

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

**Monday, August 15, 2022
7:00 P.M.**

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

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EVENTS

- 1. OPEN PUBLIC MEETING LAW STATEMENT**
- 2. ROLL CALL**
- 3. SALUTE TO THE FLAG**
- 4. APPROVAL OF MINUTES- EXECUTIVE SESSION**
 - a. July 18, 2022
 - b. August 1, 2022
- 5. APPROVAL OF MINUTES**
 - a. August 1, 2022
- 6. DEPARTMENTAL REPORTS & NOTICES**
 - a. St. Hubert's Monthly Report July
 - b. Board of Health Report July
- 7. COMMITTEE REPORTS**
- 8. 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)
- 9. CONSENT RESOLUTIONS (ANY ITEMS PULLED OFF CONSENT AGENDA ARE REQUIRED TO HAVE A MOTION AND ROLL CALL VOTE)**

(RESOLUTIONS 22-0815-259 THRU 22-0815-267)

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

- 22-0815-259 APPROVING OKTOBERFEST AND ROAD CLOSURE ON NORTH BRIDGE STREET BETWEEN MAIN STREET AND HIGH STREET ON SATURDAY, OCTOBER 1, 2022 FROM NOON TO 10:00 P.M.
- 22-0815-260 RESOLUTION APPOINTMENT OF INTERIM MUNICIPAL COURT ADMINISTRATOR JENNI PETERSON JULY 18, 2022 ENDING JULY 17, 2023
- 22-0815-261 APPROVING TAX SALE COSTS 2022
- 22-0815-262 APPROVING THE HIRING OF JAMES SANSEVERINO AS DRIVER LABORER FOR DEPARTMENT OF PUBLIC WORKS
- 22-0815-263 AUTHORIZING THE SALE OF CERTAIN LAND AND PROPERTY NO LONGER NEEDED FOR PUBLIC USE BY BOROUGH OF SOMERVILLE
- 22-0815-264 ACCEPTING RESIGNATION OF RON CZAJKOWSKI FROM THE COMPLETE STREET COMMITTEE EFFECTIVE IMMEDIATELY
- 22-0815-265 AUTHORIZING THE ADMINISTRATOR TO ENGAGE THE SERVICES OF DANCKER TO ASSIST IN FURNITURE SOLUTIONS FOR THE SOMERVILLE CIVIC CENTER
- 22-0815-266 AUTHORIZING THE HANGING OF PINK BOWS ON TREES LOCATED AT THE BOROUGH HALL PROPERTY FOR BREAST CANCER AWARENESS DURING THE MONTH OF OCTOBER
- 22-0815-267 AUTHORIZING THE ADMINISTRATOR TO ENGAGE THE SERVICES OF MAX SPANN R.E. & AUCTION CO. TO ASSIST IN ONLINE AUCTION FOR 106 VETERANS MEMORIAL DRIVE EAST BLOCK 58 LOT 25

10. BILLS AND VOUCHERS

11. ADJOURNMENT

KEVIN SLUKA, MUNICIPAL CLERK

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

RESOLUTION 22-0815-259

**APPROVING OKTOBERFEST AND ROAD CLOSURE ON
NORTH BRIDGE STREET BETWEEN MAIN STREET AND HIGH STREET
ON SATURDAY, OCTOBER 1, 2022 FROM NOON TO 10:00 P.M.**

WHEREAS, the Oktoberfest Fest is schedule to take place on Saturday, October 1, 2022 from noon to 10:00 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 Saturday, October 1, 2022 from noon to 10:00 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 22-0815-260

**RESOLUTION APPOINTMENT OF INTERIM MUNICIPAL COURT ADMINISTRATOR
JENNI PETERSON JULY 18, 2022 ENDING JULY 17, 2023**

WHEREAS, Jenni Peterson was hired on July 18, 2022 as the Municipal Court Administrator as established in the shared services agreement with Borough of Somerville; and

WHEREAS, Jenni Peterson is currently considered an interim Municipal Court Administrator pursuant to NJSA 2B:12€ since she was hired after May 25, 2011 and does not hold a municipal court administrator certificate; and

WHEREAS, the statute allows the governing body to appoint a person as a Municipal Court Administrator that is no a certified Municipal Court Administrator, on an interim basis, for a period not to exceed one year commencing on the date of the appointment July 18, 2022; and

WHEREAS, the stature further states, “Any person so appointed may, in consultation with the judge of the municipal court, be reappointed as a municipal administrator, on an Interim basis, for two subsequent one-year terms. The municipal court administrator appointed on an interim basis may be reappointed for a fourth, and, if necessary, a fifth additional one-year term, provided the municipal court administrator is currently enrolled in the certification program and needs additional time to complete that program”.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey that it hereby appoints Jenni Peterson as Interim Municipal Court Administrator for a one-year term commencing July 18, 2022 ending July 17, 2023.

RESOLUTION 22-0815-261

APPROVING TAX SALE COSTS 2022

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services; and

WHEREAS, the rules and regulations require a municipality to send two (2) notices of tax sale to all properties included in said sale; and

WHEREAS, the rules and regulations allow said municipality to charge a fee of up to \$25.00 per notice for the creation, printing and mailing of said notice; and

WHEREAS, Pursuant to NJSA 54:5-38, the officer conducting a tax sale shall collect and pay into the municipal treasury a fee for all costs incurred by the municipality in holding the sale. The amount of fee so paid shall be 2% of the existing lien as stated in NJSA 54:4-19 and 54:5-2 but not less than \$15.00 and not more than \$100.00 for each parcel in the sale; and

WHEREAS, the Borough of Somerville wishes to charge \$25.00 per notice mailed which will be assessed specifically to the delinquent accounts that are causing the need for a tax sale and not to the general tax base and 2% of the existing lien as stated in NJSA 54:4-19 and 54:5-2 but not less than \$15.00 and not more than \$100.00 for each parcel in the sale.

BE IT FURTHER RESOLVED by the Mayor and Borough Council of the Borough of Somerville that a fee of \$25.00 per notice be established and is hereby authorized and directed to be charged for each notice of tax sale that is sent in conjunction with the 2022 electronic tax sale.

RESOLUTION 22-0815-262

APPROVING THE HIRING OF JAMES SANSEVERINO AS DRIVER LABORER FOR DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Borough of Somerville advertised for the full time position of Driver Laborer for Department of Public Works; and

WHEREAS, it's recommended the hiring of James Sanseverino at an annual salary of \$44,000, prorated for 2022 depending on start date and contingent upon a satisfactory background check.

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey authorizes the hiring of James Sanseverino at an annual salary of \$44,000 prorated for 2022 with an anticipated start date of August 22, 2022.

RESOLUTION 22-0815-263

AUTHORIZING THE SALE OF CERTAIN LAND AND PROPERTY NO LONGER NEEDED FOR PUBLIC USE BY BOROUGH OF SOMERVILLE

WHEREAS, the Borough of Somerville is the owner of certain lands and capital improvements within the Borough of Somerville; and

WHEREAS, the Municipal Council of the Borough of Somerville does hereby determine that the lands and properties set forth in Schedule A are no longer needed for public use; and

WHEREAS, the Borough of Somerville desires to make available for public sale said lands in accordance with N.J.S.A. 40A:12-13(a).

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

SECTION 1. The Municipal Council hereby declares that the lands and premises set forth in Schedule A are no longer needed for public use and should be sold in accordance with the appropriate statutes of the State of New Jersey and ordinances of the Borough of Somerville.

SECTION 2. The Borough of Somerville hereby authorizes Max Spann Real Estate & Auction Co. (hereinafter "Auctioneer"), to offer for sale to the highest bidder by open public sale at auction, the property described in Schedule A attached hereto and made a part hereof.

SECTION 3. The online public sale on _____ or as soon thereafter as the matter may be heard and publicly announced, provided the sale is not canceled.

SECTION 4. The online public sale, if not canceled, shall take place by open public sale at auction to the highest bidder.

SECTION 5. All bidders at the time of sale must present a certified check, money wire or money order in the amount of \$5,000.00 payable to themselves (to be endorsed to the escrow holder or its designee if successful). In addition, the successful bidder shall submit a personal check or money order for the balance of the deposit of 10% of the minimum bid plus Buyer's Premium at the conclusion of the auction and shall execute an Agreement of Sale. Said Agreement of Sale shall be binding upon the high bidder until such time that the municipal council either 1) does not accept the bid in which case bidders deposit will be returned, or, 2) accepts the bid whereupon the municipality shall execute the Agreement of Sale and both parties shall be held bound by the terms and conditions contained therein. The balance of the purchase price shall be paid at closing which shall occur not later than 45 days following the acceptance of the bid by the Borough. The purchaser shall be entitled to possession immediately following closing of title.

SECTION 6. At closing of title, purchaser shall also pay a buyer's premium in the amount of ten (10%) percent of the bid amount to Auctioneer to conduct the sale.

SECTION 7. In the event the Borough of Somerville is unable to convey clear and marketable title, insurable at regular rates by a title insurance company licensed to do business in the State of New Jersey, the Borough of Somerville will forthwith return to the purchaser any and all deposit moneys previously submitted by the purchaser, and neither party shall have any further rights against the other. The acceptance of a deed by the purchaser from the Borough shall extinguish any claims that said purchaser may have against the Borough of Somerville in connection with the quality of title conveyed.

SECTION 8. The property herein sold is subject to existing encumbrances, liens, easements, zoning ordinances, other restrictions of record, such facts as an accurate survey would reveal and any present or future assessments for the construction of improvements benefiting said property. Neither the Borough of Somerville nor the Auctioneer make no representations as to the presence or absence of wetlands or any other environmental conditions on the property and the purchaser assumes the risk of any such condition, all property being sold “as is.”

SECTION 9. All conveyances by the Borough of Somerville shall be made by Bargain and Sale Deed with Covenants Against Grantor’s Acts.

SECTION 10.The Borough of Somerville reserves the right to waive any and all defects and informalities in any bid and to accept or reject any and all bids at the public sale and to not award to the highest bidder. No bid shall be considered finally accepted until passage of a resolution by the Municipal Council as set forth in Paragraph 12 hereof.

SECTION 11.Acceptable bids shall be confirmed by resolution of the Municipal Council no later than the first regular meeting of the Municipal Council following the date of such sale.

SECTION 12.This Ordinance shall constitute and serve as the public notice to be published in a newspaper circulating in the Borough at least once a week for two (2) consecutive weeks, the last publication being not earlier those seven (7) days prior to the date set forth for the public sale.

SECTION 13.In the event the successful bidder fails to close on the property, he shall forfeit the ten percent (10%) deposit.

SECTION 14.This resolution shall take effect immediately.

RESOLUTION 22-0815-264

ACCEPTING RESIGNATION OF RON CZAJKOWSKI FROM THE COMPLETE STREET COMMITTEE EFFECTIVE IMMEDIATELY

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey hereby accepts the resignation of Ron Czajkowski from the Complete Street Committee effective immediately. We wish him well and thank him for his service.

RESOLUTION 22-0815-265

AUTHORIZING THE ADMINISTRATOR TO ENGAGE THE SERVICES OF DANCKER TO ASSIST IN FURNITURE SOLUTIONS FOR THE SOMERVILLE CIVIC CENTER

WHEREAS, the Borough of Somerville will be provided space within the Somerset Development/Pulte Homes/Avalon Bay known as Somerville Civic Center; and

WHEREAS, the Borough of Somerville will be furnishing the Somerville Civic Center; and

WHEREAS, the Borough of Somerville has engaged the services of Dancker, 291 Evan Way, Somerville, New Jersey 08876 to assist in the design and logistics of the space.

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey hereby engages the services of Dancker, 291 Evans Way, Somerville, New Jersey 08876 to assist in the design and logistics of the Somerville Civic Center.

RESOLUTION 22-0815-266

AUTHORIZING THE HANGING OF PINK BOWS ON TREES LOCATED AT THE BOROUGH HALL PROPERTY FOR BREAST CANCER AWARENESS DURING THE MONTH OF OCTOBER

WHEREAS, the Dance for the Cure requested to place pink bows on trees located at the Borough Hall property starting September 29, 2022 as part of Breast Cancer Month.

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey authorizes the placement of pink bows for Breast Cancer Awareness during the month of October.

RESOLUTION 22-0815-267

AUTHORIZING THE ADMINISTRATOR TO ENGAGE THE SERVICES OF MAX SPANN R.E. & AUCTION CO. TO ASSIST IN ONLINE AUCTION FOR 106 VETERANS MEMORIAL DRIVE EAST BLOCK 58 LOT 25

WHEREAS, the Borough of Somerville has engaged the services of Max Spann R.E. & Auction Co. to assist in Online Auction for 106 Veterans Memorial Drive East Block 58 Lot 25.

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey hereby engages the services of Max Spann R.E. & Auction Co., PO Box 4992, Clinton, New Jersey 08809 to assist in online auction.