

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

**Monday, December 19, 2022  
Executive Session 6:30 P.M.  
Public portion 7:00 P.M. (estimate)**

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. November 14, 2022
  - b. December 5, 2022
- 4. RESOLUTION 22-1219-370 TO ENTER INTO EXECUTIVE SESSION**

**EXECUTIVE SESSION AGENDA**

- a. Non- Union 2023 adjustments
- b. Redevelopment
- c. Personnel -Offer of Employment
- d. PBA Negotiations

**COUNCIL MEETING AGENDA**

- 1. OPEN PUBLIC MEETING LAW STATEMENT**
- 2. ROLL CALL**
- 3. SALUTE TO THE FLAG**
- 4. APPROVAL OF MINUTES**
  - a. December 5, 2022

**5. DEPARTMENTAL REPORTS & NOTICES**

- a. St. Hubert's Monthly Report November
- b. Somerville Board of Health Report October and November

**6. DISCUSSION**

- a. DSA Budget

**7. COMMITTEE REPORTS**

**8. ORDINANCES FOR PUBLIC HEARING AND ADOPTION** (full copy is available at the end of this agenda)

2691-22-1205 AMENDING ORDINANCE #2688-22-1017 TO ELIMINATE PERMIT PARKING ON THE SOUTH SIDE OF SECOND STREET

2692-22-1205 AMENDING ORDINANCE #2325-10-0419 CHAPTER 66, SECTION 3H OF THE BOROUGH CODE ENTITLED SCHEDULE OF FEES TO INCLUDE COMMUNITY EMERGENCY RESPONSE TEAM MEMEBERS (CERT)

**9. 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)

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

**(RESOLUTIONS 22-1219-371 THRU 22-1219-383)**

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

22-1219-371 CANCELLING 2022 CURRENT FUND BUDGET APPROPRIATIONS

22-1219-372 APPROVING ALYSON GUST AS AN HOURLY EMPLOYEE AT A RATE OF \$26.00 FOR THE BASKETBALL GYM SUPERVISOR

22-1219-373 APPROVING ALEX CLEVELAND, CHRISTOPHER BANOS AND PETER UMBENHAUR AS SCORE KEEPERS AT A RATE OF \$17.00 PER GAME FOR THE RECREATION DEPARTMENT

- 22-1219-374 AUTHORIZING PURCHASE OF A STEEL GABLE SHELTER FOR COMMUNITY PARK THROUGH ESCNJ CO OP 20/21-06 IN THE AMOUNT OF \$25,337.50
- 22-1219-375 AWARDING A CONTRACT TO MULLIN & LONERGAN ASSOCIATES, INC TO PROVIDE ADMINISTRATIVE SERVICES AND TECHNICAL ASSISTANCE IN CONNECTION WITH THE ADMINISTRATION OF THE BOROUGH'S SECTION 8 EXISTING HOUSING PAYMENTS PROGRAM
- 22-1219-376 APPROVING SPEED LIMIT TO 25 MPH ALONG THE ENTIRE LENGTH OF ROUTE NJ 28 WITHIN THE BOROUGH OF SOMERVILLE
- 22-1219-377 ACCEPTING A GRANT OF \$11,998.00 FROM THE STATE OF NEW JERSEY DEPARTMENT OF TREASURY-2022 RECYCLING TONNAGE GRANT
- 22-1219-378 APPROVING CHAPTER 159 FOR THE STATE OF NEW JERSEY DEPARTMENT OF TREASURY-2022 RECYCLING TONNAGE GRANT
- 22-1219-379 AUTHORIZING A REFUND OF \$400.00 TO M&S INVESTMENTS AT DAVENPORT, LLC FROM THE ENGINEERING AND PLANNING BOARD ESCROW ACCOUNTS APPLICATION #2016-009P KNOWN AS 21-29 DAVENPORT STREET BLOCK 115 LOT 17
- 22-1219-380 AUTHORIZING A REFUND OF \$3,345.50 TO M&S INVESTMENTS AT DAVENPORT, LLC FROM THE REDEVELOPMENT ESCROW ACCOUNT DAVENPORT PROJECT
- 22-1219-381 AUTHORIZING SUBMISSION OF A NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS GRANT FOR APPROXIMATELY \$100,000.00 TO INSTALL AN ADA INCLUSIVE PLAYGROUND WITH A RUBBERIZED SURFACE AT WALCK PARK
- 22-1219-382 AUTHORIZING A REFUND OF \$807.98 TO SOMERVILLE URBAN RENEWAL PHASE III, LLC TO CLOSE OUT PLANNING ESCROW 2021-11P
- 22-1219-383 AUTHORIZING THE ADMINISTRATOR TO ADVISE THE ZONING BOARD OF ADJUSTMENT THAT THE BOROUGH CONSENTS TO THE FILING OF THE APPLICATION BY THE OWNER OF 131 WEST HIGH STREET BLOCK 115 LOT 8

