

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

**Monday, September 19, 2022  
6:30 P.M.**

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

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EVENTS

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- 1. OPEN PUBLIC MEETING LAW STATEMENT**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES- EXECUTIVE SESSION**
  - a. September 6, 2022
- 4. RESOLUTION 22-0919-289 TO ENTER INTO EXECUTIVE SESSION**

**EXECUTIVE SESSION AGENDA**

- a. Redevelopment
- b. Personnel

**COUNCIL MEETING AGENDA**

- 1. OPEN PUBLIC MEETING LAW STATEMENT**
- 2. ROLL CALL**
- 3. SALUTE TO THE FLAG**
- 4. APPROVAL OF MINUTES**
  - a. September 6, 2022
- 5. DEPARTMENTAL REPORTS & NOTICES**
  - a. St. Hubert's Monthly Report August
  - b. Somerville Division of Health Report August
- 6. PROCLAMATION**
  - a. Diaper Need Awareness Week -September 24<sup>th</sup> - October 2<sup>nd</sup>
- 7. COMMITTEE REPORTS**
- 8. MAYORAL APPOINTMENT**
  - a. Lisa Werner -Planning Board - Alternate II (term expires 12/31/2023)
- 9. DISCUSSION**
  - a. E. Cliff Street and Grove Street Intersection
  - b. Somerville Civic Center
- 10. ORDINANCES FOR PUBLIC HEARING AND ADOPTION** (full copy is available at the end of this agenda)

2680-22-0906

APPROVING COTTAGE FOOD OPERATOR USE  
IN THE BOROUGH OF SOMERVILLE *(this public  
hearing will need be table since the Planning Board*

cancelled it's meeting and unable to formally comment)

- 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

#### **11. MEETING OPEN TO THE PUBLIC**

(Motion and 2<sup>nd</sup> 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)

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

##### **(RESOLUTIONS 22-0919-290 THRU 22-0919-302)**

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

- 22-0919-290 URGING THE NEW JERSEY LEGISLATURE TO DRAFT AND ADOPT LEGISLATION TO REQUIRE MANDATED PERIODIC INSPECTIONS OF PUBLIC AND PRIVATE PARKING STRUCTURES
- 22-0919-291 APPROVING THE HIRING OF MARY ANN REH AS THE REGISTRAR
- 22-0919-292 AWARDDING A CONTRACT TO MOTIVATED SECURITY SERVICES, INC., FOR CROSSING GUARD SERVICES FOR SEPTEMBER 2022 THROUGH JUNE 2024
- 22-0919-293 SUPPORTING AND CONSENTING TO A PHASE 2 OF THE DEVELOPMENT OF A MIXED-USE PROJECT BY SOMERSET STATION URBAN RENEWAL, LLC ON PROPERTY KNOWN AS TAX BLOCK 123, LOT 2.03 IN THE LANDFILL REDEVELOPMENT AREA

- 22-0919-294 APPROVING CHAPTER 159 FOR NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION-HDSRF, PUBLIC ENTITY GRANT PROGRAM APPLICATION #00301883 FOR ADDITIONAL REMEDIAL ACTION OF CERTAIN SECTIONS OF THE SOMERVILLE LANDFILL BDA AREA
- 22-0919-295 APPROVING TAX OVERPAYMENT REFUNDS
- 22-0919-296 APPOINTING RON CZAJKOWSKI TO THE HISTORIC ADVISORY COMMITTEE (expired term 12/31/22)
- 22-0919-297 AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR T & M ASSOCIATES FOR SURVEY, ENGINEERING DESIGN AND CONTRACT ADMINISTRATION & INSPECTION SERVICES FOR IMPROVEMENTS AT THE MICHAEL LEPP PARK POOL
- 22-0919-298 APPROVING GIRLS ON THE RUN RACE FOR NOVEMBER 20, 2022 STARTING AT 11:00 A.M. ON THE CORNER OF HIGH STREET AND BRIDGE STREET
- 22-0919-299 ACCEPTING THE RETIRMENT RESIGNATION OF MARCIE TYSON EFFECTIVE OCTOBER 1, 2022 (END OF BUSINESS SEPTEMBER 30, 2022) AND AUTHORIZING FINAL PAYMENT FOR TIME ACCUMULATED
- 22-0919-300 APPROVING CHAPTER 159 FROM THE DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANT #UCF-2022-0014 FOR 2022 NJUCF STEWARDSHIP GRANT – REFORESTATION AND TREE PLANTING GRANT
- 22-0919-301 APPROVING THE HIRING OF JEREMY SUSSER AS FULL TIME FIRE MAINTENANCE ASSISTANT EFFECTIVE OCTOBER 3, 2022
- 22-0919-302 AUTHORIZING EXECUTION FOR RIGHT OF ENTRY AGREEMENT FOR PSE&G-CHAMBRES PARK KNOWN AS BLOCK 301 LOT 1

### **13. BILLS AND VOUCHERS**

### **14. 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. If the dwelling unit is rented, the property owner shall be notified of the proposed use.

