

Curt S. Dahl, Council President
Christine B. Ead, 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
Colleen R. Lange, Deputy Borough Clerk

15 Mountain Blvd
Watchung, NJ
07069

Mayor & Council Meeting AGENDA

**May 7, 2026
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 TAPinto, 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

PROCLAMATIONS

National Day of Prayer

Guru Vandana - Teacher Appreciation

SPECIAL RESOLUTION

R1: Authorize Appointment of Borough Clerk — Colleen R. Lange

ADMINISTRATION OF OATH OF OFFICE

REPORTS OF STANDING COMMITTEES

Administration & Finance

Police

Public Works / Buildings and Grounds

Public Affairs:

Environmental

Recreation

Historical

Board of Health

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

May 7, 2026 - 7:30 PM

Green Team

Mayor's Wellness Campaign

Fire

Laws/Ordinances

REPORTS OF BOROUGH OFFICERS

Engineer

Police Chief

Fire Chief

Fire Official

Rescue Squad

Emergency Management

Attorney

Finance

Clerk

Administrator

Planning Board

Municipal Alliance

Library Advisory Committee

Traffic and Beautification

PUBLIC PORTION / AGENDA ITEMS ONLY

Each speaker is limited to one 5-minute comment.

UNFINISHED BUSINESS

Public Hearing on 2026 Municipal Budget

ORD 26/02: AN ORDINANCE AMENDING CHAPTER 28, LAND DEVELOPMENT, TO REVISE THE ROUTE 22 AFFORDABLE HOUSING OVERLAY ZONE DISTRICT IN COMPLIANCE

BOROUGH OF WATCHUNG
Mayor & Council Meeting Agenda

May 7, 2026 - 7:30 PM

WITH THE BOROUGH'S AMENDED HOUSING ELEMENT AND FAIR SHARE PLAN AND ITS 4TH ROUND AFFORDABLE HOUSING OBLIGATIONS

ORD 26/03: AN ORDINANCE AMENDING CHAPTER 28, LAND DEVELOPMENT, TO REVISE THE S-W SOMERSET STREET / WATCHUNG AVENUE AFFORDABLE HOUSING OVERLAY ZONE DISTRICT IN COMPLIANCE WITH THE BOROUGH'S AMENDED HOUSING ELEMENT AND FAIR SHARE PLAN AND ITS 4TH ROUND AFFORDABLE HOUSING OBLIGATIONS.

ORD 26/04: AN ORDINANCE AMENDING CHAPTER 28, LAND DEVELOPMENT, ESTABLISHING A NEW ROUTE 22 AFFORDABLE HOUSING OVERLAY ZONE DISTRICT – 2 IN COMPLIANCE WITH THE BOROUGH'S AMENDED HOUSING ELEMENT AND FAIR SHARE PLAN AND ITS 4TH ROUND AFFORDABLE HOUSING OBLIGATIONS.

ORD 26/05: AN ORDINANCE OF THE BOROUGH OF WATCHUNG UPDATING CHAPTER 28 "LAND DEVELOPMENT," OF THE BOROUGH CODE TO AMEND THE BOROUGH'S AFFORDABLE HOUSING AND DEVELOPMENT FEE ORDINANCE PURSUANT TO THE AMENDED FAIR HOUSING ACT AND THE NEW UHAAC REGULATIONS.

ORD 26/06: ORDINANCE AMENDING THE BOROUGH'S ZONING REGULATIONS, CHAPTER 28, TITLED "LAND DEVELOPMENT" TO UPDATE AND AMEND THE REGULATION OF FENCES AND WALLS.

NEW BUSINESS

REPORTS & CORRESPONDENCE

These items will be approved by a single motion unless a Member requests separate consideration

Acknowledging Receipt of the following Borough Reports:

#11: Notice of Resignation from Construction Official effective April 20, 2026

#12: Notice of Public Hearing from American Water Works Company Inc.

CONSENT

The items listed below are considered routine and moved under one motion.

R2: Authorizing Field and Facility Permit for the Watchung Garden Club

R3: Authorizing the Watchung Educational Foundation to Operate Under a Social Affairs Permit at the Borough's Centennial Benefit Concert on May 30 2026

R4: Waiving Chapter 16-1.10 to Allow the PTO Watchung Inc. to Operate Under a Raffle Permit at the Borough's Centennial Benefit Concert on May 30 2026

R5: Authorizing Raffle License #696 to PTO Watchung Inc.

BOROUGH OF WATCHUNG
Mayor & Council Meeting Agenda

May 7, 2026 - 7:30 PM

R6: Authorizing Purchases Over Allowed Threshold

R7: Waiving Borough Fees for Watchung's Centennial Benefit Concert

R8: Authorizing a Contract Expansion to RVE for the 2026 NJDOT Municipal Aid Program Grant

NON-CONSENT

R9: Authorizing Bill List

R10: Adoption of the 2026 Municipal Budget

R11: Approving An Application for a Person-To-Person Transfer of Pocket Liquor License 1821-33-006-006

R12: Authorizing the Appointment of Public Works Seasonal Employee — Ethan Shanahan

R13: Resolution Urging State Leaders to Implement Fair and Equitable Reforms to Mitigate the Unsustainable Increases in Health Premiums for Public Sector Employees

R15: Authorize Appointment of Acting Building Sub Code Official — Daniel Niro

R16: Authorizing Appointment of Construction Official — Daniel Niro

ORDINANCE ON FIRST READING

ORD 26/09: ORDINANCE PROVIDING FOR THE LEASE PURCHASE FINANCING AND ACQUISITION OF A BACKHOE FOR AND BY THE BOROUGH OF WATCHUNG, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY

PUBLIC PORTION - GENERAL DISCUSSION

Each speaker is limited to one 5-minute comment.

EXECUTIVE SESSION

R14: Authorizing Executive Session to Discuss Potential Litigation

ADJOURNMENT

The next meeting of the Mayor & Council will be May 21, 2026

**BOROUGH OF WATCHUNG
RESOLUTON: R1**

WHEREAS, the Municipal Clerk of the Borough of Watchung is ended her employment with the Borough effective March 31, 2026; and

WHEREAS, N.J.S.A. 40A:9-133 requires every municipality to have a Municipal Clerk; and

WHEREAS, the Borough of Watchung advertised for the position of Municipal Clerk for the Borough of Watchung and received resumes and interviewed interested candidates; and

WHEREAS, the Mayor and Council have determined that Colleen R. Lange, a certified Registered Municipal Clerk of the State of New Jersey, meets the qualifications and has agreed to perform the duties of the position of Municipal Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Watchung that it hereby appoints Colleen R. Lange to the position of Municipal Clerk of the Borough of Watchung for a three (3) year term commencing May 11, 2026 at an annual salary as negotiated and agreed upon by the parties and consistent with the Salary Ordinance of the Borough of Watchung; and

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Watchung that it hereby authorizes the Mayor and other Borough Officials and employees to take all actions necessary to effectuate this Resolution, including but not limited to the execution of agreement reflecting the negotiated terms and conditions of employment.

Christine B. Ead, Council Member

Ronald Jubin, Ph.D. Mayor

ADOPTED: MAY 7, 2026
INDEX: APPOINTMENTS
C: B. HANCE, E. HORSFALL

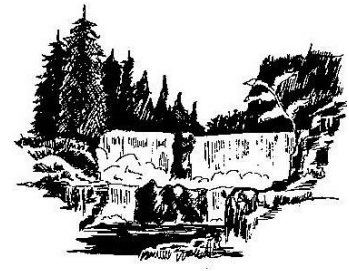
BOROUGH OF WATCHUNG

ADMINISTRATION AND FINANCE COMMITTEE

Chair: Fischer

Ead

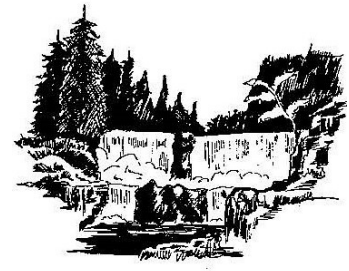
Gibbs



The Committee met on May 5th, 2026 with Administrator Damato and discussed the following matters:

- i. School Resource Officer Agreement Renewal
- ii. Personnel matter
- iii. Construction Official vacancy
- iv. Municipal Clerk position

BOROUGH OF WATCHUNG



Public Works Committee

Chair: Ead

Abi-Habib

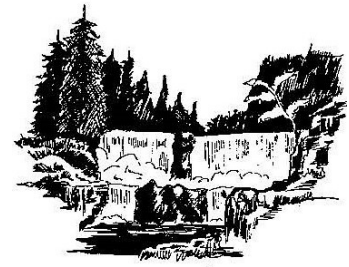
Dahl

Report For council Meeting: May 7, 2026

****Continued work with County on Somerset St. and other county property for flood damage and related repairs.***

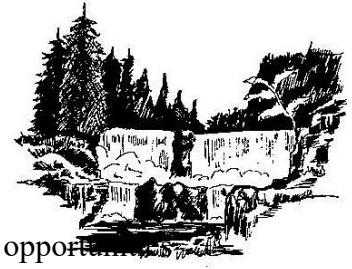
- 1) **Bonnie Burn sewer work begins Monday, May 4th -May 12th possibly a few days longer with road closures at night from 8PM till 5AM.** This is a major thoroughfare so please be patient if traveling late and use the detours. Updates will be posted on the Borough website and please sign up for the "MYWATCHUNG" APP for helpful information (see the hashtag in the front lobby, on the Borough Website home page and on social media.
- 2) **Thank you to all who volunteered and supported the "Watchung Community Cleanup" and Best Lake East Restoration efforts.** Thanks to Public Works for all the set-up and supplies for these efforts.
- 3) **Thank you to the Borough for the Cherry tree donation to Bayberry school for Arbor Day.** Thanks to the Mayor, school Superintendent, Principal, the 4th grade Garden Club, The Watchung Garden Club, Volunteers and to Public Works for supporting Arbor Day and the continued efforts to plant trees to keep Watchung green.
- 4) **"The Hometown Hero Banner Program"** continues to grow, and the Banners are scheduled for installation for Memorial Day and through the months of May and June. The new Anniversary Banners for Watchung's 100th and the Country's 250th will be placed in the open spaces and will be used throughout 2026.
- 5) **PSE&G Updates (all noted online)/Day Work:**
5/4/2026-5/15/2026: Edgemont Rd., to Mountain Drive, Dead End Service Connections
- 6) **2025 DOT Road Project:**
Skyline Drive Completed
Brookdale sidewalk being completed and **Brookdale Road** paved, speed bumps installed, striping and signage to be completed by end of week 5/4/2026
- 7) **2026 DOT Road grant imitative received and working on plans for paving:**
-Anderson Rd., Johanna Dr., and the other portion of Ridge Road
Approval from DOT, design work and prep for bid spec in progress
- 8) **Fountains installed with one fountain at Watchung Lake yet to be connected due to repair**

BOROUGH OF WATCHUNG



- 9) **Tree and Shrub replacement and planting** currently in progress throughout circle island and Borough areas that include the new plantings and restoration of the island across from the Rescue Squad
- 10) **Carriage House and the Gazebo on the Village Green** currently under repair and restoration
- 11) **Shared Service for road paving slated for 2026:**
 - Kappeleman and Charles Lane, coordination with Greenbrook underway
- 12) **Shared Service for road paving slated for 2026:**
 - Raymond Ave, coordination with North Plainfield underway
- 13) **Second Grant "RECEIVED" \$300,000- from Somerset County**
This grant combined with the 2025 grant \$66,000 will be used to construct the perimeter walk path, Pavilion, parking, and other upgrades slated for 2026
Work in progress for the site plans and prep to go to bid
- 14) **Sherwood Road Damaged areas paved**
- 15) **Library Bridge:**
 - Main construction complete, temp. rails planned during the library Construction and final rails and clean-up once library completed
- 16) **Community Connection and new Library:**
 - Groundbreaking Ceremony took place 4/4/2025
 - Builder: West End KBLLC
 - Work continues with marked progress & updated reports
- 17) **Phase Two Sidewalk Project**
Grant submitted and it has been accepted for review for the CPF "Community Project Funding Grant" hoping to go to the next stage, updates to follow
- 18) **Watchung Lake and Best Lake Dredge/other**
 - Constant review of Grant Options and critical funding, looking at options for Partial work 2025 budget pending
 - Hydro-raking options for consideration and all based on funding and Grant Options which are ongoing
- 19) **I & I Study/repairs on Agenda for contract work with PARSA**
- 20) **Ness Farm:**
 - working on grant funding, plan to begin minor cleanup using escrow funds, working

BOROUGH OF WATCHUNG



With Engineering to outline cleanup options and claw back grant opportunities.

21) NJ DEP MS4 Permit Requirements: New update from State 3-Phases

On schedule and in compliance

22) Cement work:

Upper level/side of Borough Hall in progress (Top Set of Stairs)

-Borough Hall, Police Station work in final review for work to begin



BOROUGH OF WATCHUNG ENGINEERING & INSPECTION STATUS REPORT

APRIL 2026

MATTERS FOR GENERAL DISCUSSION & FOLLOW UP

1. PSE&G distributed a plan for the proposed next two weeks (4/13/2025 to 4/24/2026) of work on gas utilities in the Borough and surrounding area.
 - i. Nighttime work (8:00 PM to 6:00 AM) on **PI-714 Roads** expected over the next two weeks according to the table below.
 - ii. Notice will be provided by PSE&G as well as Borough channels.

FOREMAN	DATE	STREET	1 ST XST	2 ND XST	TYPE OF WORK
Manny Dos Santos PI-714 <u>Day Work</u>		TBD			
		TBD			
		TBD			
		TBD			
		TBD			
		TBD			
		TBD			
		TBD			
		TBD			
		TBD			
Dino Andre	5/4/2026	Edgemont Rd	Mountain Dr	Dead End	Tie in/ Backfill
	5/5/2026	Edgemont Rd	Mountain Dr	Dead End	Services
	5/6/2026	Edgemont Rd	Mountain Dr	Dead End	Services
	5/7/2026	Edgemont Rd	Mountain Dr	Dead End	Services
	5/8/2026	Edgemont Rd	Mountain Dr	Dead End	Services
	5/11/2026	Edgemont Rd	Mountain Dr	Dead End	Services
	5/12/2026	Edgemont Rd	Mountain Dr	Dead End	Services
	5/13/2026	Edgemont Rd	Mountain Dr	Dead End	Services
	5/14/2026	Edgemont Rd	Mountain Dr	Dead End	Services
	5/15/2026	Edgemont Rd	Mountain Dr	Dead End	Services

2. Borough of Watchung Received the PSEG Mill and Pave schedule for the Summer of 2026 as outlined in the below table.

Program	Project	Job #	Map Grid #	Town	Street	Between Street 1	Between Street 2
GSMP 2.5	BS	PL-714	3G-37	Watchung Boro	Stanie Brae Dr	Anderson Rd	Deer Run
GSMP 2.5	BS	PL-714	3G-37	Watchung Boro	Stanie Brae Dr	Deer Run	Anderson Rd
GSMP 2.5	BS	PL-714	3G-37	Watchung Boro	Deer Run	Stanie Brae Dr	Knollwood Dr E
GSMP 2.5	BS	PL-714	3G-37	Watchung Boro	Knollwood Dr W	Deer Run	1060' N/O Deer Run
GSMP 2.5	BS	PL-714	3G-37	Watchung Boro	Knollwood Dr E	Deer Run	355' N/O Deer Run
GSMP 2.5	BS	PL-714	3G-37	Watchung Boro	Rock Ave	Mountain Blvd	45' N/O Heather Ln
GSMP 2.5	BS	PL-714	3G-37	Watchung Boro	Maple St	Rock Ave	End
GSMP 2.5	BS	PL-714	3G-37	Watchung Boro	Gildersleeve Pl	Rock Ave	425' W/O Rock Ave
GSMP 2.5	BS	PL-714	3G-38	Watchung Boro	Beechwood Pl	Brookdale Rd	Dead End
GSMP 2.5	BS	PL-714	3G-38	Watchung Boro	Stirling Rd	Brookdale Rd	Town Border
GSMP 2.5	BS	PL-714	3G-38	Watchung Boro	Valleyview Rd	Stirling Rd	195' E/O Cedar Rd
GSMP 2.5	BS	PL-714	3G-38	Watchung Boro	Hillside Ave	Valleyview Rd	Dead End
GSMP 2.5	BS	PL-714	3G-38	Watchung Boro	Spencer Ln / Fawn Ln	Hillcrest Ln	End
GSMP 2.5	BS	PL-714	3G-38	Watchung Boro	Pine Ln	Fawn Ln	1000' N/O Fawn Ln
GSMP 2.5	BS	PL-714	3F-38	Watchung Boro	Crestwood Dr	470' N/O Ridge Rd	875' N/O Ridge Rd
GSMP 2.5	BS	PL-714	3F-39	Watchung Boro	Parlin Ln	Ridge Rd	585' N/O Ridge Rd
GSMP 2.5	BS	PL-714	3F-39	Watchung Boro	Ridge Rd	485' E/O Parlin Ln	750' E/O High Tor Dr

- i. A pre-construction meeting will be held at Borough Hall prior to the commencement of the work.

STUDIES, ENGINEERING INVESTIGATIONS, GRANT APPLICATIONS

FY 2026 NJDOT TRUST FUND “MUNICIPAL AID” PROGRAM

Three roads below have been selected for NJDOT-FY26 Municipal Aid Program.

- ***Johanna Lane (~600ft).***
- ***Ridge Road (485 ft east of Parlin Lane up to the end of the road).***
- ***Anderson Road, from Mountain Blvd to end (~3600ft).***

RVE prepared FY26 grant application documents and Bruno Associates submitted the application to NJDOT early June 2025. *The grant application was submitted to NJDOT on June 10th and the review and selection was completed. We were informed by NJDOT that the Borough has received \$252,952.00 grant for the 2026 road works. RVE has prepared a scope of work and proposal and was submitted to the Borough for consideration.*

Borough is due to adopt complete street policy that will make the Borough eligible to receive additional funding from NJDOT to perform additional paving works each year. Borough has adopted the complete street policy.

RVE has revised the submitted proposal and a revised proposal has been re-submitted to the Borough for reconsideration.

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. RVE finished the two roads design and the plans were submitted to NJDOT for review and approval. The NJDOT approved the plans. The project was advertised for construction on 9/29 and the bid opening will be on 10/16 @ 10:00 AM at the Watchung Borough Hall. This project was awarded to Riverview Paving Inc. A preconstruction meeting has been scheduled for 11/6 at 10:00 AM at the Borough Hall. A preconstruction meeting was held on November 6th. The contractor has already completed the mill and pave of the Skyline Road. Due to the weather conditions and the required concrete works for Brookdale, this project was scheduled for springtime (March 2026). Borough Engineer reached out to Riverview Paving to get update on the commencement of Brookdale Road paving. We were informed that the contractor will inform the Borough with the potential dates even before the spring. TDB. Riverview paving has started mobilizing and doing some of the drainage inlets repair on Brookdale. RVE informed Riverview paving that a request for an extension to perform the project shall be submitted to the Borough and RVE. The work schedule is to be performed late April. RVE will inspect the construction stages. Riverview Paving started this work in mid-April and most of the work on this road has been completed. Riverview is actively working to complete the remaining parts.

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.
- The sidewalk as needed between the 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. We were informed by Bruno Associates that the second grant was unsuccessful. The grant application was submitted to Somerset County on 8/25 and comments were received from the County. A revised concept plan and cost estimates to include the two phases of the projects was resubmitted to Somerset County's recreational grant program for reconsideration. The County requested the Borough to give a presentation on November 13th @ 5:30 PM in Engineering Department of the Somerset County. A presentation has been prepared and is under review by the Borough Officials. Mayor Jubin, Mr. Damato and the borough Engineer attended the meeting and gave presentation at the Open Space Advisory Committee November 13th meeting. The meeting went very well and we have been informed that the Borough has received \$300,000.00 for phase 1 of the proposed concept plan. In total the Borough has \$366,000.00 for the design and construction of the camp walking trail and parking spaces. RVE is preparing a proposal for design and construction inspection services and will be submitted to the Borough shortly.

The Borough is intending to apply for NJDCA Local Recreation Improvement Grant (LRIG) for the amount of \$75,000.00 to perform Phase II of the camp endeavor project. Bruno Associates submitted the grant application on February 12th 2026.

NEW GRANT- NJDOT FY26 LOCAL FREIGHT IMPACT FUND FOR SIDEWALK PROJECT- KNIGHTSBRIDGE TO BAYBERRY LANE

RVE is revising the concept plan and the cost estimate from previous grant application for NJDOT for TA Set-Aside Grant and the proposed sidewalk extended to be 1.30 miles from Knightsbridge to Bayberry Lane. This grant requires traffic study to show the 10% truck traffic across the study site. RVE will perform a traffic study to collect the traffic data to support the application soon. The deadline for this application is 12/31/2025. The traffic study was completed. A concept plan and a cost estimation was prepared in the amount of \$1,772,937.75. The grant application was submitted by Bruno Associates in December 2025 and it is currently under review by NJDOT. As requested by NJDOT, the resolution was uploaded to PMRS and was signed by the Mayor and the Borough Clerk. The application is under review.

PHILLIPS FIELD BRIDGE REPLACEMENT

RVE prepared a concept plan and a cost estimate for engineering design, permitting, and construction of a new Philips Field Bridge. Bruno Associates submitted the grant application through FY26 NJDOT Local Aid Infrastructure Fund (LAIF) Grant Program on February 20th 2026. The application is in process in PMRS. The administrative tasks were completed in PMRS. The grant application is currently under review.

Improvements to the Pine Lane Pedestrian Walkway

New Jersey Department of Transportation has funds available for road projects through its FY26 Local Transportation Projects Fund Program. RVE has prepared a concept plan and cost

estimation for paving the walkway between Pine Lane and Patk Place as well as drainage improvements. Bruno Associates will submit the grant application to NJDOT. **The Borough was informed by NJDOT on May 1st that through FY26 Local Transportation Projects Fund Program, \$70,000.00 was allocated to the Borough of Watchung to perform this work.**

CAPITAL IMPROVEMENT & GENERAL ENGINEERING PROJECTS

Share Paving Projects

- **Shared with Greenbrook for Kappelman and Charles Lane**

The borough's estimated construction share is \$32,352.

- **Shared with North Plainfield for Rayman Avenue**

The borough's estimated construction share is \$34,500.

Floodplain Management- Responding to Damages of Flooding of 7/14

- We have performed borough infrastructure inspection.
- Inspected many residential building
- Road, culvert, sidewalk repairs-still ongoing
- Stream cleaning- Ongoing projects (required agreements with the owners, easement search, plan and contracting.)- **A 40ft wide drainage easement was flagged out from Hill Hollow through Templar Ln.**
- Looking for grant (Talked with IBank, FEMA, NJDEP and etc.)- Ongoing.
- Looking for Dam Removal grant through FY25 National Fish Passage Program (NFPP) [USFWS] – Due 12/31

The Borough is still addressing the remaining flooding issues across the Borough. The Borough Engineer advised the Public Work Committee to consider the grant opportunity below to address some of the existing flooding issues across the Borough.

The Resilient NJ program, administered through DEP's Office Climate Resilience, is providing another opportunity for New Jersey municipalities to apply to participate in collaborative regional planning efforts that support the development of regional resilience action plans.

This Resilient NJ opportunity is open to municipalities in all twenty-one counties. As many as four regional teams will receive grants of up to \$300,000 each to improve climate resilience in their communities. Regional teams must be made up of at least three contiguous municipalities and at least one community-based organization; and will be paired with multidisciplinary consulting teams to participate in a comprehensive planning process to develop regional resilience action plans. We encourage Borough of Watchung to join with neighboring communities including Warren Township, Berkeley Heights, Plainfield/North Plainfield or Green Brook to apply for this opportunity.

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. A proposal for a topographical and outbound for 1.8 Acres was submitted to the Borough for consideration. Revised proposal was submitted for consideration. The Borough authorized RVE to perform the lot survey and RVE is planning to perform as soon as possible. The lot survey work was completed and a copy of the survey plan was submitted to the borough for review. The design work will start shortly. RVE has submitted several concept plans to the Borough for Review. An onsite meeting was held between the Borough and the Engineer to review the concept plans as well as preparing revised concept plan and possibility of entrance from Plainfield Ave was discussed. RVE has received the selected layout by the Borough. RVE has started preparing the site plan. RVE will include grading, drainage plan, addition of sidewalk, a fire truck circulation and construction details to the site plan. The work is in progress.

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 has 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. The MS4 Map has been submitted to NJDEP for review. RVE has prepared a new proposal for the next phase of the MS4 work which includes Watershed Implementation Plan (WIP) and was submitted to the Borough for consideration on 9/9/2025. The Borough authorized RVE to perform this project. RVE informed the Borough that a public hearing needs to be scheduled during one of the upcoming Mayor and Council meetings. Additionally, RVE requested that the submitted WIP report to NJDEP should be posted on the Borough's stormwater webpage. A public hearing was held at the Mayor and Council meeting. RVE along with the DPW Department has started the MS4 Outfall Inspection as well.

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

tRVE 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. **A meeting was held between the Borough and NJDEP regarding the new scope and what grant option to pursue, RVE prepared the second HDSRF application scope and the cost estimate. The Borough DPW committee are working to value engineering the project. The Borough has received a change of a licensed LSRP professional and the required actions that need to be taken. NJDEP has followed up with the Borough Decision regarding the grant application. Borough is discussing internally to make a decision of how to proceed with the grant application.**

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.

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

Land disturbance was issued for the library. We have been attending the biweekly meetings with the contractor and the architect. 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. The site has been secured and soil erosion and sedimentation control measures are installed. Contractors have been done most of the electrical conduit's demolition and some timber work has been performed. RVE performed a survey and flagging of the building additions and the storm pipes and scour hole locations. The following tasks are ongoing:

- Fabrication of steel structures
- Excavation
- Underpinning
- Footing and foundation
- Utility connection (gas,
- Carpentry (temporary shoring and framing)
- Duct work
- Sanitary drain connection
- Pour footing (Library addition, entrance, ...
- HVAC
- Concrete pouring (Pads for generator

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. **The Borough is going to re-apply for Congressional Grant for both lakes dredging through Bruno Associates. Under process.**

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. RVE received the tax assessor's property list on 5/12. ***RVE is comparing the list against the Tax Map for preparing a list of missing information. The tax map has been reviewed and the works are being progressed as direction received by the tax assessor.***

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. RVE has been following up with the contractors to get a schedule for completing the punch lists and the project closing. ***All construction works and punch lists have been completed. The final payment was processed and NJDOT shall close the project. Still under NJDOT Review.***

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 closing out. Meadowlark final work may be moved to spring. RVE has been following up with the contractors to get a schedule for completing the punch lists and the project closing. ***All construction works and punch lists have been completed. The final payment was processed and NJDOT shall close the project. Still under NJDOT Review.***

PLANNING and / or ZONING BOARD INSPECTION PROJECTS

Raising Cane's Restaurant

The Engineering Department is reviewing the Land Disturbance application for this project. The drafts for a developer agreement and a security plan were prepared and it is under review by the Borough Attorney and the Owners.

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 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.

Bonnie Burn Road Development

A land disturbance permit was issued for this project. RVE has started reviewing the retaining wall plan and calculations. RVE will work on LSRP works review and inspection of sewer pipe installation along the Bonnie Burn Road. RVE completed the LSRP review and retaining wall plan. Review letters were submitted to Bright View Engineering and the contractor. New retaining walls were proposed around the club house. A Road opening permit was issued for sewer force main installation.

SOMERSET COUNTY AND OUTSIDE AGENCIES RELATED WORKS

Somerset County Engineering Department

We have contacted the Somerset County Engineering Department (SCED) regarding drainage issues at the intersection of Hillcrest Road and Guinard. SCED responded they are working on the issue. Borough met with SCED onsite and discussed the flooding issues of Hillcrest-Guinard & Stirling Road-Valley View intersections. The county is going to add a new inlet in front of Guinard Dr in order to make the situation better. This work was completed.

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. The Borough's 2025 mitigation project has been completed and incorporated into the Somerset County Mitigation Plan. Borough will need

to pass a resolution formally adopting the 2025 Mitigation Plan. ***The plan was adopted by the Borough.***

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. ***Public Workshop was held on May 22nd for Local Safety Action Plans***

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. ***We have been attending the quarterly commission meetings. The next meeting will be held on November 3rd.***

New Jersey Department of Transportation

Pre-Construction DP25109 - Route 78 WB, From Drift Road/Dale Road to Route 124 was held on July 15th.

Federal Eligibility for Sub-Regions

Local Aid is transitioning the Federal Eligibility process to the PMRS platform. To ensure a seamless transition, NJDOT Local Aid Resource Center is scheduling online training sessions for local government personnel involved in the eligibility process. ***A virtual meeting was held regarding this topic on November 3rd.***

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 a 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.

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.

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. NJDEP has 24 days to complete the review for this application. RVE has started preparing bid materials

and technical specifications. FEMA followed up with the status and we responded regarding the status on Monday 6/2. The project was approved by NJDEP, Bid and specs were advertised and the bid opening extended to 8/27. Bids were opened on 8/27 and the contractor was selected. Pre-construction meeting was held on 9/9 at the borough. We have received the submittals and those were reviewed and re-submitted to the contractor. The start date of construction is pending. The construction has started and the stabilization of the bridge abutments. The stabilization of two downstream abutments area is completed and the work is in progress. The contractor has started installing the required mattresses according to the plan. **This project is completed.**

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. Bid and specs were submitted to the Borough for bidding and finding a contractor, the bid opening will be Wednesday 8/27. Bids were opened on 8/27 and the contractor was selected. Pre-construction meeting was held on 9/9 at the borough. We have received the submittals and those were reviewed and re-submitted to the contractor. The start date of construction is pending. The construction has started and the stabilization in front of the exposed manhole has been completed. The contractor will start working on the right bank soon when the materials are received. The contractor has started installing the required mattresses according to the plan. **This project is completed. The final payment shall be processed.**

**BOROUGH OF WATCHUNG
ORDINANCE 26/02**

**AN ORDINANCE AMENDING CHAPTER 28, LAND DEVELOPMENT,
TO REVISE THE ROUTE 22 AFFORDABLE HOUSING OVERLAY ZONE
DISTRICT IN COMPLIANCE WITH THE BOROUGH'S AMENDED
HOUSING ELEMENT AND FAIR SHARE PLAN AND ITS 4TH ROUND
AFFORDABLE HOUSING OBLIGATIONS.**

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

WHEREAS, the Amended FHA requires the New Jersey Department of Community Affairs (“DCA”) to produce non-binding estimates of fair share obligations for municipalities throughout the State on or before October 20, 2024, and provides for municipalities to demonstrate that the Amended FHA would support modified or corrected calculations of the Round 4 affordable housing obligations; and

WHEREAS, through the adoption of adopted Resolution No. R2 on January 30, 2025, the Borough determined its fair share of 35 units present need and 92 units prospective need, subject to any vacant land and/or durational adjustments it may seek as part of the Housing Element and Fair Share Plan (“HE&FSP”) it subsequently submits in accordance with the Amended FHA; and

WHEREAS, the Borough filed its Resolution of participation before the Affordable Housing Dispute Resolution Program (the “Program”) on January 31, 2025, in accordance with the requirements of N.J.S.A. 52:27D-301, *et seq.*, and the timeframes set forth in Administrative Directive #14-24, bearing Docket No. SOM-L-183-25; and

WHEREAS, the New Jersey Builders Association (“NJBA”) filed a timely objection to Watchung’s Resolution establishing its 4th Round obligations; and

**BOROUGH OF WATCHUNG
ORDINANCE 26/02**

WHEREAS, through the mediation process provided by the Program, the Borough and NJBA entered into a Mediation Agreement settling the dispute over the Borough's prospective need obligation, agreeing to a Prospective Need obligation of 111 units for the Borough's 4th Round affordable housing compliance; and

WHEREAS, the Court entered an order on April 8, 2025 setting the Borough's Fourth Round fair share obligations as a Present Need of thirty-five (35) units and a Prospective Need of one hundred eleven (111) units, which no party appealed, and ordering the Borough to file a HE&FSP by June 30, 2025, as required pursuant to the Amended FHA and Administrative Directive #14-24; and

WHEREAS, the Watchung Borough Planning Board held the public hearing on the HE&FSP on June 9, 2025, with a memorializing Resolution adopting the HE&FSP on June 17, 2025, and the HE&FSP having been filed with the Program on June 18, 2025; and

WHEREAS, the Borough Council adopted Resolution No. R7 on June 19, 2025, endorsing the adopted HE&FSP, with same being filed with the Program on June 23, 2025; and

WHEREAS, on August 31, 2025, Fair Share Housing Center ("FSHC") filed a challenge to the Borough's HE&FSP pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b); and

WHEREAS, through the mediation process provided by the Program, the Borough and FSHC entered into a Mediation Agreement settling the dispute over the Borough's HE&FSP, which resulted in amendments to the HE&FSP for the Borough's satisfaction of its 4th Round affordable housing obligations, inclusive of the Borough's vacant land adjustment identified therein, which was presented to the Program for review and approval, and referral to the Mount Laurel Judge; and

**BOROUGH OF WATCHUNG
ORDINANCE 26/02**

WHEREAS, the Court entered an order on February 3, 2026, confirming the terms and conditions of the Mediation Agreement between the Borough and FSHC with regard to the Borough's amended HE&FSP, which amended HE&FSP is to be adopted by the Borough Planning Board by March 15, 2026, as required pursuant to the Amended FHA and Administrative Directive #14-24; and

WHEREAS, in expectation of the Planning Board's adoption of the amended HE&FSP, certain amendments are to be made to the Borough's existing affordable housing overlay zone districts, as well as the establishment of new affordable housing overlay zone districts throughout the Borough; and

WHEREAS, in light of the above, the Mayor and Borough Council of the Borough of Watchung find that it is in the best interest of the Borough to amend the provisions of the Route 22 Affordable Housing Overlay District in compliance with the amended HE&FSP pursuant to the Mediation Agreement with FSHC and the Court's February 3, 2026 Order; and

NOW, THEREFORE, 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. Subsection 28-401(AC) entitled "Route 22 Affordable Housing Overlay District" of Section 28-401 entitled "General Zoning District Regulations" of Article 28-400 entitled "Zoning District Regulations" of Chapter 28 entitled "Land Development" of The Code of the Borough of Watchung is hereby re-codified to new Section 28-421 to be entitled "Route 22 Affordable Housing Overly District," and to be supplemented and amended to read as follows: [Note to Codifier: New language in **bold**

**BOROUGH OF WATCHUNG
ORDINANCE 26/02**

and underlined, deleted language in ~~double-strikethrough~~; and amended language from original Subsection 28-401(AC) in **red**.]

