

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

**May 8, 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 Annual 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

SPECIAL PRESENTATIONS

Mayor's Achievement Award Presented to NJ Champions of VEX IQ Worlds Robotics Competition

Watchung Hills Regional High School Budget Presentation
By Elizabeth C. Jewett, Ph.D. and Tim Stys

PROCLAMATIONS

EMS Week

National Stroke Awareness Month

REPORTS OF STANDING COMMITTEES

Administration & Finance

Police

**BOROUGH OF WATCHUNG
Mayor & Council Meeting Agenda**

May 8, 2025 - 7:30 PM

Public Works / Buildings and Grounds

Public Affairs:

Environmental

Recreation

Historical

Board of Health

Fire

Laws/Ordinances

REPORTS OF BOROUGH OFFICERS

Engineer

Police Chief

Fire Chief

Fire Official

Rescue Squad

Emergency Management

Attorney

Finance

Clerk

Youth Services

Planning Board

Municipal Alliance

Library Advisory Committee

Traffic and Beautification

PUBLIC PORTION / AGENDA ITEMS ONLY

Individuals commenting are limited to one 5-minute session per person.

BOROUGH OF WATCHUNG
Mayor & Council Meeting Agenda

May 8, 2025 - 7:30 PM

NEW BUSINESS

REPORTS & CORRESPONDENCE

Matters listed within this section have been referred to members of the Borough Council for reading and study, are considered to be routine and will be enacted by one motion of the Council. If separate discussion is desired, any item may be removed by Council action.

Acknowledging Receipt of the following Borough Reports:

Building/ Construction Department April 2025

Green Team Minutes March 24, 2025

CONSENT

The items listed below were submitted to the Governing Body for review and will be adopted by one motion.

R1: Opposing Pending Legislation (Senate Bill S2347/1106 and Assembly Bills A2792, A4370 and A2489) that Requires Municipalities to Adopt Zoning Ordinances Permitting Accessory Dwelling Units

R2: Authorizing an Application for NJDOT's Transportation Alternatives Program (TAP) for the Valley Road Sidewalk Improvement Project

R3: Authorizing a Field and Facility Permit for Watchung PTO Movie Night

R4: Authorizing a Tax Lien Redemption for Certificate #23-00011 at 35 Scott Drive

R5: Authorizing an Application to DLGS for a LEAP Implementation Grant

NON-CONSENT

R6: Resolution Relating to the Redevelopment Agreement & Financial Agreement Between the Borough and Bonnie Burn Redevelopers Urban Renewal, LLC as Redevelopers of the Property Known as 291 Bonnie Burn Road, Block 7403/ Lots 5 & 10 and Block 7402/ Lots 19.01 & 19.02

R7: Authorizing a Refund to Superior Towing and Transport, LLC for Wrecker License

ORDINANCE ON FIRST READING

OR# 25/07: AN ORDINANCE REVISING CHAPTER 28, LAND DEVELOPMENT, OF THE BOROUGH 'S CODE TO UPDATE REGULATIONS OF TEMPORARY SIGNAGE THROUGHOUT THE BOROUGH OF WATCHUNG

BOROUGH OF WATCHUNG
Mayor & Council Meeting Agenda

May 8, 2025 - 7:30 PM

OR #25/08: ESTABLISHING MINIMUM AND MAXIMUM SALARY ORDINANCE

PUBLIC PORTION - GENERAL DISCUSSION

Individuals commenting are limited to one 5-minute session per person.

ADJOURNMENT

The next meeting of the Mayor and Council is May 22, 2025

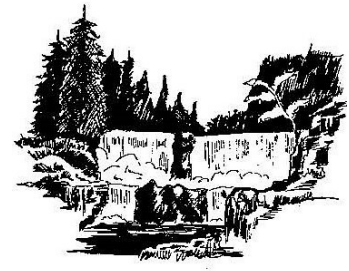
BOROUGH OF WATCHUNG

ADMINISTRATION AND FINANCE COMMITTEE

Chair: Fischer

Gibbs

Abi-Habib



The committee met with the Administrator, CFO, and Borough Clerk on April 30, 2025 to discuss the following:

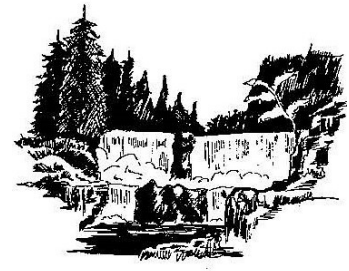
a) 2025 Salaries

The committee discussed the salary ordinance for borough employees as well as other budgetary impacts for 2025.

b) Retirement Benefits

The committee discussed general retirement benefits that Watchung has in comparison to other municipalities.

BOROUGH OF WATCHUNG



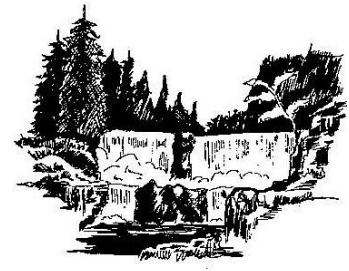
Public Works Committee

Chair: Ead
Abi-Habib
Dahl

The Committee met with the Administrator, Borough Engineer, and Public Works Manager on March 28th to discuss the following:

- 1) **PSE&G Updates (all noted online for changes)**
3/24/25-3/28/25 Night Work
Hillcrest to Crestwood, to Valley (Culvert)
All updates noted online
Working with PSE&G on paving schedule for 15-17 Roads summer 2025
- 2) **2025 DOT Road Project: (approve scheduled for Summer 2025)**
Brookdale, and Skyline Drive and (sidewalk
Improvements on Brookdale during paving work from
Stirling Road to the exit at Mobus Pkg. lot exit)
- 3) **Working on plan for Endeavor Grant received: \$66,000-**
Waiting for response to Second Grant Submitted for Walk Path,
Pkg Area & other improvements
- 4) **Library Bridge:**
-Main construction complete, temp. rails planned during the library
Construction and final rails and clean-up once library completed
- 5) **Phillips Bridge-Engineering plan complete, scheduling construction**
To utilize the FEMA funds to sure up Abutment/Stabilization
Finalizing plan and submitted to DEP, waiting on final approval from
DEP to schedule work to begin
- 6) **Community Connection and new Library:**
-Groundbreaking Ceremony took place 4/4/2025
-Builder: West End KBLLC
-Fencing going up around parameter
-Work has begun
- 7) **Phase Two Sidewalk Project**
-County and State approved the plan
-work in progress to get all elements ready for grant
Submission

BOROUGH OF WATCHUNG



- 8) **Review of Parking Lot Projects/pending budgets and grants**
- 9) **Watchung Lake and Best Lake Dredge/other**
 - Constant review of Grant Options and critical funding, looking at options for Partial work 2025 budget pending
 - Meeting held to review Hydro-raking options for Best Lake, waiting for quotes
- 10) **I & I Study/repairs in review using grant funds/plan in works**
- 11) **Ness Farm:**
 - Grant I. submitted for “claw-back” of testing \$ spent
 - Grant II. To be submitted in next 2-weeks for opportunity to review clean-up/cap costs
- 12) **NJ DEP MS4 Permit Requirements:**
 - (Proposal on track)
 - \$15,000 received. 2nd grant submitted,
 - \$15,000 each year for 2-years Borough investment
- 13) **Continued Tree Planting/Replacement:**
 - Meeting 3/10 to outline locations and quantities
 - Trees planted at Mobus Field (8)
 - 2-Remain once area dries out
 - 6-Trees planted along Valley Road at Best Lake East
 - Numerous stumps removed throughout area
 - (More planting to take place over next 2-3 weeks)
- 14) **Street Sweeping (Ordered) and waiting on County**
- 15) **Cement work:**
 - Borough Hall, Police Station slated for 2025 budget cycle , quotes in Review
- 16) **New “God’s Acre Sign” completed and Installed**
- 17) **Spring work underway at Philips Field**
- 18) **Fountains Watchung Lake and Best Lake:**
 - fountains are in and working



BOROUGH OF WATCHUNG ENGINEERING & INSPECTION STATUS REPORT

APRIL 2025

MATTERS FOR GENERAL DISCUSSION & FOLLOW UP

1. PSE&G distributed a plan for the proposed next two weeks (3/10/2025 to 3/24/2025) of work on gas utilities in the Borough and surrounding area.
 - i. Nighttime work (8:00 PM to 6:00 AM) on **Hillcrest Rd to Stirling St, Hillcrest Rd to Knightsbridge and Valley Rd to Sommerset St** expected over the next two weeks including services and tie ins.
 - ii. Notice will be provided by PSE&G as well as Borough channels.
2. A meeting was held at the Borough on 3/6 regarding the next stage of the project. Below is a summary of the discussed items.
 - i. A list of the roads/streets (19) that will be affected by PSEG works was provided.
 - ii. Several private roads are on the plan.
 - iii. It is expected most of the work will be done in days and just Stirling Road will be during nights.
 - iv. Most of the connection (tie ins) works will be done before 12:00 PM.
 - v. A pre-construction meeting will be held soon.
 - vi. PSEG will be submitting the plan for road opening permitting to the Borough. Road Opening Permit was issued.
 - vii. PSEG will resume paving expected in this July.
 - viii. Using high friction asphalt in Hill crest road was discussed.
 - ix. The borough shall inform the 6 Ridge Road owner/engineer regarding sewer connection before PSEG paving work to be completed. Owner/contractor informed.
 - x. Borough has requested a check in the amount of \$25,000 for the new PSEG's work inspection. **A check was received from PSEG.**

STUDIES, ENGINEERING INVESTIGATIONS, GRANT APPLICATIONS

FY 2025 NJDOT TRUST FUND “MUNICIPAL AID” PROGRAM

RVE submitted the FY 2025 grant application on June 27, 2024, for improvements to the following three roads, in priority order:

- Brookdale Road from Stirling to Mountain Blvd.
- Skyline Drive, full length.
- Anderson Road, from Mountain Blvd to end.