**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:

<b>Yield Sign On</b>	<b>Intersection</b>
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
<del>Lee Way</del>	<del>Lisa Terrace and Lee Way</del>
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:

<b>Stop Sign</b>	<b>On Intersection</b>
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

<b>Stop Sign</b>	<b>On Intersection</b>
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:

<u>PRIMARY TITLE</u>	<u>MIN</u>	<u>MAX</u>
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	\$32,000	\$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	\$32,000	\$60,000
ASST TAX ASSESSOR	\$32,000	\$40,000
CORRESPONDING SECTY	\$32,000	\$50,000
SECRETARY	\$32,000	\$60,000
CONFIDENTIAL SECTY	\$32,000	\$60,000
MUNICIPAL JUDGE	\$20,000	\$70,000
ASS'T TO FINANCE OFFICER/RECEPTIONIST	\$39,000	\$70,000
TAX COLLECTOR	\$32,000	\$80,000
DEP TAX COLL	\$32,000	\$70,000
DEP SEWER UTY COLL	\$32,000	\$35,000
PLUMBING SUB-CODE	\$3,000	\$25,000
FIRE SUB-CODE INSP PT	\$10,000	\$30,000
FIRE OFFICIAL	\$32,000	\$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	\$32,000	\$50,000
BUILDING SUB-CODE	\$2,000	\$25,000
BOOKKEEPER/CLERK	\$32,000	\$50,000
SR. CLK /TYPIST	\$32,000	\$45,000
CLERK/TYPIST PT	\$20,000	\$40,000
CLERK PT	\$10,000	\$30,000
SECTY PL/ZONING BDS	\$32,000	\$80,000
REGISTRAR/VITAL STAT	\$32,000	\$75,000
DEP REGISTRAR/ADMIN ASS'T	\$32,000	\$70,000
DEPUTY REGISTRAR	\$35,000	\$65,000

PARK ENFORC OFF	\$33,000	\$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	\$15.00/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	\$32,000	\$55,000
DRIVER-LABORER-INSPECTOR	\$32,000	\$60,000
CUSTODIAN	\$32,000	\$55,000
HEAD CUSTODIAN	\$32,000	\$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:

<b>Improvements</b>	<b>Appropriation and Estimated Cost</b>	<b>Estimated Maximum Amount of Bonds or Notes</b>	<b>Average Period of Usefulness</b>
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 22-0919-290**

**URGING THE NEW JERSEY LEGISLATURE TO DRAFT AND ADOPT LEGISLATION TO REQUIRE MANDATED PERIODIC INSPECTIONS OF PUBLIC AND PRIVATE PARKING STRUCTURES**

**WHEREAS**, at least eight (8) privately owned and managed parking structures exists within the Borough of Somerville; and

**WHEREAS**, neglected and poorly maintained structures pose a safety risk to users, pedestrians and risk of property damage; and

**WHEREAS**, as a result falling debris in a parking structure located in the Borough of Somerville, Borough officials had to conduct an inspection of a private parking structure which resulted in an unsafe structure notice; and

**WHEREAS**, New Jersey does not have a mandated periodic inspection requirement for owners and operators of public or private parking structures for structural soundness and safety; and

**WHEREAS**, we urge the New Jersey Legislature to adopt legislation that would mandate periodic inspection requirements for public and private parking structures aimed at protecting the public from failing and unmaintained structures; and

**WHEREAS**, such legislation shall require the periodic inspections to be performed by structural engineers at a cost of owners and operators; and

**WHEREAS**, the Borough of Somerville willing to share its vision of said law and craft legislation in collaboration with the State of New Jersey:

**BE IT RESOLVED**, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey urges the New Jersey legislature to draft and consider a periodic inspection law for public and private parking decks.

**BE IT FURTHER RESOLVED**, that the Mayor and Council and Borough officials of the Borough of Somerville offer its talents and experience in assisting in the drafting of said legislation.

**BE IT FURTHER RESOLVED**, that the Municipal Clerk shall send a copy of this sealed and signed resolution to Somerville Borough’s legislative delegation and to the Office of Governor Philip Murphy.

**RESOLUTION 22-0919-291**

**APPROVING THE HIRING OF MARY ANN REH AS REGISTRAR**

**WHEREAS**, the Borough of Somerville advertised for the full time position of Registrar; and

**WHEREAS**, the Personnel Committee recommended the hiring of Mary Ann Reh at an annual salary of \$62,000, prorated for 2022.

**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 Mary Ann Reh at an annual salary of \$62,000 prorated for 2022.

**RESOLUTION 22-0919-292**

**AWARDING A CONTRACT TO MOTIVATED SECURITY SERVICES, INC., FOR CROSSING GUARD SERVICES FOR SEPTEMBER 2022 THROUGH JUNE 2024**

**WHEREAS**, on August 18, 2022, the Borough of Somerville legally advertised that sealed bids would be received on September 9, 2022; and

**WHEREAS**, the Borough received a bid on September 9, 2022 as follows:  
Motivated Security Services, Inc.

**WHEREAS**, the lowest responsible bid submitted by Motivated Security Services, Inc., 34 W. Main Street, Somerville, New Jersey 08876 is as follows:

	Crossing Guard per hour	Supervisor per hour
2022 September - December	\$23.15	\$27.36

2023 January – June & September - December	\$23.73	\$28.08
2024 January – June	\$24.59	\$28.80

**BE IT RESOLVED**, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey hereby awards a contract to by Motivated Security Services, Inc., 34 W. Main Street, Somerville, New Jersey 08876 as per the preamble.

**RESOLUTION 22-0919-293**

**SUPPORTING AND CONSENTING TO A PHASE 2 OF THE DEVELOPMENT OF A MIXED-USE PROJECT BY SOMERSET STATION URBAN RENEWAL, LLC ON PROPERTY KNOWN AS TAX BLOCK 123, LOT 2.03 IN THE LANDFILL REDEVELOPMENT AREA**

**WHEREAS**, on December 8, 1997, the Somerville Borough Council, by resolution designated an area in need of redevelopment, now known as the Borough Landfill Redevelopment Area; and

**WHEREAS**, on March 16, 1998, the Borough Council, by ordinance adopted a redevelopment plan for the Redevelopment Area (as defined below) entitled the Borough Landfill Redevelopment Plan, which was amended by the Borough on September 4, 2007, and the amended Redevelopment Plan is entitled “Redevelopment Plan for the Station Area and Landfill Redevelopment Area”, which has been amended from time-to-time; and

**WHEREAS**, Tax Block 123, Lots 2.01, 3, 5, 12 & 12.01 and Tax Block 124, Lots 18, 19 & 20 (the “Properties”) are located in the Redevelopment Area, which Properties have been subdivided to create new lots; and

**WHEREAS**, Redeveloper’s affiliate, Somerset Development, LLC, a New Jersey limited liability company (“Somerset”), and New Jersey Transit Corporation (“NJT”) entered into a Memorandum of Understanding, dated August 21, 2014, with regards to the redevelopment and sale of the Properties, which has been superseded and replaced by the Master Development Agreement, dated June 19, 2016 between the Somerset and NJT, which has been amended multiple times by the parties; and

**WHEREAS**, Somerset Development made a presentation to the Borough Council regarding its revised proposal to develop a mixed use project on the Property consisting of approximately 527 residential units, up to 4,000 square feet of non-residential public/civic space, 4,000 square feet of commercial/retail space, two structured parking facilities consisting of approximately 526 spaces and 338 spaces, and approximately 1,193 total parking spaces, respectively as part of the initial Phase of the project (“Phase 1”); and

**WHEREAS**, Somerset Development obtained site plan approval from the Planning Board on May 9, 2018 and memorialized on June 27, 2018 for Phase 1; and

**WHEREAS**, Somerset subsequently formed a new entity, Somerset Station Urban Renewal, LLC (the “Redeveloper”); and

**WHEREAS**, on March 18, 2019, the Borough and Redeveloper entered into a redevelopment agreement for Phase 1, which also contemplated a Phase 2; and

**WHEREAS**, the Redeveloper and/or its qualified developers are currently constructing the Phase 1 project which is anticipated to be completed in 2023; and

**WHEREAS**, the Redeveloper has requested the Borough’s support and consent as it seeks to begin the development of Phase 2, which is anticipated to include additional multi-family residential of between 125-200 units; and

**WHEREAS**, the Borough believes that the redevelopment of Phase 2 in the manner proposed by the Redeveloper is in the vital and best interests of the community and promotes the health, safety, morals and welfare of the Borough’s residents and is in

accord with the public purpose and provisions of the Local Redevelopment and Housing Law, and is consistent with the Redevelopment Plan, Planning Board approval and the Redevelopment Agreement; and

**WHEREAS**, the purpose of this resolution is to express the Borough’s support and consent for Phase 2 of the Redeveloper’s redevelopment of Block 123, Lot 2.03 consistent with the Redevelopment Plan and subject to certain conditions set forth below.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Somerville that it hereby offers its support and consents to a Phase 2 of the mixed use project by Somerset Station Urban Renewal, LLC on Tax Block 123, Lot 2.03 located in the Landfill Redevelopment Area, subject to the Redeveloper obtaining any required approvals from NJT for Phase 2, the Borough and Redeveloper entering into an amendment to the Redevelopment Agreement for Phase 2 and the Redeveloper obtaining any and all other required permits and approvals for the development of Phase 2.

**BE IT FURTHER RESOLVED** that the Mayor and Borough Clerk are hereby authorized to execute any and all documents that may be required by the support and consent provided for Phase 2.

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately.

**RESOLUTION 22-0919-294**

**APPROVING CHAPTER 159 FOR NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION- HDSRF, PUBLIC ENTITY GRANT PROGRAM APPLICATION #00301883 FOR ADDITIONAL REMEDIAL ACTION OF CERTAIN SECTIONS OF THE SOMERVILLE LANDFILL BDA AREA**

**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 \$5,000,000.00 from New Jersey Department of Environmental Protection and wishes to amend its 2022 Budget to include this amount as 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..... \$5,000,000.00 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:
  - The New Jersey Department of Environmental Protection - Remedial Action .....\$5,000,000.00

**BE IT FURTHER RESOLVED** that a like sum of.....\$5,000,000.00 be and the same is hereby appropriated under the caption of:

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

The New Jersey Department of Environmental Protection -  
Remedial Action

**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 22-0919-295**

**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 blocks 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>
111/6	2022	F. Piccirillo	29 Ross St	Duplicate	\$2,854.83	22-01145
124/2.07 C1309	2022	M. Wilkins	1042 Station Rd	Duplicate	\$3,749.10	22-01146

**RESOLUTION 22-0919-296**

**APPOINTING RON CZAJKOWSKI TO THE HISTORIC ADVISORY COMMITTEE**  
(expired term 12/31/22)

**BE IT RESOLVED**, that the Mayor appoints and the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey hereby consents to the appointment of Ron Czajkowski to the Historic Advisory Committee until the end of business on December 31, 2022.