Chapter 28. Land Development

Article 28-400 Zoning District Regulations

§28-401. General Zoning District Regulations.

AC. ~~Route 22 Affordable Housing Overlay Zone~~ Reserved.

§28-421. Route 22 Affordable Housing Overlay Zone.

Route 22 Affordable Housing Overlay District is established as follows:

- A. Purpose: The purpose of the Route 22 Affordable Housing Overlay District is to create a realistic opportunity for the creation of low and moderate-income housing as land becomes available for development or redevelopment in the Borough.**
- B. Area of the Borough to be included in the Overlay District: Block 64.02, Lot 3 and a portion of Block 64.02, Lot 5 as shown on the Route 22 Affordable Housing Overlay District Map.**
- C. Principal Permitted Uses: Multifamily dwelling units in one or more buildings as an inclusionary affordable residential development, provided that the provisions of subsections E. through H. below are met.**
- D. Permitted Accessory Uses:**
- 1. Uses and structures customary to the principal permitted use including, but not limited to private residential garages, parking areas, refuse and recycling areas, swimming pools, tennis courts, club houses for residents, management offices, leasing offices, walking/jogging trails, and dog runs.**
 - 2. Subsection 28-401B shall apply except as modified in this Section 28-421.**

**BOROUGH OF WATCHUNG
ORDINANCE 26/02**

3. All accessory uses except permitted fences, signs, bus shelters shall be located at least twenty (20) feet from the property line.
4. Fences and walls, in accordance with §28-502.
5. Signs may be provided in accordance with §28-504, and further regulated as follows:
 - a. Permitted signs shall include one project identification sign per development, residential unit and residential building identification signs, traffic and pedestrian directional signs and other public safety signs.
 - b. A project identification monument sign shall be permitted at the driveway entrance to the project not exceeding thirty-two (32) square feet in area and eight (8) feet in height including the monument base.
 - c. A monument base constructed of stone or similar material and landscaped shall be provided.
 - d. Building mounted identification signs or free-standing informational signs shall not exceed four (4) square feet.
 - e. Signs shall be constructed of stone, wood or similar materials and shall not be internally illuminated.
 - f. An overall sign plan shall be submitted for review as part of the site plan application.
6. All accessory uses except permitted fences, signs, bus shelters shall be located at least twenty five (25) feet from the property line.

E. Maximum Gross Density:

1. For-sale units. Multifamily residential development with units for-sale shall be permitted to have a maximum gross density of ~~fourteen (14)~~ **eighteen (18)** units per acre.
2. For-rent units. Multifamily residential development with units for-rent shall be permitted to have a maximum gross density of **eighteen (18)** units per acre.

F. Affordable Housing Requirements.

**BOROUGH OF WATCHUNG
ORDINANCE 26/02**

1. For-sale units. Multi-family residential development with units for-sale shall include a minimum of twenty (20%) percent of the total number of units for low-and moderate- income households, with at least 13 percent of these affordable units available for households earning 30 percent or less of the median income limit for the Council on Affordable Housing Region 3 or as provided by Order of the Superior Court of New Jersey.
2. For-rent units. Multi-family residential development with units for-rent shall include at least ~~twenty (20%)~~ **15** percent of the total number of units for low- and moderate-income households, with at least 13 percent of these affordable units available for households earning 30 percent or less of the median income limit for the COAH Region 3 or as provided by Order of the Superior Court of New Jersey.
3. The low- and moderate-income units shall be distributed throughout the development, not concentrated in any one building.
4. The §28-1000 Affordable Housing Ordinance provisions shall apply.

G. Area, Yard and Other Bulk Requirements:

1. No principal building or structure shall be located closer than one hundred (100) feet from the Route 22 right-of-way line or closer than twenty-five (25) feet from any side or rear lot line.
2. The minimum distance between structures shall be one-half (1/2) the sum of the height of the adjacent structures, except that a minimum of fifteen (15) feet shall be maintained when structures abut end to end.
3. The maximum building length shall be two hundred (200) feet.
4. The minimum number of dwelling units in a building shall be four (4) units and the maximum number of dwelling units in a building shall be thirty-six (36) units.
5. The maximum building coverage shall be thirty percent (30%).
6. The maximum lot impervious coverage shall be seventy percent (70%).

H. Maximum Building Height:

1. No building shall exceed thirty-eight (38) feet in height and three (3) stories.

**BOROUGH OF WATCHUNG
ORDINANCE 26/02**

2. Building height in feet shall be the vertical distance measured from the average finished grade at the perimeter of the foundation calculated at 20-foot increments to the highest point of the building in the case of flat roofs or to the mean level between the eaves and the highest point of the roof in the case of pitched roofs.
3. Building height in stories shall be measured counting as a story the space between the upper surface of any floor and the upper surface of the next floor above it or, if there is no floor above it, then the surface between the floor and the ceiling next above it. Space under a sloped roof that is not habitable and space partially or fully below grade that is not habitable under the State Uniform Construction Code shall not be considered a story or part of a story.

I. Roadways, Off-street Parking and Private Residential Garages:

1. On-street parking shall be permitted within the development tract.
2. Off-street parking may be permitted under or within a building structure, provided that the building shall not exceed the maximum building height.
3. The number of required parking spaces shall be in accordance with the New Jersey Residential Site Improvement Standards (RSIS).
4. No parking area or driveway shall be located within twenty (20) feet of any property line, excluding intersecting driveways with US Route 22.
5. Parking spaces shall be located at least fifteen (15) feet from a residential building, except where a parking space also provides access to an enclosed garage, no such setback shall be required.

J. Other requirements.

1. Section 28-505, Recreation Required for Multi-Family Development standards shall apply and include:
 - a. A minimum of five percent (5%) of the lot shall be developed as open space and recreation areas, including both active and passive recreation facilities.
 - b. Recreation facilities shall include play areas for children of all ages.
2. Section 28-600 Development Requirements and Standards shall apply unless overridden by provisions in this subsection .

**BOROUGH OF WATCHUNG
ORDINANCE 26/02**

3. Building Design Standards.

- a. All residential buildings shall have similar facade treatments so that they are compatible with one another. Additionally, all sides of any one residential building shall have similar facade treatments.**
- b. Long buildings shall be broken into facade segments. Any building with a length of over one hundred (100) feet shall have off-set facades at least every thirty (30) feet created with set-back or bump-out sections being one and one-half (1.5) feet or more in depth.**
- c. A variety of quality materials and architectural features are encouraged to, for example, distinguish the first floor from higher floors, to distinguish top floors from lower floors, and to highlight building entrances.**
- d. Rooftop HV AC units, if employed, shall be shielded by parapet walls or roof insets if a sloped roof is utilized.**
- e. Foundation plantings shall be utilized to soften the appearance of first floor and lower walls.**

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,

**BOROUGH OF WATCHUNG
ORDINANCE 26/02**

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 that the Borough Clerk is directed to give notice at least ten days prior to a hearing on the adoption of this ordinance to the Somerset County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15, and N.J.S.A. 40:55D-63 (if required); and

BE IT FURTHER ORDAINED that after introduction, the Borough Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Borough of Watchung for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Borough Council, within 35 days after referral, a report including identification of any provisions in the proposed ordinance which are inconsistent with the master plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate; and

BE IT FURTHER ORDAINED by the Council 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

**BOROUGH OF WATCHUNG
ORDINANCE 26/02**

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: FISCHER
PASSED: MARCH 19, 2026
PUBLISHED:
ADOPTED:
C: GENERAL CODE, ZONING
PLANNING BD, TAX ASSESSOR,
ENGINEERING, COURTS

ATTEST:

BOROUGH OF WATCHUNG

Edith G. Gil, Borough Clerk

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

**BOROUGH OF WATCHUNG
ORDINANCE 26/03**

**AN ORDINANCE AMENDING CHAPTER 28, LAND
DEVELOPMENT, TO REVISE THE S-W SOMERSET STREET /
WATCHUNG AVENUE AFFORDABLE HOUSING OVERLAY
ZONE DISTRICT IN COMPLIANCE WITH THE BOROUGH'S
AMENDED HOUSING ELEMENT AND FAIR SHARE PLAN AND
ITS 4TH ROUND AFFORDABLE HOUSING OBLIGATIONS.**

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

WHEREAS, the Amended FHA requires the New Jersey Department of Community Affairs (“DCA”) to produce non-binding estimates of fair share obligations for municipalities throughout the State on or before October 20, 2024, and provides for municipalities to demonstrate that the Amended FHA would support modified or corrected calculations of the Round 4 affordable housing obligations; and

WHEREAS, through the adoption of adopted Resolution No. R2 on January 30, 2025, the Borough determined its fair share of 35 units present need and 92 units prospective need, subject to any vacant land and/or durational adjustments it may seek as part of the Housing Element and Fair Share Plan (“HE&FSP”) it subsequently submits in accordance with the Amended FHA; and

WHEREAS, the Borough filed its Resolution of participation before the Affordable Housing Dispute Resolution Program (the “Program”) on January 31, 2025, in accordance with the requirements of N.J.S.A. 52:27D-301, et seq., and the timeframes set forth in Administrative Directive #14-24, bearing Docket No. SOM-L-183-25; and

**BOROUGH OF WATCHUNG
ORDINANCE 26/03**

WHEREAS, the New Jersey Builders Association (“NJBA”) filed a timely objection to Watchung’s Resolution establishing is 4th Round obligations; and

WHEREAS, through the mediation process provided by the Program, the Borough and NJBA entered into a Mediation Agreement settling the dispute over the Borough’s prospective need obligation, agreeing to a Prospective Need obligation of 111 units for the Borough’s 4th Round affordable housing compliance; and

WHEREAS, the Court entered an order on April 8, 2025 setting the Borough’s Fourth Round fair share obligations as a Present Need of thirty-five (35) units and a Prospective Need of one hundred eleven (111) units, which no party appealed, and ordering the Borough to file a HE&FSP by June 30, 2025, as required pursuant to the Amended FHA and Administrative Directive #14-24; and

WHEREAS, the Watchung Borough Planning Board held the public hearing on the HE&FSP on June 9, 2025, with a memorializing Resolution adopting the HE&FSP on June 17, 2025, and the HE&FSP having been filed with the Program on June 18, 2025; and

WHEREAS, the Borough Council adopted Resolution No. R7 on June 19, 2025, endorsing the adopted HE&FSP, with same being filed with the Program on June 23, 2025; and

WHEREAS, on August 31, 2025, Fair Share Housing Center (“FSHC”) filed a challenge to the Borough’s HE&FSP pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b); and

WHEREAS, through the mediation process provided by the Program, the Borough and FSHC entered into a Mediation Agreement settling the dispute over the Borough’s HE&FSP, which resulted in amendments to the HE&FSP for the Borough’s satisfaction of its 4th Round affordable housing obligations, inclusive of the Borough’s vacant land

**BOROUGH OF WATCHUNG
ORDINANCE 26/03**

adjustment identified therein, which was presented to the Program for review and approval, and referral to the Mount Laurel Judge; and

WHEREAS, the Court entered an order on February 3, 2026, confirming the terms and conditions of the Mediation Agreement between the Borough and FSHC with regard to the Borough's amended HE&FSP, which amended HE&FSP is to be adopted by the Borough Planning Board by March 15, 2026, as required pursuant to the Amended FHA and Administrative Directive #14-24; and

WHEREAS, in expectation of the Planning Board's adoption of the amended HE&FSP, certain amendments are to be made to the Borough's existing affordable housing overlay zone districts, as well as the establishment of new affordable housing overlay zone districts throughout the Borough; and

WHEREAS, in light of the above, the Mayor and Borough Council of the Borough of Watchung find that it is in the best interest of the Borough to amend the provisions of the S-W Somerset Street / Watchung Avenue Affordable Housing Overlay District in compliance with the amended HE&FSP pursuant to the Mediation Agreement with FSHC and the Court's February 3, 2026 Order; and

NOW, THEREFORE, 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 28-419 entitled "S-W Somerset Street / Watchung Avenue Affordable Housing Overlay District" of Article 28-400 entitled "Zoning District Regulations" of Chapter 28 entitled "Land Development" of The Code of the Borough of

**BOROUGH OF WATCHUNG
ORDINANCE 26/03**

Watchung is hereby supplemented and amended to read as follows: [Note to codifier: New language in **bold and underlined**; deleted language in ~~double-strikethrough~~.]

Chapter 28. Land Development

Article 28-400 Zoning District Regulations

§28-419. S-W Somerset Street / Watchung Avenue Affordable Housing Overlay District.

A. Purpose and Application.

1. Purpose. The purpose of the Somerset Street/Watchung Avenue Affordable Housing Overlay District is to create a realistic opportunity for the development of affordable housing in accordance with the June 7, 2018, Settlement Agreement between the Borough of Watchung and the Fair Share Housing Center ("**FSHC**")~~, Inc.~~, and the September 19, 2018, Order on Fairness and Preliminary Compliance Hearing by the Superior Court of New Jersey Law Division Somerset County, Docket No. SOM-L-902-15; **and amended in compliance with the December 19, 2025 Mediation Agreement between the Borough and FSHC, and the February 3, 2026 Order issued in the Docket No. SOM-L-183-25.**
2. Application of Requirements. The Somerset Street/Watchung Avenue Affordable Housing Overlay District permits mixed-use redevelopment consisting of first-floor commercial uses and residential units above within the "Triangle" area bounded by Watchung Avenue, Somerset Street and Johnston Drive. Consistent with the purpose of the district, such mixed-use development shall only be permitted in conjunction with the provision of affordable housing pursuant to § 28-419D, Affordable Housing Requirements. The requirements of the underlying Neighborhood Business (B-A) Zoning District shall remain in full effect in the area encompassed by this overlay district unless an application is proposed consistent with the requirements of this overlay district. The requirements of this overlay district shall only be applicable to the lands involved in such a mixed-use development application. Lands not included in such a mixed-use development application shall continue to be subject to the requirements of the underlying zoning district.

B. Permitted Uses.

1. Principal Permitted Uses. Mixed-use development consisting of commercial development on the first floor and residential units above. Permitted commercial uses on the first floor shall consist of the permitted uses specified in § 28-406.A with respect to the B-A District.

**BOROUGH OF WATCHUNG
ORDINANCE 26/03**

- a. Such mixed-use development shall only be permitted in conjunction with the provision of affordable housing pursuant to § 28-419D.
2. Accessory Uses Permitted.
 - a. Off-street loading and parking and private nonresidential garages, either attached or detached.
 - b. Storage buildings not exceeding 200 square feet in size and 15 feet in height.
 - c. Fences and walls in accordance with § 28-502.
 - d. Signs in accordance with § 28-504, generally, and the requirements of § 28-504G specifically with respect to sign height, sign area, setback and other such bulk and dimensional requirements.
- C. Maximum Gross Density. Residential use is permitted at a maximum gross density of ten (10) ~~six~~ units per acre for for-sale units and ten (10) units per acre for rental units.
- D. Affordable Housing Requirements.
 1. For-Sale Units. Where for-sale units are provided, a minimum of twenty (20%) percent of the total number of units shall be affordable to low-and moderate-income households, with at least 50% of the affordable units available for households earning 30% or less of the applicable median income limit and 13% of the affordable units available for households earning 30% or less of the applicable median income limit. For the purpose of this section, fractional results shall be rounded to the nearest whole number (e.g., 2.4 would equal a requirement for two affordable units, while 2.5 would result in a requirement for three affordable units).
 2. For-Rent Units. Where rental units are provided, a minimum of twenty (20%) percent ~~15%~~ of the total number of units shall be affordable to low-and moderate-income households, with at least 50% of the affordable units available for households earning 30% or less of the applicable median income limit and 13% of the affordable units available for households earning 30% or less of the applicable median income limit. For the purpose of this section, fractional results shall be rounded to the nearest whole number (e.g., 2.4 would equal a requirement for two affordable units, while 2.5 would result in a requirement for three affordable units).
 3. The low- and moderate-income units shall be distributed throughout the development, not concentrated in any one building.

**BOROUGH OF WATCHUNG
ORDINANCE 26/03**

4. Section 28-1000, Affordable Housing, shall apply.

E. Maximum Building Height.

1. No principal building shall exceed 35 feet in height and 2 1/2 stories.
2. No accessory building located within the principal building envelope shall exceed 25 feet in height and two stories.
3. No accessory building located outside the principal building envelope shall exceed 15 feet in height and one story.

F. Area and Yard Requirements for the S-W District.

Principal Building	Requirement
Minimum	
Lot area	10,000 square feet
Lot frontage	100 feet
Lot width	100 feet
Principal Building	
Lot Depth	75 feet
Front yard	30 feet
Side yard - one (both)	5 feet (15 feet)
Rear yard	25 feet
Accessory Building	
Minimum	
Distance to side line	5 feet
Distance to rear line	10 feet
Distance to other building	20 feet
Maximum	
Building coverage	30%
Lot coverage	70%

G. General Requirements.

1. Unless otherwise specifically approved by the Board as part of a site plan application, no merchandise, product, equipment or similar material or objects shall be displayed or stored outside. Where merchandise, products, equipment or similar material or objects are approved by the Board to be displayed or stored outside, the materials shall be suitably screened to be

**BOROUGH OF WATCHUNG
ORDINANCE 26/03**

obscured from view from adjacent residential uses and must be situated within the property lines of the principal use.

2. All areas not utilized for buildings, parking, loading, access aisles and driveways or pedestrian walkways shall be suitably landscaped with shrubs, ground cover, seeding or plantings and maintained in good condition.
 3. All buildings shall be compatibly designed whether constructed all at one time or in stages over a period of time. All building walls facing any street or residential use or district shall be suitably finished for aesthetic purposes and shall be compatible in design and scale to the surrounding residential areas.
 4. At least the first five feet adjacent to any lot line shall not be used for parking and loading and shall be planted and maintained in lawn areas or ground cover and landscaped with evergreen shrubbery.
- H. Off-Street Parking and Loading. Parking spaces and loading areas shall be provided for each use in accordance with the requirements of § 28-503 and the design standards in Article 28-600.

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,

**BOROUGH OF WATCHUNG
ORDINANCE 26/03**

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 that the Borough Clerk is directed to give notice at least ten days prior to a hearing on the adoption of this ordinance to the Somerset County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15, and N.J.S.A. 40:55D-63 (if required); and

BE IT FURTHER ORDAINED that after introduction, the Borough Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Borough of Watchung for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Borough Council, within 35 days after referral, a report including identification of any provisions in the proposed ordinance which are inconsistent with the master plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate; and

BE IT FURTHER ORDAINED by the Council 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

**BOROUGH OF WATCHUNG
ORDINANCE 26/03**

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: FISCHER
PASSED: MARCH 19, 2026
PUBLISHED:
ADOPTED:
C: GENERAL CODE, PLANNING BD,
ZONING, ENGINEERING,
TAX ASSESSOR, COURTS,

ATTEST:

BOROUGH OF WATCHUNG

Edith G. Gil, Borough Clerk	By: Ronald Jubin, Ph.D., Mayor
-----------------------------------	--------------------------------------

**BOROUGH OF WATCHUNG
ORDINANCE 26/04**

**AN ORDINANCE AMENDING CHAPTER 28, LAND DEVELOPMENT,
ESTABLISHING A NEW ROUTE 22 AFFORDABLE HOUSING
OVERLAY ZONE DISTRICT – 2 IN COMPLIANCE WITH THE
BOROUGH’S AMENDED HOUSING ELEMENT AND FAIR SHARE
PLAN AND ITS 4TH ROUND AFFORDABLE HOUSING OBLIGATIONS.**

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

WHEREAS, the Amended FHA requires the New Jersey Department of Community Affairs (“DCA”) to produce non-binding estimates of fair share obligations for municipalities throughout the State on or before October 20, 2024, and provides for municipalities to demonstrate that the Amended FHA would support modified or corrected calculations of the Round 4 affordable housing obligations; and

WHEREAS, through the adoption of adopted Resolution No. R2 on January 30, 2025, the Borough determined its fair share of 35 units present need and 92 units prospective need, subject to any vacant land and/or durational adjustments it may seek as part of the Housing Element and Fair Share Plan (“HE&FSP”) it subsequently submits in accordance with the Amended FHA; and

WHEREAS, the Borough filed its Resolution of participation before the Affordable Housing Dispute Resolution Program (the “Program”) on January 31, 2025, in accordance with the requirements of N.J.S.A. 52:27D-301, *et seq.*, and the timeframes set forth in Administrative Directive #14-24, bearing Docket No. SOM-L-183-25; and

WHEREAS, the New Jersey Builders Association (“NJBA”) filed a timely objection to Watchung’s Resolution establishing its 4th Round obligations; and

**BOROUGH OF WATCHUNG
ORDINANCE 26/04**

WHEREAS, through the mediation process provided by the Program, the Borough and NJBA entered into a Mediation Agreement settling the dispute over the Borough's prospective need obligation, agreeing to a Prospective Need obligation of 111 units for the Borough's 4th Round affordable housing compliance; and

WHEREAS, the Court entered an order on April 8, 2025 setting the Borough's Fourth Round fair share obligations as a Present Need of thirty-five (35) units and a Prospective Need of one hundred eleven (111) units, which no party appealed, and ordering the Borough to file a HE&FSP by June 30, 2025, as required pursuant to the Amended FHA and Administrative Directive #14-24; and

WHEREAS, the Watchung Borough Planning Board held the public hearing on the HE&FSP on June 9, 2025, with a memorializing Resolution adopting the HE&FSP on June 17, 2025, and the HE&FSP having been filed with the Program on June 18, 2025; and

WHEREAS, the Borough Council adopted Resolution No. R7 on June 19, 2025, endorsing the adopted HE&FSP, with same being filed with the Program on June 23, 2025; and

WHEREAS, on August 31, 2025, Fair Share Housing Center ("FSHC") filed a challenge to the Borough's HE&FSP pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b); and

WHEREAS, through the mediation process provided by the Program, the Borough and FSHC entered into a Mediation Agreement settling the dispute over the Borough's HE&FSP, which resulted in amendments to the HE&FSP for the Borough's satisfaction of its 4th Round affordable housing obligations, inclusive of the Borough's vacant land adjustment identified therein, which was presented to the Program for review and approval, and referral to the Mount Laurel Judge; and

**BOROUGH OF WATCHUNG
ORDINANCE 26/04**

WHEREAS, the Court entered an order on February 3, 2026, confirming the terms and conditions of the Mediation Agreement between the Borough and FSHC with regard to the Borough's amended HE&FSP, which amended HE&FSP is to be adopted by the Borough Planning Board by March 15, 2026, as required pursuant to the Amended FHA and Administrative Directive #14-24; and

WHEREAS, in expectation of the Planning Board's adoption of the amended HE&FSP, certain amendments are to be made to the Borough's existing affordable housing overlay zone districts, as well as the establishment of new affordable housing overlay zone districts throughout the Borough; and

WHEREAS, in light of the above, the Mayor and Borough Council of the Borough of Watchung find that it is in the best interest of the Borough to establish a new Route 22 Affordable Housing Overlay District - 2 in compliance with the amended HE&FSP pursuant to the Mediation Agreement with FSHC and the Court's February 3, 2026 Order; and

NOW, THEREFORE, 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. Article 28-400 entitled "Zoning District Regulations" of Chapter 28 entitled "Land Development" of The Code of the Borough of Watchung is hereby supplemented and amended to add a new Section 28-422 to be entitled "Route 22 Affordable Housing Overlay District – 2" to read as follows: [Note to codifier: New language in **bold and underlined**; deleted language in ~~double-strikethrough~~.]

Chapter 28. Land Development

**BOROUGH OF WATCHUNG
ORDINANCE 26/04**

Article 28-400 Zoning District Regulations

§28-422. Route 22 Affordable Housing Overlay District - 2.

- A. Purpose: The purpose of the “Route 22 Affordable Housing Overlay District - 2” zone is to create a realistic opportunity for the creation of very-, low- and moderate-income housing in the Borough.**
- B. Area of the Borough to be included in the Overlay District: The area shown on Exhibit 1 (Block 6201, Lots 1, 4, 5.01, 5.02 and 6), as well as the paper street in this area) shall be placed within the “Route 22 Affordable Housing Overlay District - 2” on the Borough Zoning Map.**
- C. Principal Permitted Uses: Multifamily dwelling units in one or more buildings as an inclusionary affordable residential development, provided that the provisions of subsections E. through J. below are met.**
- D. Permitted Accessory Uses:**
- 1. Uses and structures customary to the principal permitted use including, but not limited to private residential garages, parking areas, refuse and recycling areas, swimming pools, tennis courts, club houses for residents, management offices, leasing offices, walking/jogging trails, and dog runs.**
 - 2. Section 28-401.B. shall apply except as modified in this Section 28-401.AC.**
 - 3. All accessory uses except permitted fences, signs, bus shelters shall be located at least 10' from the property line.**
 - 4. Fences and walls, in accordance with Section 28-502.**
 - 5. Signs may be provided in accordance with Section 28-504, and further regulated as follows:**
 - a. Permitted signs shall include one project identification sign per development, residential unit and residential building identification signs, traffic and pedestrian directional signs and other public safety signs.**
 - b. A project identification monument sign shall be permitted at the driveway entrance to the project not exceeding 32 square feet in area and 8 feet in height including the monument base.**

**BOROUGH OF WATCHUNG
ORDINANCE 26/04**

- c. A monument base constructed of stone or similar material and landscaped shall be provided.
- d. Building mounted identification signs or free-standing informational signs shall not exceed 4 square feet.
- e. Signs shall be constructed of stone, wood or similar materials and shall not be internally illuminated.
- f. An overall sign plan shall be submitted for review as part of the site plan application.

E. Maximum Gross Density: Multifamily residential development shall be permitted to have a maximum gross density of 18 units per acre.

F. Affordable Housing Requirements:

- 1. The number of affordable units (i.e., available to very-low, low- and moderate-income households) shall equal at least 20% of the total units in the development. The number of low-income units shall equal at least fifty percent (50%) of the affordable units. The number of units available to very-low income households (i.e., households earning 30 percent or less of the median income limit for the Housing Region 3) shall equal thirteen percent (13%) of the number of affordable units or two (2) units, whichever is greater.
- 2. The low- and moderate-income units shall be distributed throughout the development, not concentrated in any one building or area of a building.
- 3. The development shall be rental and shall not be age-restricted.
- 4. Section 28-1000 Affordable Housing Ordinance provisions shall apply.

G. Area, Yard and Other Bulk Requirements:

- 1. No principal building or structure shall be located closer than seventy-five (75) from the Route 22 right-of-way line or closer than fifteen (15) from any side lot line or twenty-five (25) feet from any rear lot line.
- 2. The maximum building coverage shall be forty percent (40%).
- 3. The maximum lot impervious coverage shall be eighty percent (80%).

H. Maximum Building Height:

**BOROUGH OF WATCHUNG
ORDINANCE 26/04**

- 1. No building shall exceed thirty-eight (38) feet in height and three (3) stories.**
- 2. Building height in feet shall be the vertical distance measured from the average finished grade at the perimeter of the foundation calculated at 20-foot increments to the highest point of the building in the case of flat roofs or to the mean level between the eaves and the highest point of the roof in the case of pitched roofs.**
- 3. Building height in stories shall be measured counting as a story the space between the upper surface of any floor and the upper surface of the next floor above it or, if there is no floor above it, then the surface between the floor and the ceiling next above it. Space under a sloped roof that is not habitable and space partially or fully below grade that is not habitable under the State Uniform Construction Code shall not be considered a story or part of a story.**

I. Roadways, Off-street Parking and Private Residential Garages:

- 1. Off-street parking may be permitted under or within a building structure, provided that the building shall not exceed the maximum building height.**
- 2. The number of required parking spaces shall be in accordance with the New Jersey Residential Site Improvement Standards (RSIS).**
- 3. At least the first twenty-five (25) feet adjacent to any street line and fifteen (15) feet adjacent to any lot line shall not be used for parking or loading and shall be planted and maintained in lawn area or ground cover and landscaped.**

J. Other requirements.

- 1. Section 28-505. Multi-Family Development standards shall include:**
 - a. A minimum of five percent (5%) of the lot shall be developed as open space and recreation areas, including both active and passive recreation facilities.**
 - b. Recreation facilities shall include play areas for children of all ages.**
- 2. Section 28-600 Development Requirements and Standards shall apply unless overridden by provisions in this Ordinance.**

**BOROUGH OF WATCHUNG
ORDINANCE 26/04**

3. Building Design Standards.

- a. All residential buildings shall have similar facade treatments so that they are compatible with one another. Additionally, all sides of any one residential building shall have similar facade treatments.**
- b. Long buildings shall be broken into facade segments. Any building with a length of over 100 feet shall have off-set facades at least every 30 feet created with set-back or bump-out sections being 1.5 feet or more in depth.**
- c. A variety of quality materials and architectural features are encouraged to, for example, distinguish the first floor from higher floors, to distinguish top floors from lower floors, and to highlight building entrances.**
- d. Rooftop HVAC units, if employed, shall be shielded by parapet walls or roof insets if a sloped roof is utilized.**
- e. Foundation plantings shall be utilized to soften the appearance of first floor and lower walls.**

**BOROUGH OF WATCHUNG
ORDINANCE 26/04**

EXHIBIT 1



**BOROUGH OF WATCHUNG
ORDINANCE 26/04**

Section 2. The Borough of Watchung Zoning Map shall be amended to show the “Route 22 Affordable Housing Overlay District -2” as described herein.

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 that the Borough Clerk is directed to give notice at least ten days prior to a hearing on the adoption of this ordinance to the Somerset County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15, and N.J.S.A. 40:55D-63 (if required); and

BE IT FURTHER ORDAINED that after introduction, the Borough Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Borough of Watchung for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Borough Council, within 35 days after referral, a report including identification of any provisions in the

**BOROUGH OF WATCHUNG
ORDINANCE 26/04**

proposed ordinance which are inconsistent with the master plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate; and

BE IT FURTHER ORDAINED by the Council 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

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: FISCHER
PASSED: MARCH 19, 2026
PUBLISHED:
ADOPTED:
C: BOARD CLERK, COURTS,
GENERAL CODE, ENG,
ZONING, TAX ASSESSOR

ATTEST:

BOROUGH OF WATCHUNG

Edith G. Gil, Borough Clerk

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

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

**AN ORDINANCE OF THE BOROUGH OF WATCHUNG UPDATING
CHAPTER 28 “LAND DEVELOPMENT,” OF THE BOROUGH CODE TO
AMEND THE BOROUGH’S AFFORDABLE HOUSING AND
DEVELOPMENT FEE ORDINANCES PURSUANT TO THE AMENDED
FAIR HOUSING ACT AND THE NEW UHAC REGULATIONS.**

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

WHEREAS, the Borough of Watchung has complied with the Amended FHA and participated in the Affordable Housing Dispute Resolution Program (the “Program”) established therein, filing all required documents through the Court system bearing Docket No. SOM-L-183-25, as set forth in Administrative Office of the Courts Directive #14-24; and

WHEREAS, as a result of the Borough’s compliance with the Amended FHA and participation in the Program, the New Jersey Court has issued an order on April 8, 2025 setting the Borough’s Fourth Round fair share obligations as a Present Need of thirty-five (35) units and a Prospective Need of one hundred eleven (111) units; and an order on February 3, 2026, confirming the terms and conditions of the settlement agreement between the Borough and FSHC with regard to the Borough’s amended HE&FSP, along with the implementation of same; and

WHEREAS, the New Jersey Housing and Mortgage Finance Agency adopted new rules and regulations governing the housing affordability controls, known as the Uniform Housing Affordability Control (“UHAC”), N.J.A.C. 5:80-26, *et seq.*, effective November 6, 2025 (57 N.J.R. 2743(a)); and

WHEREAS, the New Jersey Department of Community Affairs (“DCA”) prepared a model ordinance for municipalities to adopt, integrating the amended FHA and new UHAC regulations; and

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

WHEREAS, adoption of an updated, amended affordable housing ordinance is required for the Borough's continued compliance with the amended FHA and court orders issued pursuant to the Program; and

WHEREAS, the Mayor and Borough Council finds it to be in the best interests of the Borough and its citizens to adopt the DCA's model ordinance, modified for application to the Borough, as set forth herein.

NOW, THEREFORE, 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. Article 28-1000 entitled "Affordable Housing" of Chapter 28 entitled "Land Development" of *The Code of the Borough of Watchung* is hereby **deleted in its entirety and herein replaced** to read as follows:

Article 28-1000. Affordable Housing.

§28-1001. Introduction & Applicability.

