

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

**Monday, December 4, 2023
Executive Session 6:30 P.M.
Public Portion 7:00 P.M. (estimate)**

LOCATION: COUNCIL CHAMBERS – SOMERVILLE CIVIC CENTER
24 ROBESON STREET, SOMERVILLE, NJ 08876

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- 1. OPEN PUBLIC MEETING LAW STATEMENT**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES- EXECUTIVE SESSION**
 - a. November 20, 2023
- 4. RESOLUTION 23-1204-337 TO ENTER INTO EXECUTIVE SESSION**

EXECUTIVE SESSION AGENDA

- a. Redevelopment
- b. Personnel
- c. Professional Services- 2024
- 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. November 20, 2023
- 5. DEPARTMENTAL REPORTS & NOTICES**
 - a. Reorganization Meeting 1-1-24 12:00p.m.

6. COMMITTEE REPORTS

7. RECOGNITION

- a. Recognizing The Somerville Branchburg United Pop Warner 12u “Somerville Junior Pioneers” Team

8. DOWNTOWN SOMERVILLE ALLIANCE INTRODUCED BUDGET PRESENTATION

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 23-1204-338 THRU 23-1204-348)

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

- 23-1204-338 RESOLUTION AUTHORIZING THE BOROUGH OF SOMERVILLE TO ACCEPT A SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2023 OF EMERGENCY MANAGEMENT PERFORMANCE GRANT AND EMERGENCY MANAGEMENT AGENCY ASSISTANCE
- 23-1204-339 APPROVING CHANGE ORDER #1 AMENDING A CONTRACT WITH VOLLERS FOR PARKING LOT NO. 6 IMPROVEMENTS IN THE AMOUNT OF \$6,960 FOR A NEW CONTRACT AMOUNT OF \$174,827.20
- 23-1204-340 APPROVING SETTLEMENT OF TAX APPEAL FOR 45 GASTON AVENUE, BLOCK 66, LOT 16, MIAN REALTY, LLC FOR TAX YEARS 2020-2023
- 23-1204-341 APPROVING SETTLEMENT AGREEMENT WITH SSP ARCHITECTS - INTERIOR DESIGN AT SOMERVILLE CIVIC CENTER
- 23-1204-342 APPROVING CHANGE ORDER #1 AMENDING A CONTRACT WITH MILLENIUM COMMUNICATION GROUP INC., AT SOMERVILLE CIVIC CENTER FOR ADA DOOR OPENER INTEGRATION IN THE AMOUNT OF \$3,795.00 FOR A NEW CONTRACT AMOUNT OF \$278,036.00

- 23-1204-343 AUTHORIZING AN APPLICATION FOR GRANT FUNDING TO STATEWIDE INSURANCE FUND UNDER THE 2023 SAFETY AND LOSS CONTROL GRANT PROGRAM
- 23-1204-344 ACCEPTING THE RESIGNATION OF CANDICE FIGLIOLO EFFECTIVE DECEMBER 30, 2023 (END OF BUSINESS
- 23-1204-345 AUTHORIZING A TWO-YEAR SERVICE AGREEMENT FOR ANIMAL CONTROL SERVICES WITH ANIMAL CONTROL SOLUTIONS, LLC.
- 23-1204-346 AUTHORIZING APPLICATION TO THE DEPARTMENT OF COMMUNITY AFFAIRS AMERICAN RESCUE PLAN FIREFIGHTERS GRANT
- 23-1204-347 AMENDING RESOLUTION 23-1106-333 AUTHORIZING FREE PARKING IN LOTS 1,2,4,6,7 ON FRIDAY, DECEMBER 15, 2023, FROM 5:00 P.M. TO 10:00 P.M. FOR HOLIDAY JUBILEE
- 23-1204-348 APPROVING CHAPTER 159 FOR STATE OF NEW JERSEY DRUNK DRIVING ENFORCEMENT FUND

11. BILLS AND VOUCHERS

12. ADJOURNMENT

KEVIN SLUKA, MUNICIPAL CLERK

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

RESOLUTION 23-1204-338

AUTHORIZING THE BOROUGH OF SOMERVILLE TO ACCEPT A SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2023 OF EMERGENCY MANAGEMENT PERFORMANCE GRANT AND EMERGENCY MANAGEMENT AGENCY ASSISTANCE

WHEREAS, the Borough of Somerville Office of Emergency Management has been awarded State Homeland Security Grant Program Sub-grant AFN #97.042, Subgrant Award #FY23- EMPG-EMAA-XXXX from the New Jersey Department of Law and Public Safety, Office of the Attorney General. The subgrant, consisting of \$10,000.00 Federal Award is for the purpose of enhancing the City's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the Borough of Somerville will use these funds to enhance your Emergency Management Program and that the funds will be used for Emergency Management purposes; and

WHEREAS, the award period is from July 1, 2023 to June 30, 2024; and

WHEREAS, the subgrant award incorporates all conditions and representations contained or made in application and notice of award; and

WHEREAS, the Borough of Somerville Office Emergency Management, designated by the New Jersey State Police, Office of Emergency Management, has submitted an Application for Subgrant Award that has been required by the said New Jersey State Office of Emergency Management.

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

1. That the Council accepts the award of the FFY23 Emergency Management Performance Grant Program (EMPG), Emergency Management Agency Assistance Subgrant (EMAA) in the amount of up to \$10,000.00 Federal Funds from the New Jersey State Police, Office of Emergency Management.
2. That the Chief Financial Officer and Director of Emergency Management are authorized to sign the appropriate subgrant award documents.
3. The copies of these resolutions shall be forwarded to the New Jersey State Police, Office of Emergency Management, the City Business Administrator, the Chief Financial Officer and the County Division of Emergency Management and Office of Treasury.

RESOLUTION 23-1204-339

APPROVING CHANGE ORDER #1 AMENDING A CONTRACT WITH VOLLERS FOR PARKING LOT NO. 6 IMPROVEMENTS IN THE AMOUNT OF \$6,960 FOR A NEW CONTRACT AMOUNT OF \$174,827.20

WHEREAS, the Borough Council via Resolution 23-0918-291 awarded a contract for Parking Lot No. 6 Improvements Vollers, PO Box 5297, 3311 Route 22, North Branch New Jersey 08876 was the lowest responsible bidder with a bid for a total amount of \$167,867.20; and

WHEREAS, it is necessary to approve Change Order #1;

Change Order #	Description	Old Contract Amount	Change Amount	New Contract
1	Furnish and install river stone instead of mulch	\$167,867.20	\$6,960.00	\$174,827.20

THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey hereby approves Change Order #1 to a contract to Vollers, PO Box 5297, 3311 Route 22, North Branch New Jersey 08876 in the amount of \$6,650.00 to a new contract amount of \$174,827.20

RESOLUTION 23-1204-340

APPROVING SETTLEMENT OF TAX APPEAL FOR 45 GASTON AVENUE, BLOCK 66, LOT 16, MIAN REALTY, LLC FOR TAX YEARS 2020-2023

WHEREAS, a Tax Appeal was filed for the following Block and Lots:

Mian Realty LLC
Block 66 Lot 16
45 Gaston Ave

WHEREAS, the above-referenced matter involves tax appeals for the 2020, 2021, 2022, AND 2023 Tax Years; and

WHEREAS, the subject property consists of a three story commercial office building located at 45 Gaston Ave; and

WHEREAS, the property has a high vacancy rate and is in need of significant repairs; and

WHEREAS, the aggregate assessment for the property for the years under appeal is \$1,504,200; and

WHEREAS, the parties held an out-of-court settlement conference and have been negotiating the settlement terms and a settlement was reached wherein the aggregate assessment will be changed to the following:

2020 – no change
2021 – no change
2022 - \$700,000
2023 – 700,000

WHEREAS, the proposed settlement will result in a refund to the taxpayer of approximately \$61,304.16;

NOW, THEREFORE BE IT RESOLVED that the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey, hereby authorizes the settlement of the above tax appeal and authorizes a refund in the approximate amount stated above.

RESOLUTION 23-1204-341

APPROVING SETTLEMENT AGREEMENT WITH SSP ARCHITECTS - INTERIOR DESIGN AT SOMERVILLE CIVIC CENTER

WHEREAS, the Borough of Somerville approves Settlement Agreement with SSP Architects dated November 3, 2023 in reference to Somerville Civic Center; and

WHEREAS, the Business Administrator is hereby authorized to execute the above referenced Settlement Agreement.

NOW, THEREFORE BE IT RESOLVED that the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey, hereby approves Settlement Agreement with SSP Architects dated November 3, 2023, and authorizes the Borough Administrator to execute said document.

RESOLUTION 23-1204-342

APPROVING CHANGE ORDER #1 AMENDING A CONTRACT WITH MILLENIUM COMMUNICATION GROUP INC., AT SOMERVILLE CIVIC CENTER FOR ADA DOOR OPENER INTEGRATION IN THE AMOUNT OF \$3,795.00 FOR A NEW CONTRACT AMOUNT OF \$278,036.00

WHEREAS, the Borough Council via Resolution 23-0321-111 awarded a contract for ADA Door Opener Integration, Millenium Communications Group Inc., 11 Melanie Lane, Unit 13, East Hanover, New Jersey 07936 for a total amount of \$274, 241.00; and

WHEREAS, it is necessary to approve Change Order #1;

Change Order #	Description	Old Contract Amount	Change Amount	New Contract
1	ADA Door Opener Integration	\$274,241.00	\$3,795.00	\$278,036.00

THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey hereby approves Change Order #1 to a contract to Millenium Communications Group Inc., 11 Melanie Lane, Unit 13, East Hanover, New Jersey 07936 in the amount of \$3,795.00 to a new contract amount of \$278,036.00.

RESOLUTION 23-1204-343

AUTHORIZING AN APPLICATION FOR GRANT FUNDING TO STATEWIDE INSURANCE FUND UNDER THE 2023 SAFETY AND LOSS CONTROL GRANT PROGRAM

WHEREAS, the Borough of Somerville is eligible for grant funds for general safety and loss prevention equipment procurement; and

WHEREAS, said equipment is available through SSD Signs & Safety Devices, LLC for traffic cones and barricades in the amount of \$5,197.50; Duncan Hardware vest and

harness, etc. in the amount of \$3,309.40; and A & K Equipment Company Inc., for a backup camera system in the amount of \$1,295.00; and

WHEREAS, if successful, the Borough would pay all amounts over the grant award amount estimated.

NOW THEREFORE BE IT RESOLVED, the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey does hereby authorize an application for grant funding to Statewide Insurance Fund under the 2023 Safety and Loss Grant program.

RESOLUTION 23-1204-344

ACCEPTING THE RESIGNATION OF CANDICE FIGLIOLO EFFECTIVE DECEMBER 30, 2023 (END OF BUSINESS ON DECEMBER 29, 2023)

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey accepts the resignation of Candice Figliolo effective December 30, 2023 (end of business December 29, 2023). We thank her and wish her well with all her future endeavors.

RESOLUTION 23-1204-345

AUTHORIZING A TWO-YEAR SERVICE AGREEMENT FOR ANIMAL CONTROL SERVICES WITH ANIMAL CONTROL SOLUTIONS, LLC.

WHEREAS, Borough of Somerville has a need for animal control and related animal related needs effective January 1, 2024; and

WHEREAS, Animal Control Solutions, PO Box 2493, Flemington, New Jersey 08822 has provided animal control services to the Borough of Somerville in the past and said services were satisfactory and met all the required contractual requirements; and

WHEREAS, Animal Control Solutions, PO Box 2493, Flemington, New Jersey 08822 has submitted a proposal for 2024 and 2025 as follows:

1. Services listed in Appendix A during the contract term.

2024 \$37,032.00 or \$3,086.00 per month

2025 \$37,032.00 or \$3,086.00 per month

2. Kenneling and Veterinarian fees billed by the Contractor shall be paid monthly and in accordance with Appendices B as outlined in the contract.

3. The Municipality may request services outside of this contract.

WHEREAS, it is necessary to appropriate funds in the 2024 and 2025 to accommodate said services; and

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey approves a contract with Animal Control Solutions, PO Box 2493, Flemington, New Jersey 08822 as identified in the preamble of this Resolution and in accordance with the terms and conditions described in the contract.

RESOLUTION 23-1204-346

AUTHORIZING APPLICATION TO THE DEPARTMENT OF COMMUNITY AFFAIRS AMERICAN RESCUE PLAN FIREFIGHTERS GRANT

WHEREAS the Borough of Somerville desires to apply for and obtain a grant from the New Jersey Department of Community Affairs American Rescue Plan Firefighters Grant for firefighter protective clothing to be used in rescue services; and

WHEREAS, the protective items would include but not limited to clothing for water rescue operations and specialized protective items to maintain body temperature which shall include, full body suits, waterproof boots, helmets and gloves.

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 form the New Jersey Department of Community Affairs, 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 Borough of Somerville and the New Jersey Department of Community Affairs.

RESOLUTION 23-1204-347

AMENDING RESOLUTION 23-1106-333 AUTHORIZING FREE PARKING IN LOTS 1,2,4,6,7 ON FRIDAY, DECEMBER 15, 2023, FROM 5:00 P.M. TO 10:00 P.M. FOR HOLIDAY JUBILEE

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey authorizes free parking in Lots, 1,3,4,6 & 7 on Friday, December 15, 2023 from 5:00 p.m. to 10:00 p.m. for Holiday Jubilee.

RESOLUTION 23-1204-348

APPROVING CHAPTER 159 FOR STATE OF NEW JERSEY DRUNK DRIVING ENFORCEMENT FUND

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 \$6,484.32 from the State of New Jersey Drunk Driving Enforcement Grant and wishes to amend its 2023 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 2023 in the sum of.....\$6,484.32

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:

Drunk Driving Enforcement\$6,484.32

BE IT FURTHER RESOLVED that a like sum of.....\$6,484.32
be and the same is hereby appropriated under the caption of:

General Appropriations:

Operations-Excluded from "CAPS"

Public and Private Programs Offset by Revenues:

Drunk Driving Enforcement 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.