**RESOLUTION 22-0919-297**

**AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR  
T & M ASSOCIATES FOR SURVEY, ENGINEERING DESIGN AND CONTRACT  
ADMINISTRATION & INSPECTION SERVICES FOR IMPROVEMENTS AT THE  
MICHAEL LEPP PARK POOL**

**WHEREAS**, the Borough of Somerville requires professional engineering services for Survey, Engineering Design and Contract Administration & Inspection Services for Improvements at the Michael Lepp Park Pool; 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 T & M Associates submitted a proposal that exhibited a familiarity with the Borough of Somerville, experience with municipalities within the County, the County itself and public clients of similar size and budgets; and

**WHEREAS**, the Borough of Somerville has utilized the firm of T & M Associates in the past and found their work to be satisfactory; and

**WHEREAS**, the firm of T & M Associates has submitted a proposal along with Political Contribution Disclosure and Business Entity Disclosure fulfilling the requirements to enable the firm of T & M Associates to provide such services; and

**WHEREAS**, all work shall be authorized prior to commencement, however this contract shall be considered a month-to-month contract and shall not exceed 12 months.

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

1. A professional services contract with T & M Associates, 1455 Broad Street, Suite 250, Bloomfield NJ 07003 is hereby authorized
2. The Mayor and Clerk are authorized to sign a contract with the Firm of T & M Associates, 1455 Broad Street, Suite 250, Bloomfield NJ 07003 in accordance with the following terms and conditions:
  - A. Term: Month to Month for a period of not to exceed 12 months or for length of project
  - B. Rate: Fee as stated in proposal dated September 1, 2022.
  - C. Services: The firm shall provide professional engineering services for Survey, Engineering Design and Contract Administration & Inspection Services for Improvements at the Michael Lepp Park Pool
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 22-0919-298**

#### **APPROVING GIRLS ON THE RUN RACE FOR NOVEMBER 20, 2022 STARTING AT 11:00 A.M. ON THE CORNER OF HIGH STREET AND BRIDGE STREET**

**WHEREAS**, Girls on the Run race is schedule to take place on Sunday, November 20, 2022, starting at 11:00 a.m.; and

**WHEREAS**, the race will be utilizing the regular race route ending on East High Street and the corner of North Bridge Street; and

**WHEREAS**, the race 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 Girls on the Race to be held on Sunday November 20, 2022 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 22-0919-299**

#### **ACCEPTING THE RETIRMENT RESIGNATION OF MARCIE TYSON EFFECTIVE OCTOBER 1, 2022 (END OF BUSINESS SEPTEMBER 30, 2022) AND AUTHORIZING FINAL PAYMENT FOR TIME ACCUMULATED**

**BE IT RESOLVED** by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey hereby accepts the retirement resignation of Marcie Tyson effective October 1, 2022 (end of business September 30, 2022) and wishes her well in her future endeavors and authorizes final payment for time accumulated at a

rate of \$272.79 @ 186.38 days = \$17,727.91, which shall be paid as follows: 2022: \$2,727.91(Personal, Vacation, Holiday); 2023: \$15,000 (Accumulated sick cap)

**RESOLUTION 22-0919-300**

**APPROVING CHAPTER 159 FROM THE DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANT #UCF-2022-0014 FOR 2022 NJUCF STEWARDSHIP GRANT – REFORESTATION AND TREE PLANTING 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 \$137,210.00 from the Department of Environmental Protection Grant #UCF-2022-0014 For 2022 NJUCF Stewardship Grant – Reforestation and Tree Planting 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.....\$137,210.00 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:
      - 2022 NJUCF Stewardship Grant – Reforestation and Tree Planting Grant .....\$137,210.00

**BE IT FURTHER RESOLVED** that a like sum of.....\$137,210.00 be and the same is hereby appropriated under the caption of:

- General Appropriations:
  - Operations-Excluded from “CAPS”
  - Public and Private Programs Offset by Revenues:
    - 2022 NJUCF Stewardship Grant – Reforestation and Tree Planting 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 22-0919-301**

**APPROVING THE HIRING OF JEREMY SUSSER AS FULL TIME FIRE MAINTENANCE ASSISTANT EFFECTIVE OCTOBER 3, 2022**

**WHEREAS**, the Borough of Somerville approves the hiring of Jeremy Susser; and

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

**WHEREAS**, Jeremy Susser shall be paid a salary of \$52,000.00 per year.

**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 Jeremy Susser as full time Fire Maintenance Assistant effective October 3, 2022 at a salary of \$52,000.00 per year.



**RESOLUTION 22-0919-302**

**AUTHORIZING EXECUTION FOR RIGHT OF ENTRY AGREEMENT FOR PSE&G-  
CHAMBRES PARK KNOWN AS BLOCK 301 LOT 1**

**BE IT RESOLVED** by the Borough Council of the Borough of Somerville hereby authorizes execution and signature for right of entry agreement for PSE&G-Chambres Park known as Block 301 Lot 1.

#

# 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, Vroom, Mitchell.  
Also present: Kevin Sluka, Municipal Clerk, Jeremy Solomon, Borough Attorney.

## SALUTE TO THE FLAG

Mayor Sullivan led the Pledge of Allegiance.

## APPROVAL OF MINUTES – September 6, 2022

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

## DEPARTMENTAL REPORTS & NOTICES

- St. Hubert’s Monthly Report August
- Somerville Division of Health Report August

## PROCLAMATION

Diaper Need Awareness Week -September 24th - October 2nd

## COMMITTEE REPORTS

T. Mitchell - Borough Hall has re-opened to the public. The outdoor ramps will remain in place for now. The 17th Annual Weekend Journey to the Past is on Oct. 8 & 9. The Diversity Festival is on Oct. 16, presented by Somerset County. There will be a haunted history ghost walk on Oct. 23. There will be Native American heritage celebration on Division St. on Nov. 5.

R. Vroom - No report tonight.

G. Brady - We are beginning the budget cycle. The goal is to continue stabilizing our revenue by using grant funds and PILOT revenue. The primary concern for the 2023 budget is the state 20% increase in healthcare insurance. Currently, we subsidize 70% of the cost with local taxes, with the employee contributing about 30%.

There are two meetings with NJ American Water scheduled on September 20 and 29. If the sewer sale referendum is approved, the Borough will be paid \$7 million and that will help retire our debt.

G. Stravic - The Environmental Commission will walk with a certified tree expert. Thank you to Katherine Hughes for developing a tree planting plan. The commission members support composting leaves.

F. Wied - No report tonight.

R. Pitts - The Downtown Somerville Alliance (DSA) has announced a new banner program designed to pay tribute to all service men and women from Somerville and Branchburg who have served in any branch of the military. Each banner will honor a specific individual and include their name, picture, branch of service, and area of service. The banners will be on display during the month of November for 2 consecutive years. To participate in the program, visit the DSA or Borough website.

Mayor Sullivan - The Borough received a check from Somerset County for \$375,000 for the rehabilitation of Lepp Park Pool. We intend to apply again next year for Walck Park Pool.

**MAYORAL APPOINTMENT**

- Lisa Werner -Planning Board - Alternate II (term expires 12/31/2023)

**DISCUSSION: Somerville Civic Center**

Mayor Sullivan - As part of the Avalon Bay construction project at Somerville Station, we were able to negotiate the creation of a 4,000 sq ft public space. We're getting the room built according to industry standards and we're responsible for the final finishes.

Colin Driver, Director of Economic Development- presented an architect's representation of the external view and rendering of what the 4,000 sq ft space will look like.

- The Civic Center sits in the heart of the new development and is close to parking.
- There's a separate conference room and unisex restrooms.
- The dais is designed to accommodate all the Borough boards
- There will be monitors for the governing body and the audience to see what is being presented.
- There's a beam that impacts the ceiling height.
- There will be a wireless microphone system for people who are presenting to the Council.
- The audio and security systems are still being developed.
- Avalon plans to hand over the space to us in September or October next year.

Tammy Stouchko, Principal with SSP Architects of Somerville - The room is designed to be flexible for different uses. It is fully accessible with the ramps and sloped walls.

The mayor asked for a motion to open the meeting to the public.

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

**Public Comments**

Elizabeth G., 39 E. Cliff Street - Asked about the AV design and the planned opening date.

C. Driver - We just started working with the AV designers and they have a long history of working with municipalities. The date (fall 2023) is when Avalon will deliver the space, but the AV setup may not be in place yet due to supply chain difficulties.

**Close Public Comments**

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

**DISCUSSION: E. Cliff Street and Grove Street Intersection**

Lt. Anthony Brattole, Somerville Police Department - Accidents at that intersection generally result in minor injuries due to drivers not seeing the stop sign. This could be because they're not paying attention or using their phone. The stop sign lights up, but people still seem to miss it. I don't think speed is the primary reason.

Mayor Sullivan asked about the 2 most recent accidents last week.

Lt.Brattole - Said he wasn't familiar with the specific details, but one of them involved a provisional, inexperienced driver.

K. Sluka - We enhanced the markings and added the rumble strips. Tree trimming just took place recently. We've asked the county to conduct a study and see if additional work could be done to make it a safer intersection.

F. Wied - The reason this traffic study was not done two years ago was because we were in the middle of a pandemic. We would not get an accurate view of that intersection. When you're coming from Cliff (west-bound) and you see the green light at the top of the hill, you could subconsciously go through the intersection.

Lt.Brattole - The accidents have been in both directions, but I think east-bound is worse. When you're traveling west you can see the stop sign.

G. Brady - Maybe we should move the rumble strips further up the hill so drivers can pay attention quicker.

Mayor Sullivan asked if the minimum speed allowed is 25 mph.

Lt.Brattole - I don't think speed is the problem. The stop sign flashes LED lights. If people don't see that, I'm not sure they'll see a red light.

Mayor Sullivan - It's also twice the size of a normal sign.

G. Stravic - Asked if a 4-way stop is the solution.

Lt. Name - I don't think so. We have the best stop sign there now. Beyond that is a study for a traffic signal. But, people run red lights.

K. Sluka - Whenever you put a signal in, it changes the driving pattern.

R. Vroom - Whatever we put there, I don't think it will change people not paying attention.

G. Brady - Maybe we should include RideWise in some of these discussions.

### 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			

### Public Comments

Elizabeth G, 39 E. Cliff Street - Three cars have been towed from my yard in the past 2 years. One hit my house. I do think speed is the issue and I support a traffic study. I've almost been hit crossing that street. It's hard to see the traffic and speeding cars coming when delivery trucks are parked in no-parking zones.

Mateo Garcia, 171 Mercer - Suggested a public awareness campaign to emphasize the speed limit. This is a town-wide issue, especially with more residents and guests in town. I think people who are residents tend to drive more prudently in our own town.

Frank Mcaleavy, 129 Bartine - Suggested putting a cone in the center of the street as a much cheaper option.

**Close Public Comments**

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

**ORDINANCES FOR PUBLIC HEARING AND ADOPTION**

**ORDINANCE #2680-22-0906:** AMENDING THE SOMERVILLE BOROUGH LAND USE LAW TO INCLUDE CHAPTER 102 SECTION 120(K) APPROVING COTTAGE FOOD OPERATION

Mayor Sullivan - We should be able to take action on this at our next meeting.

**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

**Open Public Hearing**

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

There were no comments from the public.

**Close Public Hearing**

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

**Adoption**

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

**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**

**Open Public Hearing**

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

There were no comments from the public.

**Close Public Hearing**

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

K. Sluka noted that the ordinance was changed. The minimum range is \$32,000 for full-time employees and \$15/hr for hourly employees.

**Adoption**

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

**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**

**Open Public Hearing**

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

There were no comments from the public.

**Close Public Hearing**

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

**Adoption**

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

**Comments**

T. Mitchell - Asked about the changes to the financial agreement.

Mayor Sullivan - We're amending the schedule.

K. Sluka - Sections 5 and 6 of the ordinance were changed.

F. Wied - We would be getting about \$18,000 less than the initial PILOT agreement we had with the developer, due to inflation. I have issues with giving the developer a break.

G. Stravic - Agreed with the concern expressed by F. Wied, but also noted that we would lose the ability to have the area built out and completed.

T. Mitchell - This is not about general inflation, but about the cost of environmental clean-up that could not be foreseen. We did not anticipate PCP being found in a former book warehouse.

Mayor Sullivan - Our PILOTs have been very successful in helping us balance our budgets.

**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**

**Open Public Hearing**

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

There were no comments from the public.

**Close Public Hearing**

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

**Adoption**

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

T. Mitchell - Asked for an explanation of the changes to the bond ordinance.

K. Sluka - We had accepted a payment from NJ American Water when they had to dig up Eastern States Parkway. The Borough Council accepted this payment knowing we would have to fund the remaining portion.

**MEETING OPEN TO THE PUBLIC**

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

**Comments**

Mateo Garcia, 171 Mercer - Expressed concern about some of the PILOT programs. I imagine that the developers are paying less and I'm worried about the future funding of this town, as we're getting more residents. Said the Borough Council seems to rush through approving these PILOT programs. He repeated his concern about affordable housing and the lack of discussion about this. He asked the council members to do something about this to provide renters with relief.

**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 22-0919-290 THROUGH 22-0919-302, EXCEPT FOR 22-0919-293, 22-0919-298, 22-0919-299

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

**RESOLUTION 22-0919-293:** SUPPORTING AND CONSENTING TO A PHASE 2 OF THE DEVELOPMENT OF A MIXED-USE PROJECT BY SOMERSET STATION URBAN RENEWAL, LLC ON PROPERTY KNOWN AS TAX BLOCK 123, LOT 2.03 IN THE LANDFILL REDEVELOPMENT AREA

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

F. Wied - This is letting NJ Transit know that we're moving forward with this development.

C. Driver - We're moving forward on what we previously agreed to do.

F. Wied - Said he looked at the original agreement, which was passed before he was on Council. Read a statement in the agreement saying that the developer has no obligation to appropriate any affordable housing. Expressed concern about how this development will be priced at market value. People earning minimum wage can't afford market value. With these developments, we're telling people who make minimum wage that you can't afford to live in this town.

G. Brady - I believe we should honor our commitments and contracts that we have already established.

**RESOLUTION 22-0919-298:** APPROVING GIRLS ON THE RUN RACE FOR NOVEMBER 20, 2022 STARTING AT 11:00 A.M. ON THE CORNER OF HIGH STREET AND BRIDGE STREET

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

F. Wied - Asked if residents who are on this route will be notified of street closings.

K. Sluka - Said he spoke with the race organizer and they said they will follow up. That particular race route has had trouble in the past.

**RESOLUTION 22-0919-299: ACCEPTING THE RETIREMENT RESIGNATION OF MARCIE TYSON EFFECTIVE OCTOBER 1, 2022 (END OF BUSINESS SEPTEMBER 30, 2022) AND AUTHORIZING FINAL PAYMENT FOR TIME ACCUMULATED**

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

Mayor Sullivan - Ms. Tyson has worked for the Borough for over 25 years. She's very professional and caring. I wish her well in her retirement. Our deputy registrar is moving up into that position so that office will continue to run smoothly.

**BILLS & VOUCHERS**

Account	PO #	Vendor Name	Amount
1-01-20-100-000-530	21-00330	XEROX (STEWART)	1,409.40
1-01-25-265-000-507	21-01742	LEES EMERGENCY EQUIPMENT	29,381.50
1-01-26-290-000-723	22-01115	FOLEY INCORPORATED	1,348.80
1-01-26-290-000-723	22-01115	FOLEY INCORPORATED	13.75
1-01-26-290-000-723	22-01115	FOLEY INCORPORATED	353.77
1-01-28-375-000-533	22-00048	UNITED SITE SERVICES	241.65
2-01-20-100-000-502	22-01156	NEW JERSEY LEAGUE OF MUNICIPAL	160.00
2-01-20-100-000-530	22-00722	XEROX (STEWART)	196.65
2-01-20-100-000-628	22-00235	W.B. MASON CO., INC	87.86
2-01-20-130-000-628	22-00034	W.B. MASON CO., INC	156.32
2-01-20-130-000-628	22-00034	W.B. MASON CO., INC	9.56
2-01-20-130-000-628	22-01060	W.B. MASON CO., INC	220.13
2-01-20-130-000-628	22-01060	W.B. MASON CO., INC	-30.36
2-01-20-140-000-533	22-00056	KRS IT CONSULTING LLC	150.00
2-01-20-140-000-534	22-00062	COMPUTER SYSTEMS & METHODS	1,810.00
2-01-20-140-000-614	22-00078	CIVIC EYE COLLABORATIVE LLC	532.00
2-01-20-140-000-706	22-00068	QSCEND TECHNOLOGIES, INC	1,200.00
2-01-20-140-000-706	22-01139	QSCEND TECHNOLOGIES, INC	7,986.00
2-01-20-140-000-706	22-01139	QSCEND TECHNOLOGIES, INC	7,574.84
2-01-23-220-002-614	22-00331	FLEXFACTS-GRANT BENEFITS SOLUT	31.50
2-01-25-240-000-538	22-01024	PERSONALIZED PARAPHERNALIA	54.00
2-01-25-240-000-560	22-00090	VESPIA'S/MR TIRE	263.34
2-01-25-240-000-560	22-00090	VESPIA'S/MR TIRE	57.24
2-01-25-240-000-560	22-01086	SOMERSET HILLS TOWING	105.00
2-01-25-240-000-575	22-00526	ATLANTIC TACTICAL	689.70
2-01-25-240-000-575	22-00526	ATLANTIC TACTICAL	22.99
2-01-25-240-000-575	22-00526	ATLANTIC TACTICAL	114.95
2-01-25-240-000-628	22-01087	ORION SAFETY PRODUCTS	256.00
2-01-25-240-000-628	22-01125	DRARAS, LLC	170.85
2-01-25-240-000-628	22-01132	OFFICER V SPADEA	15.00
2-01-25-240-000-628	22-01132	OFFICER V SPADEA	41.48
2-01-25-240-000-628	22-01132	OFFICER V SPADEA	30.00
2-01-25-240-000-670	22-00093	DELAGE LANDEN FINANCIAL SERVIC	226.31
2-01-25-240-000-713	22-00087	ATLANTIC TACTICAL	77.94
2-01-25-265-000-507	22-00893	FIRE & SAFETY SERVICES LTD	188.17
2-01-25-265-000-560	22-00114	DORELL LOCKSMITHS	165.00
2-01-25-265-000-560	22-00133	POST ACE HARDWARE	37.97
2-01-25-265-000-560	22-00133	POST ACE HARDWARE	14.77
2-01-25-265-000-560	22-00133	POST ACE HARDWARE	-2.99
2-01-25-265-000-560	22-00133	POST ACE HARDWARE	5.99
2-01-25-265-000-560	22-00133	POST ACE HARDWARE	89.99

2-01-25-265-000-560	22-00133	POST ACE HARDWARE	5.98
2-01-25-265-000-560	22-01089	ELECTRONIC MEASUREMENT LABS, I	119.00
2-01-25-265-000-614	22-00742	FIRECOMPANIES.COM INC	119.97
2-01-25-265-000-697	22-01138	SOMERSET COUNTY FIRE ACADEMY	900.00
2-01-25-265-002-574	22-00010	AMERICAN WATER	12,939.22
2-01-26-290-000-533	22-01059	PATCH MANAGEMENT INC	13,140.00
2-01-26-290-000-560	22-00025	FOLEY INCORPORATED	134.18
2-01-26-290-000-560	22-00032	NAPA-GENUINE PARTS CO.	398.70
2-01-26-290-000-560	22-00032	NAPA-GENUINE PARTS CO.	-82.50
2-01-26-290-000-560	22-00032	NAPA-GENUINE PARTS CO.	30.94
2-01-26-290-000-560	22-00032	NAPA-GENUINE PARTS CO.	13.37
2-01-26-290-000-560	22-00032	NAPA-GENUINE PARTS CO.	27.47
2-01-26-290-000-560	22-00032	NAPA-GENUINE PARTS CO.	699.99
2-01-26-290-000-560	22-00035	PEIRCE EQUIPMENT	19.78
2-01-26-290-000-560	22-00046	SOMERSET COUNTY VEHICLE MAINT	327.33
2-01-26-290-000-560	22-00071	VERIZON WIRELESS	38.01
2-01-26-290-000-560	22-00130	POST ACE HARDWARE	66.55
2-01-26-290-000-560	22-00130	POST ACE HARDWARE	39.98
2-01-26-290-000-560	22-00130	POST ACE HARDWARE	13.58
2-01-26-290-000-560	22-00130	POST ACE HARDWARE	19.99
2-01-26-290-000-560	22-00130	POST ACE HARDWARE	39.95
2-01-26-290-000-560	22-00130	POST ACE HARDWARE	12.00
2-01-26-290-000-560	22-00130	POST ACE HARDWARE	12.99
2-01-26-290-000-560	22-00130	POST ACE HARDWARE	4.38
2-01-26-290-000-560	22-00130	POST ACE HARDWARE	29.37
2-01-26-290-000-560	22-00823	TRIOUS, INC	286.78
2-01-26-290-000-560	22-01116	FINGER'S RADIATOR HOSPITAL INC	300.00
2-01-26-290-000-673	22-00326	SOMERSET CTY RD & BRIDGE DIV	10.50
2-01-26-290-000-674	22-00047	STAVOLA ASPHALT COMPANY	96.17
2-01-26-290-000-674	22-00047	STAVOLA ASPHALT COMPANY	104.69
2-01-26-290-000-699	22-00029	KENS TREE SERVICE	1,900.00
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	31,137.11
2-01-26-310-000-516	22-00036	PROFESSIONAL CLIMATE CONTROL	1,662.22
2-01-26-310-000-516	22-00036	PROFESSIONAL CLIMATE CONTROL	205.61
2-01-26-310-000-516	22-00903	ROYAL IMPROVEMENTS	680.00
2-01-26-310-000-517	22-00128	POST ACE HARDWARE	16.58
2-01-26-310-000-517	22-00128	POST ACE HARDWARE	11.17
2-01-26-310-000-517	22-00246	W.B. MASON CO., INC	1,653.12
2-01-26-310-000-533	22-00006	AFFORDABLE BUILDING SERVICES	3,169.66
2-01-26-310-000-558	22-00141	CAVANAUGH'S	35.00
2-01-26-310-000-558	22-00141	CAVANAUGH'S	35.00
2-01-28-370-000-697	22-00887	BSN SPORTS,LLC	275.00
2-01-28-370-000-697	22-00986	THOMAS DIAMENTE	1,080.00
2-01-28-370-000-699	22-01118	KATHLEEN GERNDT	12.00
2-01-28-370-000-704	22-00912	HUNTER POOLS LLC	3,000.00
2-01-28-375-000-533	22-01074	JERSEY JOE'S LAWN SERVICE	4,925.00
2-01-28-375-000-560	22-00558	CENTRAL JERSEY NURSERIES	158.64
2-01-28-375-000-560	22-00558	CENTRAL JERSEY NURSERIES	113.12
2-01-31-430-000-580	22-00037	PSE&G CO.	5,047.39
2-01-31-435-000-692	22-00038	PSE&G CO.	19,487.07
2-01-31-440-000-704	22-00072	VERIZON WIRELESS	525.08
2-01-31-440-000-704	22-00335	VERIZON WIRELESS	386.44
2-01-31-440-000-705	22-00050	VERIZON	445.66
2-01-31-440-000-705	22-00051	VERIZON	91.00
2-01-31-440-000-705	22-00052	VERIZON	197.24
2-01-31-440-000-705	22-00060	VERIZON	1,311.63
2-01-31-440-000-705	22-00061	VERIZON	144.51
2-01-31-440-000-705	22-00063	VERIZON	235.82
2-01-31-440-000-705	22-00065	VERIZON	370.99
2-01-31-440-000-705	22-00066	VERIZON	146.99
2-01-31-440-000-705	22-00073	VERIZON WIRELESS	1,630.77

2-01-31-440-000-705	22-00817	VERIZON	259.55
2-01-31-460-000-579	22-00044	SOMERSET COUNTY VEHICLE MAINT	12,724.33
2-05-55-502-000-533	22-00725	T & M ASSOCIATES	48.25
2-09-55-502-000-533	22-00079	IPS GROUP INC	5,094.69
2-09-55-502-000-706	22-00059	VERIZON	139.99
C-04-00-002-441-625	20-00356	COLLIERS ENGINEERING & DESIGN	2,360.00
C-04-00-002-570-610	22-00343	GREENMAN-PEDERSEN, INC	1,250.00
C-04-00-002-638-610	21-01030	GREENMAN-PEDERSEN, INC	5,168.00
C-04-00-002-638-610	21-01030	GREENMAN-PEDERSEN, INC	1,444.00
C-04-00-002-670-610	22-00682	T & M ASSOCIATES	1,251.87
C-04-00-002-675-610	22-01147	GIBBONS, PC	475.00
G-02-40-001-000-243	21-01511	T & M ASSOCIATES	3,640.79
G-02-40-001-000-628	20-00862	GEOSYNTEC CONSULTANTS	12,289.71
G-02-40-001-000-631	21-01389	GEOSYNTEC CONSULTANTS	85,248.70
T-13-00-000-000-211	22-01128	MICHAEL LOMBARDOZZI	576.40
T-13-00-000-000-212	22-01148	CHA DESIGN/CONSTRUCTION SOLUT	1,762.99
T-13-00-000-000-212	22-01149	CHA DESIGN/CONSTRUCTION SOLUT	1,165.00
T-13-00-000-000-212	22-01150	CHA DESIGN/CONSTRUCTION SOLUT	1,670.49
T-13-00-000-000-306	22-01151	T & M ASSOCIATES	289.50
T-13-00-000-000-306	22-01152	T & M ASSOCIATES	1,553.75
T-13-00-000-000-306	22-01153	T & M ASSOCIATES	482.50
T-13-00-000-000-306	22-01155	T & M ASSOCIATES	1,437.50
T-13-00-000-000-570	21-01874	Torti Gallas and Partners, PC	39,750.00

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 Vroom, all voted favorably.

Respectfully Submitted,

Kevin Sluka, RMC