- A. This Article sets forth regulations regarding the very low-, low- and moderate-income housing units in the Borough of Watchung consistent with the provisions outlined in P.L. 2024, Chapter 2, including the amended Fair Housing Act ("FHA") at N.J.S.A. 52:27D-301 et seq., as well as the Department of Community Affairs, Division of Local Planning Services ("LPS") at N.J.A.C. 5:99 et seq., statutorily upheld existing regulations of the now-defunct Council on Affordable Housing ("COAH") at N.J.A.C. 5:93 and 5:97, the Uniform Housing Affordability Controls ("UHAC") at N.J.A.C. 5:80-26.1 et seq., and as reflected in the adopted municipal Fourth Round Housing Element and Fair Share Plan ("HEFSP").
- B. This Article is intended to ensure that very-low-, low- and moderate-income units ("affordable units") are created with controls on affordability over time and that very-low-, low- and moderate-income households shall occupy these units pursuant to statutory requirements. This Ordinance shall apply to all inclusionary developments, individual affordable units, and 100 percent affordable housing developments except where inconsistent with applicable law. Low-Income Housing Tax Credit financed developments shall adhere to affirmative marketing and random selection procedures set forth in UHAC.
- C. The Watchung Borough Planning Board has adopted a HEFSP pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq. The Fair Share Plan describes the ways the municipality shall address its fair share of very-low-, low- and moderate-income housing as approved by the Superior Court and documented in the Housing Element.

BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05

- D. This Article implements and incorporates the relevant provisions of the HEFSP and addresses the requirements of P.L. 2024, Chapter 2, the FHA, N.J.A.C. 5:99, NJ Supreme Court upheld COAH regulations at N.J.A.C. 5:93 and 5:97, and UHAC at N.J.A.C. 5:80-26.1, as may be amended and supplemented.
- E. Applicability
1. The provisions of this Article shall apply to all affordable housing developments and affordable housing units that are proposed to be created pursuant to the municipality's most recently adopted HEFSP.
 2. This Article shall apply to all developments that contain very-low-, low- and moderate-income housing units included in the Municipal HEFSP, including any unanticipated future developments that will provide very-low-, low- and moderate-income housing units.
 3. Projects receiving federal Low Income Housing Tax Credit financing and proposed for credit in the municipality's most recently adopted HEFSP shall comply with the affirmative fair marketing requirements of UHAC at N.J.A.C. 5:80-26.16 and the length of the affordability controls applicable to such projects shall be not less than a 30-year compliance period plus a 15-year extended-use period, for a total of not less than 45 years.

§28-1002. Definitions.

As used herein the following terms shall have the following meanings:

“Accessory apartments” means a residential dwelling unit that provides complete independent living facilities with a private entrance for one or more persons, consisting of provisions for living, sleeping, eating, sanitation, and cooking, including a stove and refrigerator, and is located within a proposed preexisting primary dwelling, within an existing or proposed structure that is an accessory to a dwelling on the same lot, constructed in whole or part as an extension to a proposed or existing primary dwelling, or constructed as a separate detached structure on the same lot as the existing or proposed primary dwelling. Accessory apartments are also referred to as “accessory dwelling units”.

“Act” means the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq.

“Adaptable” means constructed in compliance with the technical design standards of the barrier free subcode adopted by the Commissioner of Community Affairs pursuant to the “State Uniform Construction Code Act,” P.L.1975, c. 217 (C.52:27D-119 et seq.) and in accordance with the provisions of section 5 of P.L.2005, c. 350 (C.52:27D-123.15).

“Administrative agent” means the entity approved by the Division responsible for the administration of affordable units, in accordance with N.J.A.C. 5:99-7, and UHAC at N.J.A.C. 5:80-26.15.

BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05

“Affirmative marketing” means a regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.16.

“Affirmative Marketing Plan” means the municipally adopted plan of strategies from which the administrative agent will choose to implement as part of the Affirmative Marketing requirements.

“Affirmative Marketing Process” or “Program” means the actual undertaking of Affirmative Marketing activities in furtherance of each project with very low-, low-, and moderate-income units.

“Affordability assistance” means the use of funds to render housing units more affordable to low- and moderate-income households and includes, but is not limited to, down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowner’s association or condominium fees and special assessments, common maintenance expenses, and assistance with emergency repairs and rehabilitation to bring deed-restricted units up to code, pursuant to N.J.A.C. 5:99-2.5.

“Affordability average” means an average of the percentage of regional median income at which restricted units in an affordable development are affordable to low- and moderate-income households.

“Affordable” means, in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth at N.J.A.C. 5:80-26.7 and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth at N.J.A.C. 5:80-26.13.

“Affordable housing development” means a development included in a municipality’s housing element and fair share plan, and includes, but is not limited to, an inclusionary development, a municipally sponsored affordable housing project, or a 100 percent affordable development. This includes developments with affordable units on-site, off-site, or provided as a payment in-lieu of construction only if such a payment-in-lieu option has been previously approved by the Program or Superior Court as part of the HEFSP. Payments in lieu of construction were invalidated per P.L. 2024, c.2.

“Affordable Housing Dispute Resolution Program” or “the Program” refers to the dispute resolution program established pursuant to N.J.S.A. 52:27D-313.2.

“Affordable Housing Monitoring System” or “AHMS” means the Department’s cloud-based software application, which shall be the central repository for municipalities to use for reporting detailed information regarding affordable housing developments, affordable housing unit completions, and the collection and expenditures of funds deposited into the municipal affordable housing trust fund.

“Affordable Housing Trust Fund” or “AHTF” means that non-lapsing, revolving trust fund established in DCA pursuant to N.J.S.A. 52:27D-320 and N.J.A.C. 5:43 to be the repository of all State funds appropriated for affordable housing purposes. All references to the

BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05

“Neighborhood Preservation Nonlapsing Revolving Fund” and “Balanced Housing” mean the AHTF.

“Affordable unit” means a housing unit proposed or developed pursuant to the Act, including units created with municipal affordable housing trust funds.

“Age-restricted housing” means a housing unit that is designed to meet the needs of, and is exclusively for, an age-restricted segment of the population such that: 1. All the residents of the development where the unit is situated are 62 years or older; 2. At least 80 percent of the units are occupied by one person that is 55 years or older; or 3. The development has been designated by the Secretary of HUD as “housing for older persons” as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. § 3607.

“Agency” means the New Jersey Housing and Mortgage Finance Agency established by P.L.1983, c. 530 (C.55:14K-1 et seq.).

“Assisted living residence” means a facility licensed by the New Jersey Department of Health to provide apartment-style housing and congregate dining and to ensure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor. Apartment units must offer, at a minimum, one unfurnished room, a private bathroom, a kitchenette, and a lockable door on the unit entrance.

“Barrier-free escrow” means the holding of funds collected to adapt affordable unit entrances to be accessible in accordance with N.J.S.A. 52:27D-311a et seq. Such funds shall be held in a municipal affordable housing trust fund pursuant to N.J.A.C. 5:99-2.6.

“Builder’s remedy” means court-imposed site-specific relief for a litigant who seeks to build affordable housing for which the court requires a municipality to utilize zoning techniques, such as mandatory set-asides or density bonuses, including techniques which provide for the economic viability of a residential development by including housing that is not for low- and moderate-income households.

“Certified household” means a household that has been certified by an administrative agent as a very-low-income household, a low-income household, or a moderate-income household.

“CHOICE” means the no-longer-active Choices in Homeownership Incentives for Everyone Program, as it was authorized by the Agency.

“COAH” or the “Council” means the Council on Affordable Housing established in, but not of, DCA pursuant to the Act and that was abolished effective March 20, 2024, pursuant to section 3 at P.L. 2024, c. 2 (N.J.S.A. 52:27D-304.1).

“Commissioner” means the Commissioner of the Department of Community Affairs.

“Compliance certification” means the certification obtained by a municipality pursuant to section 3 of P.L.2024, c. 2 (C.52:27D-304.1), that protects the municipality from exclusionary zoning litigation during the current round of present and prospective need and through July 1 of the year

BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05

the next round begins, which is also known as a “judgment of compliance” or “judgment of repose.” The term “compliance certification” shall include a judgment of repose granted in an action filed pursuant to section 13 of P.L.1985, c. 222 (C.52:27D-313).

“Construction” means new construction and additions, but does not include alterations, reconstruction, renovations, conversion, relocation, or repairs, as those terms are defined in the State Uniform Construction Code promulgated pursuant to the State Uniform Construction Code Act, P.L. 1975, c. 217(N.J.S.A. 52:27D-119 et seq.).

“County-level housing judge” means a judge appointed pursuant to section 5 at P.L. 2024, c. 2, to resolve disputes over the compliance of municipal fair share affordable housing obligations and municipal Fair Share plans and housing elements with the Act.

“DCA” and “Department” mean the State of New Jersey Department of Community Affairs.

“Deficient housing unit” means a housing unit with health and safety code violations that require the repair or replacement of a major system. A major system includes weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load bearing structural systems.

“Department” means the New Jersey Department of Community Affairs.

“Developer” means the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

“Development” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any building or other structure, or of any mining, excavation, or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.

“Development fee” means money paid by a developer for the improvement of residential and non-residential property as permitted pursuant to N.J.S.A. 52:27D-329.2 and 40:55D-8.1 through 40:55D-8.7 and N.J.A.C. 5:99-3.

“Dispute Resolution Program” means the Affordable Housing Dispute Resolution Program, established pursuant to section 5 at P.L. 2024, c. 2 (N.J.S.A. 52:27D-313.2).

“Division” means the Division of Local Planning Services within the Department of Community Affairs.

“Emergent opportunity” means a circumstance that has arisen whereby affordable housing will be able to be produced through a delivery mechanism not originally contemplated by or included in a fair share plan that has been the subject of a compliance certification.

BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05

“Equalized assessed value” or “EAV” means the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5, and 6 at P.L. 1973, c. 123 (N.J.S.A. 54:1-35a, 54:1-35b, and 54:1-35c). Estimates at the time of building permit may be obtained by the tax assessor using construction cost estimates. Final EAV shall be determined at project completion by the municipal assessor.

“Equity share amount” means the product of the price differential and the equity share, with the equity share being the whole number of years that have elapsed since the last non-exempt sale of a restricted ownership unit, divided by 100, except that the equity share may not be less than five percent and may not exceed 30 percent.

“Exit sale” means the first authorized non-exempt sale of a restricted unit following the end of the control period, which sale terminates the affordability controls on the unit.

“Exclusionary zoning litigation” means litigation challenging the fair share plan, housing element, ordinances, or resolutions that implement the fair share plan or housing element of a municipality based on alleged noncompliance with the Act or the Mount Laurel doctrine, which litigation shall include, but shall not be limited to, litigation seeking a builder’s remedy.

“Extension of expiring controls” means extending the deed restriction period on units where the controls will expire in the current round of a housing obligation, so that the total years of a deed restriction is at least 60 years.

“Fair share obligation” means the total of the present need and prospective need, including prior rounds, as determined by the Affordable Housing Dispute Resolution Program, or a court of competent jurisdiction.

“Fair share plan” means the plan or proposal, with accompanying ordinances and resolutions, by which a municipality proposes to satisfy its constitutional obligation to create a realistic opportunity to meet its fair share of low- and moderate-income housing needs of its region and which details the affirmative measures the municipality proposes to undertake to achieve its fair share of low- and moderate-income housing, as provided in the municipal housing element, and which addresses the development regulations necessary to implement the housing element, including, but not limited to, inclusionary requirements and development fees, and the elimination of unnecessary housing cost-generating features from the municipal land use ordinances and regulations.

“FHA” means the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq.

“Green Building Strategies” means the strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

“HMFA” or “the Agency” means the New Jersey Housing and Mortgage Finance Agency established pursuant to P.L. 1983, c. 530 (N.J.S.A. 55:14K-1 et seq.).

BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05

“Household income” means a household’s gross annual income calculated in a manner consistent with the determination of annual income pursuant to section 8 of the United States Housing Act of 1937 (Section 8), not in accordance with the determination of gross income for Federal income tax liability.

“Housing element” means the portion of a municipality’s master plan adopted in accordance with the Municipal Land Use Law (MLUL) at N.J.S.A. 40:55D-28.b(3) and the Act consisting of reports, statements proposals, maps, diagrams, and text designed to meet the municipality’s fair share of its region’s present and prospective housing needs, particularly with regard to low- and moderate-income housing, which shall include the municipal present and prospective obligation for affordable housing, determined pursuant to subsection f. at N.J.S.A. 52:27D-304.1.

“Housing region” means a geographic area established pursuant to N.J.S.A. 52:27D-304.2b.

“Inclusionary development” means a residential housing development in which a substantial percentage of the housing units are provided for a reasonable income range of low- and moderate-income households.

“Judgment of compliance” or “judgment for repose” means a determination issued by the Superior Court approving a municipality’s fair share plan to satisfy its affordable housing obligation for a particular 10-year round.

“Low-income household” means a household with a household income equal to 50 percent or less of the regional median income.

“Low-income unit” means a restricted unit that is affordable to a low-income household.

“Major system” means the primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building which include but are not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement or load bearing structural systems.

“Mixed use development” means any development that includes both a non-residential development component and a residential development component, and shall include developments for which: (1) there is a common developer for both the residential development component and the non-residential development component, provided that for purposes of this definition, multiple persons and entities maybe considered a common developer if there is a contractual relationship among them obligating each entity to develop at least a portion of the residential or non-residential development, or both, or otherwise to contribute resources to the development; and (2) the residential and non-residential developments are located on the same lot or adjoining lots, including, but not limited to, lots separated by a street, a river, or another geographical feature.

“Moderate-income household” means a household with a household income in excess of 50 percent but less than 80 percent of the regional median income.

BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05

“Moderate-income unit” means a restricted unit that is affordable to a moderate-income household.

“MONI” means the no-longer-active Market Oriented Neighborhood Investment Program, as it was authorized by the Agency.

“Municipal housing liaison” or “MHL” means an appointed municipal employee who is, pursuant to N.J.A.C. 5:99-6, responsible for oversight and/or administration of the affordable units created within the municipality.

“Municipal affordable housing trust fund” means a separate, interest-bearing account held by a municipality for the deposit of development fees, payments in lieu of constructing affordable units on sites zoned for affordable housing previously approved prior to March 20, 2024 (per P.L. 2024, c.2), barrier-free escrow funds, recapture funds, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, enforcement fines, unexpended RCA funds remaining from a completed RCA project, application fees, and any other funds collected by the municipality in connection with its affordable housing programs, which shall be used to address municipal low- and moderate-income housing obligations within the time frames established by the Legislature and this chapter.

“Municipal development fee ordinance” means an ordinance adopted by the governing body of a municipality that authorizes the collection of development fees.

“New construction” means the creation of a new housing unit under regulation by a code enforcement official regardless of the means by which the unit is created. Newly constructed units are evidenced by the issuance of a certificate of occupancy and may include new residences created through additions and alterations, adaptive reuse, subdivision, or conversion of existing space, and moving a structure from one location to another.

“New Jersey Affordable Housing Trust Fund” means an account established pursuant to N.J.S.A. 52:27D-320.

“New Jersey Housing Resource Center” or “Housing Resource Center” means the online affordable housing listing portal, or its successor, overseen by the Agency pursuant to N.J.S.A. 52:27D-321.3 et seq.

“95/5 restriction” means a deed restriction governing a restricted ownership unit that is part of a housing element that received substantive certification from COAH pursuant to N.J.A.C. 5:93, as it was in effect at the time of the receipt of substantive certification, before October 1, 2001, or any other deed restriction governing a restricted ownership unit with a seller repayment option requiring 95 percent of the price differential to be paid to the municipality or an instrument of the municipality at the closing of a sale at market price.

“Non-exempt sale” means any sale or transfer of ownership of a restricted unit to one’s self or to another individual other than the transfer of ownership between spouses or civil union partners; the transfer of ownership between former spouses or civil union partners ordered as a result of a

BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05

judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor's deed to a class A beneficiary; and the transfer of ownership by court order.

“Nonprofit” means an organization granted nonprofit status in accordance with section 501(c)(3) of the Internal Revenue Code.

“Non-residential development” means:

Any building or structure, or portion thereof, including, but not limited to, any appurtenant improvements, which is designated to a use group other than a residential use group according to the State Uniform Construction Code, N.J.A.C. 5:23, promulgated to effectuate the State uniform Construction Code Act, N.J.S.A. 52:27D-119 et seq., including any subsequent amendments or revisions thereto;

Hotels, motels, vacation timeshares, and child-care facilities; and

The entirety of all continuing care facilities within a continuing care retirement community which is subject to the Continuing Care Retirement Community Regulation and Financial Disclosure Act, N.J.S.A.52:27D-330 et seq.

“Non-residential development fee” means the fee authorized to be imposed pursuant to N.J.S.A. 40:55D-8.1 through 40:55D-8.7.

“Order for repose” means the protection a municipality has from a builder's remedy lawsuit for a period of time from the entry of a judgment of compliance by the Superior Court. A judgment of compliance often results in an order for repose.

“Payment in lieu of constructing affordable units” means the prior approval of the payment of funds to the municipality by a developer when affordable units were not produced on a site zoned for an inclusionary development. The statutory permission for payments in lieu of constructing affordable units was eliminated per P.L. 2024, c.2.

“Prospective need” means a projection of housing needs based on development and growth which is reasonably likely to occur in a region or a municipality, as the case may be, as a result of actual determination of public and private entities. Prospective need shall be determined by the methodology set forth pursuant to sections 6 and 7 of P.L.2024, c. 2 (C.52:27D-304.2 and C.52:27D-304.3) for the fourth round and all future rounds of housing obligations.

“Qualified Urban Aid Municipality” means a municipality that meets the criteria established pursuant to N.J.S.A. 52:27D-304.3.c(1).

“Person with a disability” means a person with a physical disability, infirmity, malformation, or disfigurement which is caused by bodily injury, birth defect, aging, or illness including epilepsy and other seizure disorders, and which shall include, but not be limited to, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impairment, deafness or hearing

BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05

impairment, the inability to speak or a speech impairment, or physical reliance on a service animal, wheelchair, or other remedial appliance or device.

“Price differential” means the difference between the controlled sale price of a restricted unit and the contract price at the exit sale of the unit, determined as of the date of a proposed contract of sale for the unit. If there is no proposed contract of sale, the price differential is the difference between the controlled sale price of a restricted unit and the appraised value of the unit as if it were not subject to UHAC, determined as of the date of the appraisal. If the controlled sale price exceeds the contract price or, in the absence of a contract price, the appraised value, the price differential is zero dollars.

“Prior round unit” means a housing unit that addresses a municipality’s fair share obligation from a round prior to the fourth round of affordable housing obligations, including any unit that: (1) received substantive certification from COAH; (2) is part of a third-round settlement agreement or judgment of compliance approved by a court of competent jurisdiction, inclusive of units created pursuant to a zoning designation adopted as part of the settlement agreement or judgment of compliance to create a realistic opportunity for development; (3) is subject to a grant agreement or other contract with either the State or a political subdivision thereof entered into prior to July 1, 2025, pursuant to either item (1) or (2) above; or (4) otherwise addresses a municipality’s fair share obligation from a round prior to the fourth round of affordable housing obligations. A unit created after the enactment of P.L. 2024, c. 2 (N.J.S.A. 52:27D-304.1) on March 20, 2024, is not a prior round unit unless: (1) it is created pursuant to a prior round development plan or zoning designation that received COAH or court approval on or before the cutoff date of June 30, 2025, or the date that the municipality adopts the implementing ordinances and resolutions for the fourth round of affordable housing obligations, whichever occurs sooner; and (2) its siting and creation are consistent with the form of the prior round development plan or zoning designation in effect as of the cutoff date, without any amendment or variance.

“Random selection process” means a lottery process by which currently income-eligible applicant-households are selected, at random, for placement in affordable housing units such that no preference is given to one applicant over another, except in the case of a veterans’ preference where such an agreement exists; for purposes of matching household income and size with an appropriately priced and sized affordable unit; or another purpose allowed pursuant to N.J.A.C. 5:80-26.7(k)3. This definition excludes any practices that would allow affordable housing units to be leased or sold on a first-come, first-served basis.

“RCA administrator” means an appointed municipal employee who is responsible for oversight and/or administration of affordable units and associated revenues and expenditures within the municipality that were funded through regional contribution agreements.

“RCA project plan” means a past application, submitted by a receiving municipality in an RCA, delineating the manner in which the receiving municipality intended to create or rehabilitate low- and moderate-income housing.

“Receiving municipality” means, for the purposes of an RCA, a municipality that contractually agreed to assume a portion of another municipality’s fair share obligation.

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

“Reconstruction” means any project where the extent and nature of the work is such that the work area cannot be occupied while the work is in progress and where a new certificate of occupancy is required before the work area can be reoccupied, pursuant to the Rehabilitation Subcode of the uniform Construction Code, N.J.A.C. 5:23-6. Reconstruction shall not include projects comprised only of floor finish replacement, painting or wallpapering, or the replacement of equipment or furnishings. Asbestos hazard abatement and lead hazard abatement projects shall not be classified as reconstruction solely because occupancy of the work area is not permitted.

“Recreational facilities and community centers” means any indoor or outdoor buildings, spaces, structures, or improvements intended for active or passive recreation, including, but not limited to, ballfields, meeting halls, and classrooms, accommodating either organized or informal activity.

“Regional contribution agreement” or “RCA” means a contractual agreement, pursuant to the Act, into which two municipalities voluntarily entered into and was approved by COAH and/or Superior Court prior to July 18, 2008, to transfer a portion of a municipality’s affordable housing obligation to another municipality within its housing region.

“Regional median income” means the median income by household size for an applicable housing region, as calculated annually in accordance with N.J.A.C. 5:80-26.3.

“Rehabilitation” means the repair, renovation, alteration, or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6.

“Rent” means the gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. With respect to units in assisted living residences, rent does not include charges for food and services.

“Residential development fee” means money paid by a developer for the improvement of residential property as permitted pursuant to N.J.S.A. 52:27D-329.2 and N.J.A.C. 5:99-3.2.

“Restricted unit” means a dwelling unit, whether a rental unit or ownership unit, that is subject to the affordability controls of this subchapter but does not include a market-rate unit that was financed pursuant to UHORP, MONI, or CHOICE.

“Spending plan” means a method of allocating funds contained in an affordable housing trust fund account, which includes, but is not limited to, development fees collected and to be collected pursuant to an approved municipal development fee ordinance, or pursuant to N.J.S.A. 52:27D-329.1 et seq., for the purpose of meeting the housing needs of low- and moderate-income individuals.

“State Development and Redevelopment Plan” or “State Plan” means the plan prepared pursuant to sections 1 through 12 of the “State Planning Act,” P.L.1985, c. 398 (C.52:18A-196 et al.), designed to represent a balance of development and conservation objectives best suited to meet the needs of the State, and for the purpose of coordinating planning activities and establishing Statewide planning objectives in the areas of land use, housing, economic development, transportation, natural resource conservation, agriculture and farmland retention, recreation, urban

BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05

and suburban redevelopment, historic preservation, public facilities and services, and intergovernmental coordination pursuant to subsection f. of section 5 of P.L.1985, c. 398 (C.52:18A-200).

“Supportive housing household” means a very low-, low- or moderate-income household certified as income eligible by an administrative agent in accordance with N.J.A.C. 5:80-26.14, in which at least one member is an individual who requires supportive services to maintain housing stability and independent living and who is part of a population identified by federal or state statute, regulation, or program guidance as eligible for supportive or special needs housing. Such populations include, but are not limited to: persons with intellectual or developmental disabilities, persons with serious mental illness, person with head injuries (as defined in Section 2 of P.L. 1977), persons with physical disabilities or chronic health conditions, persons who are homeless as defined by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 578, survivors of domestic violence, youth aging out of foster care, and other special needs populations recognized under programs administered by the U.S. Department of Housing and Urban Development, the Low-Income Housing Tax Credit Program, the McKinney–Vento Act, or the New Jersey Department of Human Services. A supportive housing household may include family members, unrelated individuals, or live-in aides, provided that the household meets the income eligibility requirements of this subchapter, except that in the case of unrelated individuals not operating as a family unit, income eligibility shall be tested on an individual basis rather than in the aggregate; the unit is leased or sold subject to the affordability controls established herein; and the supportive services available to the household are designed to promote housing stability, independent living, and community integration. The determination of whether unrelated individuals are operating as a family unit shall be made based on the applicant’s self-identification of household members on the affordable housing application.

“Supportive housing sponsoring program” means grant or loan program which provided financial assistance to the development of the unit.

“Supportive housing unit” means a restricted rental unit that is affordable to very low-, low- or moderate-income households and is reserved for occupancy by a supportive housing household. A supportive housing unit is intended to provide long-term, community-based housing for individuals with intellectual or developmental disabilities, as defined at N.J.S.A. 30:6D-25(b). Such units must be leased subject to the affordability controls established herein; remain subject to Affirmative Marketing requirements, household certification, and administrative agent oversight; and may, with the approval of the municipal housing liaison and the administrative agent, be leased either by the bedroom or to a single household in the case of multi-bedroom configurations, provided such arrangement is consistent with the Federal Fair Housing Act (Title VIII of the Civil Rights Act of 1968) and the project’s Affirmative Marketing Program. A supportive housing unit may, with the approval of the administrative agent, be subject to a master lease by an approved supportive housing operator, provided that all subleases are to be certified supportive housing households and remain fully subject to the affordability controls of this subchapter. Rents for supportive housing units shall not exceed the rent standards established and published by the New Jersey Department of Human Services. Supportive housing units are also referred to as permanent supportive housing units.

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

“Transitional housing” means temporary housing that: (1) includes, but is not limited to, single-room occupancy housing or shared living and supportive living arrangements; (2) provides access to on-site or off-site supportive services for very low-income households who have recently been homeless or lack stable housing; (3) is licensed by the department; and (4) allows households to remain for a minimum of six months.

“Treasurer” means the Treasurer of the State of New Jersey.

“UHAC” means the Uniform Housing Affordability Controls set forth at N.J.A.C. 5:80-26.

“UHORP” means the Agency’s Urban Homeownership Recovery Program, as it was authorized by the Agency Board.

“Unit type” means type of dwelling unit with various building standards including but not limited to single-family detached, single-family attached/townhouse, stacked townhouse (attached building containing 2 units each with separate entrances), duplex (detached building containing 2 units each with separate entrances), triplex (3 units each with separate entrance), quadplex (4 units each with separate entrance), multifamily / flat (2 or more units with a shared entrance). Inclusion of a garage, or not, shall not define the unit type.

“Very-low-income household” means a household with a household income less than or equal to 30 percent of the regional median income.

“Very-low-income housing” means housing affordable according to the Federal Department of Housing and Urban Development or other recognized standards for home ownership and rental costs and occupied or reserved for occupancy by households with a gross household income equal to 30 percent or less of the median gross household income for households of the same size within the housing region in which the housing is located.

“Very-low-income unit” means a restricted unit that is affordable to a very-low-income household. Very-low-income units are a subset of low-income units.

“Veteran” means a veteran as defined at N.J.S.A. 54:4-8.10.

“Veterans’ preference” means the agreement between a municipality and a developer or residential development owner that allows for low- to moderate-income veterans to be given preference for up to 50 percent of rental units in relevant projects, as provided for at N.J.S.A. 52:27D-311.j.

“Weatherization” means building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors and is considered a major system for rehabilitation.

§28-1003. Monitoring and Reporting Requirements.

- A. The Borough shall comply with the following monitoring and reporting requirements regarding the status of the implementation of its court-approved Housing Element and Fair Share Plan:

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

1. The Borough shall provide electronic monitoring data with the Department pursuant to P.L 2024, Chapter 2 and N.J.A.C. 5:99 through the Affordable Housing Monitoring System (AHMS). All monitoring information required to be made public by the FHA shall be available to the public on the Department's website at <https://www.nj.gov/dca/dlps/hss/MuniStatusReporting.shtml>.
2. On or before February 15 of each year, the Borough shall provide annual reporting of its municipal Affordable Housing Trust Fund activity to the Department on the AHMS portal. The reporting shall include an accounting of all municipal Affordable Housing Trust Fund activity, including the sources and amounts of funds collected and the amounts and purposes for which any funds have been expended, for the previous year from January 1st to December 31st.
3. On or before February 15 of each year, the annual reporting of the status of all affordable housing activity shall be provided to the Department on the AHMS portal, for the previous year from January 1st to December 31st.

§28-1004. Municipality-wide Mandatory Set-Aside.

- A. A development, other than single-family detached, providing a minimum of five (5) new housing units created through any site plan application, municipal rezoning or Zoning Board action, use or density variance, redevelopment plan, or rehabilitation plan that provides for densities at or above six (6) units per acre, is required to include an affordable housing set-aside of twenty (20%) percent.
- B. Any affordable units generated through such mandatory set-aside shall be subject to all other provisions of this Chapter.
- C. All such affordable units shall be governed by this Chapter the controls on affordability, including bedroom distribution, and affirmatively marketed to the housing region in conformance with UHAC at N.J.A.C. 5:80-26.1 et seq., any successor regulation, and all other applicable laws.
- D. No subdivision shall be permitted or approved for the purpose of avoiding compliance with this requirement. Developers cannot, for example, subdivide a project into two lots and then make each of them a number of units just below the threshold.
- E. The mandatory set-aside requirements of this Section do not give any developer the right to any rezoning, variance or other relief, or establish any obligation on the part of the municipality to grant such rezoning, variance or other relief.
- F. This municipality-wide mandatory set-aside requirement does not apply to any sites or specific zones otherwise identified in the HEFSP, for which density and set-aside requirements shall be governed by the specific standards as set forth therein.

BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05

- G. In the event that the inclusionary set-aside of 20 percent of the total number of residential units does not result in a full integer (results in a fraction or decimal), the developer shall be required to round the set-aside upward to construct a whole additional affordable unit. Example: If seven total units are developed at an inclusionary site, a 20 percent set-aside would require 1.4 affordable units and the developer would be required to provide 2 on-site affordable units.

§28-1005. Affordable Housing Programs.

- A. Pursuant to amended UHAC regulations at N.J.A.C. 5:80-26.1 et seq. and, in addition, pursuant to P.L. 2024, c.2 and specifically to the amended FHA at N.J.S.A. 52:27D-311.m, “All parties shall be entitled to rely upon regulations on municipal credits, adjustments, and compliance mechanisms adopted by the Council on Affordable Housing unless those regulations are contradicted by statute, including but not limited to P.L. 2024, c.2, or binding court decisions.” The following are many of the main provisions of the COAH regulations at either N.J.A.C. 5:93 or 5:97 that have been upheld by the NJ Supreme Court. Municipalities should consult the cited full COAH regulations when preparing the HEFSP for required documentation, etc. Additional compliance details may also be included in the specific municipal program manual.
- B. Rehabilitation Programs (per N.J.A.C. 5:93-5.2 with updated provisions herein per N.J.A.C. 5:97-6.2 related to credit towards a municipal present need obligation).
1. The rehabilitation program shall be designed to renovate deficient housing units occupied or intended to be occupied by very low-, low- and moderate-income households such that, after rehabilitation, these units will comply with the New Jersey State Housing Code pursuant to N.J.A.C. 5:28-1.1 et seq or the Rehabilitation Subcode, N.J.A.C. 5:23-6 to the extent applicable.
 2. Both ownership and rental units shall be eligible for rehabilitation funds.
 3. All rehabilitated units shall remain affordable to very low-, low- and moderate-income households for a period of 10 years (the control period). For owner-occupied units, the control period shall be enforced with a mortgage and note and for renter-occupied units the control period will be enforced with a deed restriction.
 4. The Borough shall dedicate a minimum average hard cost of \$10,000 for each unit to be rehabilitated through this program and in addition shall dedicate associated rehabilitation program soft costs such as case management, inspection fees and work write-ups.
 5. The Borough shall designate, subject to the approval of the Department, one or more Administrative Agents to administer the rehabilitation program in accordance with P.L 2024, Chapter 2. The Administrative Agent(s) shall provide rehabilitation manuals for ownership and rental rehabilitation programs. Manuals shall be adopted by resolution of the governing body. Both rehabilitation manuals shall be

BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05

available for public inspection in the Office of the Municipal Clerk and on the municipal affordable housing web page.

6. Households determined to be very low-, low-, or moderate-income may participate in a rehabilitation program. Rehabilitated units shall be exempt from the very low-income requirements, low/mod split, and bedroom distribution requirements of UHAC, but shall be administered in accordance with the following:
- (a) If a unit is vacant at the time of rehabilitation, or if a rehabilitated unit becomes vacant and is re-rented before the expiration of the affordability controls, the deed restriction shall require that the unit be rented to a low- or moderate-income household at an affordable rent.
 - (b) If a rental unit is occupied by a tenant at the time rehabilitation is completed, the rent charged after rehabilitation shall not exceed the lesser of the tenant's current rent or the maximum rent permitted under UHAC.
 - (c) Rents in rehabilitated units may increase annually based on the standards in UHAC.
 - (d) At the time of application, applicant households and/or tenant households shall be subject to income eligibility determinations in accordance with UHAC.

§28-1006. New Construction.

- A. The following requirements shall apply to all new or planned developments that contain very low-, low- and moderate-income housing units. To the extent possible, details related to the adherence to the requirements below shall be outlined in the resolution granting municipal subdivision or site plan approval of the project to assist municipal representatives, developers and Administrative Agents.
- B. Completion Schedule (previously known as phasing). Final site plan or subdivision approval shall be contingent upon the affordable housing development meeting the following completion schedule for very low-, low- and moderate-income units whether developed in a single-phase development, or in a multi-phase development:

Maximum Percentage of Market-Rate Units Issued a Temporary or Final Certificate of Occupancy	Minimum Percentage of Affordable Units Issued a Temporary or Final Certificate of Occupancy
25+1	10
50	50
75	75
90	100

BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05

C. Design. The following design requirements apply to affordable housing developments, excluding prior round units.

1. Design of 100 percent affordable developments:
 - (a) Restricted units must meet the minimum square footage required for the number of inhabitants for which the unit is marketed and the minimum square footage required for each bedroom, as set forth in the Neighborhood Preservation Balanced Housing rules at N.J.A.C. 5:43-2.4.
 - (b) Each bedroom in each restricted unit must have at least one window.
 - (c) Restricted units must include adequate air conditioning and heating.
2. Design of developments comprising market-rate rental units and restricted rental units. The following does not apply to prior round units, unless stated otherwise.
 - (a) Restricted units must use the same building materials and architectural design elements (for example, plumbing, insulation, or siding) as market-rate units of the same unit type (for example, flat or townhome) within the same development, except that restricted units and market-rate units may use different interior finishes. This shall apply to prior round units.
 - (b) Restricted units and market-rate units within the same affordable development must be sited such that restricted units are not concentrated in less desirable locations.
 - (c) Restricted units may not be physically clustered so as to segregate restricted and market-rate units within the same development or within the same building, but must be interspersed throughout the development, except that age-restricted and supportive housing units may be physically clustered if the clustering facilitates the provision of on-site medical services or on-site social services. Prior round affordable units shall be integrated with market rate units to the extent feasible.
 - (d) Residents of restricted units must be offered the same access to communal amenities as residents of market-rate units within the same affordable development. Examples of communal amenities include, but are not limited to, community pools, fitness and recreation centers, playgrounds, common rooms and outdoor spaces, and building entrances and exits. This shall apply to prior round units.
 - (e) Restricted units must include adequate air conditioning and heating and must use the same type of cooling and heating sources as market-rate units of the same unit type. This shall apply to prior round units.
 - (f) Each bedroom in each restricted unit must have at least one window.