Notification was received November 13, 2024, that the Borough was awarded \$291,609.00. RVE has prepared several draft proposals and discussed the various design and construction options with the borough. RVE proposal for design and inspection of Brookdale Road and Skyline Drive is on the Mayor and Council meeting Agenda of 4/10 for authorization. *The Mayor and Council authorized RVE to proceed with the design of this project and RVE has started this work.*

FY 2024 LOCAL RECREATION IMPROVEMENT GRANT (LRIG)

RVE is preparing a FY 2024 Local Recreation Improvement Grant (LRIG) application to the Department of Community Affairs (DCA) to be submitted in March 2024. The engineer's estimate of cost is \$306,887.50.00. The application is requesting \$100,000 in funding for proposed work at Camp Endeavor, consisting of the following:

- Resurfacing the 400' Gravel Access Road
- Construction of a 60'x100' Paved Parking Lot with ADA parking.
- 20' x 30' Concrete Pavilion Area with picnic tables.
- Sidewalk as needed between pavilion and parking.
- Reconnection of electrical service.
- Landscaping

DCA issued a press release on May 31, 2024 of LRIG Awards. The Borough received \$66,000.00 in funding for improvements to Camp Endeavor. The second grant application was submitted to DCA in 2025 by the borough's grant writer. As per Camp Endeavor future sewer connection, approval from PARSA is required. Due to the elevation difference, pumping is required for sewer connection. As per contract, four progress reports shall be submitted to DCA during the life of the project. *We have reached out to the supplier to get a cost estimate for an enclosure, picnic tables and a bathroom.*

SIDEWALK PROJECT- KNIGHTSBRIDGE TO VALLEY DRIVE

A concept plan (±1200 LF) with all the existing issues has been prepared and submitted to the borough for review. A construction cost estimate also has been prepared for this project. The concept plan was advanced more and was discussed with the Borough officials. The plan was submitted to the Somerset County Engineering Department for review and a possible field meeting. The borough had a meeting with the Somerset County Assistant Engineer and they are in support of the project. RVE, *Borough and Bruno Associate had a pre-Application meeting with NJDOT for TA Set-Aside Grant and below is the summary of the meeting:*

- *Highlight the width of the sidewalk.*
- *Highlight the stroller.*
- *Highlight the connection from east to west of the borough.*
- *Highlight the existence of a school in less than 2 miles.*
- *Wider sidewalk 5-6 feet is preferred.*
- *Connection to Bayberry Lane.*
- *Passing area each 200ft.*
- *Borough resolution is required.*
- *Minimum funding is 350K and maximum 1.5 million.*
- *A full time employee responsible in charge is required. (JD)*
- *Take pictures during busy times.*
- *Video may be added to the application.*
- *15% for inspection can be added to the cost estimate.*
- *Other safety measures can be added to the plan.*
- *Signage can be added to the plan.*
- *Supporting letters from the affected residents are required.*

RVE revised the concept plan and the cost estimate and the proposed sidewalk extended to be 4000LF from Knightsbridge to Hill Hollow Road. The submission materials were prepared by RVE and Bruno Associates and submitted to the clerk for a resolution on 5/8 Mayor and Council Meeting. Also, we reached out to the Somerset County for a support letter and the letter is in preparation by the County.

CAPITAL IMPROVEMENT & GENERAL ENGINEERING PROJECTS

Watchung New Fire House (Corner of Valley Road and Plainfield Ave)

Borough of Watchung reached out to RVE to provide a site plan for the new fire house. RVE is working on providing the survey proposal for this project.

SANITARY SEWER SCOUR PROTECTION 636 VALLEY ROAD

RVE has designed gabion basket scour protection for the existing manhole at the rear of 636 Valley Road. RVE has prepared Flood Hazard Area Individual Permit and NJDEP Freshwater Wetlands General Permit 20 (Bank Stabilization) applications. Permit applications have been submitted to NJDEP on October 28, 2024. Review comments were received on November 26, 2024 and January 8 2025. The third round of comments received on 2/20. RVE responded to the comments. NJDEP

approved this project and individual permits for freshwater wetlands and flood hazard areas were granted. **RVE has started preparing bid materials and technical specifications.**

STORMWATER MAPPING SERVICES

The Borough received a 2023 Municipal Stormwater Assistance grant for \$25,000.00 to upgrade their MS4 Stormwater Programs to better align with the 2023 Tier A MS4 Permit renewal requirements. RVE's \$55,100.00 proposal for stormwater mapping services was authorized at the January 18th 2024 Council meeting. Field work for the manholes have been completed. After reviewing in GIS, still there are miscellaneous pipes and some minor areas to be completed one-man crew work was completed. RVE is still working to complete the shapefiles. Once field work is completed, the data will be finalized and it will be ready for submission to Borough and NJDEP. **A MS4 Area Map was prepared and was submitted to the Borough for review and approval before submission to NJDEP.**

NESS FARM

Recent actions include:

- A draft remedial action report has been completed and submitted to the Borough in the week of January 24, 2023.
- RVE submitted the signed *Exemption from Spill Act Liability Certification* form to NJDEP on July 24, 2023, making the site eligible to apply for funding. **Spill Act Exemption was approved by NJDEP on November 13, 2024. Based on the approved exemption status, the LSRP completed the LSRP retention for the activity and terminated the annual remediation fee billing associated with the environmental case until such time when the remediation resumes.**
- RVE's \$30,900 proposal was authorized at the April 4, 2024 Council meeting, including the following tasks:
 - Complete additional sampling to further classify AOC-5 (historic fill) in an attempt to reduce the 3-4-acre footprint that requires remediation, reducing cost. The sampling was performed April 25, 2024. **The memo summarizing the results has been submitted to the Borough.**
 - Prepare applications for Hazardous Discharge Site Remediation Fund (HDSRF) funding.
 - RVE forwarded the draft grant application to the Borough for review November 27th, 2024. HDSRF Grant application for retroactive funding for past completed environmental investigations submitted to the NJDEP December 13th, 2024. This application was to fund project expenses already incurred by other consultants, and RVE after 2022. **NJDEP has started reviewing this grant application and RVE received a RFI from NJDEP. RVE responded to the RFI. NJDEP has asked regarding the status of the \$1 million escrow for this site. RVE expects to get this approval soon.**
- **RVE grant proposal for the second HDSRF that will cover 75% of the associated cost (generally excavation of soils at Area of Concern #2 and capping or fencing of Area**

of Concern #5, including reporting to the NJDEP) was authorized on the Mayor and Council meeting of 2/13.

RVE has been developing/modifying the remedial action plan, which will include the following:

- Excavation and relocation of contaminated material for the 6 delineated hotspots. Clearing and installation of 4-6' tall fencing & signage surrounding the contaminated historic fill area this will include approximately 1700 LF of fencing, signs, and some form of sediment erosion control (coir logs) to inhibit stormwater runoff from the fill area. Some level of Land Use Permitting anticipated (TBD). Abandonment of 2 monitoring wells. Preparation & filing of deed notice and Virtual Classification Exception Area for this fill area. Remedial Action Reporting & Soil Remedial Action Permit Application. Issuance of Response Action Outcome for the Entire Site which will complete the project.
- Borough held a meeting with RVE regarding the progress of the remediation works.

RVE is working to incorporate the wetlands map to the proposed plan and revised the scope of this work to perform more cut and fill.

LIBRARY BRIDGE

The bridge is open as a pedestrian bridge. RVE supplied requested information to FEMA Hazard Mitigation, completed on November 18, 2022. The project was awarded to Tracks Unlimited, LLC, with a bid of \$83,176.00 and the Notice to Proceed was issued March 5, 2024. The contractor has completed their portion of the bridge replacement, the wooden timbers and railings will be installed by a combination of Public Works and local subcontractors.

LIBRARY ADDITIONS

RVE provided a scope of services and associated cost proposal for test pits, geotechnical investigation, and civil / site design in support of the proposed construction of multiple additions to the existing library. The proposal total of \$91,480.00 was authorized at the March 7th, 2024 Council meeting. Test pits and the soil boring have been completed, topographic survey was completed July 12th, 2024. Teams meeting held at the site on November 5, 2024 to finalize and coordinate a number of design questions. Design has been completed. There have been a number of coordination among the architectural group, MEP and the site designers. The site plan has been revised several times to address the borough and the architectural and MEP groups. An onsite meeting was held with PSEG for electricity connection. An additional survey was carried out by RVE for the existing sewer pipes and the sewer connection. Bid documents and specifications were submitted to the architectural group. All team members are working hard to finalize the plans and preparing the bid documents for the near future bidding.

As requested by the borough a concept road widening plan has been submitted to the borough for discussing the proposed plan and the required easement with the Watchung Rescue Squad.

The bid opening for the project will be on 3/11 (10:00 AM) at the Borough Hall. We were informed that 14 prime contractors and 4 sub-contractors picked up the bidding documents.

RVE performed a site survey and the location of the existing 20ft wide emergency and utility access easement on the back of the library up to Galloway was stacked on field.

The Somerset Union Soil Conservation District approved the soil erosion and sedimentation control plan.

The contractor has started submitting the construction submittals, RVE teamed with Potter Architects with civil and site elements of the project construction management and construction inspections.

PHILLIPS FIELD BRIDGE

The bridge has been re-opened with some limitations. The limitations consist of a single vehicle moving slowly. The Department of Public Works has taken over the routine maintenance cleaning of the bridge bearings. Minor maintenance work on the bridge has been completed.

We have prepared revised scope of services and cost proposals for further repairs and upgrade of the bridge using FEMA funds stemming from Hurricane Ida on February 16, 2023. Base maps for gabion basket protection of the shoulders of the bridge are completed. RVE was prepared for the Flood Hazard Area Individual Permit and NJDEP Freshwater Wetlands General Permit 20 (Bank Stabilization) applications. RVE has designed gabion basket around the bridge abutment and the stream embankment to stabilize the bridge current condition. The permitting documents were submitted to NJDEP and it is under review. The first set of comments was received on 2/19/25 and RVE addressed the comments and the revised plan and the response document was submitted to NJDEP on 3/13. Currently it is under review by NJDEP.

We have been following up with NJDEP reviewers to expedite the review process for this application.

WATCHUNG LAKE AND BEST LAKE DREDGING

We contacted Westfield Township and the information about the hydro-racking contractor was received for consideration by the Borough. The contractor will provide some cost estimates for performing these tasks. **Applied for Congressional Grant for both lakes dredging through Bruno Associates.**

TAX MAP MAINTENANCE AND REVISIONS FOR TAX YEAR 2018-2025

Scope of Services & Cost Proposal for the Tax Map Maintenance and Revisions for Tax Year 2018-2025 for Borough of Watchung as per your request was submitted on January 27th for consideration. **The Borough Authorized RVE for this project at the meeting of 2/13. RVE had a meeting with the Borough Tax Officer and the project has started and it is in progress.**

CAPITAL IMPROVEMENT PROJECTS UNDER CONSTRUCTION

FY 2024 NJDOT TRUST FUND “MUNICIPAL AID” PROGRAM

RVE submitted the FY 2024 grant application on June 27, 2023, for improvements to the following three roads, in priority order:

- Vail Lane, full length.
- Wolford Court, full length.
- Drift Road, from Dale Road to ending cul-de-sac.

