

**BOROUGH OF SOMERVILLE
EXECUTIVE SESSION / WORKSHOP SESSION / COUNCIL MEETING
AGENDA**

**Monday, May 2, 2022
6:30 P.M.**

LOCATION: COUNCIL CHAMBERS – POLICE HEADQUARTERS
24 SOUTH BRIDGE STREET, SOMERVILLE, NJ 08876

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- 1. OPEN PUBLIC MEETING LAW STATEMENT**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES- EXECUTIVE SESSION**
 - a. April 4, 2022
 - b. April 18, 2022
- 4. RESOLUTION 22-0502-130 TO ENTER INTO EXECUTIVE SESSION**

EXECUTIVE SESSION AGENDA

- a. Redevelopment – Parcview Playground
- b. Potential Litigation- E. Cliff sewer line
- c. Personnel

COUNCIL MEETING AGENDA

- 1. OPEN PUBLIC MEETING LAW STATEMENT**
- 2. ROLL CALL**
- 3. SALUTE TO THE FLAG**
- 4. MOMENT OF SILENCE**
 - a. Robert N. “Bob” Winfield – Retired Somerville Police Officer and Marine
Combat Engineer in Vietnam
- 5. APPROVAL OF MINUTES**
 - a. April 18, 2022

6. DEPARTMENTAL REPORTS & NOTICES

- a. St. Hubert's Monthly Report March
- b. Bid- 27" interceptor cleaning and televising-June 1, 2022
- c. Bid- Eastern States Parkway June 2, 2022
- d. Bid- Wastewater Collection System June 14, 2022

7. PROCLAMATION

- a. World Falun Dafa Day May 13, 2022

8. COMMITTEE REPORTS

9. DISCUSSION

10. MEETING OPEN TO THE PUBLIC

(Motion and 2nd needed and roll call vote to open and close the meeting to the public. Regulations that apply during public meetings also apply during electronic meetings. Comments may be submitted prior to the meeting and maybe summarized during the meeting)

11. CONSENT RESOLUTIONS (ANY ITEMS PULLED OFF CONSENT AGENDA ARE REQUIRED TO HAVE A MOTION AND ROLL CALL VOTE)

(RESOLUTIONS 22-0502-130 THRU 22-0502-146)

(Resolutions may be pulled off consent agenda for discussion and roll call vote. Resolutions may be removed or added to the agenda)

- 22-0502-131 AUTHORIZING THE SALE OF SURPLUS PROPERTY BEING A 2017 HINO MODEL #338 THROUGH MUNICIBID IN ACCORDANCE WITH STATE COOPERATIVE PRICING SYSTEM
- 22-0502-132 AUTHORIZING THE SALE OF SURPLUS PROPERTY BEING A 2008 FORD F-650 THROUGH MUNICIBID IN ACCORDANCE WITH STATE COOPERATIVE PRICING SYSTEM
- 22-0502-133 AUTHORIZING THE SALE OF SURPLUS PROPERTY BEING A 2015 FORD TAURUS AWD THROUGH MUNICIBID IN ACCORDANCE WITH STATE COOPERATIVE PRICING SYSTEM
- 22-0502-134 APPROVING THE HIRING OF OCTAVIA ANGELOZZI AS PART TIME FIRE MAINTENANCE ASSISTANCE EFFECTIVE MAY 3, 2022
- 22-0502-135 APPROVING A STREET CLOSURE BETWEEN GROVE STREET, MAIN STREET AND HIGH STREET FOR DIVERSITY FESTIVAL FROM 12:00 P.M. TO 4:00 P.M. ON SUNDAY, OCTOBER 16, 2022
- 22-0502-136 APPROVING THE 77th ANNUAL TOUR OF SOMERVILLE BIKE RACE ON MEMORIAL DAY, MAY 30, 2022 AND APPROVING ALL