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

- (g) Restricted units must be of the same unit type as market-rate units within the same building.
 - (h) Restricted units and bedrooms must be no less than 90 percent of the minimum size prescribed by the Neighborhood Preservation Balanced Housing rules at N.J.A.C. 5:43-2.4.
3. Design of developments containing for-sale units, including those with a mix of rental and for-sale units. Restricted rental units shall meet the requirements of section b above. Restricted sale units shall comply with the below:
- (a) Restricted units must use the same building standards as market-rate units of the same unit type (for example, flat, townhome, or single-family home), except that restricted units and market-rate units may use different interior finishes. This shall apply to prior round units.
 - (b) Restricted units may be clustered, provided that the buildings or housing product types containing the restricted units are integrated throughout the development and are not concentrated in an undesirable location or in undesirable locations. Prior round affordable units shall be integrated with market rate units to the extent feasible.
 - (c) Restricted units may be of different unit housing product types than market-rate units, provided that there is a restricted option available for each market rate housing type. Developments containing market-rate duplexes, townhomes, and/or single-family homes shall offer restricted housing options that also include duplexes, townhomes, and/or single-family homes. Penthouses and higher priced end townhouses may be exempt from this requirement. The proper ratio for restricted to market-rate unit type shall be subject to municipal ordinance or, if not specified, shall be determined at the time of site plan approval.
 - (d) Restricted units must meet the minimum square footage required for the number of inhabitants for which the unit is marketed and the minimum square footage required for each bedroom, as set forth in the Neighborhood Preservation Balanced Housing rules at N.J.A.C. 5:43-2.4.
 - (e) Penthouse and end units may be reserved for market-rate sale, provided that the overall number, value, and distribution of affordable units across the development is not negatively impacted by such reservation(s).
 - (f) Residents of restricted units must be offered the same access to communal amenities as residents of market-rate units within the same affordable development. Examples of communal amenities include, but are not limited to, community pools, fitness and recreation centers, playgrounds, common

BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05

rooms and outdoor spaces, and building entrances and exits. This shall apply to prior round units.

- (g) Each bedroom in each restricted unit must have at least one window; and
- (h) Restricted units must include adequate air conditioning and heating.

D. Utilities.

1. Affordable units shall utilize the same type of cooling and heating source as market-rate units within the affordable housing development.
2. Tenant-paid utilities that are included in the utility allowance shall be so stated in the lease and shall be consistent with the utility allowance in accordance with N.J.AC 5:80-26.13(e).

E. Low/moderate split and bedroom distribution.

1. Affordable units shall be divided equally between low- and moderate-income units, except that where there is an odd number of affordable housing units, the extra unit shall be a low-income unit.
2. In each affordable housing development, at least 50 percent of the restricted units within each bedroom distribution rounded up to the nearest whole number shall be very low- or low-income units.
3. Within rental developments, of the total number of affordable rental units, at least 13 percent, rounded up to the nearest whole number, shall be affordable to very low-income households. The very low-income units shall be distributed between each bedroom count as proportionally as possible, to the nearest whole unit, to the total number of restricted units within each bedroom count, and counted as part of the required number of low-income units within the development
4. Affordable housing developments that are not age-restricted or supportive housing shall be structured such that:
 - (a) At a minimum, the number of bedrooms within the restricted units equals twice the number of restricted units;
 - (b) Two-bedroom and/or three-bedroom units compose at least 50 percent of all restricted units;
 - (c) The combined number of efficiency and one-bedroom units shall be no greater than 20 percent, rounded down, of the total number of low- and moderate-income units.

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

- (d) At least 30 percent of all low- and moderate-income units, rounded up shall be two-bedroom units.
 - (e) At least 20 percent of all low- and moderate-income units, rounded up shall be three-bedroom units.
 - (f) The remaining units may be allocated among two- and three- bedroom units at the discretion of the developer.
 - 5. Affordable housing developments that are age-restricted or supportive housing, except those supportive housing units whose sponsoring program determines the unit arrangements, shall be structured such that, at a minimum, the number of bedrooms shall equal the number of age-restricted or supportive housing low- and moderate-income units within the inclusionary development. Supportive housing units whose sponsoring program determines the unit arrangement shall comply with all requirements of the sponsoring program. The standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit. In affordable housing developments with 20 or more restricted units that are age-restricted or supportive housing, two-bedroom units must comprise at least five percent of those restricted units.
- F. Accessibility requirements.
- 1. Any new construction shall be adaptable; however, elevators shall not be required in any building or within any dwelling unit for the purpose of compliance with this section. In buildings without elevator service, only ground floor dwelling units shall be required to be constructed to conform with the technical design standards of the barrier free subcode. "Ground floor" means the first floor with a dwelling unit or portion of a dwelling unit, regardless of whether that floor is at grade. A building may have more than one ground floor.
 - 2. Notwithstanding the exemption for townhouse dwelling units in the barrier free subcode, the first floor of all townhouse dwelling units and of all other multifloor dwelling units that are attached to at least one other dwelling unit shall be subject to the technical design standards of the barrier free subcode and shall include the following features:
 - (a) An adaptable toilet and bathing facility on the first floor;
 - (b) An adaptable kitchen on the first floor;
 - (c) An interior accessible route of travel however an interior accessible route of travel shall not be required between stories;
 - (d) An adaptable room that can be used as a bedroom, with a door, or the casing for the installation of a door that is compliant with the Barrier Free Subcode, on the first floor;

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

- (e) If not all of the foregoing requirements in b.i. through b.iv. can be satisfied, then an interior accessible route of travel shall be provided between stories within an individual unit; and
- (f) An accessible entranceway as set forth in P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a et seq.) and the Barrier Free Subcode, N.J.A.C. 5:23-7, or evidence that the municipality has collected funds from the developer sufficient to make 10 percent of the adaptable entrances in the development accessible:
 - (i) Where a unit has been constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed.
 - (ii) To this end, the builder of restricted units shall deposit funds within the Affordable Housing Trust Fund sufficient to install accessible entrances in 10 percent of the affordable units that have been constructed with adaptable entrances.
 - (iii) The funds deposited shall be expended for the sole purpose of making the adaptable entrance of an affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.
 - (iv) The developer of the restricted units shall submit to the Construction Official a design plan and cost estimate for the conversion from adaptable to accessible entrances.
 - (v) Once the Construction Official has determined that the design plan to convert the unit entrances from adaptable to accessible meets the requirements of the Barrier Free Subcode, N.J.A.C. 5:23-7, and that the cost estimate of such conversion is reasonable, payment shall be made to the Affordable Housing Trust Fund and earmarked appropriately.
- (g) Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is “site-impracticable” to meet the requirements. If full compliance with this section would be site impracticable, compliance with this section for any portion of the dwelling shall be required to the extent that it is not site impracticable. Determinations of site impracticability shall comply with the Barrier Free Subcode at N.J.A.C. 5:23-7.

G. Accessory Apartment Program.

BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05

1. An accessory apartment program shall provide low- and moderate-income units or may be limited to only low- or only moderate-income units.
2. Per N.J.A.C. 5:97-6.8(c)1, at the time of initial occupancy of the unit and for at least ten years thereafter, the accessory apartment shall be rented only to income eligible households consistent with the income category and rent structure of the unit.
3. Rents of accessory apartments shall be established using the same methodology of affordable rental units discussed herein.
4. There shall be a recorded deed or declaration of covenants and restrictions applied to the property upon which the accessory apartment is located running with the land and limiting its subsequent rental for the duration of the control period.
5. The municipal accessory apartment program shall not restrict the number of bedrooms in any accessory apartment.
6. Per N.J.A.C. 5:97-6.8(b)2, the municipality shall provide a minimum of \$25,000 per unit to subsidize the creation of each low-income accessory apartment or \$20,000 per unit to subsidize the creation of each moderate-income accessory apartment. Subsidy may be used to fund actual construction costs and/or to provide compensation for reduced rental rates.

H. Market to Affordable Program.

1. The market to affordable program permits the purchase or subsidization of unrestricted units through a mortgage write-down provided to an income-certified buyer or through a sale or rental as a low- or moderate-income unit to an income-eligible household. The market to affordable program may produce both low- and moderate-income units.
2. At the time they are offered for sale or rental, eligible units may be new, pre-owned or vacant.
3. The units shall be certified to be in sound condition as a result of an inspection performed by a licensed building inspector.
4. A minimum subsidy of \$25,000 per moderate-income unit and/or \$30,000 per low-income unit shall be provided, with additional subsidy depending on the market prices or rents in a municipality.
5. The units shall comply with UHAC with the following exceptions:
 - (a) Bedroom distribution (N.J.A.C. 5:80-26.4).
 - (b) Low/moderate income split (N.J.A.C. 5:80-26.4).

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

6. Affordability average (N.J.A.C. 5:80-26.4); however:
 - (a) The maximum rent for a moderate-income unit shall be affordable to households earning no more than 60 percent of median income and the maximum rent for a low-income unit shall be affordable to households earning no more than 44 percent of median income; and
 - (b) The maximum sales price for a moderate-income unit shall be affordable to households earning no more than 70 percent of median income and the maximum sales price for a low-income unit shall be affordable to households earning no more than 40 percent of median income.
- I. Extension of Controls Program (for ownership units per N.J.A.C. 5:97-6.14 and UHAC at N.J.A.C. 5:80-26.6(h) through (k) and (m); and for rental units per N.J.A.C. 5:97-6.14 and N.J.A.C. 5:80-26.12(h) through (k)).
 1. An extension of affordability controls program is established to maintain and extend the affordability of deed restricted units scheduled to come out of their affordability control period, subject to N.J.A.C. 5:97-6.14 and UHAC, including the following:
 - (a) The affordable unit meets the criteria for prior cycle (April 1, 1980 - December 15, 1986) or post December 15, 1986 credits set forth in N.J.A.C. 5:97.
 - (b) The affordability controls for the unit are scheduled to expire in the current round; or in the next round of housing obligations if the municipal election to extend controls is made no earlier than one year before the end of the current round;
 - (c) The municipality shall obtain a continuing certificate of occupancy or a certified statement from the municipal building inspector stating that the restricted unit meets all code standards.
 - (d) If a unit requires repair and/or rehabilitation work in order to receive a continuing certificate of occupancy or certified statement from the municipal building inspector, the municipality shall fund and complete the work.
 - (e) The municipality shall adhere to the process for extending controls pursuant to UHAC for extending ownership units and rental units, either inclusionary or 100 percent affordable developments.
 - (f) The deed restriction for the extended control period shall be filed with the County Clerk.

BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05

J. Assisted Living Residence (per N.J.A.C. 5:97-6.11).

1. An assisted living residence is a facility licensed by the New Jersey Department of Health to provide apartment-style housing and congregate dining and to assure that assisted living services are available. All or a designated number of apartments in the facility shall be restricted to low- and moderate-income households.
2. The unit of credit shall be the apartment. However, a two-bedroom apartment shall be eligible for two units of credit if it is restricted to two unrelated individuals.
3. A recipient of a Medicaid waiver shall automatically qualify as a low- or moderate-income household.
4. Assisted living units are considered age-restricted housing in a HEFSP and shall be included with the maximum number of units that may be age-restricted.
5. Low- and moderate-income residents cannot be charged any upfront fees.
6. The units shall comply with UHAC with the following exceptions:
 - (a) Affirmative marketing (N.J.A.C. 5:80-26.16); provided that the units are restricted to recipients of Medicaid waivers;
 - (b) The deed restriction may be on the facility, rather than individual apartments or rooms;
 - (c) Low/moderate income split and affordability average (N.J.A.C. 5:80-26.4); only if all of the affordable units are affordable to households at a maximum of 60 percent of median income; and
7. Tenant income eligibility (N.J.A.C. 5:80-26.14); up to 80 percent of an applicant's gross income may be used for rent, food and services based on occupancy type and the affordable unit must receive the same basic services as required by the Agency's underwriting guidelines and financing policies. The cost of non-housing related services shall not exceed one and two-thirds times the rent established for each unit.

K. Supportive Housing and Group Homes (per N.J.A.C. 5:97-6.10).

1. The following provisions shall apply to group homes, residential health care facilities, and supportive shared living housing:
 - (a) The unit of credit shall be the bedroom. However, the unit of credit shall be the unit if occupied by a single person or household.
 - (b) Housing that is age-restricted shall be included with the maximum number of units that may be age-restricted pursuant to the Act.

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

- (c) Occupancy shall not be restricted to youth under 18 years of age.
- (d) In affordable developments with 20 or more restricted units that are supportive housing, two-bedroom units must compose at least five percent of those restricted units.
- (e) The bedrooms and/or units shall comply with UHAC with the following exceptions:
 - (i) Affirmative marketing; however, group homes, residential health care facilities, permanent supportive housing and supportive shared living housing shall be affirmatively marketed to broadest possible population of qualified individuals with special needs in accordance with a plan, if applicable, approved by the sponsoring program;
 - (ii) Affordability average and bedroom distribution (N.J.A.C. 5:80-26.4).
- (f) With the exception of units established with capital funding through a 20-year operating contract with the Department of Human Services, Division of Developmental Disabilities, group homes, residential health care facilities, supportive shared living housing and permanent supportive housing shall have the appropriate controls on affordability in accordance with the Act. In the event that a supportive housing provider is unable to record or execute a long-term deed restriction, the units shall be subject to annual recertification by the Municipal Housing Liaison to confirm continued occupancy and compliance with this Section.
- (g) Objective standards shall be applied in the selection of tenants for supportive housing units and shall be designed to ensure that individuals are not excluded in an arbitrary or capricious manner.
- (h) The following documentation shall be submitted by the sponsor to the municipality prior to marketing the completed units or facility:
 - (i) An Affirmative Marketing Plan in accordance with D1 above; and
 - (ii) If applicable, proof that the supportive and/or special needs housing is regulated by the New Jersey Department of Health and Senior Services, the New Jersey Department of Human Services or another State agency in accordance with the requirements of this section, which includes validation of the number of bedrooms or units in which low- or moderate-income occupants reside.
- (i) The sponsor/owner shall complete annual monitoring as directed by the MHL.

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

- L. Zoning for Inclusionary Development (N.J.A.C. 5:97-6.4)
- M. Redevelopment (N.J.A.C. 5:97-6.6)
- N. Municipally Sponsored and 100 Percent Affordable Developments (N.J.A.C. 5:97-6.7)

§28-1007. Regional Income Limits.

- A. Administrative agents shall use the current regional income limits for the purpose of pricing affordable units and determining income eligibility of households.
- B. Regional income limits are based on regional median income, which is established by a regional weighted average of the “median family incomes” published by HUD. The procedure for computing the regional median income is detailed in N.J.A.C. 5:80-26.3.
- C. Updated regional income limits are effective as of the effective date of the regional Section 8 income limits for the year, as published by HUD, or 45 days after HUD publishes the regional Section 8 income limits for the year, whichever comes later. The new income limits may not be less than those of the previous year.

§28-1008. Maximum Initial Rents and Sales Prices.

- A. In establishing rents and sales prices of affordable housing units, the Administrative Agent shall follow the procedures set forth in UHAC N.J.A.C. 5:80-26.4.
- B. The average rent for all restricted units within each affordable housing development shall be affordable to households earning no more than 52 percent of regional median income.
- C. The maximum rent for restricted rental units within each affordable housing development shall be affordable to households earning no more than 60 percent of regional median income.
- D. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units. Very low-income units, if required, should be distributed between each bedroom count as proportionally as possible to the total number of restricted units within each bedroom count, and shall be part of the low-income requirement.
- E. The maximum sales price of restricted ownership units within each affordable housing development shall be affordable to households earning no more than 70 percent of median income, and each affordable housing development must achieve an affordability average that does not exceed 55 percent for all restricted ownership units. In achieving this affordability average, moderate-income ownership units must be available for at least three different prices for each bedroom type, and low-income ownership units must be available for at least two different prices for each bedroom type when the number of low- and moderate-income units permits.

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

- F. The master deeds and declarations of covenants and restrictions for affordable developments may not distinguish between restricted units and market-rate units in the calculation of any condominium or homeowner association fees and special assessments to be paid by low- and moderate-income purchasers and those to be paid by market-rate purchasers. Notwithstanding the foregoing sentence, condominium units subject to a municipal ordinance adopted before December 20, 2004, which ordinance provides for condominium or homeowner association fees and/or assessments different from those provided for in this subsection are governed by the ordinance.
- G. In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted family units, the following standards shall be met:
1. A studio or efficiency unit shall be affordable to a one-person household;
 2. A one-bedroom unit shall be affordable to a one and one-half person household;
 3. A two-bedroom unit shall be affordable to a three-person household;
 4. A three-bedroom unit shall be affordable to a four and one-half person household; and
 5. A four-bedroom unit shall be affordable to a six-person household.
- H. In determining the initial rents and sales prices for compliance with the affordability average requirements for restricted units in assisted living facilities and age-restricted and special needs and supportive housing developments, the following standards shall be met:
1. A studio or efficiency unit shall be affordable to a one-person household;
 2. A one-bedroom unit shall be affordable to a one and one-half person household; and
 3. A two-bedroom unit shall be affordable to a two-person household or to two one-person households. Where pricing is based on two one-person households, the developer shall provide a list of units so priced to the Municipal Housing Liaison and the Administrative Agent.
- I. The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the FreddieMac 30-Year Fixed Rate-Mortgage rate of interest), property taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 30 percent of the eligible monthly income of the appropriate size household as determined pursuant to N.J.A.C. 5:80-26.7, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.4, as may be amended and supplemented.

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

- J. The initial rent for a restricted rental unit shall be calculated so that the total monthly housing expense, including an allowance for tenant-paid utilities, does not exceed 30 percent of the gross monthly income of a household of the appropriate size whose income is targeted to the applicable percentage of median income for the unit, as determined pursuant to N.J.A.C. 5:80-26.3, as may be amended and supplemented. The rent shall also comply with the affordability average requirement of N.J.A.C. 5:80-26.4, as may be amended and supplemented.
- K. At the anniversary date of the tenancy of the certified household occupying a restricted rental unit, following a minimum 90-day notice provided to the occupant household, the rent may be increased to an amount commensurate with the annual percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U), specifically U.S. Bureau of Labor Statistics Series CUUR0100SAH, titled "Housing in Northeast urban, all urban consumers, not seasonally adjusted." The maximum allowable rent increase for the year will be effective as of the same date as the regional median income limits determined pursuant to N.J.A.C. 5:80-26.3 and published by the Agency. This rent increase may not exceed five percent in any one year and notice thereof must be filed with the administrative agent. If the landlord has charged a tenant less than the initial maximum allowable rent for a restricted unit, the landlord may, with the approval of the administrative agent, use the maximum allowable rent instead of the current rent in performing this multiplication to establish the rent for the next tenant under a new lease. LIHTC units are not governed by the provisions of this section, but rather by the provisions of the State's Qualified Allocation Plan, N.J.A.C. 5:80-33.1 through 33.40.

§28-1009. Affirmative Marketing.

- A. The Borough shall adopt, by resolution, an Affirmative Marketing Plan, subject to approval of the Superior Court, compliant with N.J.A.C. 5:80-26.16, as may be amended and supplemented.
- B. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, English-speaking ability, marital or familial status, gender, affectional or sexual orientation, disability, age (except for "housing for older persons" as defined at N.J.S.A. 10:5-1 et seq., and age-restricted units as permitted pursuant to 42 U.S.C. §§ 3601 et seq.), number of children, source of lawful income, or any other characteristic described in the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 through 50, to housing units which are being marketed by a developer, sponsor or owner of affordable housing. The Affirmative Marketing Plan is intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward Housing Region Three and is required to be followed throughout the period of deed restriction.
- C. The Affirmative Marketing Plan provides the following preferences, provided that units that remain unoccupied after these preferences are exhausted may be offered to households without regard to these preferences.

BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05

1. Where the municipality has entered into an agreement with a developer or residential development owner to provide a preference for very-low-, low-, and moderate-income veterans who served in time of war or other emergency, pursuant to N.J.S.A. 52:27D-311.j, there shall be a preference for veterans for up to 50 percent of the restricted rental units in a particular project.
 2. There shall be a regional preference for all households that live and/or work in Housing Region Three comprising Hunterdon, Middlesex and Somerset Counties.
 3. Subordinate to the regional preference, there shall be a preference for households that live and/or work in New Jersey.
 4. With respect to existing restricted units undergoing approved rehabilitation for the purpose of preservation or to restricted units newly created to replace existing restricted units undergoing demolition, a preference for the very-low-, low-, and moderate-income households that are displaced by the rehabilitation or demolition and replacement.
- D. The municipality has the ultimate responsibility for adopting the Affirmative Marketing Plan and for the proper administration of the Affirmative Marketing Process, including the marketing of initial sales and rentals and resales and re-rentals. The Administrative Agent designated by the municipality shall implement the Affirmative Marketing Process to ensure the Affirmative Marketing of all affordable units, with the exception of affordable programs that are exempt from Affirmative Marketing as noted herein.
- E. The Affirmative Marketing Process shall describe the media to be used in advertising and publicizing the availability of housing. In implementing the Affirmative Marketing Process, the Administrative Agent should consider the use of language translations where appropriate.
- F. Applications for affordable housing or notices thereof, if offered online, shall be available in several locations, including, at a minimum, the County Administration Building and/or the County Library for each county within the housing region; the municipal administration building and municipal library in the municipality in which the units are located; and the developer's rental or sales office. The developer shall mail applications to prospective applicants upon request and shall make applications available through a secure online website address.
- G. In addition to other Affirmative Marketing strategies, the Administrative Agent shall provide specific notice of the availability of affordable housing units on the New Jersey Housing Resource Center website. Any other entities, including developers or persons or companies retained to implement the Affirmative Marketing Process, shall comply with this paragraph.
- H. In implementing the Affirmative Marketing Process, the Administrative Agent shall provide a list of HUD-certified housing counselors or otherwise experienced entities

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

approved by the Division providing counseling services on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.

- I. The Affirmative Marketing Process for available affordable units shall begin at least four months (120 days) prior to the expected date of occupancy and may begin before construction commences. For owner-occupied units, affirmative marketing advertising and outreach activities must continue until all of the marketed units have been sold, except that paid advertising may cease when the number of applications received is at least three times the number of units to be sold. For rental units, affirmative marketing advertising and outreach activities must continue, as long as applications are being accepted, except that paid advertising may cease when the number of applications received is at least three times the number of units to be filled.
- J. Applications must be accepted for no less than 45 days following the initial advertisement on the New Jersey Housing Resource Center, except for the resale of owner-occupied units, in which case, applications must be accepted for no less than 30 days.
- K. The cost to affirmatively market the affordable units shall be the responsibility of the developer, sponsor or owner, with the exception of Affirmative Marketing for resales, unless otherwise agreed to by the Borough.

§28-1010. Selection of Occupants of Affordable Housing Units.

- A. The Administrative Agent shall use a random selection process to select occupants of very low-, low- and moderate-income housing.
- B. A pool of interested households will be maintained in accordance with the provisions of N.J.A.C. 5:80-26.16.

§28-1011. Occupancy Standards.

- A. In referring certified households to specific restricted units, to the extent feasible, and without causing an undue delay in occupying the unit, the Administrative Agent shall strive to:
 - 1. Ensure each bedroom is occupied by at least one person, except for age-restricted and supportive and special needs housing units;
 - 2. Provide a bedroom for every two adult occupants;
 - 3. With regard to occupants under the age of 18, accommodate the household's requested arrangement, except that such arrangement may not result in more than two occupants under the age of 18 occupying any bedroom; and
 - 4. Avoid placing a one-person household into a unit with more than one bedroom.

§28-1012. Control Periods for Restricted Ownership Units and Enforcement Mechanisms.

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

- A. Control periods for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.6, as may be amended and supplemented, and each restricted ownership unit shall remain subject to the controls on affordability for a period of at least 30 years subject to the requirements of N.J.A.C. 5:80-26.6, as may be amended and supplemented.
- B. Rehabilitated housing units that are improved to code standards shall be subject to affordability controls for a period of not less than 10 years (crediting towards present need only).
- C. The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit. The date of commencement shall be identified in the deed restriction.
- D. If existing affordability controls are being extended, the extended control period for a restricted ownership unit commences on the effective date of the extension, which is the end of the original control period.
- E. After the end of any control period, the restricted ownership unit remains subject to the affordability controls set forth in this subchapter until the owner gives notice of their intent to make an exit sale, at which point:
 - 1. If the municipality exercises the right to extend the affordability controls on the unit, no exit sale occurs and a new control period commences; or
 - 2. If the municipality does not exercise the right to extend the affordability controls on the unit, the affordability controls terminate following the exit sale.
- F. Prior to the issuance of any building permit for the construction/rehabilitation of restricted ownership units, the developer/owner and the municipality shall record a preliminary instrument provided by the Administrative Agent.
- G. Prior to the issuance of the initial certificate of occupancy for a restricted ownership unit and upon each successive sale during the period of restricted ownership, the Administrative Agent shall determine the restricted price for the unit and shall also determine the nonrestricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value without the restrictions in place.
- H. At the time of the initial sale of the unit and upon each successive price-restricted sale, the initial purchaser shall execute and deliver to the Administrative Agent a recapture note obliging the purchaser, as well as the purchaser's heirs, successors, and assigns, to repay, upon the first non-exempt sale after the unit's release from the restrictions set forth in this Ordinance, an amount equal to the difference between the unit's non-restricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.

BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05

- I. The affordability controls set forth in this Ordinance shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to price-restricted ownership units.

§28-1013. Price Restrictions for Restricted Ownership Units and Resale Prices.

- A. Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.7, as may be amended and supplemented, including:
1. The initial purchase price and affordability percentage for a restricted ownership unit shall be set by the Administrative Agent.
 2. The Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the standards set forth in N.J.A.C. 5:80-26.7.
 - (a) If the resale occurs prior to the one-year anniversary of the date on which title to the unit was transferred to a certified household, the maximum resale price for a is the most recent non-exempt purchase price.
 - (b) If the resale occurs on or after such anniversary date, the maximum resale price is the most recent non-exempt purchase price increased to reflect the cumulative annual percentage increases to the regional median income, effective as of the same date as the regional median income calculated pursuant to N.J.A.C. 5:80-26.3
 3. The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of anticipated capital improvements. Eligible capital improvements shall be:
 - (a) Those that render the unit suitable for a larger household or the addition of a bathroom.
 - (b) The maximum resale price may be further increased by an amount up to the cumulative dollar value of approved capital improvements made after the last non-exempt sale for improvements and/or upgrades to the unit, excluding capital improvements paid for by the entity favored on the recapture note and recapture lien described at N.J.A.C. 5:80-26.6(d);
 4. No increase for capital improvements is permitted if the maximum resale price prior to adjusting for capital improvements already exceeds whatever initial purchase price the unit would have if it were being offered for purchase for the first time at the initial affordability percentage. All adjustments for capital improvements are subject to 10-year, straight-line depreciation.
- B. Upon the resale of a restricted ownership unit, all items of property that are permanently affixed to the unit or were included when the unit was initially restricted (for example,

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

refrigerator, range, washer, dryer, dishwasher, wall-to-wall carpeting) shall be included in the maximum allowable resale price. Other items may be sold to the purchaser at a reasonable price that has been approved by the Administrative Agent at the time of the signing of the agreement to purchase but shall be separate and apart from any contract of sale for the underlying real estate. The purchase of central air conditioning installed subsequent to the initial sale of the unit and not included in the base price may be made a condition of the unit resale provided the price of the air conditioning equipment, which shall be subject to 10-year, straight-line depreciation, has been approved by the Administrative Agent. Unless otherwise approved by the Administrative Agent, the purchase of any property other than central air conditioning shall not be made a condition of the unit resale. The seller and the purchaser must personally certify at the time of closing that no unapproved transfer of funds for the purpose of selling and receiving property has taken place at the time of or as a condition of resale.

§28-1014. Buyer Income Eligibility.

- A. Buyer income eligibility for restricted ownership units shall be established pursuant to N.J.A.C. 5:80-26.17, as may be amended and supplemented, such that very low-income ownership units shall be reserved for occupancy by households with a gross household income less than or equal to 30 percent of median income, low-income ownership units shall be reserved for occupancy by households with a gross household income less than or equal to 50 percent of median income and moderate-income ownership units shall be reserved for occupancy by households with a gross household income less than 80 percent of median income.
- B. Notwithstanding the foregoing, the Administrative Agent may, upon approval by the municipality, and subject to the Division's approval, permit a moderate-income purchaser to buy a low-income unit if and only if the Administrative Agent can demonstrate that there is an insufficient number of eligible low-income purchasers in the housing region to permit prompt occupancy of the unit and all other reasonable efforts to attract a low-income purchaser, including pricing and financing incentives, have failed. Any such low-income unit that is sold to a moderate-income household shall retain the required pricing and pricing restrictions for a low-income unit. Similarly, the administrative agent may permit low-income purchasers to buy very-low-income units in housing markets where, as determined by the Division, units are reserved for very-low-income purchasers, but there is an insufficient number of very-low-income purchasers to permit prompt occupancy of the units. In such instances, the purchased unit must be maintained as a very-low-income unit and sold at a very-low-income price point such that on the next resale the unit will still be affordable to very-low-income households and able to be purchased by a very-low-income household. A very-low-income unit that is seeking bonus credit pursuant to N.J.S.A. 52:27D-311.k(9) must first be advertised exclusively as a very-low-income unit according to the Affirmative Marketing requirements at N.J.A.C. 5:80-26.16, then advertised as a very-low-income or low-income unit for at least 30 additional days prior to referring any low-income household to the unit.
- C. A certified household that purchases a restricted ownership unit must occupy it as the certified household's principal residence and shall not lease the unit; provided, however,

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

that the Administrative Agent may permit the owner of a restricted ownership unit, upon application and a showing of hardship, to lease the restricted unit to another certified household for a period not to exceed one year.

- D. The Administrative Agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, property taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable) does not exceed 35 percent of the household's eligible monthly income; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
1. The household currently pays more than 35 percent (40 percent for households eligible for age-restricted units) of its gross household income for housing expenses, and the proposed housing expenses will reduce its housing costs;
 2. The household has consistently paid more than 35 percent (40 percent for households eligible for age-restricted units) of eligible monthly income for housing expenses in the past and has proven its ability to pay; or
 3. The household is currently in substandard or overcrowded living conditions;
 4. The household documents the existence of assets, within the asset limitation otherwise applicable, with which the household proposes to supplement the rent payments

§28-1015. Limitations on Indebtedness Secured by Ownership Unit; Subordination.

- A. Prior to incurring any indebtedness to be secured by a restricted ownership unit, the owner shall apply to the Administrative Agent for a determination in writing that the proposed indebtedness complies with the provisions of this Section, and the Administrative Agent shall issue such determination prior to the owner incurring such indebtedness.
- B. With the exception of original purchase money mortgages, neither an owner nor a lender shall at any time during the control period cause or permit the total indebtedness secured by a restricted ownership unit to exceed 95 percent of the maximum allowable resale price of that unit, as such price is determined by the Administrative Agent in accordance with N.J.A.C. 5:80-26.7(c).

§28-1016. Control Periods for Restricted Rental Units.

- A. Control periods for units that meet the definition of prior round units shall be pursuant to the 2001 UHAC rules originally adopted October 1, 2001, 33 N.J.R. 3432 and shall remain subject to the requirements of this ordinance for a period of at least 30 years as applicable unless otherwise indicated.

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

- B. Other than for prior round units, control periods for restricted rental units shall be in accordance with N.J.A.C. 5:80-26.12, as may be amended and supplemented, and each restricted rental unit shall remain subject to the requirements of this Ordinance for a period of at least 40 years. Restricted rental units created as part of developments receiving 9 percent Low-Income Housing Tax Credits must comply with a control period of not less than a 30-year compliance period plus a 15-year extended use period for a total of 45 years.
- C. The affordability control period for a restricted rental unit shall commence on the first date that a unit is issued a certificate of occupancy following the execution of the deed restriction or, if affordability controls are being extended, on the effective date of the extension, which is the end of the original control period.
- D. Rehabilitated renter-occupied housing units that are improved to code standards shall be subject to affordability controls for a period of not less than 10 years.
- E. Prior to the issuance of any building permit for the construction/rehabilitation of restricted rental units, the developer/owner and the municipality shall record a preliminary instrument provided by the Administrative Agent.
- F. Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property. The deed restriction shall be recorded by the developer with the county records office, and provided as filed and recorded, to the Administrative Agent within 30 days of the receipt of a certificate of occupancy.
- G. A restricted rental unit shall remain subject to the affordability controls of this Ordinance despite the occurrence of any of the following events:
1. Sublease or assignment of the lease of the unit;
 2. Sale or other voluntary transfer of the ownership of the unit;
 3. The entry and enforcement of any judgment of foreclosure on the property containing the unit; or
 4. The end of the control period, until the occupant household vacates the unit, or is certified as over-income and the controls are released in accordance with UHAC.