AND AUTHORIZING THE EXECUTION OF DOCUMENTS  
REQUIRED FOR THE CONSENT

**11. BILLS AND VOUCHERS**

**12. ADJOURNMENT**

KEVIN SLUKA, MUNICIPAL CLERK

Ordinances scheduled for public hearing and adoption

**ORDINANCE #2691-22-1205**

**AMENDING ORDINANCE #2688-22-1017 TO ELIMINATE PERMIT PARKING ON  
THE SOUTH SIDE OF SECOND STREET**

**WHEREAS**, Chapter 166, section 46.1 Schedule VA shall be amended to read as follows

**§ 166-46.1 Schedule VA: Permit Parking.**

- A. A decal is to be displayed, in accordance with § **166-10.1**, during the following hours: 9:00 a.m. to 8:00 p.m.
- B. In accordance with § **166-10.1**, no person shall park a vehicle without a permit during the above times on any of the following streets or parts of streets:

Name of Street	Side	Location
Adams Street	Both	From Post Street to Eastern States Parkway
Davenport Street	West	From West Cliff Street to West High Street (except for the most northerly parking stall which shall be specifically reserved for the clergy of the St. Thomas A.M.E. Zion Church)
East Cliff Street [ <b>Added 11-16-2020 by Ord. No. 2624</b> ]	Both	Between Grove Street and North Bridge Street
Fairmont Avenue	Both	Entire length
Grant Avenue	Both	Entire length
Lee Way	Both	Entire length
Lisa Terrace	Both	From Lee Way to Reimer Street

Name of Street	Side	Location
Madison Street	Both	From Post Street to Eastern States Parkway
Mechanic Street	West	Entire length
Monroe Street	Both	From Post Street to Eastern States Parkway
Putnam Street	Both	From Post Street to Eastern States Parkway
Rehill Avenue	West	From East Main Street to Lee Way
Rehill Avenue	Both	From Lee Way to Union Avenue (Route 28)
Reimer Street	Both	From Lisa Terrace to Steele Avenue
Second Street	North	South Bridge Street to Hamilton Street
South Street	South	From a point 87 feet west of the westerly curbline of South Bridge Street to a point 23 feet westerly thereof
Third Street	South	South Bridge Street to Hamilton Street
Steele Avenue [ <b>Repealed 10-15-2018 by Ord. No. 2560</b> ]		
Van Buren Street	Both	From Post Street to Eastern States Parkway

C. A street or portion of any street which is regulated by decal restrictions shall not be affected by the restrictions of §§ **166-42, 166-43, 166-45** and **166-65**. Any restrictions under those sections on any streets that are now restricted by decal parking regulations are hereby repealed.

**ORDINANCE #2692-22-1205**

**AMENDING ORDINANCE #2325-10-0419 CHAPTER 66, SECTION 3H OF THE BOROUGH CODE ENTITLED SCHEDULE OF FEES TO INCLUDE COMMUNITY EMERGENCY RESPONSE TEAM MEMEBERS (CERT)**

**BE IT ORDAINED** that the following amendment shall be made to Chapter 66, Section 3H of the Borough Code.

H. All municipal fees or charges, excepting fees for charges for services performed by other than Borough employees, imposed in order to secure a construction permit for any construction, reconstruction, alteration or improvement of any one or two family home, or mixed use building which includes residential units, owned by and in which a qualified volunteer, as hereinafter defined, is or will be a full time resident of one (1) of the residential units, shall be waived upon the filing of an appropriate application therefore. In order to be a qualified volunteer, the following conditions must be satisfied:

1. The volunteer must be a member in good standing of a Somerville Fire Company within the Somerville Fire Department, the First Aid & Rescue Squad of Somerville and or part of the CERT Team for a minimum of one (1) continuous year immediately preceding the date of the application for a construction permit.
2. The volunteer shall have served without remuneration or an agreement or contract for hire during the one (1) year period.
3. The volunteer shall have satisfied the requisite percentage of activity, attendance and participation of the respective organization.
4. The chief executive officer of the fire company, rescue squad or team leader of the CERT shall certify in writing that the volunteer has satisfied the requirements of paragraphs (1) through (3), hereof.
5. The volunteer shall certify in writing compliance with the residency requirements of this section.
6. The fees associated solely with the living space of the volunteer shall be waived the portions or other fees associated with the units and or commercial space that is not the living quarters shall be assessed accordingly.

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

### **RESOLUTION 22-1219-371**

#### **CANCELLING 2022 CURRENT FUND BUDGET APPROPRIATIONS**

**WHEREAS**, the following 2022 Current Fund Budget Appropriations balances remain unexpended and unencumbered:

**WHEREAS**, it is necessary to formally cancel said balances so that the unexpended/unencumbered balance may be credited to Current Fund Surplus;

AMOUNT	DEPARTMENT/APPRORIATION
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\$ 9,208.20	SCIA Lease Principal
\$ 1,218.02	SCIA Lease Interest
\$ 193.19	Interest on Bonds
\$ 138.75	Interest on Notes
\$ 36.98	Interest on I-Bank Loan
\$ 7,353.60	LOSAP
\$ 3,000.00	DCRP

**TOTAL        \$21,148.74**

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Somerville, NJ that the above balances of the Current Fund be canceled.

**RESOLUTION 22-1219-372**

**APPROVING ALYSON GUST AS AN HOURLY EMPLOYEE AT A RATE OF \$26.00 FOR THE BASKETBALL GYM SUPERVISOR**

**BE IT RESOLVED**, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey approves Alyson Gust as an hourly employee at a rate of \$26.00 for the basketball gym supervisor.

**RESOLUTION 22-1219-373**

**APPROVING ALEX CLEVELAND, CHRISTOPHER BANOS AND PETER UMBENHAUR AS SCORE KEEPERS AT A RATE OF \$17.00 PER GAME FOR THE RECREATION DEPARTMENT**

**BE IT RESOLVED**, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey approves Alex Cleveland, Christopher Banos and Peter Umbenhour as score keepers at a rate of \$17.00 per game for the Recreation Department.

**RESOLUTION 22-1219-374**

**AUTHORIZING PURCHASE OF A STEEL GABLE SHELTER FOR COMMUNITY PARK THROUGH ESCNJ CO OP 20/21-06 IN THE AMOUNT OF \$25,337.50**

**WHEREAS**, the Borough of Somerville is authorized, to make purchases and contract for services through the use of nationally recognized and accepted cooperative purchasing agreement; and

**WHEREAS**, the Borough of Somerville has the need to purchase a steel gable shelter for community park through ESCNJ Cooperative Pricing 20/21-06 in the amount of \$25,337.50.

**NOW THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Somerville hereby authorized to purchase a steel gable shelter in the amount of \$25,337.50.

**RESOLUTION 22-1219-375**

**AWARDING A CONTRACT TO MULLIN & LONERGAN ASSOCIATES, INC TO PROVIDE ADMINISTRATIVE SERVICES AND TECHNICAL ASSISTANCE IN CONNECTION WITH THE ADMINISTRATION OF THE BOROUGH'S SECTION 8 EXISTING HOUSING PAYMENTS PROGRAM**

**WHEREAS**, the Borough of Somerville advertised for proposals on October 26, 2022, to provide Administrative Services and Technical Assistance in connection with the administration of the Borough's Section 8 existing Housing Payments Program; and

**WHEREAS**, the Borough of Somerville has 170 Housing Choice Vouchers of Section 8 and recognizes the need for assistance in administering the Section 8 Program; and

**WHEREAS**, the Consulting Firm of Mullin & Lonergan Associates, Inc., 2 Kacey Court, Suite 201, Mechanicsburg, PA, 17055 submitted a proposal that meets all the requirements of the specifications and is qualified to perform such services: and

**WHEREAS**, the Contract shall commence on February 1, 2023 and shall terminate on January 31, 2028:

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey hereby award a contract to , the Consulting Firm of Mullin & Lonergan Associates, Inc., 2 Kacey Court, Suite 201, Mechanicsburg, PA, 17055 effective February 1, 2023 through January 31, 2028.

**RESOLUTION 22-1219-376**

**APPROVING SPEED LIMIT TO 25 MPH ALONG THE ENTIRE LENGTH OF ROUTE NJ 28 WITHIN THE BOROUGH OF SOMERVILLE**

**WHEREAS**, pursuant to N.J.S.A 39:4-8.4c stated in letter dated December 1, 2022.

**BE IT RESOLVED**, that the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey hereby approves the change in speed limit to 25mph along the entire length of Route NJ 28 within the Borough of Somerville.

**RESOLUTION 22-1219-377**

**ACCEPTING A GRANT OF \$11,998.00 FROM THE STATE OF NEW JERSEY DEPARTMENT OF TREASURY-2022 RECYCLING TONNAGE GRANT**



**WHEREAS**, the Borough of Somerville has applied for and has been awarded a grant in the amount of \$11,998.00 from the State of New Jersey Department of Treasury-2022 Recycling Tonnage Grant.

**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 authorized representatives, as the representative for the Borough of Somerville.

**RESOLUTION 22-1219-378**

**APPROVING CHAPTER 159 FOR THE STATE OF NEW JERSEY DEPARTMENT OF TREASURY-2022 RECYCLING TONNAGE 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 \$11,998.00 from the State of New Jersey Department of Treasury-2022 Recycling Tonnage Grant 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.....\$11,998.00 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 Recycling Tonnage Grant -.....\$11,998.00

**BE IT FURTHER RESOLVED** that a like sum of.....\$11,998.00 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 Recycling Tonnage 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 22-1219-379**

**AUTHORIZING A REFUND OF \$400.00 TO M&S INVESTMENTS AT DAVENPORT, LLC FROM THE ENGINEERING AND PLANNING BOARD ESCROW ACCOUNTS APPLICATION #2016-009P KNOWN AS 21-29 DAVENPORT STREET BLOCK 115 LOT 17**

**WHEREAS**, M&S Investments at Davenport, LLC posted an engineering and planning board escrow for work being performed at 21-29 Davenport Street Block 115 Lot 17; and

**WHEREAS**, the work has been inspected and approved by Cole & Associates, LLC and all payments have been made; and

**WHEREAS**, the return of the engineering and planning board escrow is recommended.

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey hereby approve the refund of engineering and planning board escrow of \$400.00.

**RESOLUTION 22-1219-380**

**AUTHORIZING A REFUND OF \$3,345.50 TO M&S INVESTMENTS AT DAVENPORT, LLC FROM THE REDEVELOPMENT ESCROW ACCOUNT DAVENPORT PROJECT**

**BE IT RESOLVED**, by the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey hereby approve the refund from the redevelopment escrow account of \$3,345.50.

**RESOLUTION 22-1219-381**

**AUTHORIZING SUBMISSION OF A NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS GRANT FOR APPROXIMATELY \$100,000.00 TO INSTALL AN ADA INCLUSIVE PLAYGROUND WITH A RUBBERIZED SURFACE AT WALCK PARK**

**WHEREAS**, the governing body of the Borough of Somerville desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$100,000.00 to install an Ada inclusive playground with a rubberized surface at Walck Park; and

**WHEREAS**, the Borough Council has determined it is appropriate to authorize the Mayor and Clerk to submit a Grant application to the New Jersey Department of Community Affairs Grant to install an Ada inclusive playground with a rubberized surface at Walck Park.

**BE IT THEREFORE RESOLVED,**

- 1) that the Borough of Somerville does hereby authorize the application for such a grant; and
- 2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs Grant, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between The Borough of Somerville and the New Jersey Department of Community Affairs.

**NOW THEREFORE BE IT RESOLVED,** that the Mayor and Borough Clerk are authorized to sign the application, and that they are also authorized to sign the grant agreement and any other documents necessary in connection therewith.

**RESOLUTION 22-1219-382**

**AUTHORIZING A REFUND OF \$807.98 TO SOMERVILLE URBAN RENEWAL PHASE III, LLC TO CLOSE OUT PLANNING ESCROW 2021-11P**

**BE IT RESOLVED,** by the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey hereby approve the refund to close out planning escrow of \$807.98.

**RESOLUTION 22-1219-383**

**AUTHORIZING THE ADMINISTRATOR TO ADVISE THE ZONING BOARD OF ADJUSTMENT THAT THE BOROUGH CONSENTS TO THE FILING OF THE APPLICATION BY THE OWNER OF 131 WEST HIGH STREET BLOCK 115 LOT 8 AND AUTHORIZING THE EXECUTION OF DOCUMENTS REQUIRED FOR THE CONSENT**

**Whereas,** the Borough owns property at 137 West High Street otherwise known as block 115 lot 6; and

**Whereas,** the property next door owned by Francis P. McAleavy, III known as 131 West High Street block 115 lot 8 is the subject of a land use application to the Borough Zoning Board of Adjustment; and

**Whereas,** the roof overhang of the building on 131 West High Street projects over the land owned by the borough at 137 West High Street by approximately 6 inches; and

**Whereas,** the Municipal Land Use Law requires the adjacent property owner to consent to the filing of the land use application when the applicant's property encroaches on the adjacent property owner.

**Now therefore,** the Administrator shall advise the Zoning Board of Adjustment that the Borough consents to the filing of the application by the owner of 131 West High Street block 115 lot 8 and authorizes the execution of documents required for the consent.