REQUIRED ROAD CLOSURES AS DEFINED BY THE ROAD
CLOSURE AND DETOUR PLANS

- 22-0502-137 AUTHORIZING AN AGREEMENT WITH THE OWNERS OF BLOCK 114, LOT 26, COMMONLY KNOWN AS 94-98 WEST MAIN STREET ALLOWING THE PURCHASE OF FIVE SPACES IN A MUNICIPAL LOT AS PER PLANNING BOARD APPLICATION #2019-026P
- 22-0502-138 AUTHORIZING THE INSTALLATION OF TWO (2) MONITORING WELLS ON BLOCK 123 LOT 9, LOCATED ON SOUTH BRIDGE STREET OWNED BY RICHARDS FUEL OIL, INC.
- 22-0502-139 AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR ENGINEERING SERVICES TO CHA CONSULTING, INC
- 22-0502-140 APPROVING DOWNTOWN SOMERVILLE CRAFT BEER FEST AND ROAD CLOSURE ON NORTH BRIDGE STREET BETWEEN MAIN STREET AND HIGH STREET ON SATURDAY, JUNE 18, 2022 FROM 8:00 A.M.TO 10:30 P.M. AND SUNDAY, JUNE 19, 2022 FROM 8:00 A.M. TO 10:30 P.M.
- 22-0502-141 AUTHORIZING ADMINISTRATOR TO EXECUTE THE 2022 ANJEC OPEN SPACE GRANTS FOR ENVIRONMENTAL COMMISSIONS APPLICATION
- 22-0502-142 APPROVING THE HIRING OF JENNIFER MOTANO AS FULL TIME PARKING ENFORCEMENT OFFICER EFFECTIVE MAY 9, 2022
- 22-0502-143 APPROVING NEW JERSEY FIREMEN'S ASSOCIATION APPLICATION FOR ELIZABETH ISELIN
- 22-0502-144 APPROVING NEW JERSEY FIREMEN'S ASSOCIATION APPLICATION FOR TOMAZ RODRIGUES
- 22-0502-145 APPROVING FREE PARKING IN LOTS #1, #2, #4, #6 ON MAY 12, 2022, STARTING AT 4:00 P.M. AND AUTHORIZING THE RESERVATION OF SPACE IN FRONT OF MANNIONS, VINTEDGE WINE BAR, TAPESTRE, VILLAGE AND VERVE FOR PEDALCYCLE USE
- 22-0502-146 APPROVING THE NEW JERSEY TRIUMPH ASSOCIATION TO UTILIZE PARKING SPACES IN FRONT OF HISTORIC COURTHOUSE ON AUGUST 19TH 2022 FROM 5:00 P.M. – 9:00 P.M. FOR CRUISE NIGHT DISPLAY

12. BILLS AND VOUCHERS

13. ADJOURNMENT

KEVIN SLUKA, MUNICIPAL CLERK

The resolutions listed below are in draft form and may be amended prior or during the meeting

RESOLUTION 22-0502-131

AUTHORIZING THE SALE OF SURPLUS PROPERTY BEING A 2017 HINO MODEL #338 THROUGH MUNICIBID IN ACCORDANCE WITH STATE COOPERATIVE PRICING SYSTEM

WHEREAS, the Borough is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Borough Council are desirous of selling said surplus property in an “as is” condition without express or implied warranties.

BE IT RESOLVED by the Council in the Borough of Somerville, County of Somerset, as follows:

- (1) The sale of the surplus property shall be conducted through **Municibid** pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with **Municibid** is available online at **Municibid.com** and also available from the Borough of Somerville.
- (2) The sale will be conducted online and the address of the auction site is govdeals.com.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold is as follows:

**2017 Hino Model #338
VIN/ 5PVNV8JG6H4S50462**

- (5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (6) The Borough reserves the right to accept or reject any bid submitted.

RESOLUTION 22-0502-132

AUTHORIZING THE SALE OF SURPLUS PROPERTY BEING A 2008 FORD F-650 THROUGH MUNICIBID IN ACCORDANCE WITH STATE COOPERATIVE PRICING SYSTEM

WHEREAS, the Borough is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Borough Council are desirous of selling said surplus property in an “as is” condition without express or implied warranties.

BE IT RESOLVED by the Council in the Borough of Somerville, County of Somerset, as follows:

- (1) The sale of the surplus property shall be conducted through **Municibid** pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with **Municibid** is available online at **Municibid.com** and also available from the Borough of Somerville.
- (2) The sale will be conducted online and the address of the auction site is govdeals.com.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold is as follows:

**2008 Ford F-650
VIN/ 3FRXF65EX8V668012**

- (5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (6) The Borough reserves the right to accept or reject any bid submitted.