§28-1017. Rent Restrictions for Rental Units; Leases and Fees.

- A. The initial rent for a restricted rental unit shall be set by the Administrative Agent.
- B. A written lease shall be required for all restricted rental units, except for units in an assisted living residence, and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be retained on file by the Administrative Agent.

BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05

- C. No additional fees, operating costs, or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the Administrative Agent.
1. Operating costs, for the purposes of this section, include certificate of occupancy fees, move-in fees, move-out fees, mandatory internet fees, mandatory cable fees, mandatory utility submetering fees, and for developments with more than one and a half off-street parking spaces per unit, parking fees for one parking space per household.
- D. Any fee structure that would remove or limit affordable unit occupant access to any amenities or services that are required or included for market-rate unit occupants is prohibited. Application fees (including the charge for any credit check) shall not exceed five percent of the monthly rent of the applicable restricted unit to be applied to the costs of administering the controls applicable to the unit as set forth in this Ordinance.
- E. Fees for unit-specific, non-communal items that are charged to market-rate unit tenants on an optional basis, such as pet fees for tenants with pets, storage spaces, bicycle-share programs, or one-time rentals of party or media rooms, may also be charged to affordable unit tenants, if applicable.
- F. Pet fees may not exceed \$30.00 per month and associated one-time payments for optional fees pertaining to pets, such as a pet cleaning fee, are prohibited.
- G. Fees charged to affordable unit tenants for other optional, unit-specific, non-communal items shall not exceed the amounts charged to market-rate tenants.
- H. For any prior round rental unit leased before December 20, 2024, elements of the existing fee structure that are consistent with prior rules, but inconsistent with 5:80-26.13(c)1, may continue until the occupant household's current lease term expires or that occupant household vacates the unit, whichever occurs later.

§28-1018. Tenant Income Eligibility.

- A. Tenant income eligibility shall be determined pursuant to N.J.A.C. 5:80-26.14, as may be amended and supplemented, and shall be determined as follows:
1. Very low-income rental units shall be reserved for households with a gross household income less than or equal to 30 percent of the regional median income by household size.
2. Low-income rental units shall be reserved for households with a gross household income less than or equal to 50 percent of the regional median income by household size.

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

3. Moderate-income rental units shall be reserved for households with a gross household income less than 80 percent of the regional median income by household size.
- B. The Administrative Agent shall certify a household as eligible for a restricted rental unit when the household is a very low-income, low-income or moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35 percent (40 percent for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.17, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
1. The household currently pays more than 35 percent (40 percent for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;
 2. The household has consistently paid more than 35 percent (40 percent for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;
 3. The household is currently in substandard or overcrowded living conditions;
 4. The household documents the existence of assets with which the household proposes to supplement the rent payments; or
 5. The household documents reliable anticipated third-party assistance from an outside source such as a family member in a form acceptable to the Administrative Agent and the owner of the unit.
- C. The applicant shall file documentation sufficient to establish the existence of any of the circumstances in 2.a. through 2.e. above with the Administrative Agent, who shall counsel the household on budgeting.

§28-1019. Municipal Housing Liaison.

- A. The Municipal Housing Liaison shall be approved by municipal resolution.
- B. The Municipal Housing Liaison shall be approved by the Division, or is in the process of getting approval, and fully or conditionally meets the requirements for qualifications, including initial and periodic training as set forth in N.J.A.C. 5:99-1 et seq.
- C. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program, including the following responsibilities, which may not be contracted out to the Administrative Agent:

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

1. Serving as the primary point of contact for all inquiries from the Affordable Housing Dispute Resolution Program, the State, affordable housing providers, administrative agents and interested households.
2. The oversight of the Affirmative Marketing Plan and affordability controls.
3. When applicable, overseeing and monitoring any contracting Administrative Agent.
4. Overseeing the monitoring of the status of all restricted units listed in the Fair Share Plan.
5. Verifying, certifying and providing annual information within AHMS at such time and in such form as required by the Division.
6. Coordinating meetings with affordable housing providers and administrative agents, as needed.
7. Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by the Division.
8. Overseeing the recording of a preliminary instrument in the form set forth at N.J.A.C. 5:80-26.1 for each affordable housing development.
9. Coordinating with the Administrative Agent, municipal attorney and municipal Construction Code Official to ensure that permits are not issued unless the document required in C.8. above has been duly recorded.
10. Listing on the municipal website contact information for the MHL and Administrative Agents.

§28-1020. Administrative Agent.

- A. All municipalities that have created or will create affordable housing programs and/or affordable units shall designate or approve, for each project within its HEFSP, an administrative agent to administer the affordable housing program and/or affordable housing units in accordance with the requirements of the FHA, NJAC 5:99-1 et seq. and UHAC.
- B. The fees for administrative agents shall be paid as follows:
 1. Administrative agent fees related to rental units shall be paid by the developer/owner.
 2. Administrative agent fees related to initial sale of units shall be paid by the developer.

BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05

3. Administrative agent fees related to resales shall be paid by the seller of the affordable home.
 4. Administrative agent fees related to ongoing administration and enforcement shall be paid by the municipality.
- C. An Operating Manual for each affordable housing program shall be provided by the Administrative Agent(s). The Operating Manual(s) shall be available for public inspection in the Office of the Clerk and in the office(s) of the Administrative Agent(s). Operating manuals shall be adopted by resolution of the Governing Body.
- D. Subject to the role of the Administrative Agent(s), the duties and responsibilities as are set forth in N.J.A.C. 5:99-7 and which are described in full detail in the Operating Manual, including those set forth in UHAC, include:
1. Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by the Division;
 2. Affirmative marketing:
 - (a) Conducting an outreach process to affirmatively market affordable housing units in accordance with the Affirmative Marketing Plan of the municipality and the provisions of N.J.A.C. 5:80-26.16.
 - (b) Providing counseling, or contracting to provide counseling services, to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements; and landlord/tenant law.
 3. Household certification.
 - (a) Soliciting, scheduling, conducting and following up on interviews with interested households.
 - (b) Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
 - (c) Providing written notification to each applicant as to the determination of eligibility or non-eligibility within five (5) business days of the determination thereof.
 - (d) Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in the Appendices J and K of N.J.A.C. 5:80-26.1 et seq.

BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05

- (e) Creating and maintaining a referral list of eligible applicant households living in the housing region, and eligible applicant households with members working in the housing region, where the units are located.
 - (f) Employing a random selection process as provided in the Affirmative Marketing Plan when referring households for certification to affordable units.
- 4. Affordability controls.
 - (a) Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for the recording at the time of conveyance of title of each restricted unit.
 - (b) Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and filed properly with the County Register of Deeds or County Clerk's office after the termination of the affordability controls for each restricted unit in accordance with UHAC.
 - (c) Communicating with lenders and the Municipal Housing Liaison regarding foreclosures.
 - (d) Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.11.
- 5. Records retention.
 - (a) Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded recapture mortgage, and note, as appropriate.
 - (b) Records received, retained, retrieved, or transmitted in furtherance of crediting affordable units of a municipality constitute public records of the municipality as defined by N.J.S.A. 47:3-16, and are legal property of the municipality.
- 6. Resales and re-rentals.
 - (a) Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or re-rental.
 - (b) Instituting and maintaining an effective means of communicating information to very low-, low-, or moderate-income households regarding the availability of restricted units for resale or re-rental.
- 7. Processing requests from unit owners.

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

- (a) Reviewing and approving requests from owners of restricted units who wish to refinance or take out home equity loans during the term of their ownership to determine that the amount of indebtedness to be incurred will not violate the terms of this ordinance.
- (b) Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the depreciated cost of central air conditioning systems.
- (c) Notifying the municipality of an owner's intent to sell a restricted unit.
- (d) Making determinations on requests by owners of restricted units for hardship waivers.

8. Enforcement.

- (a) Securing annually from the municipality a list of all affordable ownership units for which property tax bills are mailed to absentee owners, and notifying all such owners that they must either move back to their unit or sell it;
- (b) Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;
- (c) Sending annual mailings to all owners of affordable dwelling units reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.19(d)4;
- (d) Establishing a program for diverting unlawful rent payments to the municipal Affordable Housing Trust Fund; and
- (e) Creating and publishing a written operating manual for each affordable housing program administered by the Administrative Agent setting forth procedures for administering the affordability controls.

9. The Administrative Agent(s) shall, as delegated by the municipality, have the authority to take all actions necessary and appropriate to carry out its/their responsibilities, herein.

§28-1021. Responsibilities of the Owner of a Development Containing Affordable Units.

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

- A. The owner of all developments containing affordable units subject to this subchapter or the assigned management company thereof shall provide to the administrative agent:
1. Site plan, architectural plan, or other plan that identifies the location of each affordable unit, if subject to the site plan approval, settlement agreement, or other applicable document regulating the location of affordable units. The administrative agent shall determine the location of affordable units if not set forth in the site plan approval, settlement agreement, or other applicable document.
 2. The total number of units in the project and the number of affordable units.
 3. The breakdown of the affordable units by or identification of affordable unit locations by bedroom count and income level, including street addresses / unit numbers, if subject to the site plan approval, settlement agreement, or other applicable document regulating the breakdown of affordable units. The administrative agent shall determine the bedroom and income distribution if not set forth in the site plan approval, settlement agreement, or other applicable document.
 4. Floor plans of all affordable units, including complete and accurate identification of all rooms and the dimensions thereof.
 5. A projected construction schedule.
 6. The location of any common areas and elevators.
 7. The name of the person who will be responsible for official contact with the administrative agent for the duration of the project, which must be updated if the contact changes.
- B. In addition to A above, the owner of rental developments containing affordable rental units subject to this subchapter or the assigned management company thereof shall:
1. Send to all current tenants in all restricted rental units an annual mailing containing a notice as to the maximum permitted rent and a reminder of the requirement that the unit must remain their principal place of residence, which is defined as residing in the unit at least 260 days out of each calendar year, together with the telephone number, mailing address, and email address of the administrative agent to whom complaints of excess rent can be issued.
 2. Provide to the administrative agent a description of any applicable fees.
 3. Provide to the administrative agent a description of the types of utilities and which utilities will be included in the rent.
 4. Agree and ensure that the utility configuration established at the start of the rent-up process not be altered at any time throughout the restricted period.

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

5. Provide to the administrative agent a proposed form of lease for any rental units.
 6. Ensure that the tenant selection criteria for the applicants for affordable units not be more restrictive than the tenant selection criteria for applicants for non-restricted units.
 7. Strive to maintain the continued occupancy of the affordable units during the entire restricted period.
- C. In addition to A, above, the owner of affordable for-sale developments containing affordable for-sale units subject to this subchapter or the assigned management company thereof shall provide the administrative agent:
1. Proposed pricing for all units, including any purchaser options and add-on items.
 2. Realistic condominium or homeowner association fees and any other applicable fees.
 3. Estimated real property taxes.
 4. Sewer, water, trash disposal, and any other utility assessments.
 5. Flood insurance requirement, if applicable.
 6. The State-approved planned real estate development public offering statement and/or master deed, where applicable, as well as the full build-out budget.

§28-1022. Enforcement of Affordable Housing Regulations.

- A. Upon the occurrence of a breach of any of the regulations governing the affordable unit by an owner, developer or tenant, the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, municipal fines, a requirement for household recertification, acceleration of all sums due under a mortgage, recoupment of any funds from a sale in the violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.
- B. After providing written notice of a violation to an owner, developer or tenant of an affordable unit and advising the owner, developer or tenant of the penalties for such violations, the municipality may take the following action against the owner, developer or tenant for any violation that remains uncured for a period of 60 days after service of the written notice:
1. The municipality may file a court action pursuant to N.J.S.A. 2A:58-11 alleging a violation, or violations, of the regulations governing the affordable housing unit. If the owner, developer or tenant is found by the Court to have violated any provision of the regulations governing affordable housing units the owner, developer or

BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05

tenant shall be subject to one or more of the following penalties, at the discretion of the Court:

- (a) A fine not to exceed that set forth in Section 1-5 of the Borough Code, unless otherwise specified below, provided that each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not a continuation of the initial offense;
 - (b) In the case of an owner who has rented his or her low- or moderate-income unit in violation of the regulations governing affordable housing units, payment into the Affordable Housing Trust Fund of the gross amount of rent illegally collected;
 - (c) In the case of an owner who has rented his or her affordable unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the Court.
- C. The municipality shall have the authority to levy fines against the owner of the development for instances of noncompliance with NJHRC advertising requirements (N.J.S.A. 52:27D-321.6.e.(2)), following written notice to the owner. The fine for the first offense of noncompliance shall be \$5,000, the fine for the second offense of noncompliance shall be \$10,000, and the fine for each subsequent offense of noncompliance shall be \$15,000.
- D. The municipality may file a court action in the Superior Court seeking a judgment, which would result in the termination of the owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any judgment shall be enforceable as if the same were a judgment of default of the first purchase money mortgage and shall constitute a lien against the low- or moderate-income unit.
 - 1. Such judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the Sheriff, at which time the affordable unit of the violating owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any first purchase money mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating owner shall have the right to possession terminated as well as the title conveyed pursuant to the Sheriff's sale.
 - 2. The proceeds of the Sheriff's sale shall first be applied to satisfy the first purchase money mortgage lien and any prior liens upon the low- or moderate-income unit. The excess, if any, shall be applied to reimburse the municipality for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the municipality in full as aforesaid, the violating owner shall be personally responsible for the full extent of such deficiency, in addition to any and all costs incurred by the municipality in connection with collecting such deficiency. In the event that a surplus remains after

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

satisfying all of the above, such surplus shall be placed in escrow by the municipality for the owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the owner shall make a claim with the municipality for such. Failure of the owner to claim such balance within the two year period shall automatically result in a forfeiture of such balance to the municipality. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the municipality, whether such balance shall be paid to the owner or forfeited to the municipality.

3. Foreclosure due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as they apply to the low- and moderate-income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.
 4. If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the first purchase money mortgage and any prior liens, the municipality may acquire title to the affordable unit by satisfying the first purchase money mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the first purchase money mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the affordable unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess that would have been realized from an actual sale as previously described.
 5. Failure of the low- or moderate-income unit to be either sold at the Sheriff's sale or acquired by the municipality shall obligate the owner to accept an offer to purchase from any qualified purchaser that may be referred to the owner by the municipality, with such offer to purchase being equal to the maximum resale price of the low- or moderate-income unit as permitted by the regulations governing affordable housing units.
 6. The affordable unit owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the owner.
- E. It is the responsibility of the municipal housing liaison and the administrative agent(s) to ensure that affordable housing units are administered properly. All affordable units must be occupied within a reasonable amount of time and be re-leased within a reasonable amount of time upon the vacating of the unit by a tenant. If an administrative agent or municipal housing liaison becomes aware of or suspects that a developer, landlord, or property manager has not complied with these regulations, it shall report this activity to the Division. The Division must notify the developer, landlord, or property manager, in writing, of any violation of these regulations and provide a 30-day cure period. If, after the

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

30-day cure period, the developer, landlord, or property manager remains in violation of any terms of this subchapter, including by keeping a unit vacant, the developer, landlord, or property manager may be fined up to the amount required to construct a comparable affordable unit of the same size and the deed-restricted control period will be extended for the length of the time the unit was out of compliance, in addition to the remedies provided for in this section. For the purposes of this subsection, a reasonable amount of time shall presumptively be 60 days, unless a longer period of time is required due to demonstrable market conditions and/or failure of the municipal housing liaison or the administrative agent to refer a certified tenant.

- F. Banks and other lending institutions are prohibited from issuing any loan secured by owner occupied real property subject to the affordability controls set forth in this subchapter if such loan would be in excess of amounts permitted by the restriction documents recorded in the deed or mortgage book in the county in which the property is located. Any loan issued in violation of this subsection is void as against public policy.
- G. The Agency and the Department hereby reserve, for themselves and for each administrative agent appointed pursuant to this subchapter, all of the rights and remedies available at law and in equity for the enforcement of this subchapter, including, but not limited to, fines, evictions, and foreclosures as approved by a county-level housing judge.
- H. Appeals
 - 1. Appeals from all decisions of an administrative agent appointed pursuant to this subchapter must be filed, in writing, with the municipal housing liaison. A decision by the municipal housing liaison may be appealed to the Division. A written decision of the Division Director upholding, modifying, or reversing an administrative agent's decision is a final administrative action.

Section 2. Article 28-1100 entitled "Affordable Housing Development Fees" of Chapter 28 entitled "Land Development" of *The Code of the Borough of Watchung* is hereby deleted in its entirety and herein replaced to read as follows:

Article 28-1100. Affordable Housing Development Fees.

§28-1101. Development Fees.

- A. Purpose
 - 1. This Section establishes standards for the collection, maintenance, and expenditure of development fees that are consistent with the amended Fair Housing Act (P.L.2024, c.2), N.J.A.C. 5:99, and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7). Fees collected pursuant to this Ordinance shall be used for the sole purpose of providing very low-, low- and moderate-income housing in accordance with a Court-approved Spending Plan.

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

B. Basic Requirements

1. The Borough of Watchung previously adopted a development fee ordinance, which established the Municipal Affordable Housing Trust Fund, previous codified in Article V of Chapter 296 of the Borough Code.
2. The Borough shall not spend development fees until the court has approved a plan for spending such fees.

C. Residential Development Fees

1. Imposed fees

- (a) Residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of 1.5 percent of the equalized assessed value for residential development, provided no increased density is permitted. Development fees shall also be imposed and collected when an additional dwelling unit is added to an existing residential structure; in such cases, the fee shall be calculated based on the increase in the equalized assessed value of the property due to the additional dwelling unit.
- (b) When an increase in residential density is permitted pursuant to a “d” variance granted under N.J.S.A. 40:55D-70d(5), developers shall be required to pay a “bonus” development fee of 6.0 percent of the equalized assessed value for each additional unit that may be realized, except that this provision shall not be applicable to a development that will include affordable housing. If the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

Example: If an approval allows four units to be constructed on a site that was zoned for two units, the fees could equal 1.5 percent of the equalized assessed value on the first two units; and the specified higher percentage of 6 percent of the equalized assessed value for the two additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.

2. Eligible exactions, ineligible exactions and exemptions for residential development

- (a) Affordable housing developments, developments where the developer is providing for the construction of affordable units elsewhere in the municipality, and developments where the developer has made an eligible payment in lieu of on-site construction of affordable units, if permitted by ordinance, or by agreement with the municipality and if approved by a

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

municipality prior to the statutory elimination of payments in-lieu on March 20, 2024 per P.L.2024, c.2, shall be exempt from development fees.

- (b) Developments that have received preliminary or final site plan approval prior to the adoption of this ordinance and any preceding ordinance permitting the collection of development fees shall be exempt from the payment of development fees, unless the developer seeks a substantial change in the original approval. Where a site plan approval does not apply, the issuance of a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for the purpose of determining the right to an exemption. In all cases, the applicable fee percentage shall be determined based upon the development fee ordinance in effect on the date that the construction permit is issued.
- (c) Development fees shall be imposed and collected when an existing structure undergoes a change to a more intense use, is demolished and replaced, or is expanded, if the expansion is not otherwise exempt from the development fee requirement. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.
- (d) No development fee shall be collected for the demolition and replacement of a residential building resulting from a fire or natural disaster.

D. Non-Residential Development Fees

1. Imposition of fees

- (a) Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to 2.5 percent of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.
- (b) Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to 2.5 percent of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.
- (c) Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of 2.5 percent shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvements and the equalized assessed value of the newly improved structure; i.e., land and improvements; and such calculation shall be made at the time a final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the non-residential development fee shall be zero.

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

2. Eligible exactions, ineligible exactions and exemptions for non-residential development
 - (a) The non-residential portion of a mixed-use inclusionary or market-rate development shall be subject to a 2.5 percent development fee, unless otherwise exempted below.
 - (b) The 2.5 percent fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.
3. Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to the Statewide Non-Residential Development Fee Act (N.J.S.A. 40:55D-8.1 through 8.7), as specified in Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption." Any exemption claimed by a developer shall be substantiated by that developer.
4. A developer of a non-residential development exempted from the non-residential development fee pursuant to the Statewide Non-Residential Development Fee Act shall be subject to the fee at such time as the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later.
5. If a property that was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by the municipality as a lien against the real property of the owner.

E. Collection Procedures

1. Upon the granting of a preliminary, final or other applicable approval for a development, the applicable approving authority shall direct its staff to notify the construction official responsible for the issuance of a building permit.
2. For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF, "State of New Jersey Non-Residential Development Certification/Exemption," to be completed by the developer as per the instructions provided in the Form N-RDF. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided on Form N-RDF. The tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

3. The construction official responsible for the issuance of a building permit shall notify the tax assessor of the issuance of the first construction permit for a development that is subject to a development fee.
4. Within 90 days of receipt of that notice, the tax assessor shall provide an estimate, based on the plans filed, of the equalized assessed value of the development.
5. The construction official responsible for the issuance of a final certificate of occupancy shall notify the tax assessor of any and all requests for the scheduling of a final inspection on property that is subject to a development fee.
6. Within 10 business days of a request for the scheduling of a final inspection, the tax assessor shall confirm or modify the previously estimated equalized assessed value of the improvements associated with the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
7. Should the municipality fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in Subsection b. of section 37 of P.L.2008, c.46 (N.J.S.A. 40:55D-8.6).
8. Fifty percent (50 percent) of the development fee shall be collected at the time of issuance of the construction permit. The remaining portion shall be collected at the time of issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at the time of issuance of the construction permit and that determined at the time of issuance of certificate of occupancy.

F. Appeal of development fees

1. A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by that board, collected fees shall be placed in an interest-bearing escrow account by the municipality. Appeals from a determination of the board may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.
2. A developer may challenge non-residential development fees imposed by filing a challenge with the director of the Division of Taxation. Pending a review and determination by the director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest-bearing escrow account by the municipality. Appeals from a determination of the director may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

G. Affordable Housing Trust Fund

1. A separate, interest-bearing Municipal Affordable Housing Trust Fund shall be maintained by the chief financial officer of the municipality for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.
2. The following additional funds shall be deposited in the Municipal Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
 - (a) Payments in lieu of on-site construction of an affordable unit, where previously permitted by ordinance or by agreement with the municipality and if approved by a municipality prior to the statutory elimination of payments in-lieu on March 20, 2024 per P.L.2024, c.2;
 - (b) Funds contributed by developers to make 10 percent of the adaptable entrances in a townhouse or other multistory attached dwelling unit development accessible;
 - (c) Rental income from municipally operated units;
 - (d) Repayments from affordable housing program loans;
 - (e) Recapture funds;
 - (f) Proceeds from the sale of affordable units; and
 - (g) Any other funds collected in connection with the municipal affordable housing program including but not limited to interest earned on fund deposits.
3. The municipality shall provide the Division with written authorization, in the form of a tri-party escrow agreement(s) between the municipality, the Division and the financial institution in which the municipal affordable housing trust fund has been established to permit the Division to direct the disbursement of the funds as provided for in N.J.A.C. 5:99-2.1 et seq.
4. Occurrence of any of the following deficiencies may result in the Division requiring the forfeiture of all or a portion of the funds in the municipal Affordable Housing Trust Fund:
 - (a) Failure to meet deadlines for information required by the Division in its review of a development fee ordinance;
 - (b) Failure to commit or expend development fees within four years of the date of collection in accordance with N.J.A.C. 5:99-5.5;

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

- (c) Failure to comply with the requirements of the Non-Residential Development Fee Act and N.J.A.C. 5:99-3;
- (d) Failure to submit accurate monitoring reports pursuant to this subchapter within the time limits imposed by the Act, this chapter, and/or the Division;
- (e) Expenditure of funds on activities not approved by the Superior Court or otherwise permitted by law;
- (f) Revocation of compliance certification or a judgment of compliance and repose;
- (g) Failure of a municipal housing liaison or administrative agent to comply with the requirements set forth at N.J.A.C. 5:99-6, 7, and 8;
- (h) Other good cause demonstrating that municipal affordable housing funds are not being used for an approved purpose.
- (i) All interest accrued in the housing trust fund shall only be used on eligible affordable housing purposes approved by the Court.

H. Use of Funds

1. The expenditure of all funds shall conform to a Spending Plan approved by Superior Court. Funds deposited in the municipal Affordable Housing Trust Fund may be used for any activity approved by the Court to address the fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls; housing rehabilitation; new construction of affordable housing units and related costs; accessory apartments; a market-to-affordable program; conversion of existing non-residential buildings to create new affordable units; green building strategies designed to be cost-saving and in accordance with accepted national or state standards; purchase of land for affordable housing; improvement of land to be used for affordable housing; extensions or improvements of roads and infrastructure to affordable housing sites; financial assistance designed to increase affordability; administration necessary for implementation of the Housing Element and Fair Share Plan; and/or any other activity permitted by Superior Court and specified in the approved Spending Plan.
2. Funds shall not be expended to reimburse the municipality or activities that occurred prior to the authorization of a municipality to collect development fees.
3. At least a portion of all development fees collected and interest earned shall be used to provide affordability assistance to very low-, low- and moderate-income households in affordable units included in the municipal Fair Share Plan. A portion

BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05

of the development fees which provide affordability assistance shall be used to provide affordability assistance to very low-income households.

- (a) Affordability assistance programs may include down payment assistance, security deposit assistance, low-interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, infrastructure assistance, and assistance with emergency repairs. The specific programs to be used for affordability assistance shall be identified and described within the Spending Plan.
 - (b) Affordability assistance for very low-income households may include producing very low-income units or buying down the cost of low- or moderate-income units in the municipal Fair Share Plan to make them affordable to households earning 30 percent or less of median income.
4. No more than 20 percent of all affordable housing trust funds, exclusive of those collected to fund an RCA prior to July 17, 2008, shall be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultants' fees necessary to develop or implement a new construction program, prepare and implement a Housing Element and Fair Share Plan, administer an Affirmative Marketing Program and for compliance with the Superior Court and the Program including the costs to the municipality of resolving a challenge.

I. Monitoring

1. On or before February 15 of each year, the municipality shall provide annual electronic data reporting of trust fund activity for the previous year from January 1st to December 31st through the AHMS Reporting System. This reporting shall include an accounting of all Municipal Affordable Housing Trust Fund activity, including the sources and amounts of all funds collected and the amounts and purposes for which any funds have been expended. Such reporting shall include an accounting of development fees collected from residential and non-residential developers, previously eligible payments in lieu of constructing affordable units on site (if permitted by ordinance or by agreement with the municipality prior to the March 20, 2024 statutory elimination per P.L. 2024, c.4), funds from the sale of units with extinguished controls, barrier-free escrow funds, rental income from municipally-owned affordable housing units, repayments from affordable housing program loans, interest and any other funds collected in connection with municipal housing programs, as well as an accounting of the expenditures of revenues and implementation of the Spending Plan approved by the Court.

J. Ongoing Collection of Fees

1. The ability to impose, collect and expend development fees shall continue so long as the municipality retains authorization from the Court in the form of Compliance Certification or the good faith effort to obtain it.

**BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05**

2. If the municipality fails to renew its ability to impose and collect development fees prior to the expiration of its Judgment of Compliance, it may be subject to forfeiture of any or all funds remaining within its Affordable Housing Trust Fund. Any funds so forfeited shall be deposited into the New Jersey Affordable Housing Trust Fund established pursuant to section 20 of P.L.1985, c.222 (C. 52:27D-320).
- K. Emergent Affordable Housing Opportunities. Requests to expend affordable housing trust funds on emergent affordable housing opportunities not included in the municipal fair share plan shall be made to the Division and shall be in the form of a governing body resolution. Any request shall be consistent with N.J.A.C. 5:99-4.1.

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 that the Borough Clerk is directed to give notice at least ten days prior to a hearing on the adoption of this ordinance to the Somerset County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15, and N.J.S.A. 40:55D-63 (if required); and

BE IT FURTHER ORDAINED that after introduction, the Borough Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Borough of

BOROUGH OF WATCHUNG
ORDINANCE NO. 26/05

Watchung for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Borough Council, within 35 days after referral, a report including identification of any provisions in the proposed ordinance which are inconsistent with the master plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate; and

BE IT FURTHER ORDAINED by the Council 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

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: FISCHER
PASSED: MARCH 19, 2026
PUBLISHED:
ADOPTED:
C BOARD CLERK,
GENERAL CODE,

ATTEST:

BOROUGH OF WATCHUNG

Edith G. Gil, Borough Clerk

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

BOROUGH OF WATCHUNG
ORDINANCE: 26/06

**ORDINANCE AMENDING THE BOROUGH'S ZONING
REGULATIONS, CHAPTER 28, TITLED "LAND DEVELOPMENT" TO
UPDATE AND AMEND THE REGULATION OF FENCES AND WALLS.**

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. Paragraph L entitled "Swimming Pools" of Section 28-502 entitled
"Fences and Walls" of Article 28-500 entitled "Conditional Uses, 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 **bold and underlined** and deleted language ~~double strikethrough.~~]

28-502. Fences and Walls

L. Swimming Pools.

1. ~~Barriers Fences~~ that meet the requirements of §28-502 and the minimum
requirements for swimming pool ~~barriers fences~~ under the ~~Building Official and
Code Administrators ("BOCA") International, Inc.~~ **International Swimming
Pool and Spa Code ("ISPSC")**, as amended by the State of New Jersey Uniform
Construction Code ("UCC") may be used.
2. Pursuant to Section 28-502(A)(1)(d), ~~barriers fences~~ around a swimming pool
are allowed to a maximum height of six (6) feet provided that the following
conditions are met:
 - a. ~~Barriers Fences~~ around a swimming pool shall only be permitted in the
rear yards and side yards of a lot, subject to compliance with the setback
limitations applicable to principal structures.
 - b. The rear of the principal permitted structure may serve as part of the
~~barriers fences~~ around a swimming pool.
 - c. ~~Fences around a swimming pool must not be more than twenty-five (25)
feet from the water's edge.~~

BOROUGH OF WATCHUNG
ORDINANCE: 26/06

- ~~d. Fences around a swimming pool shall not be more than fifty percent (50%) solid.~~

Section 2. Paragraph B entitled “Accessory Buildings and Structures” of Section 28-401 entitled “General Zoning District Regulations” of Article 28-400 entitled “Zoning District Regulations” 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 **bold and underlined** and deleted language ~~double strikethrough~~.]

28-401. General Zoning District Regulations

B. Accessory Buildings and Structures.

2. Accessory Structures – Special Provisions in the R-R, R-A, and R-B Single Family Residential Districts.
 - a. There shall be ~~no~~ **a** minimum separation ~~requirement~~ **of ten (10') feet** between a swimming pool and a single-family detached dwelling unit.
 - b. Any accessory building or structure that is attached to the principal building or structure by any means other than an unenclosed structure shall be deemed part of the principal building or structure and shall comply in all respects with the requirements of this Chapter applicable to the principal building or structure.
 - c. Any accessory building or structure that is connected to the principal building or structure solely by an unenclosed structure shall be considered detached for the purposes of this Chapter and subject to the requirements for accessory structures.

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

BOROUGH OF WATCHUNG
ORDINANCE: 26/06

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 that the Borough Clerk is directed to give notice at least ten days prior to a hearing on the adoption of this ordinance to the Somerset County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15, and N.J.S.A. 40:55D-63 (if required); and

BE IT FURTHER ORDAINED that after introduction, the Borough Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Borough of Watchung for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Borough Council, within 35 days after referral, a report including identification of any provisions in the proposed ordinance which are inconsistent with the master plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate; 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

BOROUGH OF WATCHUNG
ORDINANCE: 26/06

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

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: FISCHER
PASSED: MARCH 19, 2026
PUBLISHED:
ADOPTED:
C:

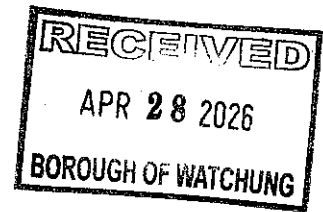
PLANNING BD, COUNTY PB,
ZONING OFFICER, ENGINEERING,
COURTS,

ATTEST:

BOROUGH OF WATCHUNG

Edith G. Gil, Borough Clerk

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



NOTICE OF PUBLIC HEARING

IN THE MATTER OF THE JOINT PETITION OF AMERICAN WATER WORKS COMPANY, INC., NEW JERSEY-AMERICAN WATER COMPANY, INC., AND GORDON'S CORNER WATER COMPANY FOR: (1) AMERICAN WATER WORKS COMPANY, INC. TO ACQUIRE CONTROL OF GORDON'S CORNER WATER COMPANY; (2) GORDON'S CORNER WATER COMPANY TO TRANSFER UPON ITS BOOKS ALL OF ITS CAPITAL STOCK TO AMERICAN WATER WORKS COMPANY, INC.; (3) SHORTLY THEREAFTER, GORDON'S CORNER WATER COMPANY TO BE MERGED INTO NEW JERSEY-AMERICAN WATER COMPANY, INC.; AND (4) FOR SUCH OTHER APPROVALS AS MAY BE NECESSARY TO COMPLETE THE PROPOSED TRANSACTION

BPU DOCKET NO. WM25110610

PLEASE TAKE NOTICE that on November 20, 2025, American Water Works Company, Inc. ("American Water"), Gordon's Corner Water Company ("Gordon's Corner"), and New Jersey-American Water Company, Inc. (the "Company", "NJAWC" or "New Jersey American Water"), (collectively, the "Joint Petitioners") submitted a Joint Petition to request approval by the New Jersey Board of Public Utilities ("Board" or "BPU"), of the acquisition and change in control of Gordon's Corner pursuant to the provisions of N.J.S.A. 48:2-51.1, 48:3-7, and 48:3-10, N.J.A.C. 14:1-5.10 and 14:1-5.14 (the "Proposed Transaction"). The Proposed Transaction entails the acquisition of Gordon's Corner by American Water and subsequent merger of Gordon's Corner with and into New Jersey American Water. As described in the Joint Petition, no rate changes are proposed in connection with the Proposed Transaction, however, subsequent to completing the merger, Gordon's Corner's ratepayers will be subject to any additional increases approved by the Board.

The Board will evaluate the impact of the Proposed Transaction on competition, the rates paid by the customers of Gordon's Corner, the employees of Gordon's Corner, and the provision of safe and adequate utility service at just and reasonable rates. The Joint Petitioners state that the Proposed Transaction will not have an adverse impact on competition, rates, employees of Gordon's Corner, or on the provision of safe, adequate and proper utility service, and instead will provide positive benefits as demonstrated by the commitments included in the Joint Petition. Any relief determined by the Board to be just and reasonable may be applied by the Board in such a manner as it deems appropriate.

PLEASE TAKE FURTHER NOTICE that virtual public hearings will be conducted on the following date and times so that members of the public may present their views on the Petition:

Date: May 20, 2026

Times: 4:30 PM and 5:30 PM

Link: <https://bit.ly/3QSkQ7Z>

- 1) Type the link address into your web browser.
- 2) When prompted, select **Continue on this browser** or **Join on the Teams app** if you have the Teams app. You don't need to install the Teams app to join the meeting. You can join Teams for web on Microsoft Edge or Google Chrome.
- 3) You may be prompted to give Teams access to your microphone and camera. When you select **Allow**, you can always turn off your mic and camera once you join the meeting.
- 4) Select **Join now**.
- 5) You will enter the meeting lobby; wait for someone in the meeting to admit you.

Or

Dial-In Number: 1-862-294-2638

Phone Conference ID: 343 652 247#

Notice of the Proposed Transaction was served on the clerk, executive or administrator of each municipality and county within the NJAWC and Gordon's Corner service areas. A copy of the Joint Petition is also available for inspection on the Company's website at <https://amwater.com/njaw/Customer-Service-Billing/Your-Water-and-Wastewater-Rates/regulatory-proceedings>.

Representatives from the Company, the Board, and the Division of Rate Counsel will participate in the virtual public hearings. Members of the public are invited to participate by utilizing the link or dial-in information set forth above to express their views on the filing. All comments will become part of the final record of the proceeding to be considered by the Board. In order to encourage full participation in this opportunity for public comment, please submit any requests for needed accommodations, such as interpreters and/or listening assistance, at least forty-eight (48) hours prior to the above hearing to the Board Secretary at board.secretary@bpu.nj.gov.

Comments may be submitted directly to the specific docket listed above using the "Post Comments" button on the Board's Document Search tool, <https://publicaccess.bpu.state.nj.us>. Comments are considered public documents for purposes of the State's Open Public Records Act. Only submit public documents using the "Post Comments" button on the Board's Public Document Search tool. Any confidential information should be submitted in accordance with the procedures set forth in N.J.A.C. 14:1-12.3. In addition to hard copy submissions, confidential information may be filed electronically via the Board's e-filing system or by email to the Secretary of the Board, Sherri L. Lewis. Please include "Confidential Information" in the subject line of any email. Instructions for confidential e-filing are found on the Board's webpage,

<https://www.nj.gov/bpu/agenda/efiling/>.

Emailed and/or written comments may also be submitted to:

Sherri L. Lewis, Secretary of the Board
44 South Clinton Ave., 1st Floor
PO Box 350
Trenton, NJ 08625-0350
Email: board.secretary@bpu.nj.gov

Additional information and copies of the Joint Petition may be obtained at the Board's offices located at 44 South Clinton Avenue, 1st Floor, Trenton, NJ 08625. Any members of the public who wish to inspect the Petition at the Board should contact the Board's Division of Case Management at (609) 292-0806 or board.secretary@bpu.nj.gov.

BY: MARK K. McDONOUGH
President
NEW JERSEY-AMERICAN WATER COMPANY, INC.
1 Water Street
Camden, NJ 08102

**BOROUGH OF WATCHUNG
RESOLUTION: R2**

WHEREAS, the Borough of Watchung has received a Field and Facility Permit Application from the Watchung Garden Club 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 the Best Lake Parking Lot is authorized for the intended use as noted below and is hereby approved:

1. Watchung Garden Club to hold their annual plant sale from 8:00 AM to 1:00 PM on Saturday, May 9, 2026
2. All approvals are subject to having appropriate insurance coverage, applicable departmental approvals, and receipt of appropriate fees, if applicable.
3. The applicant hereby acknowledges to follow the boroughs ordinances guiding the use of public parks cited under Chapter 16, cited as [§ 16-1. PUBLIC PARKS](#)

Curt S. Dahl, Council President

Ronald Jubin, Ph.D., Mayor

ADOPTED: MAY 7, 2026
INDEX: RECREATION
C: DG, PD, DPW
OEM, FIRE,

**BOROUGH OF WATCHUNG
RESOLUTION: R3**

WHEREAS, the Watchung Education Foundation (“WEF”) will be partnering with the Borough of Watchung to hold a borough-sponsored event being the Centennial Benefit Concert celebration at Phillips Field to be held on May 30, 2026; and

WHEREAS, the WEF has filed an application with the State of New Jersey Division of Alcoholic Beverage Control (“ABC”) for a Social Affairs Permit to serve alcoholic beverages at the event; and

WHEREAS, the WEF submitted a request to the Mayor and Council for authorization of use of certain beverages at a public park pursuant to the requirements of Chapter 16-1.10 of the Code of the Borough of Watchung; and

WHEREAS, the Mayor and Council find it appropriate to authorize the serving of alcoholic beverages at a public park in connection with the Centennial Benefit Concert celebration subject to the ABC’s approval of WEF’s Social Affairs Permit application.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Watchung hereby authorizes the use of intoxicating beverages at a public park for the Centennial Benefit Concert celebration scheduled for May 30, 2026 from 5:00PM to 8:00PM at Phillips Field.

Curt S. Dahl, Council President

Ronald Jubin, Ph.D., Mayor

ADOPTED: MAY 7, 2026
INDEX: MISC./BOROUGH PROP.
C: POLICE, D. GRAY, OEM

**BOROUGH OF WATCHUNG
RESOLUTION: R4**

WHEREAS, PTO Watchung Inc. will be partnering with the Borough of Watchung for a borough-sponsored event scheduled to be held on May 30, 2026, and permission has been requested to the NJ Legalized Games of Chance Control Commission for a Raffle Permit; and

WHEREAS, the PTO Watchung Inc. (PTO) has asked that the Mayor and Council waive the section of the Borough Code restricting the use of certain games of chance at a public park, as set forth in Chapter 16-1.10 of the Code of the Borough of Watchung; and

WHEREAS, the PTO has filed a Raffle Permit Application with the NJ Legalized Games of Chance Control Commission and subject to their approval, the Mayor and Council hereby authorize the waiver of section 16-1.10 of the borough code.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Watchung that restriction of games of chance in section 16-1.10 of the borough code is hereby waived for the Centennial Benefit Concert celebration scheduled for May 30, 2026 at Phillips Field.

Curt S. Dahl, Council President

Ronald Jubin, Ph.D., Mayor

ADOPTED: MAY 7, 2026
INDEX: MISC./BOROUGH PROP.
C: POLICE, D. GRAY, OEM

**BOROUGH OF WATCHUNG
RESOLUTON: R5**

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

WHEREAS, said applications have been presented as required for Findings and Determinations; and

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Watchung, County of Somerset, State of New Jersey that the Borough Clerk is hereby instructed to issue Raffle License #696 as follows:

NAME & ADDRESS OF ORGANIZATION

DATES OF RAFFLE

PTO Watchung Inc.
113 Bayberry Lane
Watchung, NJ 07069-6587

RL# 696 – 5/30/2026
On Premise Raffle

Curt S. Dahl, Council President

Ronald Jubin, Ph.D. Mayor

ADOPTED: MAY 7, 2026
INDEX: LICENSES
C: C. LANGE, PD

**BOROUGH OF WATCHUNG
RESOLUTION: R6**

WHEREAS, Section 2-25.13 of the Code of the Borough of Watchung requires that contracts for purchases or services involving more than the authorized bid threshold be awarded by a resolution of the Mayor and Council.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey, that the Purchasing Agent be authorized to issue Purchase Orders as follows:

Vendor: Thomas Canize, 58 Madison Avenue, Flemington, NJ 08822
Item: 2026 Property Tax Inspections
Total Price: \$14,100.00
Charged to: 6-01-135-281

Vendor: Chatham Lawnmower Services, 14 Commerce Street, Chatham, NJ 07928
Item: Toro Z Master 5000 52 inch
Total Price: \$15,671.80
Charged to: 6-01-610-206

Vendor: Cliffside Body Corp., 130 Broad Avenue, P.O. Box 206, Fairview, NJ 07022
Item: Mason Dump Rebuild
Total Price: \$37,999.00
Charged to: 6-01-610-206

Vendor: Deere & Company, 2000 John Deere Run, Cary, NC 27513
Item: W36M Walk Behind Mower
Total Price: \$6,137.38
Charged to: 6-01-610-206

Vendor: Deere & Company, 2000 John Deere Run, Cary, NC 27513
Item: 2026 Gator XUV
Total Price: \$34,348.79
Charged to: 6-01-610-206 & G-03-520-122

Vendor: National Auto Fleet Group
Item: 2026 Super Duty F 550 XLT
Total Price: \$66,513.89
Charged to: 6-01-610-206

Vendor: National Water Main Cleaning Co., 1806 Newark Turnpike, Kearney, NJ 07032
Item: Point Repair
Total Price: \$41,190.00
Charged to: 6-01-610-201

**BOROUGH OF WATCHUNG
RESOLUTION: R6**

Vendor: Thomas O'Connor Contracting, 1165 Clinton Terrace, South Plainfield, NJ 07080
Item: Gazebo and Carriage House
Total Price: \$14,505.00
Charged to: C-02-914-Z11 & 6-01-155-273

Vendor: Penyak Roofing Co., 3571 Kennedy Road, South Plainfield, NJ 07080
Item: Boro Hall Stairs Repair
Total Price: \$6,400.00
Charged to: 6-01-610-202

Curt S. Dahl, Council President

Ronald Jubin, Ph.D., Mayor

ADOPTED: MAY 7, 2026
INDEX: PURCHASING
C: B. HANCE

**BOROUGH OF WATCHUNG
RESOLUTION: R7**

WHEREAS, the Borough of Watchung wishes to host a Centennial Benefit Concert event and seeks to waive the Mobile Food Establishment License fee(s) and the required Fire Inspection permit fees for this event to be held Saturday, May 30, 2026.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey that all Borough application fees are hereby waived for in connection with the upcoming Centennial Benefit Concert event sponsored by the Borough.

BE IT FURTHER RESOLVED, that all other aspects of the approval process hereby remain in place and complete applications shall be on file with the Borough.

Curt S. Dahl, Council President

Ronald Jubin, Ph.D., Mayor

ADOPTED: MAY 7, 2026
INDEX: BOH, MISC,
C: BOH SECRETARY, FIRE OFFICIAL

BOROUGH OF WATCHUNG
RESOLUTION: R8

WHEREAS, in accordance with the “New Jersey Local Unit Pay to Play” law, Public Law 2004, Chapter 19 (N.J.S.A. 19:44A-20.4 et seq), the Borough of Watchung solicited proposals for the professional services of an Engineer for the year 2026 and were opened on November 20, 2025; and

WHEREAS, the Borough Council previously awarded a contract on January 6, 2026 to Remington & Vernick Engineers, 429 Route 79, Suite 21, Morganville, NJ 07751 to perform the duties of Professional Engineer for the Borough including special assignments that may arise during the course of performing these duties; and

WHEREAS, Remington & Vernick Engineers as part of its services to the Borough during 2026 can provide design, inspection and construction administration services for the 2026 NJDOT Municipal Aid Program Grant; and

WHEREAS, the need exists for Remington & Vernick Engineers to provide said services; and

WHEREAS, the Chief Financial Officer of the Borough of Watchung has certified that funds are available from the following Account: 6-01-610-201.

William J. Hance, CFO

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Watchung that Remington & Vernick Engineers is hereby authorized to provide design, inspection and construction administration services as listed on the attached proposal, dated April 26, 2026, in an amount not to exceed \$444,129.00 for the 2026 NJDOT Municipal Aid Program Grant.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to advertise the contract amendment within ten days from the date hereof in accordance with the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) concerning the award of contracts for professional services.

Curt Dahl Council President

Ronald Jubin, Ph.D. Mayor

ADOPTED: MAY 7, 2026
INDEX: AWARDS, ROADS, FINANCE-BONDS,
C: W. HANCE, ENG.,

Borough of Watchung

RESOLUTION R9

BE IT RESOLVED, by the Mayor and Council of the Borough of Watchung,

that the Borough Treasurer be, and is hereby directed to pay bills in the amount of \$5,344,497.28 per the attached bill list. The expenditures can be broken down into the following categories:

Affordable Housing Trust	\$	1,942.50
Animal Control	\$	3.60
Assessment Trust Fund	\$	-
Developer Escrow	\$	44,479.50
Other Escrow	\$	71,236.48
Capital Fund	\$	-
Grant Fund	\$	891.74
Watchung Borough Board of Education	\$	1,265,862.00
Watchung Hills Regional High School	\$	650,395.00
Somerset County Taxes	\$	1,971,749.22
Current Fund	\$	1,318,062.24
Total:	\$	5,324,622.28

Robert Gibbs

Curt Dahl, Council President

Paul Fischer

Paolo Marano

Christine Ead

Sonia Abi Habib

William J. Hance, CFO

Ronald Jubin, Mayor

James Damato, Administrator

Date: May 7, 2026
Index: Finance

Range of Checking Accts: AFFORD HOUSING to WIRE TRANSFER Range of Check Dates: 04/15/26 to 05/01/26
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
AFFORD HOUSING AFFORDABLE HOUSING TRUST FUND					
755	04/30/26	BATEM DIFRANCESCO,BATEMAN,COLEY,	1,942.50	04/30/26 VOID	6282
756	04/30/26	BATEM DIFRANCESCO,BATEMAN,COLEY,	1,942.50		6282
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
		Checks: 1	1	1,942.50	1,942.50
		Direct Deposit: 0	0	0.00	0.00
		Total: 1	1	1,942.50	1,942.50
ANIMAL CONTROL Citizens Animal Control Trust					
1125	04/30/26	NJDHS NJ DEPT OF HEALTH & SENIOR SER	3.60	04/30/26 VOID	6284
1126	04/30/26	NJDHS NJ DEPT OF HEALTH & SENIOR SER	3.60		6284
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
		Checks: 1	1	3.60	3.60
		Direct Deposit: 0	0	0.00	0.00
		Total: 1	1	3.60	3.60
CAPITAL ACCOUNT Citizens Capital Fund					
2446	04/30/26	HVISERVI HVI SERVICES	19,875.00	04/30/26 VOID	6286
2447	04/30/26	HVISERVI HVI SERVICES	19,875.00		6286
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
		Checks: 1	1	19,875.00	19,875.00
		Direct Deposit: 0	0	0.00	0.00
		Total: 1	1	19,875.00	19,875.00
CURRENT FUND Current Fund					
44911	04/16/26	ANIMALCO Animal Control Solutions	75.00		6263
44912	04/16/26	ANCONSU ANS CONSULTANTS, INC	1,200.00		6263
44913	04/16/26	ASSEMBLY ASSEMBLY WIZ PRO	895.00		6263
44914	04/16/26	ATLAN Atlantic Tactical, Inc.	1,284.78		6263
44915	04/16/26	BLOOD005 Bloodgood Law Enforcement	390.00		6263
44916	04/16/26	DOCUMENT Document Solutions	10.33		6263
44917	04/16/26	EVERW005 EVERWhite Corporation	842.00		6263
44918	04/16/26	NCE NC ENTERTAINMENT	1,750.00		6263
44919	04/16/26	PRODUNK PRO DUNK	1,615.50		6263
44920	04/16/26	PSEG PSE&G CO.	9,751.52		6263
44921	04/16/26	SOM10 SOMERSET C'TY TAXES	1,589,022.93		6263
44922	04/16/26	SOM13 SOMERSET C'TY LIBRARY TAX	213,662.78		6263
44923	04/16/26	SOM14 SOMERSET C'TY OPEN SPACE TAX	169,063.51		6263
44924	04/16/26	VW VERIZON WIRELESS	1,548.09		6263
44925	04/16/26	WBBOE WATCHUNG BOROUGH BOARD OF ED	1,265,862.00		6263
44926	04/16/26	WHRHS WATCHUNG HILLS REG.HIGH SCHOOL	650,395.00		6263
44927	04/17/26	AMAZ Amazon Capital Services, Inc	421.22		6264
44928	04/17/26	TKELEVAT TK ELEVATOR CORPORATION	7,166.60		6264
835	04/29/26	NJSHB NJ STATE HEALTH BENEFITS	296,378.74		6270
836	04/29/26	CLEARFLY Clearfly	381.60		6270
839	04/29/26	US PO US POSTAL SERVICE	1,510.00		6273
840	04/29/26	ONSTAR Onstar	45.84		6274
841	04/29/26	SHERWEB Sherweb	203.23		6275

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CURRENT FUND		Current Fund	Continued		
842	04/29/26	CLEARFLY Clearfly	381.60		6276
843	04/29/26	TRANSFIR Transfirst	1,901.79		6277
844	04/29/26	VW VERIZON WIRELESS	11,452.28		6278
845	04/29/26	WAT01 WATCHUNG BORO. PAYROLL ACCT.	269,825.45		6258
846	04/29/26	CITIZEN Citizens Bank	5,153.11		6279
847	05/01/26	CITIZEN Citizens Bank	2,799.60		6280
848	05/01/26	WAT01 WATCHUNG BORO. PAYROLL ACCT.	513,184.79		6281
44929	05/01/26	ACDAUGHT PYE-BARKER FIRE & SAFETY	1,333.71	05/01/26 VOID	6281
44930	05/01/26	ADS Action Data Services	2,133.18	05/01/26 VOID	6281
44931	05/01/26	ADVANTAG Advantage Voice Data	1,080.00	05/01/26 VOID	6281
44932	05/01/26	AMAZ Amazon Capital Services, Inc	4,221.38	05/01/26 VOID	6281
44933	05/01/26	ANSCONSU ANS CONSULTANTS, INC	1,375.00	05/01/26 VOID	6281
44934	05/01/26	ASLGROUP ASL Group LLC	20,000.00	05/01/26 VOID	6281
44935	05/01/26	AXONENTE Axon Enterprise, Inc.	58,126.29	05/01/26 VOID	6281
44936	05/01/26	BATEM DIFRANCESCO,BATEMAN,COLEY,	4,754.50		6281
44937	05/01/26	BATTERIE BATTERIES PLUS BULBS	294.84		6281
44938	05/01/26	BNP BOROUGH OF NORTH PLAINFIELD	8,188.05		6281
44939	05/01/26	BOLDELEC BOLD ELECTRIC & GENERATORS	500.00		6281
44940	05/01/26	CHATHAML CHATHAM LAWNMOWER SERVICES	2,131.80		6281
44941	05/01/26	CONTAINTE Container Services of NJ	1,900.00		6281
44942	05/01/26	DAVIDPET DAVID PETERSEN	125.00		6281
44943	05/01/26	DEERC DEER CARCASS REMOVAL SERVICE	55.00		6281
44944	05/01/26	EVI EVIDENT	225.41		6281
44945	05/01/26	EVOQUA EVOQUA WATER TECHNOLOGIES, LLC	1,620.30		6281
44946	05/01/26	EXCEPTIO EXCEPTIONAL POWER EQUIPMENT	1,300.00		6281
44947	05/01/26	FCS FANWOOD CRUSHED STONE	450.00		6281
44948	05/01/26	FITRITEU FIT-RITE UNIFORM CO., INC.	2,222.00		6281
44949	05/01/26	FORT SUN LIFE FINANCIAL	656.29		6281
44950	05/01/26	GLCI GALBRAITH LANDSCAPE CONST.,INC	2,225.00		6281
44951	05/01/26	GLENCOSU GLENCO SUPPLY, INC.	2,850.00		6281
44952	05/01/26	GLS GROVE LOCK & SAFE CO.	28.75		6281
44953	05/01/26	GPU JCP & L	243.35		6281
44954	05/01/26	GSHPI NATIONAL HIGHWAY PRODUCTS	1,109.58		6281
44955	05/01/26	HANCE WILLIAM HANCE	34.98		6281
44956	05/01/26	HODE2 HOME DEPOT CREDIT SERVICES	2,779.49		6281
44957	05/01/26	HOFF HOFFMAN TIRE CO., INC.	875.00		6281
44958	05/01/26	INTERGLO Interglobe Communications	13.31		6281
44959	05/01/26	JSSP JOHNSTONE SUPPLY- S.PLAINFIELD	418.83		6281
44960	05/01/26	KCGINC KCG, INC.	5,830.74		6281
44961	05/01/26	LMI LANDSCAPE MATERIALS INS.	1,851.71		6281
44962	05/01/26	MAILFINA Quadient Leasing	381.00		6281
44963	05/01/26	MDRS MD RADIO SERVICES	1,512.00		6281
44964	05/01/26	MPI WOODS MACHINERY	30.16		6281
44965	05/01/26	NATCH COMPOST 360 ACQUISITION PARENT	3,035.00		6281
44966	05/01/26	NFUELOIL NATIONAL FUEL OIL, INC.	2,687.66		6281
44967	05/01/26	NJAWC NJ AMERICAN WATER	1,389.07		6281
44968	05/01/26	NJRA New Jersey Registrars' Associa	25.00		6281
44969	05/01/26	NORTHERN NORTHERN NURSERIES, INC.	3,223.00		6281
44970	05/01/26	PINTO PINTO BROTHERS	364.25		6281
44971	05/01/26	PRED PREDATOR TREE SERVICE	3,200.00		6281
44972	05/01/26	PSEG PSE&G CO.	355.77		6281
44973	05/01/26	RAP READ AUTO PARTS	59.90		6281

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CURRENT FUND	Current Fund		Continued		
44974	05/01/26	RT23AUTO ROUTE 23 AUTO MALL	6,922.02		6281
44975	05/01/26	SJFUEL SO SJ FUEL SOUTH CO., INC.	5,325.63		6281
44976	05/01/26	SOM09 SOMERSET COUNTY ROAD DIVISION	140.56		6281
44977	05/01/26	SPEENEY2 Doug Speeney	89.50		6281
44978	05/01/26	SPSCO SOMERSET PLUMBING SUPPLY CO.	213.17		6281
44979	05/01/26	STAPL STAPLES BUSINESS ADVANTAGE	1,001.41		6281
44980	05/01/26	STIRE DAVID STIRES ASSOC LLC	862.50		6281
44981	05/01/26	TCTA TAX COLL & TREA ASSOC OF NJ	125.00		6281
44982	05/01/26	THESIGN The Sign Center	815.00		6281
44983	05/01/26	THEYARDT THE YARD TOPSOIL & MULCH DEPOT	1,244.90		6281
44984	05/01/26	TIGRISAQ TIGRIS AQUATIC SERVICE, LLC	246.77		6281
44985	05/01/26	TOSHIBA Toshiba Financial Services	8,515.80		6281
44986	05/01/26	ULINE Uline Ship.Supply Specialist	1,153.33		6281
44987	05/01/26	ULTATEL ULTATEL	1,065.74		6281
44988	05/01/26	UNIVERS2 University Behavioral Health	915.00		6281
44989	05/01/26	UPS THE UPS STORE	54.31		6281
44990	05/01/26	VFIS VFIS	3,483.00		6281
44991	05/01/26	VW VERIZON WIRELESS	1,558.75		6281
44992	05/01/26	WAC WELDON ASPHALT COMPANY	394.57		6281
44993	05/01/26	WAR01 Costello's Ace Hardward	1,449.24		6281
44994	05/01/26	WARRENMA Warren Machine Company LLC	1,950.00		6281
44995	05/01/26	WAT01 WATCHUNG BORO. PAYROLL ACCT.	513,184.79	05/01/26 VOID	6281
44996	05/01/26	WAT02 WATCHUNG FIRE DEPARTMENT	371.67		6281
44997	05/01/26	WILSO WILSON MEMORIAL UNION CHURCH	300.00		6281
44998	05/01/26	WRS Watchung Rescue Squad	2,480.00		6281
44999	05/01/26	ACDAUGHT PYE-BARKER FIRE & SAFETY	1,333.71		6281
45000	05/01/26	ADS Action Data Services	2,133.18		6281
45001	05/01/26	ADVANTAG Advantage Voice Data	1,080.00		6281
45002	05/01/26	AMAZ Amazon Capital Services, Inc	4,221.38		6281
45003	05/01/26	ANSCONSU ANS CONSULTANTS, INC	1,375.00		6281
45004	05/01/26	ASLGROUP ASL Group LLC	20,000.00		6281
45005	05/01/26	AXONENTE Axon Enterprise, Inc.	58,126.29		6281
Checking Account Totals			<u>Amount Paid</u>	<u>Amount Void</u>	
	Checks:	<u>Paid</u> 99 <u>Void</u> 8	5,206,068.46	601,454.35	
	Direct Deposit:	<u>0</u> <u>0</u>	<u>0.00</u>	<u>0.00</u>	
	Total:	<u>99</u> <u>8</u>	<u>5,206,068.46</u>	<u>601,454.35</u>	
GRANT FUND	Citizens Grant Fund				
3148	04/30/26	JMDESIGN JM DESIGNS	815.00	04/30/26 VOID	6287
3149	04/30/26	THERESA Theresa DeFilippis	76.74	04/30/26 VOID	6287
3150	04/30/26	JMDESIGN JM DESIGNS	815.00		6287
3151	04/30/26	THERESA Theresa DeFilippis	76.74		6287
Checking Account Totals			<u>Amount Paid</u>	<u>Amount Void</u>	
	Checks:	<u>2</u> <u>2</u>	891.74	891.74	
	Direct Deposit:	<u>0</u> <u>0</u>	<u>0.00</u>	<u>0.00</u>	
	Total:	<u>2</u> <u>2</u>	<u>891.74</u>	<u>891.74</u>	
PNC DEV ESCROW	Developer Escrow				
15820	04/30/26	BATEM DIFRANCESCO,BATEMAN,COLEY,	407.00	04/30/26 VOID	6285
15821	04/30/26	BRIGHTVI Bright View Engineering, LLC	44,072.50	04/30/26 VOID	6285
15822	04/30/26	BATEM DIFRANCESCO,BATEMAN,COLEY,	407.00		6285

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
PNC DEV ESCROW	Developer Escrow	Continued			
15823	04/30/26	BRIGHTVI Bright View Engineering, LLC	44,072.50		6285
Checking Account Totals			<u>Amount Paid</u>	<u>Amount Void</u>	
			<u>Checks:</u>	<u>2</u>	
			<u>2</u>	<u>44,479.50</u>	
			<u>44,479.50</u>	<u>44,479.50</u>	
			<u>0</u>	<u>0.00</u>	
			<u>0</u>	<u>0.00</u>	
			<u>2</u>	<u>44,479.50</u>	
PNC OTHER ESC	Citizens Savings Other Escrow				
15562	04/17/26	REEFCO Reefco Aquarium Service, LLC	126.50		6265
216	04/29/26	WAT01 WATCHUNG BORO. PAYROLL ACCT.	10,257.50		6262
217	05/01/26	WAT01 WATCHUNG BORO. PAYROLL ACCT.	48,428.99		6283
15563	05/01/26	AMAZ Amazon Capital Services, Inc	698.99	05/01/26 VOID	6283
15564	05/01/26	WAT01 WATCHUNG BORO. PAYROLL ACCT.	48,428.99	05/01/26 VOID	6283
15565	05/01/26	WAT03 WATCHUNG BOROUGH CURRENT FUND	11,724.50	05/01/26 VOID	6283
15566	05/01/26	AMAZ Amazon Capital Services, Inc	698.99		6283
15567	05/01/26	WAT03 WATCHUNG BOROUGH CURRENT FUND	11,724.50		6283
Checking Account Totals			<u>Amount Paid</u>	<u>Amount Void</u>	
			<u>Checks:</u>	<u>5</u>	
			<u>3</u>	<u>71,236.48</u>	
			<u>71,236.48</u>	<u>60,852.48</u>	
			<u>0</u>	<u>0.00</u>	
			<u>0</u>	<u>0.00</u>	
			<u>5</u>	<u>71,236.48</u>	
Report Totals			<u>Amount Paid</u>	<u>Amount Void</u>	
			<u>Checks:</u>	<u>111</u>	
			<u>18</u>	<u>5,344,497.28</u>	
			<u>5,344,497.28</u>	<u>729,499.17</u>	
			<u>0</u>	<u>0.00</u>	
			<u>0</u>	<u>0.00</u>	
			<u>111</u>	<u>5,344,497.28</u>	

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
Current Fund	5-01	3,031.45	0.00	0.00	3,031.45
Current Fund	6-01	5,203,037.01	0.00	0.00	5,203,037.01
Capital Fund	C-02	19,875.00	0.00	0.00	19,875.00
	D-11	3.60	0.00	0.00	3.60
Grant Fund	G-03	891.74	0.00	0.00	891.74
	H-06	1,942.50	0.00	0.00	1,942.50
	T-93	71,236.48	0.00	0.00	71,236.48
Total of All Funds:		5,300,017.78	0.00	0.00	5,300,017.78

Project Description	Project No.	Project Total
Blue Star Inspection Escrow	E-BLUESTA1	314.50
Drift Road Project	E-PB-DRIFT	92.50
Bonnie Burn Rd PB19-01	E-PB24-01	35,742.50
village Supermarket	E-PB25-02	8,330.00
Total of All Projects:		<u>44,479.50</u>

Range of Checking Accts: AFFORD HOUSING to WIRE TRANSFER Range of Check Dates: 04/15/26 to 05/01/26
Report Type: All Checks Report Format: Detail Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void	Ref Num
PO #	Item	Description				Contract	Ref Seq Acct
AFFORD HOUSING AFFORDABLE HOUSING TRUST FUND							
755	04/30/26	BATEM DIFRANCESCO,BATEMAN,COLEY,		(Replaced By: AFFORD HOUSING 756)		04/30/26 VOID	6282
26-00080	31	affordable housing	1,942.50	H-06- -100-101	Budget		1 1
				Affordable Housing Trust Fund			
756	04/30/26	BATEM DIFRANCESCO,BATEMAN,COLEY,		(Replacement of: AFFORD HOUSING 755)			6282
26-00080	31	affordable housing	1,942.50	H-06- -100-101	Budget		1 1
				Affordable Housing Trust Fund			

Checking Account Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
Checks:	1	1	1,942.50	1,942.50
Direct Deposit:	0	0	0.00	0.00
Total:	1	1	1,942.50	1,942.50

ANIMAL CONTROL Citizens Animal Control Trust							
1125	04/30/26	NJDHS NJ DEPT OF HEALTH & SENIOR SER		(Replaced By: ANIMAL CONTROL 1126)		04/30/26 VOID	6284
26-00012	3	March dog lic #166-168	3.60	D-11- -100-201	Budget		1 1
				Animal Control Trust Fund			
1126	04/30/26	NJDHS NJ DEPT OF HEALTH & SENIOR SER		(Replacement of: ANIMAL CONTROL 1125)			6284
26-00012	3	March dog lic #166-168	3.60	D-11- -100-201	Budget		1 1
				Animal Control Trust Fund			

Checking Account Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
Checks:	1	1	3.60	3.60
Direct Deposit:	0	0	0.00	0.00
Total:	1	1	3.60	3.60

CAPITAL ACCOUNT Citizens Capital Fund							
2446	04/30/26	HVISERVI HVI SERVICES		(Replaced By: CAPITAL ACCOUNT 2447)		04/30/26 VOID	6286
26-00488	1	WOOD GRINDING	19,875.00	C-02- -244-A14	Budget		1 1
				Ness Farm Improvements			
2447	04/30/26	HVISERVI HVI SERVICES		(Replacement of: CAPITAL ACCOUNT 2446)			6286
26-00488	1	WOOD GRINDING	19,875.00	C-02- -244-A14	Budget		1 1
				Ness Farm Improvements			

Checking Account Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
Checks:	1	1	19,875.00	19,875.00
Direct Deposit:	0	0	0.00	0.00
Total:	1	1	19,875.00	19,875.00

CURRENT FUND Current Fund							
44911	04/16/26	ANIMALCO Animal Control Solutions					6263
26-00091	10	animal control	75.00	6-01- -235-273	Budget		12 1
				Other Contracted Service			
44912	04/16/26	ANSCONSU ANS CONSULTANTS, INC					6263
25-01236	15	library inspection	1,200.00	6-01- -610-202	Budget		6 1
				Buildings & Grounds Improvements			

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	Ref Seq	Num Acct
PO #	Item	Description							
CURRENT FUND Current Fund Continued									
44913	04/16/26	ASSEMBLY ASSEMBLY WIZ PRO					6263		
26-00460	1	Mobus Field - Backboard	895.00	6-01- -245-254	Budget		19	1	
				Other Materials & Supplies					
44914	04/16/26	ATLAN Atlantic Tactical, Inc.					6263		
25-01062	1	Safariland Male Panel Set	1,013.60	5-01- -610-207	Budget		1	1	
				Police Department Equipment					
25-01062	2	Safariland Armor M Series	120.40	5-01- -610-207	Budget		2	1	
				Police Department Equipment					
25-01062	3	Safariland Impac MT 5x8	142.80	5-01- -610-207	Budget		3	1	
				Police Department Equipment					
25-01062	4	NameTap: STUART	3.99	5-01- -610-207	Budget		4	1	
				Police Department Equipment					
25-01062	5	Sew-on Velcro	3.99	5-01- -610-207	Budget		5	1	
				Police Department Equipment					
			1,284.78						
44915	04/16/26	BLOOD005 Bloodgood Law Enforcement					6263		
26-00435	1	Cops and Kids Training Class	195.00	6-01- -190-276	Budget		15	1	
				Training Aids & Program					
26-00435	2	Search Warrants for Beginners	195.00	6-01- -190-276	Budget		16	1	
				Training Aids & Program					
			390.00						
44916	04/16/26	DOCUMENT Document Solutions					6263		
26-00276	2	water cooler rentals	10.33	6-01- -155-273	Budget		13	1	
				Bldg.-Other Contracted Serv.					
44917	04/16/26	EVERW005 EVERwhite Corporation					6263		
26-00409	1	40"x60" Magnetic whiteboard	842.00	6-01- -205-227	Budget		14	1	
				Office Supplies & Materials					
44918	04/16/26	NCE NC ENTERTAINMENT					6263		
26-00452	1	Benefit Concert - May 30th	1,750.00	6-01- -245-217	Budget		17	1	
				Special Events					
44919	04/16/26	PRODUNK PRO DUNK					6263		
26-00459	1	Mobus Field - Backboard	1,615.50	6-01- -245-254	Budget		18	1	
				Other Materials & Supplies					
44920	04/16/26	PSEG PSE&G CO.					6263		
26-00474	1	Streeet/Traffic lighting	1,021.69	6-01- -283-263	Budget		21	1	
				Electricity					
26-00474	2	Bulding Electricity	2,703.00	6-01- -283-163	Budget		22	1	
				Electricity					
26-00474	3	Buiding Gas	919.77	6-01- -283-362	Budget		23	1	
				Heating/AC					
26-00474	4	Sewer	5,107.06	6-01- -225-263	Budget		24	1	
				Gas & Electric					
			9,751.52						

Check #	Check Date	Vendor		Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	
PO #	Item	Description						Seq	Acct
CURRENT FUND									
		Current Fund	Continued						
44921	04/16/26	SOM10 SOMERSET C'TY TAXES						6263	
26-00084	2	county taxes	1,589,022.93	6-01- -907-999	Budget			9	1
				COUNTY TAXES PAYABLE					
44922	04/16/26	SOM13 SOMERSET C'TY LIBRARY TAX						6263	
26-00086	2	county library tax	213,662.78	6-01- -908-999	Budget			11	1
				COUNTY LIBRARY TAXES PAYABLE					
44923	04/16/26	SOM14 SOMERSET C'TY OPEN SPACE TAX						6263	
26-00085	2	county open space tax	169,063.51	6-01- -909-999	Budget			10	1
				COUNTY OPEN SPACE TAX PAYABLE					
44924	04/16/26	VW VERIZON WIRELESS						6263	
26-00473	1	april Cell phones payment	1,548.09	6-01- -283-459	Budget			20	1
				Telephone					
44925	04/16/26	WBBOE WATCHUNG BOROUGH BOARD OF ED						6263	
26-00002	5	school taxes May	1,265,862.00	6-01- -901-999	Budget			8	1
				WAT BD OF ED TAXES PAYABLE					
44926	04/16/26	WHRHS WATCHUNG HILLS REG.HIGH SCHOOL						6263	
26-00001	5	school taxes April	650,395.00	6-01- -902-999	Budget			7	1
				WHRHS TAXES PAYABLE					
44927	04/17/26	AMAZ Amazon Capital Services, Inc						6264	
26-00476	1	dpw supplies	421.22	6-01- -205-237	Budget			2	1
				Building Supplies & Materials					
44928	04/17/26	TKELEVAT TK ELEVATOR CORPORATION						6264	
26-00112	1	2026 FULL MAINTENANCE CONTRACT	7,166.60	6-01- -205-273	Budget			1	1
				Other Contractural Services					
835	04/29/26	NJSBH NJ STATE HEALTH BENEFITS						6270	
26-00010	7	April active	154,865.64	6-01- -175-393	Budget			1	1
				Health Benefits Plan					
26-00010	8	April retired	141,513.10	6-01- -175-393	Budget			2	1
				Health Benefits Plan					
			<u>296,378.74</u>						
836	04/29/26	CLEARFLY Clearfly						6270	
26-00298	3	April telephone service	381.60	6-01- -283-459	Budget			3	1
				Telephone					
839	04/29/26	US PO US POSTAL SERVICE						6273	
26-00520	1	postage	1,510.00	6-01- -115-257	Budget			1	1
				Postage Expense					
840	04/29/26	ONSTAR Onstar						6274	
26-00521	1	car service	45.84	6-01- -250-267	Budget			1	1
				Office Furniture & Equip. Srv.					