We received NJDOT notification on November 1, 2023, of the grant award of \$337,210.00. The Council awarded the contract to Reivax Contracting Corp for the base bid of \$243,835.75 at the

June 20th meeting. Construction completed, NJDOT has inspected and submitted comments, responses filed with NJDOT December 3, 2024.

FY 2023 NJDOT TRUST FUND “MUNICIPAL AID” PROGRAM

RVE was authorized on May 24, 2023 to proceed with the design of improvements to the following three roads, in priority order:

- Meadowlark Road
- Washington Rock Road / Rock Road East from approximately #69 to the Warren Township municipal boundary
- Reynolds Drive

We received NJDOT notification on November 23, 2022 of the grant in the amount of \$368,400.00. The project was awarded to Reivax Construction Corp. at the September 21, 2023 Council meeting for \$398,622.75. Construction complete. DOT final inspection has been completed. The contractor is scheduling two small Meadowlark items to be completed prior to closeout. Meadowlark final work may be moved to spring.

PLANNING and / or ZONING BOARD INSPECTION PROJECTS

BJ's Wholesale Club in Watchung (Block 64.02, Lot 2.05) - New Fuel Facility

Pre-construction meeting held September 5, 2024. RVE provided construction observation services. The project was completed recently and the BJ's Wholesale Club is open.

SERITAGE aka STARBUCKS

Construction at the site has completed, RVE issued a recommendation for the Certificate of Occupancy and the Starbucks is open. Applicant inquiries on bond release are pending.

1375 Plainfield Avenue

The planning board review was completed and it will be signed off soon. The project will be ready for inspection.

SOMERSET COUNTY AND OUTSIDE AGENCIES RELATED WORKS

Somerset County Hazard Mitigation Plan 2025 Update

The plan was prepared and submitted to the county's consultant for review. A meeting was held on 3/5 and the plan is currently ready to be reviewed by the public. Chapter 23- Watchung Annex was reviewed and submitted to the Somerset County for review.

Somerset County Local Safety Action Plan Municipal Meeting

We attended this meeting. The purpose of the meeting was to inform the municipalities on what a LSAP is; how it can make a municipality eligible for future road safety funding; for the municipalities to give them feedback on the developing Somerset County LSAP plan, as well as ask

general questions about LSAP's. Two representatives from the borough shall be nominated to serve on the committee. The County sent a document to the committee member for a strategic survey. The project team is seeking feedback on strategies and actions that the plan will recommend. The received survey spreadsheet includes a variety of infrastructure, educational, and enforcement strategies that have been proven to reduce traffic fatalities and serious injuries in New Jersey. The county is requesting that you provide feedback on each group of strategies to the best of your knowledge and experience, even if the particular strategy is not within your professional expertise. Your knowledge of Somerset County makes your input critical to the future implementation of this LSAP. **The LSAP strategy survey spreadsheet was completed and submitted to Somerset County and NJTPA on 5/17. We attended a meeting on 4/22 to hear the results of the survey and the future of the committee.**

Green Brook Flood Control Commission

The meeting was held on February 5th virtually. There was a briefing from the Army Corps of Engineers on the work that was done. Currently the Corps is performing modelling works on the lower basin and the results will be submitted to NJDEP by early March. No work has been performed on the upper basin due to the lack of staffing and funding.

COMPLETED CAPITAL IMPROVEMENT PROJECTS UNDER TWO YEAR MAINTENANCE BOND

SIDEWALK FROM WATCHUNG CIRCLE/VALLEY ROAD TO LIBRARY PARKING LOT

RVE has prepared a sidewalk design and obtained County approval. The Borough has awarded the work and held a preconstruction meeting on September 5, 2024. Construction completed.

REPAIRS TO VARIOUS STORM CULVERTS

Funding Source(s): FEMA and Borough funding

Contractor: CMS Construction, Inc.

Contract Amount: \$193,785.00

Notice to Proceed issued: March 10, 2023

We determined that four (4) locations required significant repairs.

Our office issued a declaration for the need of repairs to the Borough for the following four (4) culverts located in the vicinities of:

- 160 Hill Hollow Road
- 90 Glen Eagle Drive
- 20 Glen Eagle Drive
- 48 Brook Drive

Project is complete. The contractor had not requested final inspection from the Soil Conservation District. RVE requested the inspection and received a final report of compliance on March 5, 2024. The project is complete.

FY 2020 & 2021 NJDOT TRUST FUND “RESURFACING OF VARIOUS ROADWAYS”

Funding Source(s): FY 2020 Trust Fund in the amount of \$300,000, and FY 2021 Trust Fund in the amount of \$375,000

Contractor: J.A. Alexander, Inc.

Contract “A” Amount: \$309,960.39

Contract “B” Amount: \$275,035.66

Notice to Proceed issued: June 17, 2022

This project was advertised and awarded as one project with two (2) separate construction contracts as follows:

“Contract A”:

This contract consisted of the resurfacing of the following roadways utilizing FY’ 2020 NJDOT Trust Fund grant funds:

1. Hill Hollow Road (from Valley Road to Johnston Drive)
2. Nottingham Drive (from Hill Hollow Road to end)

“Contract B”:

This contract consisted of the resurfacing of the following roadways utilizing FY’ 2021 NJDOT Trust Fund grant funds:

1. Elsinore Drive (entire extent from Valley Road (CR 527) to Sherwood Drive)
2. Friar Lane (entire extent from the NW Terminus to SE Terminus)
3. Sherwood Drive (Elsinore Drive to a point approximately 800' south)
4. Johnston Drive (Woodledge Road to Valley Drive)

RVE closed out the project on February 23, 2023.

FY 2022 NJDOT TRUST FUND “MUNICIPAL AID” PROGRAM

Funding Source(s): FY 2022 Trust Fund in the amount of \$348,000

Contractor: J.A. Alexander, Inc.

Contract Amount:

Notice to Proceed issued: October 18, 2022

This contract consists of the resurfacing of the following roadways utilizing FY’ 2020 NJDOT Trust Fund grant funds:

- Johnston Drive (from Valley Drive to Camp Endeavor)
- Scott Drive (from Washington Drive to Winter Lane)

RVE closed out the project on February 6, 2023.

“MORRIS COUNTY COOPERATIVE PRICING COUNCIL” ROAD PROJECT

Tilcon is the vendor for the Co-op’s “Road Resurfacing” contract for 2022. The Borough awarded a contract to Tilcon for resurfacing the following roads under the co-op:

Corey Lane (full length)

Old Somerset Road (from Corey Lane to Orchard Road)

RVE closed out the project in October 2022.

WATCHUNG POLICE ACTIVITY REPORT

SUMMONS
Highway: 90
Town: 250

MONTH: **April** 2025

		THIS MONTH	YTD 2025	YTD 2024
1. CALLS REQUIRING POLICE ACTION		2,008	8,408	8,093
	A. CALLS RELATING TO CRIME	159	659	677
	B. ALL OTHER SERVICE CALLS	1,849	7,749	7,416
2. SHOPLIFTING		6	51	60
3. TOTAL ADULTS ARRESTED		20	90	63
4. TOTAL JUVENILES DETAINED		0	0	3
5. TOTAL VACANT HOMES REPORTED		10	30	30
6. TOTAL VACANT HOMES CHECKED		42	174	177
7. TOTAL ACCIDENTS REPORTED		58	233	278
	A. NON-REPORTABLE	7	25	51
	B. REPORTABLE	51	210	210
	C. PERSONS INJURED	8	29	30
	D. PERSONS KILLED	0	0	0
8. MOTOR VEHICLE ENFORCEMENT INDEX		340	1,340	1,070
	TRAFFIC SAFETY HILLCREST TRUCKS STOPPED	50	171	60
	TRAFFIC SAFETY HILLCREST TRUCK CITATIONS	63	184	95
	PATROL HILLCREST TRUCK CITATIONS	41	140	93
9. POLICE PERSONNEL ASSAULTED		0	0	0
10. DRIVING WHILE INTOXICATED		3	6	9
11. HOURS OF IN-SERVICE TRAINING		282	1,561	1,257
12. FALSE ALARMS		61	218	204
	A. DISTRICT 1	34	124	123
	B. DISTRICT 2	27	94	81

Respectfully Submitted,


Scott Anderle
Chief of Police

WP-140 (Rev. 12/31/2021)

ORIGINAL TO:
FILE

EDITH GIL, BOROUGH CLERK
CC: ADMINISTRATOR JIM DAMATO, MAYOR AND COUNCIL



Watchung Rescue Squad

Council Report

May 2025

-
- April was a busy month for our squad. We continued our building renovations and brought on 3 new cadet members! They are working with our crew chiefs to learn about the ambulances and were cleared to take calls with their crews. We also held another CPR class and trained lay people on how to perform bystander CPR.
 - Our April drill was the Traffic Incident Management course and was held in conjunction with the Watchung Fire Department. Our members learned the importance of scene safety and how to stage our apparatus appropriately to protect first responders on highway and road scenes.
 - As we move into May, we will be celebrating EMS Week which is held from May 18-25th. We look forward to our upcoming festivities!

April 2025 Call Stats

BLS CALLS	14
ALS CALLS	4
RMA	7
CANCELED	3
FIRE REHAB	0
CPR	0
Total Calls	28
Total Calls YTD	114

Top Responders-crew

Ben Dorkin with 9 calls

Matthew King, Myles Presgraves with 8 calls

Top Crew-shift: Friday and Thursday night with 8 calls

Hospital Transports- Rec. Hosp

Overlook- 10

RWJ Somerset- 2

Morristown- 2

JFK- 1

Watchung Green Team

Meeting Minutes

Meeting Start date and time:

March 24, 2025

5:33 pm

Attendees:

Charlie Neiss (chair)
Kayla Briant
Emma Speeney
Denise Soppas
Mimansa Kumar

Agenda

- Approval of January 27, 2025 [Meeting Minutes](#)
- Approval of February 24, 2025 [Meeting Minutes](#)
- Grant status
- Community garden project proposal update
- Farmers Market

Prior meeting minutes

[January 27, 2025](#)

Motion: Emma
Second: Kayla
Approved

[February 24, 2025](#)

Motion: Mimansa
Second: Emma
Approved

Grant status

- Sustainable Jersey Grant - Need status from Bill
- PSE&G Grant

- Meetings in January & February
- Application for \$5k grant can be submitted soon
- Next meeting with SJ on 4/9. Charlie to send meeting registration once available.

Community garden project proposal

Updates to the proposal were reviewed. Some additional changes were recommended. One more revision before the April meeting. A working meeting will be scheduled in early April.

Farmers Market Update

- Bill sent email to vendors and Denise followed up.
- Ten vendors have expressed an interest in returning, but only one application has been received to date.

Follow-ups from prior meeting

- Charlie to update Jan meeting minutes with missing information COMPLETE
- PSE&G Outreach grant
 - Bill to send high res logo to SJ COMPLETE
 - Charlie to draft letter for Mayor's signature COMPLETE
 - Sonia to speak with Mayor regarding video TBD
 - Bill to provide list of businesses from fire official COMPLETE
 - Photos of borough to be provided for website COMPLETE
- Emma and Kayla to update proposal COMPLETE
 - Flesh out pros and cons for Mobus and Camp Endeavor locations
 - Keep Phillips and Best Lake locations in document, but indicate reasons for removing from consideration
 - Estimate of size of garden and parking requirements
 - Rough budget estimate
- Bill to send letter to prior vendors asking for response within 6 weeks COMPLETE

Follow up actions:

- Charlie to send details of April 9th SJ meeting
- Emma & Kayla to update proposal and schedule meeting with Charlie
- Charlie to follow up with Sonia about Mayor's letter and video appearance.

Next meeting:

April 28, 2025 @ 5:30 pm

Meeting End time: 6:17 pm

Motion to adjourn: Denise

Second: Kayla

Approved unanimously

**BOROUGH OF WATCHUNG
RESOLUTION: R1**

RESOLUTION OPPOSING PENDING LEGISLATION (SENATE BILL S2347/1106 AND ASSEMBLY BILLS A2792, A4370 AND A2489) THAT REQUIRES MUNICIPALITIES TO ADOPT ZONING ORDINANCES PERMITTING ACCESSORY DWELLING UNITS

WHEREAS, New Jersey has long prided itself on maintaining the principles of home rule, which has provided our residents with the most meaningful direct access to democratically elected officials through strong local governments; and

WHEREAS, municipalities represent the form of government which is closest to the people, and the immediacy of governance at the local level brings a distinctive responsiveness and ability to shape policy to respond to the particular needs of communities; and

WHEREAS, local control and decision making empowers the residents and taxpayers of each municipality to carefully tailor local policies that reflect its unique geography, economy, beliefs and priorities; and

WHEREAS, there is pending legislation at the State that would require municipalities to adopt a zoning ordinance that permits accessory dwelling units (ADUs) and permit property owners to develop ADUs on their property is inconsistent with the principles of the New Jersey Municipal Land Use Law; and

WHEREAS, such pending legislation is currently presented in Assembly Bill A-2792 (which consists of Assembly Committee Substitute (ACS) for A-2792, A-4370, and A-2489), and Senate Bill S-23471106, which undermines the careful planning municipalities engage in and routinely update; and

WHEREAS, municipalities already have the authority to permit ADUs and this legislative proposal undermines municipal land use planning where ADUs are inconsistent with the land use planning due to a variety of factors including availability of water, sewer capacity, parking, and infrastructure; and

WHEREAS, this legislation and the erosion of local autonomy threatens to undermine home rule that is critical for local officials to adopt policies that are the most beneficial to the community and that our residents have long come to expect from their municipal governments; and

WHEREAS, for the above reasons, the Mayor and Borough Council of the Borough of Watchung is adamantly opposed to the pending Bills and requests that the State Legislators do not vote in favor of the Bills.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Watchung, in the County of Somerset, State of New Jersey, that the Borough strongly opposes Assembly Bill A-2792 (which consists of Assembly Committee Substitute (ACS) for A-2792, A-4370, and A-2489), and Senate Bill S-23471106, and requests that the New Jersey Legislature vote against the Bills, preserving local autonomy in municipal planning to develop

BOROUGH OF WATCHUNG
RESOLUTION: R1

Accessory Dwelling Units if and where it sees fit. The Borough further implores the Legislature to cease from proposing or enacting any legislation that preempts local zoning or the ability of a municipality to effectively plan and zone for appropriate development within its borders.

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby directed to send a certified copy of this Resolution within five (5) days after its adoption, by mail and email to the Borough's State Legislative representatives, Senate President Nicholas Scutari, Assembly Speaker Craig Coughlin, the Lieutenant Governor Tahesha Way, New Jersey Governor Phil Murphy, and the New Jersey League of Municipalities.

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

Curt S. Dahl, Acting Council President

Ronald Jubin, Ph.D., Mayor

ADOPTED: MAY 8, 2025
INDEX: MISC
C: NJLEG, JS,

**BOROUGH OF WATCHUNG
RESOLUTION: R2**

***AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR THE NEW JERSEY
DEPARTMENT OF TRANSPORTATION’S “TRANSPORTATION ALTERNATIVES
PROGRAM” (TAP) FOR THE “VALLEY ROAD SIDEWALK IMPROVEMENT
PROJECT”***

WHEREAS, the Borough of Watchung supports policies and programs that focus on health and wellness and safer community environments; and

WHEREAS, the Borough of Watchung desires to further the public interest by making an application to the New Jersey Department of Transportation’s “Transportation Alternatives Program” to help fund the following project: Valley Road Sidewalk Improvement Project; and,

WHEREAS, the project will help continue and improve the promotion and encouragement of pedestrian and bicycle access and safety for all residents within the Town; and

WHEREAS, maintenance of facilities, once constructed, will be assumed by the Borough of Watchung where applicable, with the exception of (1) local ordinances that place maintenance responsibility with each individual property owner, and (2) those crosswalks on State or County Highways; and

WHEREAS, the Borough of Watchung, through its Department of Public Works, will assume all responsibility with regard to the maintenance and upkeep of this project; and

WHEREAS, the Borough of Watchung will assign its Administrator to serve as the responsible charge for the project.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Watchung that it hereby authorizes and supports the submission of electronic grant application “TA-2025-Valley Road Sidewalk Improvement Pro-00059” to the Transportation Alternatives Program within the State of New Jersey Department of Transportation and authorizes the Mayor, Administrator, and the Clerk to execute any and all documents necessary and related to the submission of said grant application or grant agreement.

Curt S. Dahl, Acting Council President

Ronald Jubin, Ph.D., Mayor

ADOPTED: MAY 8, 2025
INDEX: MISC-FINANCE
C: BRUNO, CFO, DPW

**BOROUGH OF WATCHUNG
RESOLUTION: R3**

WHEREAS, the Borough of Watchung has received a Field and Facility Permit Application which has been reviewed by Borough Officials; and

WHEREAS, the Governing Body of the Borough of Watchung, County of Somerset, State of New Jersey wishes to authorize said application.

NOW THEREFORE BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of Watchung that the use of Phillips Field is authorized for the intended use as noted below and is hereby approved:

1. Watchung PTO to hold movie night from 7:00 PM to 11:00 PM on June 6, 2025.
2. All approvals are subject to having appropriate insurance coverage, applicable departmental approvals, and receipt of appropriate fees, if applicable.

Curt S. Dahl, Acting Council President

Ronald Jubin, Ph.D., Mayor

ADOPTED: MAY 8, 2025
INDEX: RECREATION
C: DQG, PD,

**BOROUGH OF WATCHUNG
RESOLUTION: R4**

WHEREAS, funds have been remitted by the mortgage company to redeem tax sale certificate #23-00011 held by Pro Cap 8 FBO Firsttrust Bank on Block 1604 Lot 10, 35 Scott Drive, assessed in the name Scottlande, LLC, and the Mayor and Council must approve the distribution of these funds.

NOW, THEREFORE BE IT RESOLVED, by the Mayor & Council of the Borough of Watchung, County of Somerset, State of New Jersey, that the Treasurer is authorized to remit payment to the lienholder as follows:

Pro Cap 8 FBO Firsttrust Bank
PO Box 774
Ft. Washington, PA 19034-0774

Principal	\$5,502.08
Interest	\$ 298.60
Premium	\$1,200.00
Total:	\$7,000.68

Curt S. Dahl, Acting President

Ronald Jubin, Ph.D., Mayor

ADOPTED: MAY 8, 2025
INDEX: FINANCE-MISC,
C: CFO, TAX CLERK

**BOROUGH OF WATCHUNG
RESOLUTION: R5**

LEAP IMPLEMENTATION GRANT

WHEREAS, the State of New Jersey has appropriated \$6 million for Shared Services and Implementation, Challenge, and County Coordinator Grants to assist local units with the study, development, and implementation of new shared and regional services; and

WHEREAS, the Department of Community Affairs, Division of Local Government Services (DLGS) is tasked with administering these grant funds through the Local Efficiency Achievement Program (LEAP); and

WHEREAS, LEAP Implementation Grants exist to support costs associated with shared service implementation to ensure that meaningful, efficiency generating initiatives are not hindered by short term transitional expenses; and

WHEREAS, the Borough of Watchung and the Borough of North Plainfield propose to enter into a shared services agreement, but face certain expenses associated with implementation that present a burden to the local units; and

WHEREAS, the purpose of this shared services agreement is to acquire a mini fire pumper to better respond to fire calls and emergencies on narrow, mountainous roads or tight and heavily traveled downtown streets, which will benefit the residents of both participating local units; and

WHEREAS, the Borough of Watchung has agreed to be the lead agency in this program and will submit the application to DLGS on behalf of all participating units; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Watchung, that the Borough of Watchung will apply for a LEAP Implementation Grant in the amount of \$400,000.00 to support implementation of this shared service on behalf of itself, and on behalf of the Borough of North Plainfield, and if awarded and upon execution of said Agreement, the Borough of Watchung does accept the Terms and Conditions specified in the Agreement in connection to this grant award.

Curt S. Dahl, Acting Council President

Ronald Jubin, Ph.D. Mayor

CERTIFICATION

I, Edith Gil, Clerk of the Borough of Watchung in the County of Somerset, and the State of New Jersey do hereby Certify that the foregoing Resolution is a true copy of the Original Resolution duly passed and adopted by a majority of the full membership of the Mayor and Council of the Borough of Watchung at its meeting of Thursday, May 8th, 2025.

Edith G. Gil, Municipal Clerk

**BOROUGH OF WATCHUNG
RESOLUTION: R6**

***RESOLUTION OF THE BOROUGH OF WATCHUNG RELATING TO THE
REDEVELOPMENT AGREEMENT AND FINANCIAL AGREEMENT
BETWEEN THE BOROUGH OF WATCHUNG AND BONNIE BURN
REDEVELOPERS URBAN RENEWAL, LLC AS REDEVELOPER OF THE
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***

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (“LRHL”), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, the Borough acts as redevelopment entity for the purpose of implementing redevelopment plans and carrying out redevelopment within the Borough pursuant to the LRHL; and

WHEREAS, in accordance with the LHRL, the Borough Council for the Borough of Watchung (the “Borough Council”), duly adopted a resolution on October 4, 2018, pursuant to Resolution No. R11:10/04/18, designating 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 as an Area in Need of Non-Condemnation Redevelopment (the “Redevelopment Area” or the “Property”); and

WHEREAS, in accordance with the LHRL, on December 6, 2018 via Ordinance No. OR:18/20, the Borough initially adopted a redevelopment plan (the “Redevelopment Plan”), providing for the redevelopment of the Redevelopment Area, which has been amended and supplemented from time to time, with the most recent amendment adopted by the Borough Council on July 15, 2021; and

WHEREAS, the Borough desires that the Property be redeveloped in accordance with the Redevelopment Plan; and

WHEREAS, on December 16, 2021, by Resolution No. R8, the Borough Council authorized the execution of a redevelopment agreement (the “Redevelopment Agreement²”) between the Borough and Bonnie Burn Redevelopers Urban Renewal, LLC (the “Redeveloper”), and the Redevelopment Agreement was fully executed by the Parties on March 16, 2023; and

WHEREAS, the Borough and the Redeveloper, pursuant to Resolution Nos. R8:12/02/2021 and R9:12/02/2021 and Ordinance No. OR:21/12, entered into the Financial Agreement (“Financial Agreement”) for the Project on July 12, 2022; and

WHEREAS, pursuant to the Redevelopment Agreement and the Financial Agreement, the Redeveloper proposed to design, obtain approvals for, finance, construct, and develop an inclusionary housing project containing six (6) residential buildings, consisting of not more than two hundred thirty (230) total rental units, of which not more than one hundred eighty-four (184) will be market-rate units and not less than forty-six (46) will be affordable housing units; one

**BOROUGH OF WATCHUNG
RESOLUTION: R6**

clubhouse building; and other related improvements (the “Project”) to be implemented upon the Property; and

WHEREAS, on April 22, 2025, the Redeveloper notified the Borough of an intended indirect change in ownership of Bonnie Burn Redevelopers Urban Renewal, LLC and to request the Borough Council’s adoption of a resolution to (i) acknowledge MCP IV Bonnie Burn Venture LLC (“Venture Entity”), Redeveloper’s joint venture entity with an affiliate of Marcus Partners (“Marcus”), as an indirect or direct owner of Redeveloper, and (ii) to continue to approve Redeveloper as a Qualified Entity and Redeveloper in the event of a Change of Ownership/Control in Bonnie Burn Redevelopers Urban Renewal, LLC, where Marcus is either or both of (i) the sole owner, directly or indirectly, of Redeveloper and (ii) the sole controlling party of Redeveloper, including to be the party responsible for day to day control of Redeveloper and the Property ((i) and/or (ii), a “Change of Ownership/Control”), as permitted by the governing joint venture documents for the Venture Entity; and

WHEREAS, on April 22, 2025, the Redeveloper also requested that the Borough Council adopt a Resolution to authorize execution of a form of estoppel certificate for the Redevelopment Agreement and Financial Agreement, which is required from Redeveloper’s mortgagor, First Citizens Bank & Trust Company; and

WHEREAS, Redeveloper provided notice pursuant to Section 10.2(h) of the Redevelopment Agreement and Section 7.06 of the Financial Agreement, of an intended change in ownership of Redeveloper from Sterling Watchung, LLC, an entity owned and controlled by Sterling Properties (“Sterling”), and Watchung Development Partners, LLC, an entity owned and controlled by Danbro Properties (“Danbro”), to Venture Entity, a joint venture entity created between Sterling/Danbro and Marcus; and

WHEREAS, the Venture Entity and Marcus meet the Qualified Entity criteria in Section 2.4(B)(i)–(ix) of the Redevelopment Agreement.; and

WHEHEAS, Section 8.01 of the Financial Agreement authorizes the Council to conditionally approve the transfer of the Project (or the indirect interests therein) to Venture Entity and/or Marcus; and

WHEREAS, the Borough hereby acknowledges the intended indirect change in ownership of Bonnie Burn Redevelopers Urban Renewal, LLC and the Borough Council acknowledges Venture Entity and Marcus as Qualified Entities pursuant to Section 9.2 of the Redevelopment Agreement; and

WHEREAS, the Boroughs’ execution of an estoppel certificate is anticipated and authorized by Section 9.2(C) of the Redevelopment.

NOW, THEREFORE, it is hereby resolved by the Borough Council of the Borough of Watchung, County of Somerset, State of New Jersey, as follows:

Section 1. The recitals are hereby incorporated by reference as if fully set forth herein.

Section 2. The Borough acknowledges that intended indirect change in ownership of Bonnie Burn Redevelopers Urban Renewal, LLC to MCP IV Bonnie Burn Venture LLC,

BOROUGH OF WATCHUNG
RESOLUTION: R6

Redeveloper's joint venture entity and an affiliate of Marcus, as an indirect or direct owner of Redeveloper and a Permitted Transfer, as that term is defined in the Redevelopment Agreement.

Section 3. The Borough continues to approve Redeveloper as a Qualified Entity and redeveloper in the event of a Change of Ownership/Control in Bonnie Burn Redevelopers Urban Renewal, LLC, as defined herein, where Venture Entity or Marcus is the sole owner and/or controlling party of Redeveloper, as permitted by the governing joint venture documents for the Venture Entity, provided that the Venture Entity and/or Marcus complies with the requirements and qualifications under the LRHL and the Long Term Tax Exemption Law (N.J.S.A. 40A:20-1, *et seq.*).

Section 4. The Mayor of the Borough are hereby authorized to execute the estoppel certificate attached hereto as Exhibit A, together with such additions, deletions and modifications as deemed necessary or desirable by the Borough, in consultation with Counsel, as well as such related documentation and agreements as are necessary and appropriate to accomplish the goals and intent of this Resolution.

Section 5. All appropriate Borough officials and professionals are hereby authorized and directed to take all other administrative actions as are necessary and appropriate to accomplish the goals and intent of this Resolution.

Section 6. This Resolution shall take effect in accordance with the law.

Robert Gibbs, Council Member

Ronald Jubin, Ph.D., Mayor

ADOPTED: MAY 8, 2025
INDEX: PLANNING BD,
C: BOARD CLERK, JS

EXHIBIT A TO RESOLUTION

Estoppel Certificate

DRAFT

ESTOPPEL CERTIFICATE AND RECOGNITION AGREEMENT

Dated: [____], 2025

This Estoppel Certificate and Recognition Agreement (this “**Agreement**”) is issued by the Borough of Watchung, a public body corporate of the State of New Jersey (the “**Borough**”), located in the County of Somerset, to First Citizens Bank & Trust Company, in its capacity as administrative agent (in such capacity, together with its successors and assigns in such capacity, “**Agent**”) for itself and certain other lenders (together with their respective successors and assigns in such capacity, collectively, “**Lenders**”), in connection with (a) that certain Redevelopment Agreement dated March 16, 2023 (the “**Redevelopment Agreement**”), by and between the Borough and Bonnie Burn Redevelopers Urban Renewal LLC, a New Jersey limited liability company (“**Borrower**”), and (b) that certain Financial Agreement dated as of May 12, 2022, by and between the Borough and Borrower (the “**Financial Agreement**”). Capitalized terms used but not otherwise defined in this Agreement have the same meanings that are ascribed to them in the Redevelopment Agreement or the Financial Agreement, as applicable.

The Borough hereby certifies, acknowledges and agrees as follows:

1. **Redevelopment Agreement; Financial Agreement.** The Redevelopment Agreement and the Financial Agreement (each an “**Agreement**”, and collectively, the “**Agreements**”) collectively represent the entire agreement between Borrower and the Borough with respect to the subject matter thereof, and there is no other agreement in effect between or among the Borough, on the one hand, and Borrower and/or any affiliate of thereof, on the other hand, with respect to the subject matter thereof. Each of the Agreements remains in full force and effect and valid, binding, and enforceable upon the Borough and each of the other parties thereto in accordance with its terms, and has not been subsequently amended or modified as of the date hereof. There is no default or breach, nor any event or condition which, with the passage of time or the giving of notice or both, would constitute a default or breach under any of the Agreement on the part of the Borough or Borrower. To the Borough’s knowledge, there have been no assignments of Borrower’s interests in any of the Agreements.
2. **Liens; Litigation.** No liens with respect to Property are currently being asserted by the Borough under the provisions of any Agreement. The Borough is not a party to, and has no knowledge of, any pending or threatened dispute or litigation with respect to any Agreement.
3. **Bonds.** No bonds have been issued by the Borough with respect to the Property and/or the proposed redevelopment thereof.
4. **Recognition of Agent.** The Borough hereby acknowledges that Borrower is granting a lien in favor of Agent on Borrower’s fee interest in the Property pursuant to a certain Construction Mortgage, Assignment of Leases and Rents, Security Agreement and Fixture Filing to be made on or after the date hereof by Borrower in favor of Agent, for the benefit of Lenders, with respect thereto (the “**Subject Mortgage**”), and pursuant to certain related collateral assignments to Agent. Notwithstanding anything to the contrary in the Agreements and without limiting the protections afforded Agent pursuant to N.J.S.A. 55:17-1, the Borough

hereby acknowledges and agrees that Agent, together with its successors and assigns is, and shall be afforded all rights and protections thereunder of, a “mortgagee”, a “holder of a mortgage” or an “institutional lender” under the Redevelopment Agreement. Without limiting the foregoing, if Agent shall become the owner of the Property by reason of judicial foreclosure, nonjudicial trustee’s sale or other proceedings brought by Agent to enforce its rights under the Subject Mortgage, by deed-in-lieu of foreclosure or through any other means or manner in connection with the Loan, Agent shall be deemed to be Borrower’s successor and assignee under the each of the Agreements and shall be entitled to all rights, benefits and privileges of the Borrower under the Agreements for the balance of the term thereof and, to the extent applicable, any renewal or extension period thereof duly exercised as required by the applicable Agreement, all without the need to execute any further instruments on the part of the Borough, Borrower or Agent to make such succession and assignment effective and binding upon the Borough. In connection with Agent or any Mortgagee Successor (as defined below) to the interest of Borrower under any of the Agreements, Agent or such Mortgagee Successor, as applicable, shall not be required to cure any defaults under any of the Agreements which are personal to Borrower and not reasonably susceptible to cure by Agent or such Mortgagee Successor. The consent of the Borough shall not be required in connection with the granting of the Subject Mortgage, the loan secured thereby, or the Agent’s exercise of its remedies under the Subject Mortgage and/or any other loan documents evidencing and/or securing such loan including, without limitation, any foreclosure or deed in lieu thereof in favor of any Mortgagee Successor (as defined below).

5. **Notice of Subject Mortgage; Mortgage Notices.** The Borough further acknowledges and confirms that this Agreement shall serve as notice to the Borough of the Subject Mortgage for all purposes under the Agreements, including, without limitation, for purposes of Section 9.2 of the Redevelopment Agreement, and the Borough shall provide Agent with copies of all written notices of default sent pursuant to any of the Agreements simultaneously with the transmission of such notices to Borrower, with such notices addressed as follows:

First Citizens Bank & Trust Company
11 West 42nd Street
New York, New York 10036
Attention: Ted Dalton

and

First Citizens Bank & Trust Company
CLAS – West (REF Servicing)
75 N. Fair Oaks Avenue
Pasadena, CA 91103
(PAS-04-02)
Attention: REF Servicing

With a copy to:

Riemer & Braunstein LLP

Seven Times Square, Suite 2506
New York, New York 10036
Attention: Matthew R. Nash, Esquire

6. **Cure Rights.** The Borough hereby acknowledges and agrees that Agent shall have the right, but not the obligation, to remedy any default under each of the Agreements all in accordance with the terms and conditions of Article 9 of the Redevelopment Agreement, *mutatis mutandis*, and for such purpose the Borough hereby grants Agent, in addition to the period given to Borrower for remedying defaults, an additional thirty (30) days to remedy, or cause to be remedied, any such default. The Borough shall accept such performance by Agent with the same force and effect as though performed by Borrower. Without limiting the foregoing, in addition to the cure periods provided under the Redevelopment Agreement, as to any non-monetary breach or default by Borrower under any of the Agreements which is not capable of being cured within the aforementioned thirty (30) day cure period or requires possession and control of the property subject to the Agreements, Agent's cure period shall continue for such additional time as Agent may reasonably require to either cure or obtain possession and control of such property (by foreclosure, deed-in-lieu of foreclosure or by appointment of a receiver) and thereafter cure the breach or default with reasonable diligence and continuity.
7. **Liability of Agent and Lenders.** Unless and until expressly assumed by Agent in writing, no liability for any payments to be made pursuant to the Agreement or the performance of any of Borrower's covenants and agreements thereunder shall attach to or be imposed upon Agent or any Lender, and if Agent or any Mortgagee Successor succeeds to the interest of the Borrower in the Property, (x) all of the obligations and liabilities of Agent and/or such Mortgagee Successor shall be limited to such entity's interest in the Property and shall cease and terminate upon any further assignment of the Agreements in accordance with the terms thereof and hereof and (y) in no event shall Agent or any Mortgagee Successor be liable for any breach of any representation made by Borrower pursuant to the terms of any Agreement. As used herein "**Mortgagee Successor**" shall mean any successor, nominee and/or designee of Agent and/or any Lender in connection with the exercise by Agent and/or the Lenders of their rights and remedies under the Subject Mortgage and/or any other Loan Documents (as defined in the Subject Mortgage) or any deed in lieu thereof.
8. **Amendments to Agreements.** The Borough acknowledges and agrees that the Agreement shall not be amended, cancelled, surrendered otherwise modified without the prior consent of Agent (provided that the foregoing shall not limit the Borough's rights to terminate the Agreements to the extent expressly provided for therein, subject to Agent's cure rights as set forth therein and herein). Without limiting the foregoing, Agent, or its successors and/or assigns, shall not be bound by any amendment or modification of any of the Agreements made without Agent's advance written consent.
9. **Authorization.** The individual executing this Agreement is duly authorized to execute the same on behalf of the Borough.
10. **Memorandum of Agreement.** At the option of Agent, a memorandum of this Agreement may be recorded with the Somerset County Clerk's Office. If Agent so requests, Borrower

and the Borough shall execute such memorandum and shall otherwise reasonably cooperate with Agent in connection with the recordation thereof.

11. **Acknowledgment.** The Borough understands and acknowledges that Agent, Lenders and their respective successors and assigns will rely on the statements made in this Agreement in connection with extending credit to Borrower and providing financing for the Property.
12. **Inconsistent Provisions.** To the extent that any of the terms and provisions of this Agreement are inconsistent with the terms and provisions of any Agreement, the terms and provisions hereof shall control.
13. **Invalid Provisions.** A determination that any provision of this Agreement is unenforceable or invalid shall not affect the enforceability or validity of any other provision and a determination that the application of any provision of this Agreement to any person or circumstance is illegal or unenforceable shall not affect the enforceability or validity of such provision as it may apply to other persons or entities or circumstances.

[SIGNATURES APPEAR ON SUCCESSIVE PAGE]

BOROUGH OF WATCHUNG

By: _____

Name:

Title:

STATE OF _____,

COUNTY OF _____ SS:

I CERTIFY that on _____, 202__, _____ personally came before me and stated to my satisfaction that this person:

- (a) was the maker of the attached instrument;
- (b) was authorized to and did execute this instrument as [____], the [____] of the Borough of Watchung, the entity named in this instrument; and
- (c) executed this instrument as the act of the entity.

Notary Public

**BOROUGH OF WATCHUNG
RESOLUTION: R7**

WHEREAS, Applicant Superior Towing and Transport, LLC applied for a Wrecker License and paid the corresponding application fee of \$750.00; and

WHEREAS, upon a formal review of their application Superior Towing and Transport, LLC failed to meet the appropriate insurance requirements and decided to withdraw their application thereby requesting a refund as no license will be issued.

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 refund \$750.00 to Superior Towing and Transport, LLC, 1239 US Highway 22, Lebanon, NJ 08833.

Paul Fischer, Council Member

Ronald Jubin, Ph.D., Mayor

ADOPTED: MAY 8, 2025
INDEX: MISC., POLICE
C: CFO, PD, RA

**BOROUGH OF WATCHUNG
ORDINANCE NO. 25/07**

***AN ORDINANCE REVISING CHAPTER 28, LAND DEVELOPMENT, OF
THE BOROUGH'S CODE TO UPDATE REGULATIONS OF TEMPORARY
SIGNAGE THROUGHOUT THE BOROUGH OF WATCHUNG***

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Watchung, in the County of Somerset and State of New Jersey as follows:

Section 1. Section 28-504 entitled "Signs" of Article 28-500 entitled "Conditional Use, Fences & Walls, Signs, Parking, and Special Zoning Provisions" of Chapter 28 entitled "Land Development" of the Code of the Borough of Watchung, is hereby supplemented and amended to read as follows: [New language in **bold and underlined**; deleted language in ~~double-strikethrough~~]

Chapter 28. Land Development.

**Article 28-500. CONDITIONAL USES, FENCES & WALLS, SIGNS, PARKING,
AND SPECIAL ZONING PROVISIONS**

§ 28-504. SIGNS.

- A. General Provisions. All signs hereafter erected or maintained shall conform with the provisions of this Article and the Uniform Construction Code of the Borough of Watchung. Any sign not specifically permitted is hereby prohibited.
1. Permits Required. It shall be unlawful for any person to erect or structurally alter any sign without first obtaining a permit and making payment of the fee required by the Uniform Construction Code of the Borough of Watchung. The erection or relocation of a freestanding sign as defined herein shall require minor site plan submission prior to issuance of any permit.
 2. Reference to Zoning Districts. Except as otherwise provided, no outdoor sign or other form of exterior advertising shall be erected or maintained unless the sign complies with the requirements established in this Article for each zoning district.
- B. Exempt Signs. The provisions and regulations of this Article shall not apply to the following signs:
1. Professional nameplate signs indicating the name and profession of the occupant of a dwelling, provided such signs do not exceed two (2) square feet. Said signs shall not be lighted between the hours of 9:00 p.m. and 8:00 a.m.

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2. Temporary signs placed on windows in commercial establishments or on any other interior or exterior surface of commercial establishments covering no more than twenty-five percent (25%) of the total window area of any given side of the building. Such signs shall not be placed on establishment doors. Glass used in any such doors shall be excluded from calculations for total window area coverage under this section. Such temporary signs shall not be placed for periods exceeding thirty (30) days in duration.
3. Temporary signs of nonprofit and charitable organizations announcing a special event or function provided such signs do not exceed thirty-two (32) square feet. Such temporary signs shall not be placed for periods exceeding thirty (30) days in duration and shall be removed within five (5) days after completion of the event or function.
4. Bulletin boards not over sixteen (16) square feet in area for public, charitable or religious institutions when same are located on the premises of said institutions and located no less than twenty-five (25) feet from any lot line.
5. Signs denoting the architect, engineer or contractor, when placed upon work under construction, and not exceeding sixteen (16) square feet in area. Said signs shall be permitted for fourteen (14) days on any one (1) project while the work is under construction. Such sign shall be located no less than ten (10) feet from any lot line.
6. Memorial signs or tablets, names of buildings and dates of construction when cut into any masonry surface or when constructed of bronze or other incombustible metal.
7. Temporary signs indicating a political preference for a person and/or political party seeking election, **or involving a ballot issue (hereinafter "political signs"),** provided such signs do not exceed sixteen (16) square feet in area on any one (1) side. **When placed on public property or within the public right-of-way, as permitted by the Borough or responsible public entity, political** ~~Said signs shall be placed no sooner than thirty (30) days prior to the day of the election involving such person, party or ballot issue, and shall be removed within five (5) days after the such date completion of the election. **No political sign, whether on private or public property, may create a safety hazard. No political sign shall be placed on private property without the property owner's consent. All political signs must be at least one (1') foot from any roadway. No political sign shall be temporarily or permanently affixed to a fire hydrant, utility pole, telephone pole, traffic sign or other public utility structure or posted, painted or otherwise affixed to trees, rocks, or other natural features within a public or private right-of-way.**~~
8. Traffic directional signs as follows:

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- a. Official traffic and street signs.
 - b. As shown on an approved subdivision or site plan map.
 - c. If no development plan is required, such sign shall be located no less than five (5) feet from edge of on-site pavement and have dimensions that do not exceed one foot by two (1 x 2) feet and shall not extend more than three (3) feet in height.
9. On-site real estate or lease signs not exceeding four (4) square feet in area and off-site real estate sales/directional signs not exceeding four (4) square feet in area, when erected and maintained in accordance with the requirements set forth in Subsections E, F, and G in this section.
- C. Prohibited Sign Features.
1. No sign shall be erected, used or maintained which in any way simulates official, directional or warning signs erected or maintained by the State of New Jersey, by any county or municipality thereof, or by a public utility or similar agency concerned with the protection of the public health or safety.
 2. No neon sign or similar illustrated advertisement shall be of such color or located in such a fashion as to diminish or detract in any way from the effectiveness of any traffic signal or similar safety or warning device.
 3. The following advertisements are specifically prohibited: any advertisement which uses a series of two (2) or more signs placed in a line parallel to the highway or in similar fashion all carrying a single advertisement message, part of which is contained on each sign.
 4. No sign shall have flashing lights or exposed high flashing lights or exposed high intensity illumination.
 5. No sign may be placed in such a position to cause a danger to traffic by obscuring visibility.
 6. No sign may obstruct any window, or opening intended to provide light by more than twenty-five percent (25%) of the total window, or opening.
 7. Exterior signs using moving parts or banners, spinners, pinwheels, flags, pennants or similar signs are prohibited, with the exception of clocks and weather information.
 8. Signs visible from the street using the word "stop" or "danger" or any other word, phrase, symbol or character simulating a public safety warning or traffic signal.