RESOLUTION 22-0502-133

**AUTHORIZING THE SALE OF SURPLUS PROPERTY BEING A
2015 FORD TAURUS AWD THROUGH MUNICIBID IN ACCORDANCE WITH STATE
COOPERATIVE PRICING SYSTEM**

WHEREAS, the Borough is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Borough Council are desirous of selling said surplus property in an “as is” condition without express or implied warranties.

BE IT RESOLVED by the Council in the Borough of Somerville, County of Somerset, as follows:

- (1) The sale of the surplus property shall be conducted through **Municibid** pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with **Municibid** is available online at **Municibid.com** and also available from the Borough of Somerville.
- (2) The sale will be conducted online and the address of the auction site is govdeals.com.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold is as follows:

**2015 Ford Taurus AWD
VIN/ 1FAHP2MK6FG100860**

- (5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (6) The Borough reserves the right to accept or reject any bid submitted.

RESOLUTION 22-0502-134

**APPROVING THE HIRING OF OCTAVIA ANGELOZZI AS PART TIME FIRE
MAINTENANCE ASSISTANCE EFFECTIVE MAY 3, 2022**

WHEREAS, the Borough of Somerville approves the hiring of Octavia Angelozzi as an as part time in accordance with the Borough's Policy and Procedures Manual; and

WHEREAS, this position is a Union position covered by AFSCMENJ and a collective bargaining agreement; and

WHEREAS, Octavia Angelozzi shall be paid \$25 per hour for 20 hours per week effective May 3, 2022

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey approves the hiring of Octavia Angelozzi as part time Fire Maintenance Assistance effective May 3, 2022 at a rate of \$25 for a total amount of 20 hours per week.

RESOLUTION 22-0502-135

**APPROVING A STREET CLOSURE ON GROVE STREET, MAIN STREET AND HIGH
STREET FOR DIVERSITY FESTIVAL FROM 12:00 P.M. TO
4:00 P.M. ON SUNDAY, OCTOBER 16, 2022**

BE IT RESOLVED, the Borough Council of the Borough of Somerville hereby approves a street closure on Grove Street, Main Street and High Street for Diversity Festival from 12:00 p.m. to 4:00 p.m. Saturday, October 16, 2022.

RESOLUTION 22-0502-136

**APPROVING THE 77th ANNUAL TOUR OF SOMERVILLE BIKE RACE ON MEMORIAL
DAY, MAY 30, 2022 AND APPROVING ALL REQUIRED ROAD CLOSURES AS DEFINED
BY THE ROAD CLOSURE AND DETOUR PLANS**

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey approves the 77TH Annual Tour of Somerville Bike Race on Memorial Day, May 30, 2022, requiring partial road closures which include but not limited to Main Street, Grove Street, High Street and Mountain Avenue throughout the day.

RESOLUTION 22-0502-137

**AUTHORIZING AN AGREEMENT WITH THE OWNERS OF BLOCK 114,
LOT 26, COMMONLY KNOWN AS 94-98 WEST MAIN STREET ALLOWING THE
PURCHASE OF FIVE SPACES IN A MUNICIPAL LOT AS PER PLANNING BOARD
APPLICATION #2019-026P**

WHEREAS, the owners of Block 114, Lot 26 at a Planning Board hearing held on November 13, 2019, agreed to purchase five (5) parking spaces from the Borough of Somerville in a Municipal Parking Lot; and

WHEREAS, the Borough of Somerville offers a program in the right to park is purchased at a fee for owners that are unable to provide the parking spaces required as per Planning Board; and

WHEREAS, Planning Board Resolution adopted on and approved on November 13, 2019 states ... "the Board has agreed to provide a parking variance providing the Applicant also arranges for and pay for five (5) off-site parking spaces from the Borough... The Applicant shall have the right to apply to the Board in the future to demonstrate that the need is less"; and:

WHEREAS, after the adoption of this Resolution, the condition #10 in the Planning Board resolution shall be deemed complete and an invoice will be mailed for said spaces upon issuance of Certificate of Occupancy; and

WHEREAS, the users of public parking are required to pay the fee for parking as established by ordinance:

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey authorizes the Borough Administrator to execute an agreement with the owners of Block 114, Lot 26, commonly known as 94-98 West Main Street allowing the purchase of five spaces in the municipal lot as per Planning Board Application #2019-026P.

RESOLUTION 22-0502-138

AUTHORIZING THE INSTALLATION OF TWO (2) MONITORING WELLS ON BLOCK 123 LOT 9, LOCATED ON SOUTH BRIDGE STREET OWNED BY RICHARDS FUEL OIL, INC.

WHEREAS, the Borough of Somerville has the need to monitor ground water in and around property owned by the Borough of Somerville; and

WHEREAS, it is necessary that the Borough install two (2) monitoring wells on Block 123, Lot 9; and

WHEREAS, the owner of the property is unreachable; and:

WHEREAS, the Borough of Somerville shall install monitoring wells on Block 123, Lot 9 and shall bear all costs for performing such work; and

WHEREAS, the Borough of Somerville shall remove said monitoring wells at municipal costs at a time and date to be determined:

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey authorizes the installation of monitoring wells at Block 123, Lot 9, South Bridge Street owned by Richards Fuel Oil, Inc.

RESOLUTION 22-0502-139

**AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR
ENGINEERING SERVICES TO CHA CONSULTING, INC**

WHEREAS, the Borough of Somerville has a need to acquire Engineering Services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, the Kevin Sluka, Clerk-Administrator, appointed as the Borough's Qualified Purchasing Agent has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is one (1) year and may be reappointed or extended for an additional year upon the acceptance of a second year proposal; and

WHEREAS, the Borough of Somerville's Redevelopment Committee accepted proposals as solicited by Colin Driver, Director of Economic Development; and

WHEREAS, the Director of Economic Development advised that the Redevelopment Committee reviewed solicited proposals and conducted interviews and reviewed references and made the following recommendations; and

WHEREAS, CHA Consulting, Inc., the principal consultant, in conjunction with IH Engineers, PC and Cofone Consulting Group, LLC in support, has submitted a proposal dated December 14, 2021 indicating they will provide the required Engineering and Planning Services to the Borough of Somerville to be fully paid by escrow funds posted by developers at the rates set below; and

WHEREAS, CHA Consulting, Inc., 1639 Route 10 East | Suite 103, Parsippany, New Jersey 07054; IH Engineers, PC and Cofone Consulting Group, LLC have completed and submitted a Business Entity Disclosure Certification which certifies that CHA Consulting, Inc; IH Engineers, PC and Cofone Consulting Group, LLC have not made any reportable contributions to a political or candidate committee in the Borough of Somerville in the previous one year, and that the contract will prohibit the CHA Consulting, Inc from making any reportable contributions through the term of the contract; and

WHEREAS, CHA Consulting, Inc., 1639 Route 10 East | Suite 103, Parsippany, New Jersey 07054 has been advised that the Borough of Somerville has its own pay to play ordinance and CHA Consulting, Inc has reviewed and shall comply with the local ordinance; and

WHEREAS, CHA Consulting, Inc shall be paid from Escrow funds that are posted by developers and redevelopers and the Borough of Somerville shall pay contract expenses from posted escrows; and

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

1. A contract with CHA Consulting, Inc., 10 East | Suite 103, Parsippany, New Jersey 07054 is hereby authorized

2. The Mayor and Clerk are authorized to sign a contract with CHA Consulting, Inc., 10 East | Suite 103, Parsippany, New Jersey 07054 in accordance with the following terms and conditions:

- A. Term: A period of not to exceed 12 months or for length of project
- B. Rate: Hourly rates as follows:
as per proposal dated December 14, 2021 in schedule of services and fees effective for 2021
Fees shall be charged against developer's escrow
- C. Services: The firm shall provide professional engineering services

3. The Borough Clerk in accordance with the provisions of N.J.S.A. 40A:11-5(1)(a)(i), is directed to publish a notice once in the Official Newspaper stating the nature, duration, service and amount of this contract.
4. The Borough Clerk shall make copies of this resolution available for public inspection at the Municipal Building, 25 West End Avenue, Somerville, NJ during regular business hours.

RESOLUTION 22-0502-140

APPROVING DOWNTOWN SOMERVILLE CRAFT BEER FEST AND ROAD CLOSURE ON NORTH BRIDGE STREET BETWEEN MAIN STREET AND HIGH STREET ON SATURDAY, JUNE 18, 2022 FROM 8:00 A.M. TO 10:30 P.M. AND SUNDAY, JUNE 19, 2022 FROM 8:00 A.M. TO 10:30 P.M.

WHEREAS, the Downtown Somerville Craft Beer Fest is schedule to take place on Saturday, June 18, 2022, from 8:00 A.M. to 10:30 P.M. and Sunday, June 19, 2022 from 8:00 A.M. to 10:30 P.M.; and

WHEREAS, the festival will be utilizing North Bridge Street from Main Street to High Street; and

WHEREAS, the organizers must complete the road closure and police request forms and make payment to the Police Off-Duty escrow prior to scheduling of officers.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Somerville, hereby approve the Oktoberfest to take place on June 18, 2022, from 8:00 A.M. to 10:30 P.M. and Sunday, June 19, 2022 from 8:00 A.M. to 10:30 P.M., on North Bridge Street from Main Street to High Street contingent on the submission of the appropriate forms and payment to the Police Off-Duty escrow prior to scheduling of Off-Duty Police Officers.

RESOLUTION 22-0502-141

AUTHORIZING ADMINISTRATOR TO EXECUTE THE 2022 ANJEC OPEN SPACE GRANTS FOR ENVIRONMENTAL COMMISSIONS APPLICATION

WHEREAS, the Somerville Green Team desires to make application for grant funds to establish a community garden at Firemen’s Field; and

WHEREAS, the Somerville Green Team has built a partnership with the Borough of Somerville, Department of Public Works, Recreation Committee and Environmental Commission, to provide resources, materials and funding; and

WHEREAS, the project requires additional funding and said project meets the ANJEC Open Space Grant eligibility; and

WHEREAS, the Borough of Somerville authorizes the Borough Administrator to execute all the necessary documents including but not limited to the application for 2022 ANJEC Open Space Grants for Environmental Commission Application.

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey authorizes Kevin Sluka, Clerk-Administrator to execute all required documents for the application for 2022 ANJEC Open Space Grants for Environmental Commission Application.

RESOLUTION 22-0502-142

APPROVING THE HIRING OF JENNIFER MOTANO AS FULL TIME PARKING ENFORCEMENT OFFICER EFFECTIVE MAY 9, 2022

WHEREAS, Jennifer Montano accepted the “Offer of Employment” dated April 22, 2022; and

WHEREAS, a background check was performed by the Borough of Somerville in accordance with authorization; and

WHEREAS, the effective date of hire is May 9, 2022 and annual salary of \$46,000; and

BE IT RESOLVED, that the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey hereby hire Jennifer Montano as full time Parking Enforcement Officer, effective May 9, 2022 at an annual salary of \$46,000.

RESOLUTION 22-0502-143

APPROVING NEW JERSEY FIREMEN’S ASSOCIATION APPLICATION FOR ELIZABETH ISELIN

BE IT RESOLVED, that the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey hereby approves New Jersey Firemen’s Association Application for Elizabeth Iselin.

RESOLUTION 22-0502-144

**APPROVING NEW JERSEY FIREMEN'S ASSOCIATION APPLICATION FOR
TOMAZ RODRIGUES**

BE IT RESOLVED, that the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey hereby approves New Jersey Firemen's Association Application for Tomaz Rodrigues.

RESOLUTION 22-0502-145

**APPROVING FREE PARKING IN LOTS #1, #2, #4, #6 ON MAY 12, 2022, STARTING AT
4:00 P.M. AND AUTHORIZING THE RESERVATION OF SPACE IN FRONT OF
MANNIONS, VINTEDGE WINE BAR, TAPESTRE, VILLAGE AND VERVE FOR
PEDALCYCLE USE**

BE IT RESOLVED, that the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey hereby approves free parking in Lots #1, #2, #4, & #6 on may 12, 2022 starting at 4:00 p.m. and authorizing the reservation of space in front of Mannions, Vintedge Wine Bar, Tapestre and Verve for pedalcycle for drop off and loading.

RESOLUTION 22-0502-146

**APPROVING THE NEW JERSEY TRIUMPH ASSOCIATION TO UTILIZE PARKING
SPACES IN FRONT OF HISTORIC COURTHOUSE
ON AUGUST 19TH 2022 FROM 5:00 P.M. – 9:00 P.M. FOR
CRUISE NIGHT DISPLAY**

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey approves the New Jersey Triumph Association to use parking spaces located on Main Street in front of the Historic Courthouse on August 19th for Cruise Night display.