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	Ref Seq	Acct
PO #	Item	Description							
CURRENT FUND Current Fund Continued									
841	04/29/26	SHERWEB Sherweb					6275		
26-00522	1	computer service	203.23	6-01- -115-233 Computer Expenses	Budget		1	1	
842	04/29/26	CLEARFLY Clearfly					6276		
26-00523	1	phone service	381.60	6-01- -283-459 Telephone	Budget		1	1	
843	04/29/26	TRANSFIR Transfirst					6277		
26-00524	1	court credit card	1,901.79	6-01- -405-267 Office Furn. & Equip. Service	Budget		1	1	
844	04/29/26	VW VERIZON WIRELESS					6278		
26-00525	1	phone service	11,452.28	6-01- -283-459 Telephone	Budget		1	1	
845	04/29/26	WAT01 WATCHUNG BORO. PAYROLL ACCT.		(Replacement of: CURRENT FUND 44907)			6258		
26-00426	1	Watchung Boro payroll	2,933.29	6-01- -190-111 Salary & Wage	Budget		119	1	
26-00426	2	Watchung Boro payroll	191.24	6-01- -190-112 Overtime	Budget		120	1	
26-00426	3	Watchung Boro payroll	287.66	6-01- -200-111 Salary & Wage	Budget		121	1	
26-00426	4	Watchung Boro payroll	875.00	6-01- -255-111 Salary & Wage	Budget		122	1	
26-00426	5	Watchung Boro payroll	2,083.33	6-01- -110-111 Salary & Wage	Budget		123	1	
26-00426	6	Watchung Boro payroll	12,874.65	6-01- -115-111 Salary & Wage	Budget		124	1	
26-00426	7	Watchung Boro payroll	3,705.48	6-01- -135-111 Salary & Wage	Budget		125	1	
26-00426	8	Watchung Boro payroll	2,491.91	6-01- -140-111 Salary & Wage	Budget		126	1	
26-00426	9	Watchung Boro payroll	2,726.08	6-01- -150-111 Salary & Wages	Budget		127	1	
26-00426	10	Watchung Boro payroll	5,000.00	6-01- -205-111 Salary & Wage	Budget		128	1	
26-00426	11	Watchung Boro payroll	2,434.74	6-01- -187-111 Salary & Wage	Budget		129	1	
26-00426	12	Watchung Boro payroll	163,615.92	6-01- -190-111 Salary & Wage	Budget		130	1	
26-00426	13	Watchung Boro payroll	4,352.73	6-01- -190-112 Overtime	Budget		131	1	
26-00426	14	Watchung Boro payroll	2,475.53	6-01- -190-112 Overtime	Budget		132	1	
26-00426	15	Watchung Boro payroll	16,436.60	6-01- -205-111 Salary & Wage	Budget		133	1	
26-00426	18	Watchung Boro payroll	4,335.16	6-01- -185-212 Stipend	Budget		134	1	
26-00426	19	Watchung Boro payroll	746.61	6-01- -205-111 Salary & Wage	Budget		135	1	

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	
PO #	Item	Description					Ref Seq	Acct
CURRENT FUND	Current Fund		Continued					
845	WATCHUNG BORO.	PAYROLL ACCT.	Continued					
26-00426	20	Watchung Boro payroll	1,101.04	6-01- -260-111	Budget		136	1
				Salary & Wage				
26-00426	21	Watchung Boro payroll	2,919.16	6-01- -405-111	Budget		137	1
				Salary & Wage				
26-00426	22	Watchung Boro payroll	126.75	6-01- -307-283	Budget		138	1
				DCRP				
26-00426	23	Watchung Boro payroll	9,798.00	6-01- -310-218	Budget		139	1
				Social Security / Medicare				
26-00426	25		2,326.55	6-01- -165-111	Budget		140	1
				Salary & Wage				
26-00426	26		6,836.11	6-01- -120-111	Budget		141	1
				Salary & Wage				
26-00426	27		9,098.83	6-01- -130-111	Budget		142	1
				Salary & Wage				
26-00426	28		10,053.08	6-01- -250-111	Budget		143	1
				Salary & Wage				
			269,825.45					
846	04/29/26	CITIZEN Citizens Bank					6279	
26-00527	1	credit card purchases	267.39	6-01- -120-233	Budget		1	1
				Computer Expenses				
26-00527	2	email service	960.00	6-01- -115-233	Budget		2	1
				Computer Expenses				
26-00527	3	email service	377.07	6-01- -190-233	Budget		3	1
				Computer Expense				
26-00527	4	credit card purchases	93.72	6-01- -120-233	Budget		4	1
				Computer Expenses				
26-00527	5	credit card purchases	3,000.00	6-01- -155-237	Budget		5	1
				Bldg. Supplies & Materials				
26-00527	6	credit card purchases	454.93	6-01- -110-278	Budget		6	1
				Community Relations				
			5,153.11					
847	05/01/26	CITIZEN Citizens Bank					6280	
26-00528	1	credit card purchases	21.31	6-01- -120-233	Budget		1	1
				Computer Expenses				
26-00528	2	email service	960.00	6-01- -115-233	Budget		2	1
				Computer Expenses				
26-00528	3	wawa catering	295.31	6-01- -190-235	Budget		3	1
				Food & Drugs				
26-00528	4	email service	377.07	6-01- -190-233	Budget		4	1
				Computer Expense				
26-00528	5	events supplies	1,145.91	6-01- -110-278	Budget		5	1
				Community Relations				
			2,799.60					
848	05/01/26	WAT01 WATCHUNG BORO. PAYROLL ACCT.		(Replacement of: CURRENT FUND 44995)			6281	
26-00499	1	Watchung Boro payroll	2,266.41	6-01- -165-111	Budget		91	1
				Salary & Wage				
26-00499	2	Watchung Boro payroll	2,762.50	6-01- -190-111	Budget		92	1
				Salary & Wage				

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	
PO #	Item	Description					Ref Seq	Acct
CURRENT FUND		Current Fund	Continued					
848	WATCHUNG BORO. PAYROLL ACCT.	Continued						
26-00499	3	Watchung Boro payroll	2,531.86	6-01- -120-111 Salary & Wage	Budget		93	1
26-00499	5	Watchung Boro payroll	9,098.83	6-01- -130-111 Salary & Wage	Budget		94	1
26-00499	6	Watchung Boro payroll	3,851.12	6-01- -135-111 Salary & Wage	Budget		95	1
26-00499	7	Watchung Boro payroll	2,491.91	6-01- -140-111 Salary & Wage	Budget		96	1
26-00499	8	Watchung Boro payroll	5,000.00	6-01- -205-111 Salary & Wage	Budget		97	1
26-00499	9	Watchung Boro payroll	2,378.41	6-01- -190-112 Overtime	Budget		98	1
26-00499	10	Watchung Boro payroll	1,253.00	6-01- -190-112 Overtime	Budget		99	1
26-00499	11	Watchung Boro payroll	642.84	6-01- -205-112 Overtime	Budget		100	1
26-00499	12	Watchung Boro payroll	10,053.08	6-01- -250-111 Salary & Wage	Budget		101	1
26-00499	13		1,101.04	6-01- -260-111 Salary & Wage	Budget		102	1
26-00499	14	Watchung Boro payroll	130.32	6-01- -307-283 DCRP	Budget		103	1
26-00499	15	Watchung Boro payroll	9,647.16	6-01- -310-218 Social Security / Medicare	Budget		104	1
26-00499	16	Watchung Boro payroll	287.66	6-01- -200-111 Salary & Wage	Budget		105	1
26-00499	17	Watchung Boro payroll	875.00	6-01- -255-111 Salary & Wage	Budget		106	1
26-00499	18	Watchung Boro payroll	2,083.33	6-01- -110-111 Salary & Wage	Budget		107	1
26-00499	19	Watchung Boro payroll	12,874.65	6-01- -115-111 Salary & Wage	Budget		108	1
26-00499	20	Watchung Boro payroll	2,726.08	6-01- -150-111 Salary & Wages	Budget		109	1
26-00499	21	Watchung Boro payroll	3,532.76	6-01- -187-111 Salary & Wage	Budget		110	1
26-00499	22	Watchung Boro payroll	16,436.60	6-01- -205-111 Salary & Wage	Budget		111	1
26-00499	23	Watchung Boro payroll	2,919.16	6-01- -405-111 Salary & Wage	Budget		112	1
26-00499	24	Watchung Boro payroll	161,987.59	6-01- -190-111 Salary & Wage	Budget		113	1
26-00511	1	Watchung Boro payroll	1,485.99	6-01- -165-111 Salary & Wage	Budget		123	1
26-00511	2	Watchung Boro payroll	2,762.50	6-01- -190-111 Salary & Wage	Budget		124	1
26-00511	3	Watchung Boro payroll	287.66	6-01- -200-111 Salary & Wage	Budget		125	1
26-00511	4	Watchung Boro payroll	875.00	6-01- -255-111 Salary & Wage	Budget		126	1

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	Ref Seq	Acct
PO #	Item	Description							
CURRENT FUND			Continued						
848 WATCHUNG BORO. PAYROLL ACCT.			Continued						
26-00511	5	Watchung Boro payroll	2,083.33	6-01- -110-111 Salary & Wage	Budget		127	1	
26-00511	6	Watchung Boro payroll	13,893.28	6-01- -115-111 Salary & Wage	Budget		128	1	
26-00511	7	Watchung Boro payroll	4,324.83	6-01- -115-111 Salary & Wage	Budget		129	1	
26-00511	8	Watchung Boro payroll	2,531.86	6-01- -120-111 Salary & Wage	Budget		130	1	
26-00511	9	Watchung Boro payroll	9,098.83	6-01- -130-111 Salary & Wage	Budget		131	1	
26-00511	10	Watchung Boro payroll	2,491.91	6-01- -140-111 Salary & Wage	Budget		132	1	
26-00511	11	Watchung Boro payroll	2,726.08	6-01- -150-111 Salary & Wages	Budget		133	1	
26-00511	12	Watchung Boro payroll	5,000.00	6-01- -205-111 Salary & Wage	Budget		134	1	
26-00511	13	Watchung Boro payroll	161,987.59	6-01- -190-111 Salary & Wage	Budget		135	1	
26-00511	14	Watchung Boro payroll	2,407.65	6-01- -190-112 Overtime	Budget		136	1	
26-00511	15	Watchung Boro payroll	856.52	6-01- -190-112 Overtime	Budget		137	1	
26-00511	16	Watchung Boro payroll	17,329.26	6-01- -205-111 Salary & Wage	Budget		138	1	
26-00511	17	Watchung Boro payroll	92.70	6-01- -205-112 Overtime	Budget		139	1	
26-00511	18	Watchung Boro payroll	8,502.33	6-01- -250-111 Salary & Wage	Budget		140	1	
26-00511	19	Watchung Boro payroll	1,101.04	6-01- -265-111 Salary & Wage	Budget		141	1	
26-00511	20	Watchung Boro payroll	2,919.16	6-01- -405-111 Salary & Wage	Budget		142	1	
26-00511	21	Watchung Boro payroll	91.32	6-01- -307-283 DCRP	Budget		143	1	
26-00511	22	Watchung Boro payroll	9,343.42	6-01- -310-218 Social Security / Medicare	Budget		144	1	
26-00511	23	Watchung Boro payroll	3,670.98	6-01- -135-111 Salary & Wage	Budget		145	1	
26-00511	24	Watchung Boro payroll	390.24	6-01- -190-112 Overtime	Budget		146	1	
			513,184.79						
44929	05/01/26	ACDAUGHT PYE-BARKER FIRE & SAFETY		(Replaced By: CURRENT FUND 44999)		05/01/26 VOID	6281		
26-00025	5	2026 SECURITY SYSTEM SERVICES	1,333.71	6-01- -155-273 Bldg.-Other Contracted Serv.	Budget		3	1	
44930	05/01/26	ADS Action Data Services		(Replaced By: CURRENT FUND 45000)		05/01/26 VOID	6281		
26-00097	12	payroll processing	1,728.38	6-01- -130-281 Prof. & Contr. Services-Other	Budget		21	1	

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	Ref Seq	Acct
PO #	Item	Description							
CURRENT FUND	Current Fund		Continued						
44930	Action Data Services	Continued							
26-00097	13	payroll processing	404.80	6-01- -130-281	Budget		22	1	
				Prof. & Contr. Services-Other					
			2,133.18						
44931	05/01/26	ADVANTAG Advantage Voice Data		(Replaced By: CURRENT FUND 45001)		05/01/26 VOID	6281		
26-00509	1	Allworx Remote Support	1,080.00	6-01- -115-233	Budget		120	1	
				Computer Expenses					
44932	05/01/26	AMAZ Amazon Capital Services, Inc		(Replaced By: CURRENT FUND 45002)		05/01/26 VOID	6281		
26-00463	1	FortiGate-40F Firewall	220.96	6-01- -190-233	Budget		74	1	
				Computer Expense					
26-00463	2	Dell Ect1250 Desktop Computers	1,687.98	6-01- -190-233	Budget		75	1	
				Computer Expense					
26-00463	3	Art Portfolio Bag 22"x28.5"	54.12	6-01- -190-232	Budget		76	1	
				General Supplies, NOC					
26-00481	1	Triple Extended MP5 Pouch Blk	29.99	6-01- -190-232	Budget		79	1	
				General Supplies, NOC					
26-00481	2	Viperade Sling Bag	31.34	6-01- -190-232	Budget		80	1	
				General Supplies, NOC					
26-00481	3	Fox Outdoor Triple MP5 Pouch	28.39	6-01- -190-232	Budget		81	1	
				General Supplies, NOC					
26-00492	1	HD Carabiner Clips 10pk 3"	16.99	6-01- -190-244	Budget		85	1	
				Hardware & Minor Tools					
26-00492	2	Ground Anchor Screw 4pk	28.49	6-01- -190-244	Budget		86	1	
				Hardware & Minor Tools					
26-00512	1	DPW supplies	217.56	6-01- -205-225	Budget		147	1	
				Other Equipment					
26-00512	2	centennial events	415.84	6-01- -110-278	Budget		148	1	
				Community Relations					
26-00512	3	senior luncheon	52.57	6-01- -110-278	Budget		149	1	
				Community Relations					
26-00512	4	DPW supplies	142.96	6-01- -205-225	Budget		150	1	
				Other Equipment					
26-00512	5	senior luncheon	665.08	6-01- -110-278	Budget		151	1	
				Community Relations					
26-00512	6	centennial events	629.11	6-01- -110-278	Budget		152	1	
				Community Relations					
			4,221.38						
44933	05/01/26	ANSCONSU ANS CONSULTANTS, INC		(Replaced By: CURRENT FUND 45003)		05/01/26 VOID	6281		
26-00526	1	library inspection services	1,375.00	5-01- -415-464	Budget		154	1	
				Water					
44934	05/01/26	ASLGROUP ASL Group LLC		(Replaced By: CURRENT FUND 45004)		05/01/26 VOID	6281		
26-00037	1	Sherwood Lane mill & pave	20,000.00	6-01- -610-201	Budget		4	1	
				Infrastructure Improvements					
44935	05/01/26	AXONENTE Axon Enterprise, Inc.		(Replaced By: CURRENT FUND 45005)		05/01/26 VOID	6281		
26-00348	1	AXON Fleet 3 - Yr3 +ALPR API	49,401.41	6-01- -190-271	Budget		58	1	
				Equip. Repair & Maint.					

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	
PO #	Item	Description					Ref Seq	Acct
CURRENT FUND	Current Fund		Continued					
44935	Axon Enterprise, Inc.	Continued						
26-00349	1	AXON Air yr 2	8,724.88	6-01- -190-271	Budget		59	1
			<u>58,126.29</u>	Equip. Repair & Maint.				
44936	05/01/26	BATEM DIFRANCESCO, BATEMAN, COLEY,					6281	
26-00080	30	litigation	111.00	6-01- -145-279	Budget		19	1
				Prof. & Cons. Serv. Legal				
26-00080	32	general legal	4,643.50	6-01- -145-279	Budget		20	1
			<u>4,754.50</u>	Prof. & Cons. Serv. Legal				
44937	05/01/26	BATTERIE BATTERIES PLUS BULBS					6281	
26-00057	1	2026 DPW SUPPLIES	294.84	6-01- -155-232	Budget		5	1
				General Supplies				
44938	05/01/26	BNP BOROUGH OF NORTH PLAINFIELD					6281	
26-00503	1	shared court services	8,188.05	6-01- -405-287	Budget		115	1
				Court Interlocal Services Costs				
44939	05/01/26	BOLDELEC BOLD ELECTRIC & GENERATORS					6281	
26-00061	5	2026 DPW MAINTENANCE/SERVICES	500.00	6-01- -155-266	Budget		6	1
				Building Repair & Maintenance				
44940	05/01/26	CHATHAML CHATHAM LAWMOWER SERVICES					6281	
26-00438	1	2026 DPW EQUIPMENT & MACHINERY	2,131.80	6-01- -205-231	Budget		70	1
				Emergency & Safety Supplies				
44941	05/01/26	CONTAINER Container Services of NJ					6281	
26-00416	1	20' USED BOX & TRUCKING CHARGE	1,900.00	6-01- -185-246	Budget		67	1
				Equip. & Machinery Parts				
44942	05/01/26	DAVIDPET DAVID PETERSEN					6281	
26-00498	1	Reimbursement for CDL Permit	125.00	6-01- -205-283	Budget		90	1
				Unclassified Expenses				
44943	05/01/26	DEERC DEER CARCASS REMOVAL SERVICE					6281	
26-00100	2	deer removal	55.00	6-01- -205-273	Budget		23	1
				Other Contractural Services				
44944	05/01/26	EVI EVIDENT					6281	
26-00063	1	Large Rifle Boxes (x25)	86.40	6-01- -190-232	Budget		7	1
				General Supplies, NOC				
26-00063	2	Gun Boxes (x25)	48.00	6-01- -190-232	Budget		8	1
				General Supplies, NOC				
26-00063	3	Shipping TBD	91.01	6-01- -190-232	Budget		9	1
			<u>225.41</u>	General Supplies, NOC				
44945	05/01/26	EVOQUA EVOQUA WATER TECHNOLOGIES, LLC					6281	
26-00065	2	2026 DPW BIOXIDE	1,620.30	6-01- -225-254	Budget		10	1
				Other Material & Supplies				

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	
PO #	Item	Description					Ref Seq	Acct
CURRENT FUND		Current Fund	Continued					
44946	05/01/26	EXCEPTIO EXCEPTIONAL POWER EQUIPMENT					6281	
26-00432	1	2026 DPW EQUIPMENT SUPPLIES	1,300.00	6-01- -205-246	Budget		69	1
				Equipment & Machinery Parts				
44947	05/01/26	FCS FANWOOD CRUSHED STONE					6281	
26-00144	1	2026 DPW STONE PURCHASES	450.00	6-01- -205-242	Budget		46	1
				Asphalt, Paving Materials				
44948	05/01/26	FITRITEU FIT-RITE UNIFORM CO., INC.					6281	
26-00397	1	40 Elbeco UFX S/S Polo Navy	2,200.00	6-01- -190-239	Budget		65	1
				Uniforms, Clothing Expense				
26-00397	2	10% for larger sizes	22.00	6-01- -190-239	Budget		66	1
				Uniforms, Clothing Expense				
			<u>2,222.00</u>					
44949	05/01/26	FORT SUN LIFE FINANCIAL					6281	
26-00505	1	May payment	656.29	6-01- -175-394	Budget		117	1
				Life Insurance				
44950	05/01/26	GLCI GALBRAITH LANDSCAPE CONST.,INC					6281	
26-00484	1	PAVERS & STONE AT CIRCLE	2,225.00	6-01- -205-243	Budget		82	1
				Other Road Materials				
44951	05/01/26	GLENCOSU GLENCO SUPPLY, INC.					6281	
26-00067	2	2026 DPW SUPPLIES	2,850.00	6-01- -205-231	Budget		11	1
				Emergency & Safety Supplies				
44952	05/01/26	GLS GROVE LOCK & SAFE CO.					6281	
26-00068	2	2026 DPW REPAIR & MAINTENANCE	28.75	6-01- -155-273	Budget		12	1
				Bldg.-Other Contracted Serv.				
44953	05/01/26	GPU JCP & L					6281	
26-00507	1	May payment	243.35	6-01- -283-263	Budget		119	1
				Electricity				
44954	05/01/26	GSHPH NATIONAL HIGHWAY PRODUCTS					6281	
26-00117	1	2026 DPW PURCHASES	100.00	6-01- -205-245	Budget		29	1
				Signs				
26-00117	2	2026 DPW PURCHASES	1,009.58	6-01- -205-245	Budget		30	1
				Signs				
			<u>1,109.58</u>					
44955	05/01/26	HANCE WILLIAM HANCE					6281	
26-00007	6	office licenses	34.98	6-01- -115-233	Budget		2	1
				Computer Expenses				
44956	05/01/26	HODE2 HOME DEPOT CREDIT SERVICES					6281	
26-00176	4	2026 DPW PRUCHASES	2,779.49	6-01- -205-244	Budget		50	1
				Hardware and Minor Tools				

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num
PO #	Item	Description					Ref Seq Acct
CURRENT FUND		Current Fund	Continued				
44957	05/01/26	HOFF HOFFMAN TIRE CO., INC.					6281
26-00070	4	2026 DPW REPAIR & SERVICES	875.00	6-01- -185-269 Vehicle Repairs & Maint.	Budget		13 1
44958	05/01/26	INTERGLO Interglobe Communications					6281
26-00506	1	May payment	13.31	6-01- -190-259 Telephone	Budget		118 1
44959	05/01/26	JSSP JOHNSTONE SUPPLY- S.PLAINFIELD					6281
26-00072	5	2026 DPW PURCHASES	418.83	6-01- -155-284 HVAC Repairs	Budget		14 1
44960	05/01/26	KCGINC KCG, INC.					6281
26-00073	4	2026 DPW HVAC SERVICES	5,830.74	6-01- -155-284 HVAC Repairs	Budget		15 1
44961	05/01/26	LMI LANDSCAPE MATERIALS INS.					6281
26-00114	1	2026 DPW MATERIALS & SUPPLIES	1,851.71	6-01- -155-254 Other Materials & Supplies	Budget		28 1
44962	05/01/26	MAILFINA Quadient Leasing					6281
26-00454	1	Postage Lease 1/30/26-4/29/26	381.00	6-01- -190-228 Photocopy Expense	Budget		71 1
44963	05/01/26	MDRS MD RADIO SERVICES					6281
26-00491	1	CABINET REPLACEMENT	1,512.00	6-01- -185-227 Office Supplies & materials	Budget		84 1
44964	05/01/26	MPI WOODS MACHINERY					6281
26-00147	2	2026 DPW SUPPLIES	2.17	6-01- -205-254 Other Materials & Supplies	Budget		48 1
26-00147	3	2026 DPW SUPPLIES	27.99	6-01- -205-254 Other Materials & Supplies	Budget		49 1
			<u>30.16</u>				
44965	05/01/26	NATCH COMPOST 360 ACQUISITION PARENT					6281
26-00118	2	2026 DPW ROLL-OFF CONTAINER	880.00	6-01- -155-283 Bldg. - Unclassified	Budget		31 1
26-00118	3	2026 DPW ROLL-OFF CONTAINER	880.00	6-01- -155-283 Bldg. - Unclassified	Budget		32 1
26-00118	4	2026 DPW ROLL-OFF CONTAINER	1,275.00	6-01- -155-283 Bldg. - Unclassified	Budget		33 1
			<u>3,035.00</u>				
44966	05/01/26	NFUELOIL NATIONAL FUEL OIL, INC.					6281
26-00077	5	diesel 4/2	2,687.66	6-01- -283-751 Motor Fuels	Budget		18 1
44967	05/01/26	NJAWC NJ AMERICAN WATER					6281
26-00532	1	May payment	61.64	6-01- -283-664 water (fire hydrant)	Budget		158 1

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	Ref Seq	Acct
PO #	Item	Description							
CURRENT FUND	Current Fund		Continued						
44967	NJ AMERICAN WATER	Continued							
26-00532	2	May payment	9.69	6-01- -283-564	Budget		159	1	
				Water					
26-00532	3	May payment	1,317.74	6-01- -283-564	Budget		160	1	
				Water					
			<u>1,389.07</u>						
44968	05/01/26	NJRA New Jersey Registrars' Associa					6281		
26-00419	1	Rivera Membership	25.00	6-01- -120-256	Budget		68	1	
				Membership Dues					
44969	05/01/26	NORTHERN NORTHERN NURSERIES, INC.					6281		
26-00119	1	2025 DPW PLANTS, TREES & ETC.	259.00	6-01- -155-254	Budget		34	1	
				Other Materials & Supplies					
26-00477	1	vinca annual flowers	2,964.00	6-01- -215-253	Budget		77	1	
				Horticultural Materials					
			<u>3,223.00</u>						
44970	05/01/26	PINTO PINTO BROTHERS					6281		
26-00124	3	2026 DPW ROLLOFF CONTAINER	364.25	6-01- -155-273	Budget		35	1	
				Bldg.-Other Contracted Serv.					
44971	05/01/26	PRED PREDATOR TREE SERVICE					6281		
26-00126	2	2026 DPW TREE SERVICES 2/24/26	1,200.00	6-01- -205-273	Budget		36	1	
				Other Contractural Services					
26-00126	3	2026 DPW TREE SERVICES	2,000.00	6-01- -205-273	Budget		37	1	
				Other Contractural Services					
			<u>3,200.00</u>						
44972	05/01/26	PSEG PSE&G CO.					6281		
26-00531	1	Buildibg Electricity	319.67	6-01- -283-163	Budget		155	1	
				Electricity					
26-00531	2	Buildibg Electricity	28.80	6-01- -283-362	Budget		156	1	
				Heating/AC					
26-00531	3	Buildibg Electricity	7.30	6-01- -283-362	Budget		157	1	
				Heating/AC					
			<u>355.77</u>						
44973	05/01/26	RAP READ AUTO PARTS					6281		
26-00128	4	2026 DPW REPAIRS & PARTS	59.90	6-01- -205-247	Budget		38	1	
				Vehicular Parts & Accessories					
44974	05/01/26	RT23AUTO ROUTE 23 AUTO MALL					6281		
26-00134	3	2026 DPW SERVICES/PARTS	6,823.26	6-01- -205-247	Budget		39	1	
				Vehicular Parts & Accessories					
26-00134	4	2026 DPW SERVICES/PARTS	98.76	6-01- -205-247	Budget		40	1	
				Vehicular Parts & Accessories					
			<u>6,922.02</u>						
44975	05/01/26	SJFUEL SO SJ FUEL SOUTH CO., INC.					6281		
26-00076	4	3/13 delivery	2,496.82	6-01- -283-751	Budget		16	1	
				Motor Fuels					

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	
PO #	Item	Description					Ref Seq	Acct
CURRENT FUND	Current Fund		Continued					
44975	SJ FUEL	SOUTH CO., INC.	Continued					
26-00076	5	3/27 delivery	2,828.81	6-01- -283-751	Budget		17	1
			<u>5,325.63</u>	Motor Fuels				
44976	05/01/26	SOM09 SOMERSET COUNTY ROAD DIVISION					6281	
26-00136	3	2026 ROCK SALT & MISC.	140.56	6-01- -205-241	Budget		41	1
				Salt and Sand				
44977	05/01/26	SPEENEY2 Doug Speeney					6281	
26-00502	1	refunds great swamp supplies	89.50	6-01- -275-227	Budget		114	1
				Office Supplies & Materials				
44978	05/01/26	SPSCO SOMERSET PLUMBING SUPPLY CO.					6281	
26-00137	2	2026 DPW SUPPLIES/MATERIALS	213.17	6-01- -155-237	Budget		42	1
				Bldg. Supplies & Materials				
44979	05/01/26	STAPL STAPLES BUSINESS ADVANTAGE					6281	
26-00196	1	OFFICE SUPPLIES	465.60	6-01- -150-227	Budget		51	1
				Office Supplies & Materials				
26-00279	3	office supplies	41.97	6-01- -130-227	Budget		52	1
				Office Supplies & Materials				
26-00279	4	office supplies	93.10	6-01- -250-227	Budget		53	1
				Office Supplies & Materials				
26-00279	5	office supplies	84.09	6-01- -250-227	Budget		54	1
				Office Supplies & Materials				
26-00280	4	office supplies	202.58	6-01- -185-227	Budget		55	1
				Office Supplies & materials				
26-00280	5	copy paper	59.08	6-01- -120-228	Budget		56	1
				Photocopy Expense				
26-00330	1	NOTARY STAMP	54.99	6-01- -155-227	Budget		57	1
			<u>1,001.41</u>	Office Supplies & Materials				
44980	05/01/26	STIRE DAVID STIRES ASSOC LLC					6281	
26-00497	1	Jan and Feb meeting	862.50	6-01- -165-281	Budget		89	1
				Prof. & Cons. Servs. Other				
44981	05/01/26	TCTA TAX COLL & TREA ASSOC OF NJ					6281	
26-00487	1	2026 membership dues B Hance	125.00	6-01- -130-276	Budget		83	1
				Training Aids & Programs				
44982	05/01/26	THESIGN The Sign Center					6281	
26-00493	1	STOP Signs for Sandwich Boards	300.00	6-01- -190-258	Budget		87	1
				Printing & Binding				
26-00494	1	100 Year Anniversary Stickers	515.00	6-01- -190-258	Budget		88	1
			<u>815.00</u>	Printing & Binding				
44983	05/01/26	THEYARDT THE YARD TOPSOIL & MULCH DEPOT					6281	
26-00479	1	TOPSOIL & MULCH	1,244.90	6-01- -155-254	Budget		78	1
				Other Materials & Supplies				