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9. Roof signs on buildings, structures and vehicles excluding commercial vehicles advertising the intended use.
10. Signs or advertising matter of an indecent or obscene nature as defined by law.
11. Except where specifically permitted, signs advertising a product or service not sold on the premises, signs advertising or directing attention to another premise and any other signs unrelated to the premises on which the sign is erected.
12. Signs placed on trees, fences, utility poles or light poles, signs attached to other signs and signs placed upon motor vehicles which are continuously or repeatedly parked in a conspicuous location to serve as a sign, but nothing herein contained is intended to prohibit the placement of signs directing traffic or identifying various locations within a lot or parcel on light poles and utility poles erected therein.
13. Signs on vacant property, excluding commercial properties advertising future use, advertising a proposed use without Borough Planning or Zoning Board approval.

D. Prohibited Signs.

1. Billboards, outdoor display structures and signs mounted on trailers, platforms and atop vehicle(s). No existing billboard structure may be replaced.
2. Signs projecting more than three (3) feet from the wall of a building and all roof signs.
3. Signs other than officially authorized signs, tacked, pasted, painted or otherwise attached to poles, posts, trees, fences, sidewalks or curbs.
4. No sign other than official traffic control devices or street signs shall be erected within, or encroach upon, the right-of-way of any street unless authorized by other ordinances or regulations of the Borough.
5. Signs rotating or moving by mechanical means.

E. General Regulations.

1. Illumination. All signs shall be shielded to prevent the direct rays of illumination from being cast onto adjoining properties and approaching vehicles.
2. Location. No sign shall be located in a required buffer area.

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3. Nonconforming Signs. Nonconforming signs shall not be enlarged, relocated, altered or rebuilt. Further failure to keep such signs in good repair for a period of six (6) consecutive calendar months shall constitute abandonment and the sign shall not be replaced or rehabilitated and shall be removed by the owner.
4. Maintenance of Signs. Signs and, in the case of permitted freestanding signs, the mounting area on the ground level beneath the sign, must be constructed of durable materials, maintained in good condition and not allowed to become dilapidated or unsightly. Any sign that is or shall become dangerous or unsafe in any manner whatsoever shall be repaired and made safe or shall be removed.
5. Permit Required. No temporary or permanent sign(s) shall be installed without first obtaining a temporary or permanent sign permit from the Zoning Officer, unless specifically exempted by this chapter.
6. Permitted Hours of Illumination. All signs may be illuminated during the hours of operation of that particular business but in no event later than 1:00 a.m. in the HD District and 10:00 p.m. in all other permitted districts.

F. Signs Permitted in R-R, R-A and R-B Districts.

1. Signs not exceeding one (1) square foot for entrances and exits to driveways or for warning or directional purposes.
2. Identification signs for schools, churches or similar public or quasi-public institutions, clubs, lodges, farms, estates or similar uses provided the area of such signs does not exceed twenty (20) square feet. No such sign shall be located closer than twenty-five (25) feet to a lot line.
3. Signs advertising the sale of products from a farm as defined in this chapter, when the products are grown or raised on the premises, provided the area of such signs does not exceed thirty-two (32) square feet. All such signs shall be located at least twenty-five (25) feet from the edge of pavement or ten (10) feet from a lot line, whichever is greater.
4. Windsocks, flags, holiday banners and wind chimes.
5. One (1) unlighted real estate sign, not over four (4) square feet in area, that is located on the building or lot that is advertised for sale or lease, provided that the same is removed within ten (10) days of the execution of a contract relative to the sale or lease of the property.
6. One (1) unlighted "garage sale" sign per lot that advertises a garage sale on that lot, provided that the sign is removed no later than the day after the end of the sale. Said sign shall not exceed four (4) square feet in area, shall not extend more than seven (7) feet above the ground, shall not interfere with the safe movement of vehicles on

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adjacent roads and shall not be installed more than five (5) days prior to the date of the sale. "Garage sale" signs placed off-site shall be subject to the same requirements stipulated in the sentence above as well as the following: (a) "garage sale" signs shall be situated only at intersections where a motorist must change direction to find the garage sale and provided that no more than one (1) "garage sale" sign shall be permitted at any single intersection; and (b) no "garage sale" sign shall be located at an intersection controlled by a traffic control signal.

7. (Reserved)
8. Open House Signs. Open house signs shall be permitted in the Borough in accordance with the following conditions, limitations, and restrictions:
 - a. Open house events shall be conducted between the hours of 9:00 a.m. and 6:00 p.m. and the open house signs shall be permitted only during the actual hours of the open house event.
 - b. Each open house sign shall be no more than four (4) square feet in area, located so that the top of the sign is no more than two and one-half (2 1/2) feet from ground level, and placed or anchored on the ground in a manner that prevents the sign from being removed by any breeze, wind, or other forces of nature.
 - c. An open house sign shall only be located within the right-of-way of a municipal street at the intersection of said street with another street. The sign shall be set back from the paved cartway a minimum distance of three (3) feet and located so that visibility at the intersection is in no way diminished.
 - d. More than one (1) open house sign may be permitted for each open house event, provided that such signs are situated only at intersections where a motorist must change direction to find the open house event and provided further that no more than one (1) open house sign for each open house event shall be permitted at any single intersection. Under no circumstances, however, shall an open house sign be located at an intersection controlled by a traffic control signal. In addition to the foregoing, one (1) open house sign shall be permitted to be displayed at the property that is for sale, but only during the open house event and only in accordance with the same restrictions as are applicable to real estate signs referenced in paragraph 5 above.
 - e. The writing and symbols appearing on any open house sign shall be limited only to that necessary to assist the automobile-traveling public in locating the subject property in the Borough.
 - f. All open house signs shall be nonilluminated.

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- g. Any person posting an open house sign shall be responsible for any damage to person or property caused by the placement or movement of the sign.
 - 9. The maximum height of any ground freestanding sign shall not exceed four (4) feet except as exempted elsewhere in this chapter.
- G. Signs Permitted in B-A, B-B, B-C, O-C, H-D and QU Districts.
- 1. A sign shall identify only the business or use conducted on the premises except that one (1) directory freestanding sign in addition to business or use identity sign shall be permitted in accordance with paragraphs 5 through 8 below and that the height of a directory sign shall not exceed ten (10) feet.
 - 2. Sign(s) attached to a wall of a building shall not exceed five (5) feet in vertical dimension nor exceed in width more than fifty percent (50%) of the width of the wall to which it is attached.
 - 3. The sign area for signs attached to a wall of a building shall not exceed ten percent (10%) of the area of the wall to which the sign is attached. No one (1) individual sign attached to a wall of a building shall exceed one hundred (100) square feet in area.
 - 4. Temporary signs covering any portion of the inside windows of grocery stores which have a gross floor area exceeding twenty thousand (20,000) square feet provided, however such signs shall not exceed fifty percent (50%) of the gross window area. The covering of windows located on doors is prohibited.
 - 5. The maximum above ground height of any freestanding sign shall not exceed the lesser of eighteen (18) feet or the height of the principal building.
 - 6. Freestanding signs shall not exceed fifty (50) square feet in area and shall be limited to one (1) per lot except for corner lots, for which one (1) sign per street frontage will be allowed provided the total street frontage exceeds three hundred (300) feet.
 - 7. No freestanding sign shall be located closer to a lot line than ten (10) feet (excluding the right-of-way line) or the height of the freestanding sign, whichever is greater.
 - 8. No freestanding sign shall be permitted in a side yard or rear yard.
 - 9. One (1) unlighted real estate sign, not over four (4) square feet in area, advertising the sale or lease of the building or lot upon which the sign is maintained, provided that the same is removed within ten (10) days of the execution of a contract relative to the sale or lease of the said property. One (1) unlighted garage sale sign, not over four (4) square feet in area, advertising a garage sale upon the lot which the sign is maintained, provided that same is removed immediately upon the end of the garage

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sale. "Garage sale" signs placed off site shall be subject to the same requirements stipulated in the sentence above as well as the following: (a) "garage sale" signs shall be situated only at intersections where a motorist must change direction to find the garage sale and provided that no more than one (1) "garage sale" sign shall be permitted at any single intersection; and (b) no "garage sale" sign shall be located at an intersection controlled by a traffic control signal.

10. The Zoning Officer may allow, on a individual basis and upon showing of substantial need, a limited number of unlighted real estate sale or lease, directional signs, and garage sale signs not over four (4) square feet in area, to be placed at locations approved by the Zoning Officer and for limited periods as also approved by the Zoning Officer.
11. Open House Signs. Open house signs shall be permitted in the Borough in accordance with the following conditions, limitations, and restrictions:
 - a. Open house events shall be conducted between the hours of 9:00 a.m. and 6:00 p.m.; and the open house signs shall be permitted only during the actual hours of the open house event.
 - b. Each open house sign shall be no more than four (4) square feet in area, located so that the top of the sign is no more than two and one-half (2 1/2) feet from ground level, and placed or anchored on the ground in a manner so as to prevent the sign from being removed by any breeze, wind, or other forces of nature.
 - c. An open house sign shall only be located within the right-of-way of a municipal street at the intersection of said street with another street. The sign shall be set back from the paved cartway a minimum distance of three (3) feet and located so that visibility at the intersection is not diminished
 - d. More than one (1) open house sign may be permitted for each open house event, provided that such signs are situated only at intersections where a motorist must change direction to find the open house event and provided further that no more than one (1) open house sign, regardless of the number of open houses being conducted on a given day, shall be permitted at any single intersection. Under no circumstances, however, shall an open house sign be located at an intersection controlled by a traffic control signal.
 - e. The writing and symbols appearing on any open house sign shall be limited only to that necessary to assist the automobile-traveling public in locating the subject property in the Borough.
 - f. All open house signs shall be nonilluminated.

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- g. Any person or organization posting an open house sign shall be responsible for any damage to person or property caused by the placement, removal or movement of the sign, and the removal thereof consistent with the terms of this chapter.

H. Signs Permitted in Regional Shopping Center Complexes.

All signs for a regional retail shopping complex shall adhere to a common architectural theme and may include the following:

1. A Regional Retail Shopping Complex may have two (2) internally illuminated freestanding signs identifying the name of the shopping complex and other information as may be approved by the Board having jurisdiction, with each sign not exceeding one hundred fifty (150) square feet on each side. Each free-standing sign may be attached to a decorative tower as may be approved by the Board. Each freestanding sign shall not exceed twenty (20) feet in height and each sign and any decorative tower to which it is attached shall be set back at least five (5) feet from the Blue Star Drive conservation easement and at least thirty (30) feet from all other property lines.
2. Where an individual activity occupying at least five hundred (500) square feet of net habitable floor area has direct access from the outside, an additional sign identifying the name of the activity also shall be permitted to be attached flat against the building at the entrance to the activity. The size of each additional sign shall be equal to one (1) square foot of sign area per one (1) linear foot of building frontage occupied by the activity.
3. Where the design of a regional retail shopping complex includes a roof over a common walkway along the front of a building, an additional sign identifying the name of an individual activity occupying at least five hundred (500) square feet of net habitable floor area may be suspended in perpendicular fashion from the roof over the common walkway. The size of the suspended signs shall be as determined by the Board. In any case, suspended signs shall be no closer than ten (10) feet at their lowest point to the finished grade below.
4. Additional signs may be approved by the Board to be situated within a regional retail shopping complex, provided that the aggregate square footage of all the signs within the regional retail shopping complex does not exceed the maximum aggregate square footage allowed hereinabove.

I. Signs Permitted in Commercial Zones. Within commercial areas, signs shall be coordinated so as to create an overall appearance of uniformity of style and color, and a proportionality of size and shape. In addition to the standards set forth in the general provisions of this Subchapter, signs within commercial areas for which a sign plan has not been approved by the Planning Board or Board of Adjustment, shall:

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1. Comply with all sign regulations for the zone in which the commercial area is located; or
2. All signs within each commercial area shall comply with the area (square footage) restrictions.
3. Complement each other in material, shape, color and lettering style.

J. Awning Signs.

1. All frames are to be manufactured from tubular or shaped structural steel or aluminum with finishes or coatings as required to prevent against corrosion. The frame shall be designed to safely support wind and snow loads as specified in the latest adopted BOCA Code.
2. Vinyl fabric coverings are to be fourteen (14) ounces per yard minimum weight with certification as to tensile strength and flame resistance to meet industry and NEPA and BOCA codes.
3. Fasteners and/or structural attachments shall only be anchored to structural members of the building.
4. All electrical components and/or lighting equipment used in connection with an awning are to be labeled and rated for protective outdoor use and installed by a licensed electrical contractor.
5. Ceilings are optional and may consist of "egg crate," mesh fabric or solid plastic material. Removable panels or sections must be provided to allow access for service and cleaning.
6. All awning signs which project over or above backup walls are to be covered and weather protected with structural plastic, rustproof metal or aluminum.
7. Letter copy on awning signs is to be applied with manufacturer-approved processes.
8. Awning signs may be attached to buildings or structures with the following projection and height limitations:
 - a. Minimum clearance shall be eight (8) feet unless projecting over a vehicular right-of-way, in which case clearance must be at least fourteen and one-half (14 1/2) feet to avoid damage by trucks or other high vehicles.
 - b. If the structure has a fringe or valance such fringe or valance may hang below the ceiling line no more than twelve (12) inches.

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- c. Such signs shall be limited to single-story buildings or to the first level only of multi-story buildings.
 - d. Awning signs may be attached to buildings requiring property setbacks not to exceed property lines. In the case of buildings in shopping centers or multi-unit developments, such signs may not extend beyond curbs or extend into safety zones. In such installations, drainage gutters are required.
9. Only the copy area of awning signs shall be considered in the square footage limitations. The remaining portion should be considered as awning area only.

BE IT FURTHER ORDAINED by the Council of the Borough of Watchung that should any section, paragraph, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to that end the provisions of this Ordinance are hereby declared to be severable; and

BE IT FURTHER ORDAINED by the Council of the Borough of Watchung that in the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Watchung, the provisions hereof shall be determined to govern, and the inconsistencies of the prior ordinance are hereby repealed. All other parts, portions and provisions of the Ordinances of the Borough of Watchung are hereby ratified and confirmed, except where inconsistent with the terms hereof; and

BE IT FURTHER ORDAINED by the County of the Borough of Watchung that within five (5) days after its adoption by the Council, this Ordinance shall be presented to the Mayor for his approval and signature, which approval shall be granted or denied within ten (10) days of receipt of same, pursuant to N.J.S.A. 40A:60-5(d). If the Mayor fails to return this Ordinance with either his approval or objection to same within ten (10) days after it has been presented to him, then this Ordinance shall be deemed approved; and

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BE IT FURTHER ORDAINED by the Council of the Borough of Watchung that this Ordinance shall take effect upon final passage and publication according to law; and approval by the Mayor pursuant to N.J.S.A. 40A:60-5(d).

INTRODUCED BY: GIBBS

PASSED:

PUBLISHED:

ADOPTED:

C:

ATTEST:

BOROUGH OF WATCHUNG

Edith G. Gil, Borough Clerk

By: _____
Ronald Jubin, Ph.D., Mayor

BOROUGH OF WATCHUNG
ORDINANCE #25/08

An Ordinance to amend the Code of The Borough of Watchung CH. 5-12.76 et seq., Thereof, and to fix and determine minimum and maximum salaries and compensation to be paid to certain employees.

BE IT RESOLVED, by the Mayor and Council of The Borough of Watchung, that CH 5-12.76 et seq., the minimum and maximum base salaries and compensations to be paid to certain employees, be approved as follows:

<u>JOB TITLE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Administrator	\$75,000.00	\$210,000.00
Borough Clerk	\$45,000.00	\$105,000.00
Deputy Clerk	\$40,000.00	\$75,000.00
Assistant Municipal Clerk	\$35,000.00	\$65,000.00
Mayor/Council Member	\$6,000.00	\$25,000.00
CFO / QPA /Tax Collector/ Technology Officer	\$40,000.00	\$166,000.00
Deputy Treasurer / Payroll & Benefits Manager	\$38,000.00	\$69,000.00
Administrative Assistant	\$34,500.00	\$69,000.00
Administrative Assistant / Police Dept.	\$34,500.00	\$69,000.00
TACO / Office Manager/ Zoning Officer	\$35,000.00	\$98,000.00
Executive Assistant / IT Specialist	\$50,000.00	\$110,000.00
Construction Code Official/ Building Subcode Official	\$25,000.00	\$55,000.00
Building Inspector	\$8,000.00	\$56,000.00
Fire Sub-Code Official	\$10,000.00	\$30,000.00
Plumbing Sub-Code Official	\$10,000.00	\$30,000.00
Electrical Sub-Code Official	\$10,000.00	\$30,000.00
*Fire Official	\$45.00	\$51.00
OEM Coordinator	\$1,000.00	\$8,000.00
Municipal Court Judge	\$32,000.00	\$95,000.00
Public Defender	\$6,000.00	\$25,000.00
Chief of Police	\$150,000.00	\$230,000.00
Police Captain	\$159,000.00	\$200,000.00
Secretary	\$30,000.00	\$65,000.00
Recreation Coordinator	\$6,000.00	\$25,000.00
Public Works Manager	\$60,000.00	\$142,000.00
Public Works Foreman	\$50,000.00	\$99,000.00
Public Works Driver / Operator Step 1	\$40,000.00	\$57,500.00
Public Works Driver / Operator Step 2	\$40,000.00	\$61,000.00
Public Works Driver / Operator Step 3	\$40,000.00	\$64,500.00
Public Works Driver / Operator Step 4	\$40,000.00	\$68,500.00
Public Works Driver / Operator Step 5	\$40,000.00	\$72,750.00
Public Works Driver / Operator Step 6	\$40,000.00	\$77,500.00

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ORDINANCE #25/08

Public Works Driver / Operator Step 7	\$40,000.00	\$81,500.00
Public Works Driver / Operator Step 8	\$40,000.00	\$85,500.00
Public Works Laborer / Driver Probationary	\$35,000.00	\$45,500.00
Public Works Laborer / Driver Step 1	\$40,000.00	\$61,000.00
Public Works Laborer / Driver Step 2	\$40,000.00	\$53,000.00
Public Works Laborer / Driver Step 3	\$40,000.00	\$57,000.00
Public Works Laborer / Driver Step 4	\$40,000.00	\$61,000.00
Public Works Laborer / Driver Step 5	\$40,000.00	\$54,500.00
Public Works Laborer / Driver Step 6	\$40,000.00	\$67,500.00
Public Works Laborer / Driver Step 7	\$40,000.00	\$71,500.00
Public Works Laborer / Driver Step 8	\$40,000.00	\$75,500.00
Building Maintenance Worker	\$5,200.00	\$8,750.00
Tax Assessor	\$35,000.00	\$76,000.00
Tax Clerk	\$25,000.00	\$68,000.00
Part Time Tax Assessor Assistant		\$28.48
*Seasonal/Temporary/Part Time	\$16.00	\$50.00
*Board/Commission Clerk	\$20.00	\$40.00
*Temporary Inspector / Sub-Code Official		\$50.00
Night Subcode Inspection		\$300.00
*Recreation Camp Counselors	\$16.00	\$21.00
*Recreation Camp Director	\$27.00	\$34.00
*Recreation Camp Assistant Director	\$25.00	\$32.00
Pesticide Applicator Stipend		\$1,000.00

*Hourly Wage

Edith G. Gil, Municipal Clerk

Ronald Jubin, Mayor

INTRODUCED BY: FISCHER

PASSED:

PUBLISHED:

ADOPTED: