an Executive Session

Upon returning to open session, the Borough Council may take official action on items discussed.

RESOLUTIONS

R2: Establishing the 4th Round Affordable Housing Present Need and Prospective Need Obligations for the Borough of Watchung

R3: Authorizing Off-Premise Raffle License #687 to Watchung PTO

R4: Authorizing Bingo License BL-6 to Watchung PTO

ADJOURNMENT

BOROUGH OF WATCHUNG
Mayor & Council Meeting Agenda

January 30, 2025 - 7:30 PM

The next meeting of the Mayor and Council is February 13, 2025.

**BOROUGH OF WATCHUNG
RESOLUTION: R1**

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 January 30, 2025.
2. The general nature of the subject matter to be discussed:
 - Attorney-Client Privilege Matters relating to affordable housing
 - Attorney-Client Privilege Matters/Contract Negotiations relating to Capodagli Redevelopment
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.

Christine B. Ead, Council President

Ronald Jubin, Ph.D., Mayor

ADOPTED: JANUARY 30, 2025
INDEX: MISC.
C:

**BOROUGH OF WATCHUNG
COUNTY OF SOMERSET, NEW JERSEY**

RESOLUTION R2

**RESOLUTION ESTABLISHING THE FOURTH ROUND AFFORDABLE
HOUSING PRESENT NEED AND PROSPECTIVE NEED OBLIGATIONS
FOR THE BOROUGH OF WATCHUNG**

WHEREAS, on March 20, 2024, Governor Murphy signed into law an Amendment to the Fair Housing Act (N.J.S.A. 52:27D-301 *et seq.*) (hereinafter “Amended FHA”); and

WHEREAS, the Amended FHA requires the New Jersey Department of Community Affairs (“DCA”) to produce non-binding estimates of fair share obligations for municipalities throughout the State on or before October 20, 2024; and

WHEREAS, the DCA issued a report on October 18, 2024 (“DCA Report”) wherein it reported its estimate of the obligation for all municipalities based upon its interpretation of the standards in the Amended FHA; and

WHEREAS, the DCA Report calculated the Borough of Watchung’s Round 4 (2025-2035) obligations as follows: a Present Need or Rehabilitation Obligation of 35 units and a Prospective Need Obligation of 119 units; and

WHEREAS, the Amended FHA provides that the DCA Report is non-binding, thereby inviting municipalities to demonstrate that the Amended FHA would support modified or corrected calculations of the Round 4 affordable housing obligations; and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.3, a municipality’s average allocation factor is comprised of the equalized nonresidential factor, income capacity factor, and land capacity factor and shall be averaged to yield the municipality’s average allocation factor, and

WHEREAS, the Amended FHA further provides that “[a]ll parties shall be entitled to rely upon regulations on municipal credits, adjustments, and compliance mechanisms adopted by COAH unless those regulations are contradicted by statute, including P.L. 2024, c.2 [Amended FHA], or binding court decisions” (N.J.S.A 52:27D-311(m)); and

WHEREAS, COAH regulations authorize vacant land adjustments as well as durational adjustments; and

WHEREAS, the DCA has released a Geographic Information Systems spatial data representation of the Land Capacity Analysis for the Amended FHA containing the Vacant and Developable land information that serves as the basis for calculating the land capacity factor; and

WHEREAS, the Borough of Watchung and its professionals have reviewed the lands identified by the DCA for the land capacity factor with respect to the MOD-IV Property Tax List data, construction permit data, land use board approvals, configuration, and accessibility to ascertain whether these identified developable lands may accommodate development; and

**BOROUGH OF WATCHUNG
COUNTY OF SOMERSET, NEW JERSEY**

RESOLUTION R2

WHEREAS, based on the foregoing, Watchung Borough relies on the DCA calculations of Watchung Borough's fair share obligations as modified herein to account for the Borough's review of the lands identified by the DCA for the land capacity factor with respect to the MOD-IV Property Tax List data, construction permit data, land use board approvals, configuration, and accessibility to ascertain whether these identified developable lands may accommodate development, and as further set forth in detail and explained in the attached memo prepared by the Borough's affordable housing professional planner, and Watchung Borough seeks to commit to provide its fair share of 35 units present need and 92 units prospective need, subject to any vacant land and/or durational adjustments it may seek as part of the Housing Plan element and Fair Share Plan element it subsequently submits in accordance with the Amended FHA; and

WHEREAS, Watchung Borough reserves the right to comply with any additional amendments to the FHA that the Legislature may enact; and

WHEREAS, Watchung Borough also reserves the right to adjust its position in the event of any rulings issued by New Jersey Superior Courts, or any other such action that alters the deadlines and/or requirements of the Amended FHA; and

WHEREAS, in the event that a third party challenges the calculations provided for in this Resolution, Watchung Borough reserves the right to take such position as it deems appropriate in response thereto, including that its Round 4 Prospective Need Obligation should be lower than described herein; and

WHEREAS, in light of the above, the Borough Committee of the Borough of Watchung finds that it is in the best interest of the Borough to commit to the modified present need and prospective need Fourth Round affordable housing fair share numbers set forth herein, subject to the reservations set forth herein; and

WHEREAS, in accordance with AOC Directive #14-24 dated December 13, 2024, the Borough Committee of the Borough of Watchung finds that, as a municipality seeking a certification of compliance with the FHA, it is in the best interests of the Borough to direct the filing of an action in the form of a declaratory judgment complaint within forty-eight (48) hours after adoption of this Resolution, or by February 3, 2025, whichever is sooner;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Committee of the Borough of Watchung, County of Hunterdon, State of New Jersey, as follows:

1. All of the above WHEREAS clauses are incorporated into the operative clauses of this Resolution.
2. Watchung Borough hereby commits to a Round 4 Present Need Obligation of 35 units, and a Round 4 Prospective Need Obligation of 92 units, modified from the DCA's

**BOROUGH OF WATCHUNG
COUNTY OF SOMERSET, NEW JERSEY**

RESOLUTION R2

calculations as explained above and in the attached memorandum/report from the Borough's affordable housing professional planner, and subject to all reservations of rights set forth above.

3. The Borough Attorney and other appropriate Borough official is hereby authorized and directed to take all actions necessary to comply with the requirements of the Amended FHA, including the filing of a declaratory judgment complaint in Somerset County within forty-eight (48) hours after adoption of this Resolution, attaching a copy of this Resolution as an exhibit to such filing.

4. The Borough Attorney and other appropriate Borough official is hereby authorized and directed to submit and/or file a copy of this Resolution with the Program or any other such entity as may be determined to be appropriate.

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law.

Christine B. Ead, Council President

Ronald Jubin, Ph.D., Mayor

ADOPTED: JANUARY 30, 2024
INDEX: MISC, PLANNING,
C:

**BOROUGH OF WATCHUNG
RESOLUTON: R3**

WHEREAS, the Watchung Parent Teacher Organization has made application to the Borough of Watchung, County of Somerset, for a Raffle License; and

WHEREAS, said application has been presented as required for Findings and Determinations; and

WHEREAS, the Borough Clerk has reported the proper fees have been paid and therefore recommends its approval.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Watchung, County of Somerset, State of New Jersey that the Borough Clerk is hereby instructed to issue the Raffle License as follows:

**NAME AND ADDRESS
OF ORGANIZATION**

Watchung PTO
113 Bayberry Lane
Watchung, NJ 07069

DATE OF RAFFLE

RL#687 - 3/14/2025
Off Premise Raffle

Paul Fischer, Council Member

Ronald Jubin, Ph. D., Mayor

ADOPTED: JANUARY 30, 2025
INDEX: LICENSES
C: C. LANGE

FINDINGS AND DETERMINATIONAPPLICATION NO. RA 687IDENTIFICATION NO. 528-5-29742
(Complete 2 copies)APPLICATION FOR RAFFLE LICENSEInsert name
of Municipality BOROUGH OF WATCHUNGName of Applicant PTO WATCHUNG INC

(Mark appropriate answers to ALL questions)

1. Applicant (is ☒) (is not ☐) qualified.	6. There (is ☒) (is not ☐) satisfactory proof that no payment will be made for conducting the games or assisting therein except to the extent allowed by law.
2. Members designated to conduct games (are ☒) (are not ☐) bona-fide active members.	7. There (is ☒) (is not ☐) satisfactory proof that the prizes are of the nature and amount allowed by the Act.
3. Members designated to conduct games (are ☒) (are not ☐) of good moral character and have never been convicted of a crime.	8. The rental to be paid for raffles equipment (does ☒) (does not ☐) conform to the schedule of authorized rentals prescribed by the rules of the Control Commission and the raffles equipment leaser (has ☒) (has not ☐) been approved by the Control Commission.
4. The games (will ☒) (will not ☐) be conducted according to the Act and the Rules and Regulations.	9. Other:
5. The entire net proceeds (are ☒) (are not ☐) to be disposed of for a purpose permitted by this Act.	10. License is (granted ☒) (denied ☐)

JANUARY 30, 2025

(Date)

(SIGNATURE OF VERIFYING OFFICIAL)Mayor, Borough of Watchung

(TITLE)

(Send one copy to the Control Commission)

**BOROUGH OF WATCHUNG
RESOLUTON: R4**

WHEREAS, the Watchung Parent Teacher Organization, has submitted an application to the Borough of Watchung, Somerset County for a Bingo License; and

WHEREAS, said application has been presented as required for Findings and Determinations; and

WHEREAS, the Clerk has reported that the proper fees have been paid,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Watchung, County of Somerset, State of New Jersey that the Borough Clerk is hereby authorized to issue the Bingo License as follows:

NAME & ADDRESS OF ORGANIZATION

Watchung PTO
113 Bayberry Lane
Watchung, NJ 07069

DATE OF BINGO

March 14, 2025
BL-6

Paul Fischer, Council Member

Ronald Jubin, Ph.D., Mayor

ADOPTED: JANUARY 30, 2025
INDEX: LICENSES
C: C. LANGE

FINDINGS AND DETERMINATIONAPPLICATION NO. BL-6IDENTIFICATION NO. 528-5-29742
(Complete 2 copies)APPLICATION FOR **BINGO** LICENSEInsert name
of Municipality BOROUGH OF WATCHUNGName of Applicant PTO WATCHUNG INC

(Mark appropriate answers to ALL questions)

1. Applicant (is ☒) (is not ☐) qualified.	6. There (is ☒) (is not ☐) satisfactory proof that no payment will be made for conducting the games or assisting therein except to the extent allowed by law.
2. Members designated to conduct games (are ☒) (are not ☐) bona-fide active members.	7. There (is ☒) (is not ☐) satisfactory proof that the prizes are of the nature and amount allowed by the Act.
3. Members designated to conduct games (are ☒) (are not ☐) of good moral character and have never been convicted of a crime.	8. The rental to be paid for raffles equipment (does ☒) (does not ☐) conform to the schedule of authorized rentals prescribed by the rules of the Control Commission and the raffles equipment leaser (has ☒) (has not ☐) been approved by the Control Commission.
4. The games (will ☒) (will not ☐) be conducted according to the Act and the Rules and Regulations.	9. Other:
5. The entire net proceeds (are ☒) (are not ☐) to be disposed of for a purpose permitted by this Act.	10. License is (granted ☒) (denied ☐)

JANUARY 30, 2025

(Date)

(SIGNATURE OF VERIFYING OFFICIAL)Mayor, Borough of Watchung
(TITLE)

(Send one copy to the Control Commission)