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num
PO #	Item	Description					Ref Seq Acct
CURRENT FUND		Current Fund	Continued				
44984	05/01/26	TIGRISAQ TIGRIS AQUATIC SERVICE, LLC					6281
26-00139	1	2026 DPW REPAIRS/MAINTENANCE	246.77	6-01- -155-273	Budget		43 1
				Bldg.-Other Contracted Serv.			
44985	05/01/26	TOSHIBA Toshiba Financial Services					6281
26-00103	18	copier leases	4,477.96	6-01- -120-228	Budget		24 1
				Photocopy Expense			
26-00103	19	copier leases	1,222.56	6-01- -120-228	Budget		25 1
				Photocopy Expense			
26-00103	20	copier leases	2,238.98	6-01- -120-228	Budget		26 1
				Photocopy Expense			
26-00103	21	copier leases	576.30	6-01- -120-228	Budget		27 1
				Photocopy Expense			
			8,515.80				
44986	05/01/26	ULINE Uline Ship.Supply Specialist					6281
26-00396	1	DPW SUPPLIES	205.39	6-01- -155-237	Budget		62 1
				Bldg. Supplies & Materials			
26-00396	2	DPW SUPPLIES	313.19	6-01- -155-237	Budget		63 1
				Bldg. Supplies & Materials			
26-00396	3	DPW SUPPLIES	634.75	6-01- -155-237	Budget		64 1
				Bldg. Supplies & Materials			
			1,153.33				
44987	05/01/26	ULTATEL ULTATEL					6281
26-00371	3	police phone system	1,065.74	6-01- -283-459	Budget		60 1
				Telephone			
44988	05/01/26	UNIVERS2 University Behavioral Health					6281
26-00510	1	employee assistance program	457.50	6-01- -110-278	Budget		121 1
				Community Relations			
26-00510	2	employee assistance program	457.50	6-01- -110-278	Budget		122 1
				Community Relations			
			915.00				
44989	05/01/26	UPS THE UPS STORE					6281
26-00456	1	Shipping to NJ Tox Lab Random	54.31	6-01- -190-257	Budget		73 1
				Postage			
44990	05/01/26	VFIS VFIS					6281
26-00513	1	2021 insurance	3,483.00	6-01- -175-187	Budget		153 1
				Commercial Liability Insurance			
44991	05/01/26	VW VERIZON WIRELESS					6281
26-00504	1	May payment	1,558.75	6-01- -283-459	Budget		116 1
				Telephone			
44992	05/01/26	WAC WELDON ASPHALT COMPANY					6281
26-00145	2	2026 DPW ASPHALT MATERIAL	394.57	6-01- -205-242	Budget		47 1
				Asphalt, Paving Materials			

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	Ref Seq	Acct
PO #	Item	Description							
CURRENT FUND	Current Fund	Continued							
44993	05/01/26	WAR01 Costello's Ace Hardware					6281		
26-00142	3	2026 DPW SUPPLIES	1,449.24	6-01- -155-232 General Supplies	Budget		45	1	
44994	05/01/26	WARRENMA Warren Machine Company LLC					6281		
26-00141	2	2026 DPW REPAIRS	1,950.00	6-01- -205-269 Vehicle Repairs & Maintenance	Budget		44	1	
44995	05/01/26	WAT01 WATCHUNG BORO. PAYROLL ACCT.		(Replaced By: CURRENT FUND 848)		05/01/26 VOID	6281		
26-00499	1	Watchung Boro payroll	2,266.41	6-01- -165-111 Salary & Wage	Budget		91	1	
26-00499	2	Watchung Boro payroll	2,762.50	6-01- -190-111 Salary & Wage	Budget		92	1	
26-00499	3	Watchung Boro payroll	2,531.86	6-01- -120-111 Salary & Wage	Budget		93	1	
26-00499	5	Watchung Boro payroll	9,098.83	6-01- -130-111 Salary & Wage	Budget		94	1	
26-00499	6	Watchung Boro payroll	3,851.12	6-01- -135-111 Salary & Wage	Budget		95	1	
26-00499	7	Watchung Boro payroll	2,491.91	6-01- -140-111 Salary & Wage	Budget		96	1	
26-00499	8	Watchung Boro payroll	5,000.00	6-01- -205-111 Salary & Wage	Budget		97	1	
26-00499	9	Watchung Boro payroll	2,378.41	6-01- -190-112 Overtime	Budget		98	1	
26-00499	10	Watchung Boro payroll	1,253.00	6-01- -190-112 Overtime	Budget		99	1	
26-00499	11	Watchung Boro payroll	642.84	6-01- -205-112 Overtime	Budget		100	1	
26-00499	12	Watchung Boro payroll	10,053.08	6-01- -250-111 Salary & Wage	Budget		101	1	
26-00499	13		1,101.04	6-01- -260-111 Salary & Wage	Budget		102	1	
26-00499	14	Watchung Boro payroll	130.32	6-01- -307-283 DCRP	Budget		103	1	
26-00499	15	Watchung Boro payroll	9,647.16	6-01- -310-218 Social Security / Medicare	Budget		104	1	
26-00499	16	Watchung Boro payroll	287.66	6-01- -200-111 Salary & Wage	Budget		105	1	
26-00499	17	Watchung Boro payroll	875.00	6-01- -255-111 Salary & Wage	Budget		106	1	
26-00499	18	Watchung Boro payroll	2,083.33	6-01- -110-111 Salary & Wage	Budget		107	1	
26-00499	19	Watchung Boro payroll	12,874.65	6-01- -115-111 Salary & Wage	Budget		108	1	
26-00499	20	Watchung Boro payroll	2,726.08	6-01- -150-111 Salary & Wages	Budget		109	1	
26-00499	21	Watchung Boro payroll	3,532.76	6-01- -187-111 Salary & Wage	Budget		110	1	
26-00499	22	Watchung Boro payroll	16,436.60	6-01- -205-111 Salary & Wage	Budget		111	1	

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	
PO #	Item	Description					Ref Seq	Acct
CURRENT FUND			Continued					
44995 WATCHUNG BORO. PAYROLL ACCT.			Continued					
26-00499	23	Watchung Boro payroll	2,919.16	6-01- -405-111 Salary & Wage	Budget		112	1
26-00499	24	Watchung Boro payroll	161,987.59	6-01- -190-111 Salary & Wage	Budget		113	1
26-00511	1	Watchung Boro payroll	1,485.99	6-01- -165-111 Salary & Wage	Budget		123	1
26-00511	2	Watchung Boro payroll	2,762.50	6-01- -190-111 Salary & Wage	Budget		124	1
26-00511	3	Watchung Boro payroll	287.66	6-01- -200-111 Salary & Wage	Budget		125	1
26-00511	4	Watchung Boro payroll	875.00	6-01- -255-111 Salary & Wage	Budget		126	1
26-00511	5	Watchung Boro payroll	2,083.33	6-01- -110-111 Salary & Wage	Budget		127	1
26-00511	6	Watchung Boro payroll	13,893.28	6-01- -115-111 Salary & Wage	Budget		128	1
26-00511	7	Watchung Boro payroll	4,324.83	6-01- -115-111 Salary & Wage	Budget		129	1
26-00511	8	Watchung Boro payroll	2,531.86	6-01- -120-111 Salary & Wage	Budget		130	1
26-00511	9	Watchung Boro payroll	9,098.83	6-01- -130-111 Salary & Wage	Budget		131	1
26-00511	10	Watchung Boro payroll	2,491.91	6-01- -140-111 Salary & Wage	Budget		132	1
26-00511	11	Watchung Boro payroll	2,726.08	6-01- -150-111 Salary & Wages	Budget		133	1
26-00511	12	Watchung Boro payroll	5,000.00	6-01- -205-111 Salary & Wage	Budget		134	1
26-00511	13	Watchung Boro payroll	161,987.59	6-01- -190-111 Salary & Wage	Budget		135	1
26-00511	14	Watchung Boro payroll	2,407.65	6-01- -190-112 Overtime	Budget		136	1
26-00511	15	Watchung Boro payroll	856.52	6-01- -190-112 Overtime	Budget		137	1
26-00511	16	Watchung Boro payroll	17,329.26	6-01- -205-111 Salary & Wage	Budget		138	1
26-00511	17	Watchung Boro payroll	92.70	6-01- -205-112 Overtime	Budget		139	1
26-00511	18	Watchung Boro payroll	8,502.33	6-01- -250-111 Salary & Wage	Budget		140	1
26-00511	19	Watchung Boro payroll	1,101.04	6-01- -265-111 Salary & Wage	Budget		141	1
26-00511	20	Watchung Boro payroll	2,919.16	6-01- -405-111 Salary & Wage	Budget		142	1
26-00511	21	Watchung Boro payroll	91.32	6-01- -307-283 DCRP	Budget		143	1
26-00511	22	Watchung Boro payroll	9,343.42	6-01- -310-218 Social Security / Medicare	Budget		144	1
26-00511	23	Watchung Boro payroll	3,670.98	6-01- -135-111 Salary & Wage	Budget		145	1

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	
PO #	Item	Description					Ref Seq	Acct
CURRENT FUND		Current Fund	Continued					
44995	WATCHUNG BORO. PAYROLL ACCT.	Continued						
26-00511	24	Watchung Boro payroll	390.24	6-01- -190-112	Budget		146	1
				Overtime				
			513,184.79					
44996	05/01/26	WAT02 WATCHUNG FIRE DEPARTMENT					6281	
25-01194	1	VEHICLE SERVICE	371.67	5-01- -185-247	Budget		1	1
				Vehicular Parts & Acces.				
44997	05/01/26	WILSO WILSON MEMORIAL UNION CHURCH					6281	
26-00373	2	rental fee	300.00	6-01- -280-273	Budget		61	1
				Other Contracted Services				
44998	05/01/26	WRS Watchung Rescue Squad					6281	
26-00455	1	AHA BLS Course and Cert	2,480.00	6-01- -190-276	Budget		72	1
				Training Aids & Program				
44999	05/01/26	ACDAUGHT PYE-BARKER FIRE & SAFETY		(Replacement of: CURRENT FUND 44929)			6281	
26-00025	5	2026 SECURITY SYSTEM SERVICES	1,333.71	6-01- -155-273	Budget		3	1
				Bldg.-Other Contracted Serv.				
45000	05/01/26	ADS Action Data Services		(Replacement of: CURRENT FUND 44930)			6281	
26-00097	12	payroll processing	1,728.38	6-01- -130-281	Budget		21	1
				Prof. & Contr. Services-Other				
26-00097	13	payroll processing	404.80	6-01- -130-281	Budget		22	1
				Prof. & Contr. Services-Other				
			2,133.18					
45001	05/01/26	ADVANTAG Advantage Voice Data		(Replacement of: CURRENT FUND 44931)			6281	
26-00509	1	Allworx Remote Support	1,080.00	6-01- -115-233	Budget		120	1
				Computer Expenses				
45002	05/01/26	AMAZ Amazon Capital Services, Inc		(Replacement of: CURRENT FUND 44932)			6281	
26-00463	1	FortiGate-40F Firewall	220.96	6-01- -190-233	Budget		74	1
				Computer Expense				
26-00463	2	Dell Ect1250 Desktop Computers	1,687.98	6-01- -190-233	Budget		75	1
				Computer Expense				
26-00463	3	Art Portfolio Bag 22"x28.5"	54.12	6-01- -190-232	Budget		76	1
				General Supplies, NOC				
26-00481	1	Triple Extended MP5 Pouch Blk	29.99	6-01- -190-232	Budget		79	1
				General Supplies, NOC				
26-00481	2	Viperade Sling Bag	31.34	6-01- -190-232	Budget		80	1
				General Supplies, NOC				
26-00481	3	Fox Outdoor Triple MP5 Pouch	28.39	6-01- -190-232	Budget		81	1
				General Supplies, NOC				
26-00492	1	HD Carabiner Clips 10pk 3"	16.99	6-01- -190-244	Budget		85	1
				Hardware & Minor Tools				
26-00492	2	Ground Anchor Screw 4pk	28.49	6-01- -190-244	Budget		86	1
				Hardware & Minor Tools				
26-00512	1	DPW supplies	217.56	6-01- -205-225	Budget		147	1
				Other Equipment				

Check #	Check Date	Vendor		Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	
PO #	Item	Description						Ref Seq	Acct
CURRENT FUND		Current Fund		Continued					
45002	Amazon	Capital Services, Inc	Continued						
26-00512	2	centennial events		415.84	6-01- -110-278	Budget		148	1
					Community Relations				
26-00512	3	senior luncheon		52.57	6-01- -110-278	Budget		149	1
					Community Relations				
26-00512	4	DPW supplies		142.96	6-01- -205-225	Budget		150	1
					Other Equipment				
26-00512	5	senior luncheon		665.08	6-01- -110-278	Budget		151	1
					Community Relations				
26-00512	6	centennial events		629.11	6-01- -110-278	Budget		152	1
					Community Relations				
				<u>4,221.38</u>					
45003	05/01/26	ANSCONSU	ANS CONSULTANTS, INC		(Replacement of: CURRENT FUND	44933)		6281	
26-00526	1	library inspection services		1,375.00	5-01- -415-464	Budget		154	1
					Water				
45004	05/01/26	ASLGROUP	ASL Group LLC		(Replacement of: CURRENT FUND	44934)		6281	
26-00037	1	Sherwood Lane mill & pave		20,000.00	6-01- -610-201	Budget		4	1
					Infrastructure Improvements				
45005	05/01/26	AXONENTE	Axon Enterprise, Inc.		(Replacement of: CURRENT FUND	44935)		6281	
26-00348	1	AXON Fleet 3 - Yr3 +ALPR API		49,401.41	6-01- -190-271	Budget		58	1
					Equip. Repair & Maint.				
26-00349	1	AXON Air yr 2		8,724.88	6-01- -190-271	Budget		59	1
					Equip. Repair & Maint.				
				<u>58,126.29</u>					
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>				
	Checks:	99	8	5,206,068.46	601,454.35				
	Direct Deposit:	0	0	0.00	0.00				
	Total:	<u>99</u>	<u>8</u>	<u>5,206,068.46</u>	<u>601,454.35</u>				
GRANT FUND		Citizens Grant Fund							
3148	04/30/26	JMDESIGN	JM DESIGNS		(Replaced By: GRANT FUND	3150)	04/30/26 VOID	6287	
26-00368	4	trout fish t shirts		815.00	G-03- -520-122	Budget		1	1
					Clean Communities Grant 2025				
3149	04/30/26	THERESA	Theresa DeFilippis		(Replaced By: GRANT FUND	3151)	04/30/26 VOID	6287	
26-00533	1	Watchung Clean up		61.82	G-03- -520-121	Budget		2	1
					Clean Communities Grant 2024				
26-00533	2	Watchung Clean up		14.92	G-03- -520-121	Budget		3	1
					Clean Communities Grant 2024				
				<u>76.74</u>					
3150	04/30/26	JMDESIGN	JM DESIGNS		(Replacement of: GRANT FUND	3148)		6287	
26-00368	4	trout fish t shirts		815.00	G-03- -520-122	Budget		1	1
					Clean Communities Grant 2025				
3151	04/30/26	THERESA	Theresa DeFilippis		(Replacement of: GRANT FUND	3149)		6287	
26-00533	1	Watchung Clean up		61.82	G-03- -520-121	Budget		2	1
					Clean Communities Grant 2024				

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	Ref Seq	Acct
PO #	Item	Description							
GRANT FUND		Citizens Grant Fund	Continued						
3151 Theresa DeFilippis		Continued							
26-00533	2	Watchung Clean up	14.92	G-03- -520-121	Budget		3	1	
				Clean Communities Grant 2024					
			<u>76.74</u>						
Checking Account Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>			
	Checks:		2	2	891.74	891.74			
	Direct Deposit:		0	0	0.00	0.00			
	Total:		<u>2</u>	<u>2</u>	<u>891.74</u>	<u>891.74</u>			
PNC DEV ESCROW		Developer Escrow							
15820 04/30/26		BATEM DIFRANCESCO,BATEMAN,COLEY,		(Replaced By: PNC DEV ESCROW 15822)	04/30/26 VOID	6285			
26-00080	28	Raising Canes Levin	314.50	E-BLUESTA1	Project	1	1		
				Blue Star Inspection Escrow					
26-00080	29	Capodagli / Meridia	92.50	E-PB-DRIFT	Project	2	1		
				Drift Road Project					
			<u>407.00</u>						
15821 04/30/26		BRIGHTVI Bright View Engineering, LLC		(Replaced By: PNC DEV ESCROW 15823)	04/30/26 VOID	6285			
26-00495	1	Bonnie Burn Feb inspec	21,628.75	E-PB24-01	Project	3	1		
				Bonnie Burn Rd PB19-01					
26-00495	2	March invoice	14,113.75	E-PB24-01	Project	4	1		
				Bonnie Burn Rd PB19-01					
26-00496	1	inspections compliance	8,330.00	E-PB25-02	Project	5	1		
				Village Supermarket					
			<u>44,072.50</u>						
15822 04/30/26		BATEM DIFRANCESCO,BATEMAN,COLEY,		(Replacement of: PNC DEV ESCROW 15820)		6285			
26-00080	28	Raising Canes Levin	314.50	E-BLUESTA1	Project	1	1		
				Blue Star Inspection Escrow					
26-00080	29	Capodagli / Meridia	92.50	E-PB-DRIFT	Project	2	1		
				Drift Road Project					
			<u>407.00</u>						
15823 04/30/26		BRIGHTVI Bright View Engineering, LLC		(Replacement of: PNC DEV ESCROW 15821)		6285			
26-00495	1	Bonnie Burn Feb inspec	21,628.75	E-PB24-01	Project	3	1		
				Bonnie Burn Rd PB19-01					
26-00495	2	March invoice	14,113.75	E-PB24-01	Project	4	1		
				Bonnie Burn Rd PB19-01					
26-00496	1	inspections compliance	8,330.00	E-PB25-02	Project	5	1		
				Village Supermarket					
			<u>44,072.50</u>						
Checking Account Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>			
	Checks:		2	2	44,479.50	44,479.50			
	Direct Deposit:		0	0	0.00	0.00			
	Total:		<u>2</u>	<u>2</u>	<u>44,479.50</u>	<u>44,479.50</u>			
PNC OTHER ESC		Citizens Savings Other Escrow							
15562 04/17/26		REEFCO Reefco Aquarium Service, LLC				6265			
26-00078	6	library services	126.50	T-93- -100-110	Budget	1	1		
				Watchung Public Library Advisory Board					

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	Ref Seq	Acct
PO #	Item	Description							
PNC OTHER ESC Citizens Savings Other Escrow Continued									
216	04/29/26	WAT01 WATCHUNG BORO. PAYROLL ACCT.		(Replacement of: PNC OTHER ESC 15560)			6262		
26-00427	1	Watchung Boro PD Payroll	7,267.50	T-93- -100-5ED	Budget		9	1	
				Extra Duty Solutions Funds					
26-00427	2	Watchung Boro PD Payroll	2,990.00	T-93- -100-502	Budget		10	1	
				Levin Management (Blue Star)					
			10,257.50						
217	05/01/26	WAT01 WATCHUNG BORO. PAYROLL ACCT.		(Replacement of: PNC OTHER ESC 15564)			6283		
26-00499	4	Watchung Boro payroll	3,774.54	T-93- -100-208	Budget		3	1	
				Accumulated Sick Leave					
26-00500	1	Watchung Boro PD Payroll	1,035.00	T-93- -100-502	Budget		4	1	
				Levin Management (Blue Star)					
26-00500	2	Watchung Boro PD Payroll	21,547.50	T-93- -100-5ED	Budget		5	1	
				Extra Duty Solutions Funds					
26-00529	1	Watchung Boro PD Payroll	22,071.95	T-93- -100-5ED	Budget		8	1	
				Extra Duty Solutions Funds					
			48,428.99						
15563	05/01/26	AMAZ Amazon Capital Services, Inc		(Replaced By: PNC OTHER ESC 15566)		05/01/26 VOID	6283		
26-00465	1	VISRACK 72" Picnic Table	599.00	T-93- -100-104	Budget		1	1	
				Police Department Donations					
26-00465	2	Delivery	99.99	T-93- -100-104	Budget		2	1	
				Police Department Donations					
			698.99						
15564	05/01/26	WAT01 WATCHUNG BORO. PAYROLL ACCT.		(Replaced By: PNC OTHER ESC 217)		05/01/26 VOID	6283		
26-00499	4	Watchung Boro payroll	3,774.54	T-93- -100-208	Budget		3	1	
				Accumulated Sick Leave					
26-00500	1	Watchung Boro PD Payroll	1,035.00	T-93- -100-502	Budget		4	1	
				Levin Management (Blue Star)					
26-00500	2	Watchung Boro PD Payroll	21,547.50	T-93- -100-5ED	Budget		5	1	
				Extra Duty Solutions Funds					
26-00529	1	Watchung Boro PD Payroll	22,071.95	T-93- -100-5ED	Budget		8	1	
				Extra Duty Solutions Funds					
			48,428.99						
15565	05/01/26	WAT03 WATCHUNG BOROUGH CURRENT FUND		(Replaced By: PNC OTHER ESC 15567)		05/01/26 VOID	6283		
26-00501	1	Watchung Boro Admin Fees	218.50	T-93- -100-502	Budget		6	1	
				Levin Management (Blue Star)					
26-00501	2	Watchung Boro Admin Fees	5,698.00	T-93- -100-5ED	Budget		7	1	
				Extra Duty Solutions Funds					
26-00530	1	Watchung Boro PD Admin Fees	5,808.00	T-93- -100-5ED	Budget		9	1	
				Extra Duty Solutions Funds					
			11,724.50						
15566	05/01/26	AMAZ Amazon Capital Services, Inc		(Replacement of: PNC OTHER ESC 15563)			6283		
26-00465	1	VISRACK 72" Picnic Table	599.00	T-93- -100-104	Budget		1	1	
				Police Department Donations					
26-00465	2	Delivery	99.99	T-93- -100-104	Budget		2	1	
				Police Department Donations					
			698.99						

Check #	Check Date	Vendor		Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Seq	Num Acct
PO #	Item	Description							
PNC OTHER ESC Citizens Savings Other Escrow Continued									
15567	05/01/26	WAT03 WATCHUNG BOROUGH CURRENT FUND			(Replacement of: PNC OTHER ESC 15565)				6283
26-00501	1	Watchung Boro Admin Fees	218.50	T-93- -100-502	Budget			6	1
					Levin Management (Blue Star)				
26-00501	2	Watchung Boro Admin Fees	5,698.00	T-93- -100-5ED	Budget			7	1
					Extra Duty Solutions Funds				
26-00530	1	Watchung Boro PD Admin Fees	5,808.00	T-93- -100-5ED	Budget			9	1
					Extra Duty Solutions Funds				
			11,724.50						
Checking Account Totals									
			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>			
		Checks:	5	3	71,236.48	60,852.48			
		Direct Deposit:	0	0	0.00	0.00			
		Total:	5	3	71,236.48	60,852.48			
Report Totals									
			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>			
		Checks:	111	18	5,344,497.28	729,499.17			
		Direct Deposit:	0	0	0.00	0.00			
		Total:	111	18	5,344,497.28	729,499.17			

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
Current Fund	5-01	3,031.45	0.00	0.00	3,031.45
Current Fund	6-01	5,203,037.01	0.00	0.00	5,203,037.01
Capital Fund	C-02	19,875.00	0.00	0.00	19,875.00
	D-11	3.60	0.00	0.00	3.60
Grant Fund	G-03	891.74	0.00	0.00	891.74
	H-06	1,942.50	0.00	0.00	1,942.50
	T-93	71,236.48	0.00	0.00	71,236.48
Total of All Funds:		5,300,017.78	0.00	0.00	5,300,017.78

Project Description	Project No.	Project Total
Blue Star Inspection Escrow	E-BLUESTA1	314.50
Drift Road Project	E-PB-DRIFT	92.50
Bonnie Burn Rd PB19-01	E-PB24-01	35,742.50
village Supermarket	E-PB25-02	8,330.00
Total of All Projects:		<u>44,479.50</u>

**BOROUGH OF WATCHUNG
RESOLUTION: R11**

***APPROVING AN APPLICATION FOR A PERSON-TO-PERSON TRANSFER OF
POCKET LIQUOR LICENSE 1821-33-006-006***

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License Number 1821-33-006-006, heretofore issued to **TGI FRDAY’S INC.** with a mailing address of 19111 Dallas Parkway, Suite 165 Dallas, TX 75387; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensee’s business and all additional financing obtained in connection with the license business.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Watchung, County of Somerset, does hereby approve, effective May 7, 2026 the transfer of the aforesaid Plenary Retail Consumption License to **BLUE STAR LIQUOR L, LLC**, with a mailing address of 1701 US Highway 22, Watchung, NJ 07069 and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: “This license, subject to all its terms and conditions, is hereby transferred to **BLUE STAR LIQUOR L, LLC** effective May 7, 2026.”

Christine B. Ead, Council Member

Ronald Jubin, Ph.D., Mayor

ADOPTED: MAY 7, 2026
INDEX: LICENSES
C: NJ ABC

I, Colleen R. Lange, Deputy Municipal Clerk of the Borough of Watchung, County of Somerset, State of New Jersey, do hereby certify the foregoing to be a true copy of a resolution adopted by the Mayor and Council at a meeting held on May 7, 2026.

Colleen R. Lange, RMC

**BOROUGH OF WATCHUNG
RESOLUTION: R12**

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Watchung, that the appointment of Ethan Shanahan as a Full-Time Seasonal Laborer in the Department of Public Works at an hourly rate of \$20.00 and contingent upon the successful completion of all required physical examinations and background checks, be and is hereby affirmed and ratified, effective on May 18, 2026.

Paul Fischer, Council Member

Ronald Jubin, Ph. D., Mayor

ADOPTED: MAY 7, 2026
INDEX: APPOINTMENTS
C: PERSONNEL, FINANCE

Borough of Watchung

Resolution: R13

Resolution Urging State Leaders to Implement Fair and Equitable Reforms to Mitigate the Unsustainable Increases in Health Benefit Premiums for Public Sector Employees

WHEREAS, the State Health Benefits Program (SHBP), governed by N.J.S.A. 52:14-17.25 et seq., offers medical, prescription drug, and dental coverage to qualified State and participating local government public employees, retirees, and eligible dependents; and

WHEREAS, all SHBP plans are self-funded, meaning that the money paid out for benefits comes directly from an SHBP fund supplied by the State, participating local employers, and member premiums; and

WHEREAS, the rate increase for the 2026 Local Government Employer Group is 36.25% and does not include fully funding the loan to the SHBP Local Government Group under c. 86 or funding to bring the Claims Stabilization Reserve to the required two-month balance; and

WHEREAS, since the end of 2020 nearly 200 local government employers have exited the SHBP, representing a nearly 30% decline, largely leaving only local governments with the highest risk in the plan; and

WHEREAS, subsequently, during budget testimony State Treasurer Binder noted regarding the SHBP costs, while Treasury does not have the final numbers, “based on the plan actuary’s midyear reports and SHBP Local Government fund levels, it is possible that rate increases could be as high as the rate increases, we experienced last year;” and

WHEREAS, such proposed exorbitant rate increases will fall upon the local property taxpayer along with the local public employees at a time where there is record inflation; and

WHEREAS, despite innovative cost containment measures taken by municipalities to make available affordable and quality healthcare for valued employees and their families, public sector health benefit plans are far too costly; and,

WHEREAS, time is of the essence for State leaders to enact long-term structural reforms that should include eliminating costly plan designs; modifying co-pays for specialists and urgent care, restricting the use of out-of-network healthcare coverage and GLP-1 drugs; implementing a Reference Based Pricing system; streamlining the use of Health Savings Accounts and Flexible Spending Accounts; and, enhancing medical transparency and the collection of data; and

WHEREAS, failure to make these long-term structural reforms will leave local officials no choice but to impose hiring freezes, eliminate budgeted vacancies, and increase taxes on residents already burdened with the highest property tax bills in the nation.

Borough of Watchung

Resolution: R13

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Watchung in the county of Somerset urge state leaders to implement fair and equitable reforms to mitigate the unsustainable increases in health benefit premiums for public sector employees.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Governor Sherrill, State Treasurer Binder, Senate President Scutari, Assembly Speaker Coughlin, Senator Bramnick, Assemblyman Kearney, Assemblyman Macurdy and New Jersey State League of Municipalities.

President

Curt S. Dahl, Council

Mayor

Ronald Jubin, Ph.D.,

ADOPTED: MAY 7, 2026
INDEX: MISC.
C: NJ LEG, NJLM

BOROUGH OF WATCHUNG
RESOLUTION: R15

BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey that the appointment of Daniel Niro as Acting Building Sub Code Official effective May 1, 2026, is hereby confirmed.

BE IT FURTHER RESOLVED, that this resolution is hereby retroactive to May 1, 2026.

Christine B. Ead, Council Member

Ronald Jubin, Ph.D., Mayor

ADOPTED: MAY 7, 2026
INDEX: APPOINTMENTS
C: FINANCE

BOROUGH OF WATCHUNG
RESOLUTION: R16

BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey that the appointment of Daniel Niro as Construction Code Official at a salary of \$20,000 effective May 1, 2026, is hereby confirmed.

BE IT FURTHER RESOLVED, that this resolution is hereby retroactive to May 1, 2026.

Christine B. Ead, Council Member

Ronald Jubin, Ph.D., Mayor

ADOPTED: MAY 7, 2026
INDEX: APPOINTMENTS
C: FINANCE

BOROUGH OF WATCHUNG
ORDINANCE: 26/09

**ORDINANCE PROVIDING FOR THE LEASE PURCHASE
FINANCING AND ACQUISITION OF A BACKHOE FOR AND
BY THE BOROUGH OF WATCHUNG, IN THE COUNTY OF
SOMERSET, STATE OF NEW JERSEY**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF
WATCHUNG, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY** (not less
than two-thirds of the full membership thereof affirmatively concurring) **AS FOLLOWS:**

Section 1. The Borough Council of the Borough of Watchung, in the County of Somerset, State of New Jersey (the "Borough") hereby authorizes the lease purchase financing and acquisition of a backhoe for the Borough pursuant to N.J.S.A. 40A:11-15(7) for a total principal cost of not to exceed \$240,000. The rental payments will be paid over five (5) years at an interest rate per annum to be approved by the Chief Financial Officer of the Borough through a procurement process authorized herein and in accordance with law. The Chief Financial Officer of the Borough is authorized to take financing bids or proposals or procure financing by other lawful means, including through a national purchasing cooperative, as he/she deems most cost effective for the Borough.

Section 2. The Mayor and/or the Chief Financial Officer are hereby authorized to negotiate, execute and deliver, subject to the review of Bond Counsel, a lease purchase agreement (the "Lease") in accordance with the terms set forth in this ordinance, an agent or an escrow agreement, an assignment agreement, if necessary, and such other documents as may be necessary to consummate the transaction. The Borough Council authorizes the Chief Financial Officer to establish an escrow account for the deposit of the lease proceeds and to direct the deposit and investment of the lease proceeds in the escrow for the term of the Lease in accordance with the requirements of law. The Borough Council hereby authorizes and directs the Mayor or the Chief Financial Officer to execute the Lease and such other documents as may be required to consummate the transaction in forms approved by Bond Counsel, such approval to be evidenced by the execution of the Lease or such other documents by the Mayor or the Chief Financial Officer. The Clerk is authorized to attest to such documents under the seal of the Borough. The Mayor and/or the Chief Financial Officer are also authorized and directed to take on behalf of the Borough such other actions as shall be necessary and appropriate to accomplish the lease purchase financing of the police cars in accordance with the terms of the Lease and this ordinance and pursuant to the terms of the agreements and instruments authorized to be prepared hereby and to accomplish the performance of the obligations of the Borough in respect thereto.

Section 3. The payment of rent or other monies due under the Lease shall be made from operating funds, subject to the availability of funds and appropriation annually of sufficient funds as may be required to meet the obligations of the Lease, and the Lease shall contain a clause making it subject to such appropriation or shall contain an annual cancellation clause. Neither the Borough nor any agency, department or political subdivision thereof shall be obligated to pay any sum to the purchaser or lessor under the Lease from any taxing source for the payment of any sums due under the Lease unless an appropriation is made in a duly approved budget of the Borough. The obligations of the Borough shall not constitute indebtedness of the Borough or of any department, agency or political subdivision thereof. The Lease shall set forth the term of the Lease, the rental payments to be paid by the Borough in respect thereof, and the dates on which such rental payments shall be due and payable.

Section 4. The Borough Council hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of the interest portion of rental payments due on the Lease, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Lease, if applicable.

Section 5. The Borough Council hereby declares its intent to enter into the Lease in the expected maximum principal amount of \$205,000 and to use the proceeds of the Lease to pay or reimburse expenditures for the costs of the purpose for which the Lease is authorized herein. This section is a declaration of intent within the meaning and for the purposes of Treasury Regulations Section 1.10-2 or any successor provisions of federal income tax law.

Section 6. This ordinance shall take effect 20 days following final publication after final adoption and otherwise as provided by law.

ADOPTED ON FIRST READING

DATED: May 7, 2026

COLLEEN LANGE,
Deputy Clerk of the Borough of Watchung

ADOPTED ON SECOND READING

DATED: May 21, 2026

COLLEEN LANGE
Deputy Clerk of the Borough of Watchung

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____, 2026.

RONALD JUBIN, PH.D., Mayor

INTRODUCED BY: FISCHER
PASSED: MAY 7, 2026
PUBLISHED:
ADOPTED:
C: FINANCE

1ST READING

**BOROUGH OF WATCHUNG
RESOLUTION: R14**

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

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

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

1. The public shall be excluded from discussion of the closed session of May 7, 2026.
2. The general nature of the subject matter to be discussed:
 - Attorney-Client Privilege/Potential Litigation – 31 Tuttle Road
3. Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

Curt S. Dahl, Council President

Ronald Jubin, Ph.D., Mayor

ADOPTED: MAY 7, 2026
INDEX: MISC.
C: