

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

**Tuesday, September 6, 2022
6:30 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. APPROVAL OF MINUTES- EXECUTIVE SESSION**
 - a. July 18, 2022
 - b. August 1, 2022
- 4. RESOLUTION 22-0906-268 TO ENTER INTO EXECUTIVE SESSION**

EXECUTIVE SESSION AGENDA

- a. Parking Garage- Veterans Memorial Payment (F. Regan)
- b. Redevelopment- TFE PILOT Amendment
- c. Somerville Gardens -150 South Bridge Street (J. Solomon)
- d. Personnel- Registrar, Deputy Registrar, Receptionist/Administrative Assistant
- e. Personnel- PBA Contract

COUNCIL MEETING AGENDA

- 1. OPEN PUBLIC MEETING LAW STATEMENT**
- 2. ROLL CALL**
- 3. SALUTE TO THE FLAG**
- 4. APPROVAL OF MINUTES**
 - a. August 15, 2022

5. DEPARTMENTAL REPORTS & NOTICES

- a. Sewer Referendum Public Hearing Lincoln Hose – September 20, 2022 7:00 p.m.
- b. Sewer Referendum Public Hearing American Legion September 29, 2022 7:00 p.m.
- c. DOT response to 25 M.P.H. – Recommendations forthcoming.
- d. Somerset County – Speed study being conducted on County roads within Somerville

6. COMMITTEE REPORTS

7. DISCUSSION

8. ORDINANCES FOR INTRODUCTION

- 2680-22-0906 APPROVING COTTAGE FOOD OPERATOR USE IN THE BOROUGH OF SOMERVILLE
- 2681-22-0906 AMENDING CHAPTER 166 SECTION 51 SCHEDULE X: ENTITLED YIELD INTERSECTIONS TO DELETE LEE WAY ON THE INTERSECTION OF LISA TERRACE AND LEE WAY AND TO AMEND CHAPTER 166 SECTION 50 SCHEDULE IX ENTITLED STOP INTERSECTIONS TO INCLUDE LEE WAY ON THE INTERSECTION OF LISA TERRACE AND LEE WAY
- 2682-22-0906 AMENDING ORDINANCE #2674-22-0516 ESTABLISHING A SALARY RANGE FOR EMPLOYEE TITLES TO BE PAID TO CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF SOMERVILLE
- 2683-22-0906 APPROVING AND AUTHORIZING AN AMENDED AND RESTATED FINANCIAL AGREEMENT BY AND BETWEEN THE BOROUGH OF SOMERVILLE AND 50 KIRBY AVENUE URBAN RENEWAL, LLC PURSUANT TO N.J.S.A. 40A:20-1 ET SEQ. FOR PROPERTY LOCATED AT 50 KIRBY AVENUE, ALSO KNOWN AS LOT 4.01 IN BLOCK 1, AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF SOMERVILLE, LOCATED IN THE KIRBY AVENUE REDEVELOPMENT AREA
- 2684-22-0906 AMENDING BOND ORDINANCE NUMBER 2670 FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SOMERVILLE, NEW JERSEY ON APRIL 4, 2022

9. 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)

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

(RESOLUTIONS 22-0906-269 THRU 22-0906-288)

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

- 22-0906-269 APPROVING TAX OVERPAYMENT REFUND FOR 14 DAVENPORT STREET BLOCK 114 LOT 36.01

- 22-0906-270 ACCEPTING A GRANT OF \$5,000,000 FROM THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND (HDSRF) PROGRAM THROUGH THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY AND THE DEPARTMENT OF ENVIRONMENTAL PROTECTION
- 22-0906-271 AUTHORIZING THE ADMINISTRATOR TO ENGAGE THE SERVICES OF DANCKER TO ASSIST WITH FURNITURE SOLUTIONS FOR THE EMERGENCY SERVICES FACILITY
- 22-0906-272 AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR SUPPORT OF THE AUDIO AND VIDEO SYSTEMS -MILLENNIUM COMMUNICATIONS GROUP, INC. FOR CIVIC CENTER
- ~~22-0906-273 APPROVING PLAYGROUND DEVELOPMENT ON BLOCK 50 LOTS 13 & 14 AS PART OF THE 40 HAYNES REDEVELOPMENT, LLC PLANNING BOARD APPLICATION #2017-007P~~
- 22-0906-274 APPROVING ROAD CLOSURE FOR EAST MAIN STREET FROM GROVE STREET TO BRIDGE STREET ON SUNDAY, SEPTEMBER 11, 2022 FROM 8:00 A.M. TO 8:00 P.M. FOR THE 2022 CENTRAL JERSEY JAZZ FEST
- 22-0906-275 ACCEPTING THE 2021 MUNICIPAL AUDIT AND EXECUTION OF THE GROUP AFFIDAVIT CERTIFYING THE GENERAL COMMENTS AND RECOMMENDATIONS MADE BY THE AUDITOR HAS BEEN REVIEWED
- 22-0906-276 AMENDING HOURS OF OPERATION FOR THE BASKETBALL COURT AT MICHAEL LEPP PARK AND PICKLE BALL AND TENNIS COURT AT HENRY P. VANDER VEER MEMORIAL PARK FROM DAWN TO 9:00PM
- 22-0906-277 ACCEPTING A GRANT OF \$8,655.00 FROM THE 2022 STATEWIDE FUND RISK CONTROL FOR GENERAL SAFETY AND RISK MANAGEMENT CONTROL
- 22-0906-278 APPROVING CHAPTER 159 FOR STATEWIDE INSURANCE FUND GENERAL SAFETY AND RISK GRANT
- 22-0906-279 ADOPTING SOMERVILLE BOROUGH HALL AND PUBLIC LIBRARY PRESERVATION PLAN UPDATE OF MARCH 2021 FROM HMR ARCHITECTS
- 22-0906-280 APPROVING AN INTERLOCAL AGREEMENT FOR PUBLIC HEALTH SERVICES WITH THE COUNTY OF SOMERSET AND THE BOROUGH OF SOMERVILLE BOARD OF HEALTH FOR THE YEARS 2022THRU 2024
- 22-0906-281 AUTHORIZING THE SALE OF SURPLUS PROPERTY 2007 DODGE DURANGO VIN/ 1D8HB38PX7F522515 BEING A THROUGH Municibid IN ACCORDANCE WITH STATE COOPERATIVE PRICING SYSTEM
- 22-0906-282 ACCEPTING A GRANT AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AGREEMENT FROM SOMERSET COUNTY OPEN SPACE TRUST IN AMOUNT NOT TO EXCEED \$375,000.00 FOR IMPROVEMENTS TO THE MICHAEL LEPP PARK POOL
- 22-0906-283 APPROVING TAX OVERPAYMENT REFUNDS

- 22-0906-284 ADOPTING THE TITLE AND JOB DESCRIPTION
RECEPTIONIST/ADMINISTRATIVE ASSISTANT
- 22-0906-285 AUTHORIZING A INTERLOCAL SERVICE AGREEMENT
WITH THE COUNTY OF SOMERSET FOR EMERGENCY
MANAGEMENT SERVICES
- 22-0906-286 APPROVING CHAPTER 159 FROM SOMERSET COUNTY
OPEN SPACE TRUST FOR IMPROVEMENTS TO THE
MICHAEL LEPP PARK POOL
- 22-0906-287 AUTHORIZING THE SALE OF SURPLUS PROPERTY 2015
FORD TAURUS POLICE AWD VIN/ 1FAHP2MKXFG100862
BEING A THROUGH Municibid IN ACCORDANCE WITH
STATE COOPERATIVE PRICING SYSTEM
- 22-0906-288 AUTHORIZING THE SALE OF SURPLUS PROPERTY 2015
FORD TAURUS POLICE AWD VIN/ 1FAHP2MK6FG100860
BEING A THROUGH Municibid IN ACCORDANCE WITH
STATE COOPERATIVE PRICING SYSTEM

11. BILLS AND VOUCHERS

12. ADJOURNMENT

KEVIN SLUKA, MUNICIPAL CLERK

ORDINANCE #2680-22-0906

**AMENDING THE SOMERVILLE BOROUGH LAND USE LAW TO INCLUDE
CHAPTER 102 SECTION 120(K) APPROVING COTTAGE FOOD OPERATION**

WHEREAS, the Borough of Somerville amends the Somerville Borough Land Use Law to include Chapter 102 Section 120(K) permitting Cottage Food Operation as an accessory use in all zone districts that allow residences subject to the following requirements:

1. There shall be only one such use in any dwelling unit.
2. The use shall be operated by or shall employ in the dwelling unit only a resident or residents who are permanent full-time residents of the dwelling unit, and no other persons.
3. The use shall be located only within the principal building, and not within any accessory buildings. There shall not be permitted the conversion of garage parking areas to cottage food use.
4. The dwelling unit shall not be divided or partitioned in any way to prevent free access between all portions of the dwelling unit and the area devoted to the cottage food use.
5. There shall be no change to the exterior of buildings or other structures for the use, and no outside appearance of a business use, including but not limited to parking, storage, signs, or lights.
6. The use shall not operate any equipment or conduct any process that creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with telephone, radio, or television reception, any of the foregoing which are detectable by neighboring residents.
7. The use shall not require any increased or enhanced electrical, water, natural gas or other utility service, supply, or usage, above what is typically required for residential use in the zone district.
8. The quantity and type of solid waste disposal shall be the same as for other residential uses in the zone district.
9. The capacity and quality of effluent shall be the same as is typical of normal residential use in the zone district and shall create no potential or actual detriment to the sanitary sewer system or its components.
10. Deliveries to and from the use shall be made by the same types of trucks used by the U.S. Postal Service, United Parcel Service, Federal Express and other similar delivery services when providing regular service to residential uses in the zone district (e.g. no larger than a box truck).
11. All vehicular traffic to and from the cottage food use shall be limited in volume, type, and frequency to that which is normally associated with other residential uses in the zone district.
12. Such uses shall have a Cottage Food Operator Permit issued by the NJ Department of Health and is exempt from the requirement to obtain either a zoning permit or site plan approval.
13. Upon request, the resident shall allow inspection of the dwelling by the Borough.
14. Effective upon review of the Somerville Borough Planning Board and adoption of the Borough Council and advertising required by law.

ORDINANCE #2681-22-0906

**AMENDING CHAPTER 166 SECTION 51 SCHEDULE X: ENTITLED
YIELD INTERSECTIONS TO DELETE LEE WAY ON THE
INTERSECTION OF LISA TERRACE AND LEE WAY AND TO AMEND
CHAPTER 166 SECTION 50 SCHEDULE IX ENTITLED STOP
INTERSECTIONS TO INCLUDE LEE WAY ON THE INTERSECTION OF
LISA TERRACE AND LEE WAY**

§ 166-51 Schedule X: Yield Intersections.

In accordance with the provisions of § 166-15, the following described intersections are hereby designated as yield intersections, and yield signs shall be installed as follows:

Yield Sign On	Intersection
Bell Avenue (westbound)	Cornell Boulevard and Bell Avenue (westbound)
Catalina Drive	South Cadillac Drive and Catalina Drive
Eastern States Parkway	Halsey Street and Eastern States Parkway
Fleetwood Drive	Everit Drive and Fleetwood Drive
Fleetwood Drive	Riviera Drive and Fleetwood Drive
Imperial Drive	Fleetwood Drive and Imperial Drive
Imperial Drive	Seville Drive and Imperial Drive
Kirby Avenue	Haynes Street and Kirby Avenue
Lee Way	Lisa Terrace and Lee Way
Lisa Terrace	Reimer Street and Lisa Terrace
Michael Lane	South Cadillac Drive and Michael Lane
North Middaugh Street	Prospect Street and North Middaugh Street
Robin Road	Nagle Drive and Robin Road
Sycamore Street	South Cadillac Drive and Sycamore Street

§ 166-50 Schedule IX: Stop Intersections.

In accordance with the provisions of § 166-14, the following described intersections are hereby designated as stop intersections:

Stop Sign	On Intersection
Bartine Street	Culver Street and Bartine Street
Bell Avenue	North Middaugh Street and Bell Avenue
Cammann Place	North Middaugh Street and Cammann Place
Catherine Street	Culver Street and Catherine Street
Center Street	Fifth Street and Center Street
Center Street	Fourth Street and Center Street
Center Street	Second Street and Center Street

Stop Sign	On Intersection
Center Street	Third Street and Center Street
Central Avenue	Loeser Avenue and Central Avenue
Culver Street	East Cliff Street and Culver Street
DeMond Place	Sycamore Street and DeMond Place
East Cliff Street	Eastern Avenue and East Cliff Street
Eastern Avenue	East High Street and Eastern Avenue
Fairview Avenue	Haynes Street and Fairview Avenue
Fairview Avenue	South Gaston Avenue and Fairview Avenue
Grant Avenue	Vanderveer Avenue and Grant Avenue
Hunterdon Street	Davenport Street and Hunterdon Street
Ivanhoe Avenue	North Bridge Street and Ivanhoe Avenue
Kirby Avenue	South Adamsville Road and Kirby Avenue
<u>Lee Way</u>	<u>Lisa Terrace and Lee Way</u>
Lincoln Avenue	Cleveland Street and Lincoln Avenue
Lori Drive	Reimer Street and Lori Drive
Meadow Street	Veterans Memorial Drive East and Meadow Street
Middaugh Street	Altamont Place and Middaugh Street
North Doughty Avenue	West Summit Street and North Doughty Avenue
North Middaugh Street	West Summit Street and North Middaugh Street
Prospect Drive	Prospect Street and Prospect Drive
Reimer Street	Eastern Avenue and Reimer Street
Roosevelt Place	Schoolhouse Lane and Roosevelt Place
South Gaston Avenue	Central Avenue and South Gaston Avenue
South Middaugh Street	Washington Place and South Middaugh Street
South Street	Division Street and South Street
Steele Avenue	Vanderveer Avenue and Steele Avenue
Third Street	Third Street and Center Street
Vanderveer Avenue	East High Street and Vanderveer Avenue
Vanderveer Avenue	Reimer Street and Vanderveer Avenue
West Summit Street	North Middaugh Street and West Summit Street

This Ordinance shall take effect as provided by law.

ORDINANCE# 2682-22-0906

**AMENDING ORDINANCE #2674-22-0516 ESTABLISHING A SALARY RANGE FOR
EMPLOYEE TITLES TO BE PAID TO CERTAIN OFFICERS AND EMPLOYEES OF
THE BOROUGH OF SOMERVILLE**

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

SECTION 1. The salaries, wages or other compensation to be paid to the following officers and employees of the Borough of Somerville, in the County of Somerset, shall be fixed and determined from time to time by resolution of the Council, of the said Borough, at amounts or rates of not less than the respective minimum, nor more than the respective maximum amounts or rates hereinafter set forth opposite the title of the respective officers or employees as follows:

PRIMARY TITLE	MIN	MAX
MAYOR	\$3,500	\$5,500
COUNCIL MEMBER	\$3,000	\$4,500
BORO ADMINISTRATOR	\$81,600	\$132,000
BORO CLERK	\$54,400	\$90,000
DEPUTY CLERK	\$35,000	\$70,000
BORO ATTORNEY	\$30,000	\$65,000
EXECUTIVE ASSISTANT	\$35,000	\$55,000
RECEPTIONIST/ADMINISTRATIVE ASSISTANT	\$40,000	\$50,000
ASST TO ENGINEER	\$40,000	\$115,000
PROJECT MANAGER	\$39,000	\$65,000
PUBLIC WORKS MANAGER	\$65,000	\$145,000
DIR OF COMM DEV	\$45,000	\$125,000
CHIEF FINANCIAL OFFICER	\$65,000	\$125,000
ASISTANT TO THE CFO/PAYROLL	\$45,000	\$70,000
RECREATION DIRECTOR	\$45,000	\$90,000
SUPT OF FIRE MAINT.	\$40,000	\$85,000
ASST SUPT FIRE	\$35,000	\$60,000
TAX ASSESSOR	\$20,000	\$60,000
ASST TAX ASSESSOR	\$20,000	\$40,000
CORRESPONDING SECTY	\$25,000	\$50,000
SECRETARY	\$22,000	\$60,000
CONFIDENTIAL SECTY	\$25,000	\$60,000
MUNICIPAL JUDGE	\$20,000	\$70,000
ASS'T TO FINANCE OFFICER/RECEPTIONIST	\$39,000	\$70,000
TAX COLLECTOR	\$20,000	\$80,000
DEP TAX COLL	\$30,000	\$70,000
DEP SEWER UTY COLL	\$15,000	\$35,000
PLUMBING SUB-CODE	\$3,000	\$25,000
FIRE SUB-CODE INSP PT	\$10,000	\$30,000
FIRE OFFICIAL	\$30,000	\$90,000
FIRE INSPECTOR/PROPERTY MTC	\$42,000	\$50,000
PART-TIME FIRE INSPECTOR	\$10,000	\$50,000
PART-TIME ASSISTANT TO FIRE OFFICIAL	\$10,000	\$30,000
PART-TIME TECHNICAL ASSISTANT TO CONSTRUCTION OFFICIAL	\$10,000	\$30,000
FULL-TIME TECHNICAL ASSISTANT TO CONSTRUCTION OFFICIAL	\$35,000	\$65,000
ELECTRICAL SUBCODE/CONST CODE OFF.	\$35,000	\$95,000
HOUSING INSP	\$3,000	\$40,000
DEPY CODE ENF OFF	\$20,000	\$50,000
BUILDING SUB-CODE	\$2,000	\$25,000
BOOKKEEPER/CLERK	\$25,000	\$50,000
SR. CLK /TYPIST	\$25,000	\$45,000
CLERK/TYPIST	\$20,000	\$40,000
CLERK*	\$10,000	\$30,000
SECTY PL/ZONING BDS	\$25,000	\$80,000
REGISTRAR/VITAL STAT	\$30,000	\$75,000
DEP REGISTRAR/ADMIN ASS'T	\$30,000	\$70,000
PARK ENFORC OFF	\$30,000	\$60,000

RECEPTIONIST – PT	\$15.00/hr	\$26.00/hr
PARK ENFORC. – PT.	\$15.00/hr	\$26.00/hr
PART-TIME INTERN	\$15.00/hr	\$20.00/hr
PART-TIME CLERICAL	\$12.00/hr	\$30.00/hr
RECREATION ASSISTANTS	\$15.00/hr	\$30.00/hr
LIFEGUARDS	\$17.00/hr	\$21.00/hr
POOL SUPERVISOR	\$20.00/hr	\$25.00/hr
PART-TIME FIRE MAINTENANCE (hourly)	\$15.00/hr	\$35.00/hr
PART-TIME FIRE MAINTENANCE	\$10,000	\$35,000
INTERN	\$15.00/hr	\$20.00/hr
FIRE MAINTENANCE	\$15.00/hr	\$26.00/hr

FIRE DEPARTMENT:

FIRE APPARATUS DRIVER	\$600	\$2,000
FIRE DUTY	\$15.00/hr	\$20.00/hr
FIRE WATCH	\$15.00/hr	\$20.00/hr
FIRE ON-CALL	\$15.00/hr	\$20.00/hr

POLICE DEPARTMENT: (salary as per collective bargain contract)

CHIEF OF POLICE	\$140,000	\$190,000
CAPTAIN	\$115,000	\$180,000
LIEUTENANT	\$105,000	\$175,000
SERGEANT	\$79,000	\$160,000
DETECTIVE	\$60,000	\$145,000
PATROLMAN	\$50,000	\$145,000

PUBLIC WORKS: DPW employees are hourly employees salary as per collective bargaining contract

GENERAL	\$40,000	\$85,000
SUPERVISING MECHANIC	\$42,000	\$75,000
MECHANIC	\$44,000	\$65,000
HEAVY EQUIP OPR	\$44,000	\$70,000
LIGHT EQUIP OPR	\$44,000	\$70,000
DRIVER LABORER	\$42,000	\$65,000
LABORERS	\$27,500	\$55,000
DRIVER-LABORER-INSPECTOR	\$30,000	\$60,000
CUSTODIAN	\$27,500	\$55,000
HEAD CUSTODIAN	\$27,500	\$58,000
PART- TIME LABORER	\$15.00/hr	\$22.00/hr
SEASONAL EMPLOYEES	\$15.00/hr	\$25.00/hr

Part time employees and Public Works employees are hourly employees.

Contracts for PBA, OPEIU and AFSCME shall govern salary adjustments of fulltime and unionized part-time employees.

Hourly, non-unionized and management are governed by the Borough Council.

SECTION 2. The Borough Council reserves the right to hire any individual within the range by Resolution.

SECTION 3. This ordinance shall take effect immediately upon its final passage and publication as required by law.

ORDINANCE #2683-22-0906

APPROVING AND AUTHORIZING AN AMENDED AND RESTATED FINANCIAL AGREEMENT BY AND BETWEEN THE BOROUGH OF SOMERVILLE AND 50 KIRBY AVENUE URBAN RENEWAL, LLC PURSUANT TO N.J.S.A. 40A:20-1 ET SEQ. FOR PROPERTY LOCATED AT 50 KIRBY AVENUE, ALSO KNOWN AS LOT 4.01 IN BLOCK 1, AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF SOMERVILLE, LOCATED IN THE KIRBY AVENUE REDEVELOPMENT AREA

BE IT ORDAINED by the Borough Council of the Borough of Somerville that:

Section 1. Pursuant to and in accordance with the provisions of the Long-Term Tax Exemption Law, constituting Chapter 431 of the Pamphlet Laws of 1991 of the State, and the acts amendatory thereof and supplement thereto (the “Long Term Tax

Exemption Law”, as codified in N.J.S.A. 40A:20-1 et seq.), the Borough is authorized to provide for tax exemptions within a redevelopment area and for payments in lieu of taxes.

Section 2. 50 Kirby Avenue Urban Renewal, LLC (the “Redeveloper”) owns Block 1, Lot 4.01, (the “Property”) on which it proposes to construct a 174-unit residential rental townhouse style apartment community with 400 parking spaces (the “Project”).

Section 3. On November 17, 2017, the Borough and the Redeveloper entered into a financial agreement for the payment of annual service charges for a term of 25 years based on a percentage of Annual Gross Revenues (“AGR”) from the Project pursuant to the Long-Term Tax Exemption Law (the “Financial Agreement”) starting at 10% AGR for years 1-5; 12% AGR for years 6-14; and 15% AGR for years 15-25.

Section 4. As a result of finding unexpected soil contamination that exceeds the NJDEP maximum standards, including PCB’s, the Redeveloper requested that the Borough consider amending the Financial Agreement due to the additional time and expense associated with the remediation of the unexpected soil contamination at the Property.

Section 5. In order to assist the Redeveloper as a result of this unexpected environmental contamination and resulting delays and costs in completing the Project, the Redeveloper requested and the Borough has agreed to an amendment of the Financial Agreement for the percentage of Annual Gross Revenues (“AGR”) from the Project pursuant to the Long-Term Tax Exemption Law as follows: the original 10% AGR for years 1-5 shall be extended for five (5) years; the original 12% AGR for years 6-14 shall be amended for years 11-15; and original 15% AGR for years 15-25 shall be amended for years 16-25.

Section 6. The Financial Agreement, specifically Section 4.2 shall be amended to provide for the percentage of Annual Gross Revenues (“AGR”) from the Project as follows: 10% AGR for years 1-10; 12% AGR for years 11-15; and 15% AGR for years 16-25.

Section 7. The Mayor and Borough Clerk are hereby authorized to execute any and all documents necessary including an Amended and Restated Financial Agreement, in a form subject to final review and approval by the Borough’s legal counsel.

Section 8. This ordinance shall take effect upon final passage and publication as required by law.

ORDINANCE #2684-22-0906

AMENDING BOND ORDINANCE NUMBER 2670 FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SOMERVILLE, NEW JERSEY ON APRIL 4, 2022

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SOMERVILLE, IN THE COUNTY OF SOMERSET, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Bond Ordinance of the Borough Council of the Borough of Somerville, in the County of Somerset, New Jersey (the “Borough”) entitled “Bond Ordinance Providing An Appropriation Of \$2,417,000 For Various Improvements And Purposes For And By The Borough Of Somerville, In The County Of Somerset, New Jersey And Authorizing The Issuance Of \$1,444,000 Bonds Or Notes Of The Borough For Financing Part Of The Appropriation” finally adopted on April 4, 2022 (the “Ordinance”), is hereby incorporated by reference in its entirety.

Section 2. Section 3(a)(1) of the Ordinance is hereby amended in its entirety as follows:

Improvements	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Average Period of Usefulness
1. Improvements to various roads of the Borough, including but not limited to Eastern States Parkway, Brookside Avenue, Orchard Street, Riviera Drive and Central Avenue, including as required, manhole/catch basin renovations, concrete curbing, concrete sidewalk replacement, granite curbing, milling of pavement, drainage structures, micro surfacing, traffic calming, road striping and resurfacing of various tertiary and secondary roadways, including all structures and appurtenances, work or materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications thereon on file in the office of the Clerk and hereby approved.	\$1,497,000	\$679,000	20 Years

This Ordinance is further amended by (a) deleting the reference of "\$2,417,000" for the appropriation and estimated cost and "\$1,444,000" for the estimated maximum amount of bonds or notes and substituting in lieu therefor "\$2,717,000" and "\$1,729,000", respectively; by (b) deleting the reference to "\$45,000" for the down payment required by the Local Bond Law and substituting in lieu therefor "\$60,000", (c) by deleting the reference to "\$400,000" for section 20 costs and substituting in lieu therefor "\$500,000" and (d) by deleting the reference to "13.73" for useful life and substituting in lieu therefor "14.76."

Section 3. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolutions in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 4. This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$1,729,000.

Section 5. All other provisions of the Ordinance shall remain unchanged.

Section 6. This amendatory bond ordinance shall take effect twenty days after the first publication thereof after final adoption as provided by Local Bond Law.

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

RESOLUTION 22-0906-269

**APPROVING TAX OVERPAYMENT REFUND FOR
14 DAVENPORT STREET BLOCK 114 LOT 36.01**

WHEREAS, a tax overpayment has occurred on property in the Borough of Somerville; and

WHEREAS, the Tax Collector has research and determined that a refund should be issued on this account.

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector be instructed to refund the amounts to the block and lots listed below:

<u>Block/Lot</u>	<u>Year</u>	<u>Name</u>	<u>Address</u>	<u>Amount</u>
114/36.01	2022	Rock Shock Realty	14 Davenport St.	\$4,668.39

** Refund going to Corelogic Tax Services PO # 22-01067

RESOLUTION 22-0906-270

**ACCEPTING A GRANT OF \$5,000,000 FROM THE
HAZARDOUS DISCHARGE SITE REMEDIATION FUND (HDSRF) PROGRAM
THROUGH THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY AND THE
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

WHEREAS, the Borough of Somerville has applied for and has been awarded a grant in the amount of \$5,000,000.00 in grant Prod-00301883 from the Hazardous Discharge Site Remediation Fund. (HDSRF) Grant Program through the Department of Environmental Protection and the New Jersey Economic Development Authority; and

WHEREAS, in March 2022 the Borough affirmed its acceptance of this grant Prod-00301883; and

WHEREAS, these funds are for the additional Remedial Action of certain sections of the Somerville Landfill BDA area along with report preparation.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Somerville that the above referenced grant is hereby accepted and the Mayor is hereby authorized to execute grant documents as an authorized representative thereunder, as the representative for the Borough of Somerville.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the New Jersey Economic Development Authority.

RESOLUTION 22-0906-271

**AUTHORIZING THE ADMINISTRATOR TO ENGAGE THE SERVICES
OF DANCKER TO ASSIST WITH FURNITURE SOLUTIONS FOR THE EMERGENCY
SERVICES FACILITY**

WHEREAS, the Borough of Somerville will be furnishing the Emergency Services Facility; and

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

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 Emergency Service Facility.

RESOLUTION 22-0906-272

**AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT
FOR SUPPORT OF THE AUDIO AND VIDEO SYSTEMS -MILLENNIUM
COMMUNICATIONS GROUP, INC. FOR CIVIC CENTER**

WHEREAS, the Borough of Somerville requires professional services to assist with audio and video design for the Borough as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.7 as appropriate and the Borough of Somerville ordinance regulating pay to play; and

WHEREAS, the Borough Administrator has determined and certified in writing by copy of this Resolution that the value of the contract will exceed \$17,500; and

WHEREAS, the firm of Millennium Communications Group, Inc. submitted a proposal that exhibited a familiarity with the Borough of Somerville, experience with municipalities within the County, public clients of similar size, projects of similar size, and an hourly rate acceptable to the Borough; and

WHEREAS, the Borough of Somerville has utilized the firm of Millennium Communications Group, Inc. in the past and found their work to be satisfactory; and

WHEREAS, the firm of Millennium Communications Group, Inc. has submitted a proposal along with Political Contribution Disclosure and Business Entity Disclosure fulfilling the requirements to enable the firm of Millennium Communications Group, Inc. to provide such services; and

WHEREAS, the firm of Millennium Communications Group, Inc. shall provide professional support of the Audio and Video systems in accordance with their proposal dated August 15, 2022 for a period one year.

RESOLUTION 22-0906-273

~~APPROVING PLAYGROUND DEVELOPMENT ON BLOCK 50 LOTS 13 & 14 AS PART OF THE 40 HAYNES REDEVELOPMENT, LLC PLANNING BOARD APPLICATION #2017-007P~~

WHEREAS, ~~Planning Board Resolution approving 40 Haynes Street Redevelopment, LLC Application # 2017-007P, item #13 requires the development of a park on Block 50 Lots 13 & 14; and~~

WHEREAS, ~~Item #13 of said Planning Board Resolution requires the Borough Council to review and approve said park; and~~

BE IT RESOLVED, ~~by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey has reviewed and approved the playground development on Block 30 Lots 13 & 14 as part of the 40 Haynes Street redevelopment, LLC Application # 2017-007P.~~

RESOLUTION 22-0906-274

APPROVING ROAD CLOSURE FOR EAST MAIN STREET FROM GROVE STREET TO BRIDGE STREET ON SUNDAY, SEPTEMBER 11, 2022 FROM 8:00 A.M. TO 8:00 P.M. FOR THE 2022 CENTRAL JERSEY JAZZ FEST

WHEREAS, the approval is contingent on review of the Police Department and required document submittals.

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey approves the closure of East Main Street from Grove Street to Bridge Street on Sunday, September 11, 2022 from 8:00 a.m. through 8:00 p.m. for the 2022 Central Jersey Jazz Fest.

RESOLUTION 22-0906-275

ACCEPTING THE 2021 MUNICIPAL AUDIT AND EXECUTION OF THE GROUP AFFIDAVIT CERTIFYING THE GENERAL COMMENTS AND RECOMMENDATIONS MADE BY THE AUDITOR HAS BEEN REVIEWED

WHEREAS, the Borough of Somerville received the Municipal Audit for year ended December 31, 2021 from the accounting firm of PKF O'Connor Davies Accountants and Advisors; and

WHEREAS, as per Local Fiscal Affairs Law, the Municipal Clerk distributed the Audit Report to the Governing Body for review; and

WHEREAS, as the Governing Body shall, at the minimum review and be familiar with the sections of the Audit Report entitled “Comments and Recommendations” and shall execute a group Affidavit indicating the same; and

WHEREAS, as the Municipal Clerk shall publish a synopsis of the audit in the Official Newspaper; and

WHEREAS, the Audit Report did not make any recommendations and therefore, a Corrective Action Plan is not required.

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey accepts the 2021 Audit Report and executes an affidavit that certifies that the General Comments and Recommendations Section has been reviewed.

RESOLUTION 22-0906-276

AMENDING HOURS OF OPERATION FOR THE BASKETBALL COURT AT MICHAEL LEPP PARK AND PICKLE BALL AND TENNIS COURT AT HENRY P. VANDER VEER MEMORIAL PARK FROM DAWN TO 9:00PM

WHEREAS, the basketball court at Michael Lepp and pickleball and tennis court at Henry P. Vander Veer Memorial Park has operational timed lights and are able to be safely used past dusk.

THEREFORE, BE IT RESOLVED by the governing body of the Borough of Somerville, the basketball court at Michael Lepp and pickleball and tennis court at Henry P. Vander Veer Memorial Park has operational hours until 9:00pm effective immediately.

RESOLUTION 22-0906-277

ACCEPTING A GRANT OF \$8,655.00 FROM THE 2022 STATEWIDE FUND RISK CONTROL FOR GENERAL SAFETY AND RISK MANAGEMENT CONTROL

WHEREAS, the Borough of Somerville has applied for and has been awarded a grant in the amount of \$8,655.00 from 2022 Statewide Fund Risk Control for general safety and risk management control.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Somerville that the above referenced grant is hereby accepted, and the Mayor and Clerk is hereby authorized to execute grant documents as an authorized representatives thereunder, as the representative for the Borough of Somerville.

RESOLUTION 22-0906-278

APPROVING CHAPTER 159 FOR STATEWIDE INSURANCE FUND GENERAL SAFETY AND RISK GRANT

WHEREAS, NJSA 40A 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount; and

WHEREAS, the Borough of Somerville has received notice of an award of \$8,655.00 from the Statewide Insurance Fund General Safety and Risk Grant and wishes to amend its 2022 Budget to include this amount as a revenue.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Somerville hereby requests the Director of the Division of Local Government Services to approve the amendment of an additional item of revenue in the budget of the year 2022 in the sum of.....\$8,655.00 to be received from grants as revenue from:

Miscellaneous Revenues:
Special Items of General Revenue Anticipated with
Prior Written Consent of the Director of Local
Government Services:
Public and Private Revenues off-set with
Appropriations:
Statewide Insurance Fund Safety and Risk
Grant\$8,655.00

BE IT FURTHER RESOLVED that a like sum of.....\$8,655.00 be and the same is hereby appropriated under the caption of:

General Appropriations:
Operations-Excluded from "CAPS"
Public and Private Programs Offset by Revenues:
Statewide Insurance Fund – Safety and Risk grant

BE IT FURTHER RESOLVED, that the Borough Clerk of the Borough of Somerville forward two copies of this resolution to the Director of Local Government Services.

RESOLUTION 22-0906-279

**ADOPTING SOMERVILLE BOROUGH HALL AND PUBLIC LIBRARY
PRESERVATION PLAN UPDATE OF MARCH 2021 FROM
HMR ARCHITECTS**

BE IT RESOLVED, that the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey hereby approve the Somerville Borough Hall and Public Library Preservation Plan Update of March 2021 prepared by HMR Architects.

RESOLUTION 22-0906-280

**APPROVING AN INTERLOCAL AGREEMENT FOR PUBLIC HEALTH SERVICES
WITH THE COUNTY OF SOMERSET AND THE BOROUGH OF SOMERVILLE
BOARD OF HEALTH FOR THE YEARS 2022THRU 2024**

WHEREAS, the Somerset County Board of Chosen Freeholders created the Somerset County Health Department pursuant to N.J.S.A. 26:3A2-1 et seq.; and

WHEREAS, the Borough of Somerville Board of health desires to contract with the County of Somerset for Public Health Services; and

WHEREAS, the Borough of Somerville hereby affirms the desire of the Board of health to contract for public health services from January 1, 2022 through December 31, 2024; and

WHEREAS, the contract amount is as follows: 2022 \$121,197.42; 2023 \$123,621.37; 2024 \$126,093.80.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey hereby affirm an agreement for public health services with the County of Somerset and the Borough of Somerville.

RESOLUTION 22-0906-281

**AUTHORIZING THE SALE OF SURPLUS PROPERTY 2007 DODGE DURANGO
VIN/ 1D8HB38PX7F522515 BEING A 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:

**2007 DODGE DURANGO
VIN/ 1D8HB38PX7F522515**

- (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 22-0906-282

**ACCEPTING A GRANT AND AUTHORIZING THE MAYOR
AND CLERK TO EXECUTE AGREEMENT FROM SOMERSET COUNTY OPEN
SPACE TRUST IN THE AMOUNT NOT TO
EXCEED \$375,000.00 FOR IMPROVEMENTS TO THE
MICHAEL LEPP PARK POOL**

WHEREAS, the Borough of Somerville has applied for and has been awarded a grant in the amount not to exceed \$375,000.00 from the County Open Space Trust Fund.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Somerville that the above referenced grant is hereby accepted, and the Mayor and Clerk is hereby authorized to execute grant documents as an authorized representatives thereunder, as the representative for the Borough of Somerville.

RESOLUTION 22-0906-283

APPROVING TAX OVERPAYMENT REFUNDS

WHEREAS, a tax overpayment has occurred on property in the Borough of Somerville; and

WHEREAS, the Tax Collector has research and determined that a refund should be issued on this account.

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector be instructed to refund the amounts to the block and lots listed below:

<u>Block/Lot</u>	<u>Year</u>	<u>Name</u>	<u>Address</u>	<u>Reason</u>	<u>Amount</u>	<u>PO#</u>
41/26	2022	Foundation Title	95 Vanderveer	Duplicate Pay	\$2,637.11	22-01109
47/1.01	2022	Weichart Title	3 Fairview	Duplicate Pay	\$1,920.89	22-01119

RESOLUTION 22-0906-284

ADOPTING THE TITLE AND JOB DESCRIPTION RECEPTIONIST/ADMINISTRATIVE ASSISTANT

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey hereby adopts the title and job description Receptionist/Administrative Assistant.

RESOLUTION 22-0906-285

AUTHORIZING A INTERLOCAL SERVICE AGREEMENT WITH THE COUNTY OF SOMERSET FOR EMERGENCY MANAGEMENT SERVICES

WHEREAS, the County’s Board of Chosen Commissioners created the Somerset County Office of Emergency Management (hereinafter referred to as “OEM”) pursuant to N.J.S.A. 26:3A2-1 et seq.; and; and

WHEREAS, the Municipality is desirous of contracting with the County for the provision of OEM Services by the County via its Office of Emergency Management; and

WHEREAS, the parties to this Agreement are authorized to enter into an agreement for said services pursuant to N.J.S.A. 40A:65-1 et seq.; and

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey authorizes the Mayor and Municipal Clerk to execute the agreement for emergency management services with the County of Somerset.

RESOLUTION 22-0906-286

APPROVING CHAPTER 159 FROM SOMERSET COUNTY OPEN SPACE TRUST FOR IMPROVEMENTS TO THE MICHAEL LEPP PARK POOL

WHEREAS, NJSA 40A 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount; and

WHEREAS, the Borough of Somerville has received notice of an award of \$375,000.00 from the Somerset County Open Space Trust – Improvements to the Michael Lepp Park Pool and wishes to amend its 2022 Budget to include this amount as a revenue.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Somerville hereby requests the Director of the Division of Local Government Services to approve the amendment of an additional item of revenue in the budget of the year 2022 in the sum of.....\$375,000.00 to be received from grants as revenue from:

- Miscellaneous Revenues:
 - Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:
 - Public and Private Revenues off-set with Appropriations:
 - Somerset County Open Space Trust.....\$375,000.00

BE IT FURTHER RESOLVED that a like sum of.....\$375,000.00 be and the same is hereby appropriated under the caption of:

- General Appropriations:
 - Operations-Excluded from “CAPS”
 - Public and Private Programs Offset by Revenues:

Somerset County Open Space Trust – Improvements to the
Michael Lepp Park Pool

BE IT FURTHER RESOLVED, that the Borough Clerk of the Borough of Somerville forward two copies of this resolution to the Director of Local Government Services.

RESOLUTION 22-0906-287

AUTHORIZING THE SALE OF SURPLUS PROPERTY 2015 FORD TAURUS POLICE AWD VIN/ 1FAHP2MKXFG100862 BEING A 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 POLICE AWD
VIN/ 1FAHP2MKXFG100862**

- (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 22-0906-288

AUTHORIZING THE SALE OF SURPLUS PROPERTY 2015 FORD TAURUS POLICE AWD VIN/ 1FAHP2MK6FG100860 BEING A 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 POLICE 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.

#

MINUTES

OPEN PUBLIC MEETING LAW STATEMENT

Kevin Sluka read the Open Public Meeting Law Statement.

ROLL CALL

Present: Mayor Sullivan, Councilmembers Brady, Stravic, Wied, Pitts, Mitchell.
Also present: Kevin Sluka, Municipal Clerk and Jeremy Solomon, Borough Attorney.

Excused Absent: Councilmember Roger Vroom

SALUTE TO THE FLAG

Mayor Sullivan led the Pledge of Allegiance.

MOMENT OF SILENCE

The mayor asked for a collective moment of silence to reflect on the victims of September 11.

APPROVAL OF MINUTES – August 15, 2022

Councilmember	Motion	Second	Aye	Nay	Abstain	Absent
Brady			X			
Mitchell		X	X			
Pitts			X			
Stravic	X		X			
Vroom						X
Wied					X	

DEPARTMENTAL REPORTS & NOTICES

Mayor Sullivan said the reports were listed in the agenda.

COMMITTEE REPORTS

T. Mitchell - The National Park Service has awarded a \$500,000 grant to the Wallace House and Old Dutch Parsonage. The wrought iron fence surrounding the gravestones needs to have rust removed, sanded and painted.

G. Brady - I visited the Somerville DMV office last week and spoke with the new manager. The office seems efficient and the staff was very polite. They were very cooperative.

The road work on Lisa Terrace, Lori Drive, Lee Way and sections of Reimer Street was completed last week.

NJ American Water is scheduling several information meetings regarding the potential sewer sale. I've asked our sewer engineering firm to give a short presentation on the state of our sewer system and the cost we anticipate if we were to retain ownership.

G. Stravic - We received a \$127,000 grant from the state for riparian tree planting. The Environmental Commission has certification training on September 20. They will walk with a certified tree expert. Anyone is welcome to attend. The seedling from the Salem Oak tree will be planted on October 9 at Wallace House.

F. Wied - We now have a portal on the borough website to report potholes. Residents may upload photos.

R. Pitts - The DSA board is working with a recruitment agency to assist the board in selecting the next Executive Director. Natalie Pineiro will be leaving the DSA and is assisting through the transition.

Mayor Sullivan - October 13 is the tentative date for the groundbreaking of the new Emergency Services Facility.

We heard back from the state and county regarding our request to reduce the speed limit to 25mph. They sent letters saying this request will be addressed in a timely manner. Please be careful driving as kids are now back at school.

K. Sluka - Borough Hall will reopen starting next week. The tax office window will also remain open. Our goal is to have an employee by the entrance to assist people as they enter the building.

Mayor Sullivan - We received \$375,000 from the county open space fund. This will allow us to rebuild the pools.

K. Sluka - Work has started already and some of it is weather sensitive. The plan is to open Lepp Pool (currently closed) next year and close Walck Pool next year.

DISCUSSION

There were no items for discussion.

ORDINANCES FOR INTRODUCTION

2680-22-0906 APPROVING COTTAGE FOOD OPERATOR USE IN THE BOROUGH OF SOMERVILLE

Councilmember	Motion	Second	Aye	Nay	Abstain	Absent
Brady			X			
Mitchell		X	X			
Pitts			X			
Stravic			X			
Vroom						X
Wied	X		X			

2681-22-0906 AMENDING CHAPTER 166 SECTION 51 SCHEDULE X: ENTITLED YIELD INTERSECTIONS TO DELETE LEE WAY ON THE INTERSECTION OF LISA TERRACE AND LEE WAY AND TO AMEND CHAPTER 166 SECTION 50 SCHEDULE IX ENTITLED STOP INTERSECTIONS TO INCLUDE LEE WAY ON THE INTERSECTION OF LISA TERRACE AND LEE WAY

Councilmember	Motion	Second	Aye	Nay	Abstain	Absent
Brady	X		X			
Mitchell			X			
Pitts			X			
Stravic			X			
Vroom						X
Wied		X	X			

2682-22-0906 AMENDING ORDINANCE #2674-22-0516 ESTABLISHING A SALARY RANGE FOR EMPLOYEE TITLES TO BE PAID TO CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF SOMERVILLE

Councilmember	Motion	Second	Aye	Nay	Abstain	Absent
Brady			X			
Mitchell	X		X			
Pitts			X			
Stravic				X		
Vroom						X
Wied		X			X	

2683-22-0906 APPROVING AND AUTHORIZING AN AMENDED AND RESTATED FINANCIAL AGREEMENT BY AND BETWEEN THE BOROUGH OF SOMERVILLE AND 50 KIRBY AVENUE URBAN RENEWAL, LLC PURSUANT TO N.J.S.A. 40A:20-1 ET SEQ. FOR PROPERTY LOCATED AT 50 KIRBY AVENUE, ALSO KNOWN AS LOT 4.01 IN BLOCK 1, AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF SOMERVILLE, LOCATED IN THE KIRBY AVENUE REDEVELOPMENT AREA

Councilmember	Motion	Second	Aye	Nay	Abstain	Absent
Brady	X		X			
Mitchell		X	X			
Pitts			X			
Stravic			X			
Vroom						X
Wied				X		

2684-22-0906 AMENDING BOND ORDINANCE NUMBER 2670 FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SOMERVILLE, NEW JERSEY ON APRIL 4, 2022

Councilmember	Motion	Second	Aye	Nay	Abstain	Absent
Brady			X			
Mitchell			X			
Pitts			X			
Stravic	X		X			
Vroom						X
Wied		X	X			

MEETING OPEN TO THE PUBLIC

Councilmember	Motion	Second	Aye	Nay	Abstain	Absent
Brady	X		X			
Mitchell			X			
Pitts		X	X			
Stravic			X			
Vroom						X
Wied			X			

Comments

Mateo Garcia - Thanked the mayor for listening to his comments about cars speeding as they come off Rt. 22. Said residents appreciate the rumble strips. Also said thank you for the redevelopment of the basketball court on Mercer St. Asked what the town is planning to do to solve the flooding issue.

Asked the town to consider creating a committee to focus on the issue of affordable housing. Said there's a street sign (Brookside and Mt. Avenue) that fell and needs to be repaired.

CLOSE PUBLIC SESSION

Councilmember	Motion	Second	Aye	Nay	Abstain	Absent
Brady			X			
Mitchell			X			
Pitts		X	X			
Stravic			X			
Vroom						X
Wied	X		X			

CONSENT RESOLUTIONS (Resolutions 22-0906-269 through 22-0906-288, except 22-0906-270. Resolution 22-0906-273 was removed from the agenda.)

Councilmember	Motion	Second	Aye	Nay	Abstain	Absent
Brady			X			
Mitchell	X		X			
Pitts		X	X			
Stravic			X			
Vroom						X
Wied			X			

22-0906-270 ACCEPTING A GRANT OF \$5,000,000 FROM THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND (HDSRF) PROGRAM THROUGH THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY AND THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

T. Mitchell: This is the second phase of the landfill clean-up.

Councilmember	Motion	Second	Aye	Nay	Abstain	Absent
Brady			X			
Mitchell	X		X			
Pitts		X	X			
Stravic			X			
Vroom						X
Wied			X			

BILLS & VOUCHERS

Account	PO #	Vendor Name	Amount
1-01-25-240-000-720	21-01725	ISLAND TECH SERVICES LLC	21,500.97
1-01-26-290-000-723	21-01366	KENS TREE SERVICE	6,000.00
1-01-28-375-000-533	22-00048	UNITED SITE SERVICES	241.65
2-01-20-100-000-502	22-00001	COURIER NEWS	236.34
2-01-20-100-000-502	22-01101	NEW JERSEY LEAGUE OF MUNICIPAL	165.00
2-01-20-100-000-529	22-00002	BENZINO, LLC	300.00
2-01-20-100-000-530	22-00004	W.B. MASON CO., INC	479.94
2-01-20-100-000-531	22-01077	GENERAL CODE LLC	1,195.00
2-01-20-100-000-532	22-01102	NEW JERSEY LEAGUE OF MUNICIPAL	60.00
2-01-20-100-000-532	22-01107	NEW JERSEY LEAGUE OF MUNICIPAL	60.00
2-01-20-100-000-533	22-01075	RAINONE COUGHLIN MINCHELLO LLC	1,317.50
2-01-20-100-000-555	22-01104	NJ LEAGUE OF MUNICIPALITIES	75.00
2-01-20-100-000-555	22-01104	NJ LEAGUE OF MUNICIPALITIES	75.00
2-01-20-100-000-556	22-01061	PATRICIA HUNT	200.00
2-01-20-100-000-628	22-00235	W.B. MASON CO., INC	22.38
2-01-20-100-000-628	22-00235	W.B. MASON CO., INC	50.30
2-01-20-100-000-628	22-00709	RR DONNELLEY	601.30
2-01-20-100-000-635	22-00007	FEDEX	32.56
2-01-20-100-000-635	22-01090	PAIGE ELSTER	4.50
2-01-20-100-000-635	22-01090	PAIGE ELSTER	18.65
2-01-20-100-000-659	22-00017	DRIVER ASSOCIATES LLC	13,000.00
2-01-20-100-000-676	22-01090	PAIGE ELSTER	19.95
2-01-20-130-000-600	22-01112	U.S. BANK	1,650.00
2-01-20-130-000-628	22-00034	W.B. MASON CO., INC	49.00
2-01-20-130-000-628	22-00034	W.B. MASON CO., INC	124.47
2-01-20-140-000-533	22-00056	KRS IT CONSULTING LLC	7,360.80
2-01-20-140-000-533	22-01108	SPATIAL DATA LOGIC	24,000.00
2-01-20-140-000-534	22-00064	VITAL COMMUNICATIONS INC	100.00
2-01-20-140-000-598	22-00069	VERIZON	186.99
2-01-20-140-000-697	22-01100	NEW JERSEY LEAGUE OF MUNICIPAL	75.00

2-01-20-140-000-706	22-01068	QSCEND TECHNOLOGIES, INC	300.00
2-01-20-145-000-614	22-00081	W.B. MASON CO., INC	147.12
2-01-20-155-000-533	22-00143	JEREMY SOLOMON	4,333.00
2-01-20-165-000-533	22-00043	SOMERSET COUNTY ENG DEPT	445.30
2-01-20-165-000-533	22-00043	SOMERSET COUNTY ENG DEPT	85.12
2-01-21-180-000-605	22-01096	MCNALLY, YAROS,KACZYNSKI,LIME	1,552.00
2-01-21-180-000-605	22-01097	MICHAEL LOMBARDOZZI	451.00
2-01-21-180-000-659	22-01058	MCNALLY, YAROS,KACZYNSKI,LIME	598.50
2-01-22-195-000-533	22-01065	FOVEONICS IMAGING TECHNOLOGIES	19,978.00
2-01-23-220-003-666	22-00131	METLIFE-GROUP BENEFITS	5,160.35
2-01-25-240-000-533	22-01005	TIFFANY MOSQUERA	200.00
2-01-25-240-000-538	22-00945	SOMERSET COUNTY ADJUSTER	22.00
2-01-25-240-000-560	22-00090	VESPIA'S/MR TIRE	49.77
2-01-25-240-000-560	22-00090	VESPIA'S/MR TIRE	912.73
2-01-25-240-000-560	22-00090	VESPIA'S/MR TIRE	75.24
2-01-25-240-000-560	22-00091	FULLERTON FORD INC	1,811.26
2-01-25-240-000-560	22-00091	FULLERTON FORD INC	122.31
2-01-25-240-000-670	22-00911	COMPUTER SYSTEMS & METHODS	5,753.00
2-01-25-240-000-713	22-00087	ATLANTIC TACTICAL	12.99
2-01-25-240-000-713	22-00087	ATLANTIC TACTICAL	54.98
2-01-25-240-000-713	22-00087	ATLANTIC TACTICAL	65.00
2-01-25-240-000-713	22-00087	ATLANTIC TACTICAL	105.99
2-01-25-240-000-713	22-00226	OFFICER DARRIN DIPALMA	203.83
2-01-25-240-000-713	22-01082	OFFICER SEAN MEYER	79.90
2-01-25-252-001-533	22-00255	JASON KRASKA	1,458.33
2-01-25-265-000-557	22-00075	VERIZON WIRELESS	96.30
2-01-25-265-000-560	22-00107	GRIFFITH (FRANKLIN) ELEC	105.00
2-01-25-265-000-614	22-01080	ROBERT LYNN	22.75
2-01-25-265-000-614	22-01090	PAIGE ELSTER	18.87
2-01-25-265-000-614	22-01090	PAIGE ELSTER	23.20
2-01-25-265-000-614	22-01090	PAIGE ELSTER	8.00
2-01-25-265-000-628	22-00267	STAPLES CR PLAN	105.85
2-01-25-265-000-661	22-00112	LINCOLN HOSE CO # 4	1,300.00
2-01-25-265-000-697	22-00932	CHRIS SMITH	270.00
2-01-25-275-000-637	22-00360	BOB SMITH & ASSOC.	1,666.66
2-01-26-290-000-540	22-00822	SALVATORE SCALORA LANDSCAPING	2,400.00
2-01-26-290-000-560	22-00823	TRIOUS, INC	294.45
2-01-26-290-000-560	22-00886	BRIDGEWATER CHEVROLET, INC.	92.17
2-01-26-290-000-560	22-01092	VESPIA'S/MR TIRE	100.00
2-01-26-290-000-560	22-01099	HOME DEPOT CREDIT SERVICES	101.41
2-01-26-290-000-643	22-01099	HOME DEPOT CREDIT SERVICES	400.00
2-01-26-290-000-643	22-01099	HOME DEPOT CREDIT SERVICES	-205.04
2-01-26-290-000-673	22-00326	SOMERSET CTY RD & BRIDGE DIV	226.86
2-01-26-290-000-674	22-00047	STAVOLA ASPHALT COMPANY	95.31
2-01-26-290-000-687	22-01099	HOME DEPOT CREDIT SERVICES	455.29
2-01-26-290-000-687	22-01099	HOME DEPOT CREDIT SERVICES	55.91
2-01-26-290-000-687	22-01099	HOME DEPOT CREDIT SERVICES	1,727.28
2-01-26-290-000-723	22-00363	FUSCO'S RENTAL WORLD	3,200.00
2-01-26-305-000-523	22-00030	LMR DISPOSAL, LLC	26,167.00
2-01-26-305-000-523	22-00030	LMR DISPOSAL, LLC	953.28
2-01-26-305-000-523	22-00030	LMR DISPOSAL, LLC	2,041.00
2-01-26-310-000-516	22-00012	AMPERE ELECTRICAL CONTRACTORS	209.00
2-01-26-310-000-516	22-00012	AMPERE ELECTRICAL CONTRACTORS	412.75
2-01-26-310-000-516	22-00036	PROFESSIONAL CLIMATE CONTROL	300.00
2-01-26-310-000-517	22-00246	W.B. MASON CO., INC	12.22
2-01-26-310-000-517	22-01099	HOME DEPOT CREDIT SERVICES	25.97
2-01-26-310-000-517	22-01099	HOME DEPOT CREDIT SERVICES	138.58
2-01-26-310-000-517	22-01099	HOME DEPOT CREDIT SERVICES	66.91
2-01-26-310-000-517	22-01099	HOME DEPOT CREDIT SERVICES	4.27

2-01-26-310-000-536	22-00197	RICKERSHAUSER, CARL E	710.00
2-01-26-310-000-558	22-00141	CAVANAUGH'S	55.00
2-01-26-310-000-558	22-00141	CAVANAUGH'S	35.00
2-01-28-370-000-697	22-00547	THOMAS DIAMENTE	180.00
2-01-28-370-000-697	22-00548	NEAL TOBIN	180.00
2-01-28-370-000-697	22-01094	CROWN TROPHY	51.00
2-01-28-370-000-704	22-00762	GARDEN STATE LABORATORIES	1,895.00
2-01-28-375-000-560	22-00558	CENTRAL JERSEY NURSERIES	128.97
2-01-28-375-000-648	22-00549	PACE ANALYTICAL SERVICES INC.	157.47
2-01-31-430-000-580	22-00327	SOMERSET SOLAR 1 LLC	90.53
2-01-31-440-000-705	22-00054	VERIZON	32.23
2-01-31-440-000-705	22-00067	VERIZON	35.42
2-01-31-440-000-705	22-00074	VERIZON WIRELESS	185.77
2-01-31-440-000-705	22-00659	SOMERVILLE BOARD OF ED	1,075.00
2-01-31-440-000-705	22-00817	VERIZON	260.01
2-01-31-445-000-717	22-00011	AMERICAN WATER	5,377.53
2-05-55-502-000-533	22-00084	BOROUGH OF MANVILLE	964.08
2-05-55-502-000-533	22-00743	TOP LINE CONSTRUCTION	2,819.60
2-05-55-502-000-556	22-00468	DECOTIIS,FITZPATRICK,COLE & WI	2,386.50
2-05-55-502-000-564	22-01022	L & S CONTRACTING	3,950.00
2-09-55-502-000-556	22-00576	DECOTIIS,FITZPATRICK,COLE & WI	980.50
2-09-55-502-000-560	22-00129	SOMERSET CTY ADM. BLDG	242.35
2-09-55-502-000-560	22-01023	BUTTS TICKET COMPANY	605.00
C-04-00-002-550-999	21-01631	NV5, INC.	7,858.32
C-04-00-002-570-659	22-01076	DECOTIIS,FITZPATRICK,COLE & WI	74.00
C-04-00-002-638-999	22-00984	YOUR WAY CONSTRUCTION INC	138,852.38
C-04-00-002-670-909	22-00043	SOMERSET COUNTY ENG DEPT	360.18
G-02-40-002-016-592	22-01099	HOME DEPOT CREDIT SERVICES	457.47
G-02-40-002-022-217	22-01062	ALICIA WALKER-CARMAN	262.50
T-12-00-000-000-647	22-01011	RUTKO ENGRAVING	320.00
T-12-00-000-000-647	22-01011	RUTKO ENGRAVING	11.50
T-13-00-000-000-211	22-01057	CHA DESIGN/CONSTRUCTION SOLUT	3,202.50
T-13-00-000-000-211	22-01095	MCNALLY, YAROS,KACZYNSKI,LIME	1,543.50
T-13-00-000-000-211	22-01095	MCNALLY, YAROS,KACZYNSKI,LIME	2,425.50
T-13-00-000-000-211	22-01095	MCNALLY, YAROS,KACZYNSKI,LIME	441.00
T-13-00-000-000-211	22-01095	MCNALLY, YAROS,KACZYNSKI,LIME	10.00
T-13-00-000-000-225	22-01103	BONGIOVI FUNERAL HOME	1,000.00
T-13-00-000-000-235	22-00229	SPORTS FIELD SOLUTIONS	109,720.00
T-13-00-000-000-235	22-00435	SPORTS FIELD SOLUTIONS	22,980.00

Councilmember	Motion	Second	Aye	Nay	Abstain	Absent
Brady		X	X			
Mitchell			X			
Pitts			X			
Stravic			X			
Vroom						X
Wied	X		X			

ADJOURNMENT

Councilmember Mitchell made a motion to adjourn, seconded by Councilmember Wied, all voted favorably.

Respectfully Submitted,

Kevin Sluka, RMC