

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

**Monday, February 5, 2024
Executive Session 6:00 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. January 16, 2024
- 4. RESOLUTION 24-0205-046 TO ENTER INTO EXECUTIVE SESSION**

EXECUTIVE SESSION AGENDA

- a. Redevelopment
- b. PBA Negotiations
- c. Personnel – Borough Hall, PD

COUNCIL MEETING AGENDA

- 1. OPEN PUBLIC MEETING LAW STATEMENT**
- 2. ROLL CALL**
- 3. SALUTE TO THE FLAG**
- 4. MOMENT OF SILENCE**
- 5. RESOLUTIONS APPROVING PROMOTIONS**
 - 24-0205-047 APPROVING PROMOTION OF SERGEANT DIPALMA TO
LIEUTENANT:
Oath of Office Darrin DiPalma

24-0205-048 APPROVING PROMOTION OF OFFICER LIPICH TO SERGEANT:
Oath of Office Jason Lipich

24-0205-049 APPROVING PROMOTION OF OFFICER SULOUFF TO SERGEANT:
Oath of Office Josiah Sulouff

6. APPROVAL OF MINUTES

- a. January 16, 2024

7. DEPARTMENTAL REPORTS & NOTICES

- a. RWJ Barnabas Updated policy on Emergency Warning Devices
- b. Free Tax preparation Services – United Way 973-993-1160
- c. 152 S. Bridge Street – Freshwater Hazard Area Individual permit & verification – Installation of stormwater small scale bioretention basin.

8. COMMITTEE REPORTS

9. DISCUSSION ITEM

- a. Community Solar Project update

10. ORDINANCES FOR INTRODUCTION (full copy is available at the end of this agenda)

2727-24-0205 AMENDING CHAPTER 147 SECTION 5 ENTITLED “PERMITTED NUMBER OF STICKERS; STICKERS, BULK ITEMS” SPECIFICALLY AMENDING SECTION (B) AMENDING THE COSTS FOR STICKERS TO SIX DOLLARS (\$6) AND SPECIFICALLY ALLOWING BULK ITEMS TO BE PART OF THE SANITATION STICKER PROGRAM

2728-24-0205 ORDINANCE TO EXCEED THE CY 2024 MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

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

2721-24-0116 AMENDING CHAPTER 6 OF THE BOROUGH CODE ENTITLED MARRIAGE AND CIVIL UNION CEREMONY FEES

2722-24-0116 AMENDING CHAPTER 166 – 50 SCHEDULE IX ENTITLED STOP INTERSECTIONS

- 2723-24-0116 AMENDING CHAPTER 166 – 54 SCHEDULE XIII A ENTITLED BUS STOPS
- 2724-24-0116 AMENDING CHAPTER 166-65 SCHEDULE XXIA ON-STREET PARKING METER ZONES REDUCING METER PARKING TIME REQUIREMENTS ON VETERANS MEMORIAL DRIVE EAST ON SOUTHSIDE OF ROADWAY TO 7:00 A.M.- 6:00 P.M. MONDAY THROUGH SATURDAY
- 2725-24-0116 ESTABLISHING CHAPTER 103 OF THE BOROUGH CODE ENTITLED LEGALIZED GAMING
- 2726-24-0116 AMENDING ORDINANCE #2682-22-0906 ESTABLISHING A SALARY RANGE FOR EMPLOYEE TITLES TO BE PAID TO CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF SOMERVILLE

12. 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)

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

(RESOLUTIONS 24-0205-050 THRU 24-0205-060)

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

- 24-0205-050 APPROVING REFUND OF PERFORMANCE BONDS #SU1169859 (\$76,770.58) AND #SU1169858 (\$29,910.12) FOR TOTAL AMOUNT OF \$106,680.70 FOR PULTE GROUP SOMERVILLE STATION PROJECT #32956-4310
- 24-0205-051 AUTHORIZING THE BOROUGH OF SOMERVILLE TO APPLY FOR 2024-2026 SPOTTED LANTERNFLY PROGRAMS -POPULATION REDUCTION/CHEMICAL CONTROL TREATMENT OPPORTUNITY GRANT THROUGH STATE OF NEW JERSEY DEPARTMENT OF AGRICULTURE DIVISION OF PLANT INDUSTRY
- 24-0205-052 ACCEPTING A GRANT OF \$2,074,230.00 FROM THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND (HDSRF) PROGRAM THROUGH THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY AND THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

- 24-0205-053 AUTHORIZING VEHICLES TO BE DISPOSED AS SCRAP VALUE
- 24-0205-054 APPROVING THE ALFA ROMERO OWNERS CLUB TO UTILIZE PARKING SPACES IN FRONT OF HISTORIC COURTHOUSE ON MAY 31ST AND AUGUST 23RD FROM 5:00 P.M. – 9:00 P.M. FOR CRUISE NIGHT DISPLAY
- 24-0205-055 APPROVING OVERPAYMENT REFUND FOR LAND DISTURBANCE PAYMENT LOCATED AT 52 FAIRVIEW AVENUE TO DERNER RE INC.
- 24-0205-056 REQUESTING THAT THE SOMERVILLE BOROUGH PLANNING BOARD CONDUCT A REVIEW OF THE CURRENT ZONING LAWS AND REGULATIONS REGARDING FIREARMS RETAIL STORES AND OUTLETS AND PROPOSE RECOMMENDATION TO THE BOROUGH COUNCIL FOR CONSIDERATION
- 24-0205-057 AUTHORIZING AN INTENT TO PURCHASE A 2024 CHEVY TAHOE UNDER NEW JERSEY STATE CONTRACT THROUGH GENTIILLI MOTORS AND LIGHTING PACKAGE THROUGH EAST COAST EMERGENCY LIGHTING FOR THE TOTAL AMOUNT OF \$77,246.32
- 24-0205-058 APPROVING SPARTAN SPIRIT 5K ON SATURDAY, JUNE 22, 2024 AT 8:30A.M. CONTINGENT ON OEM AND PD APPROVALS
- 24-0205-059 APPROVING THE CENTRAL JERSEY CORVETTE CLUB TO UTILIZE PARKING SPACES IN FRONT OF HISTORIC COURTHOUSE ON JUNE 7th & AUGUST 2nd 2024 FROM 5:00 P.M. – 9:00 P.M. FOR CRUISE NIGHT DISPLAY
- 24-0205-060 APPROVING A 2024 FARMER'S MARKET SEASONAL FEE SCHEDULE AND APPLICATION PROCESS FOR THE SOMERSET COUNTY REGIONAL FARMER'S MARKET

14. BILLS AND VOUCHERS

15. ADJOURNMENT

KEVIN SLUKA, MUNICIPAL CLERK

Ordinances scheduled for Introduction

ORDINANCE NO. 2727-24-0205

AMENDING CHAPTER 147 SECTION 5 ENTITLED “PERMITTED NUMBER OF STICKERS; STICKERS, BULK ITEMS” SPECIFICALLY AMENDING SECTION (B) AMENDING THE COSTS FOR STICKERS TO SIX DOLLARS (\$6) AND SPECIFICALLY ALLOWING BULK ITEMS TO BE PART OF THE SANITATION STICKER PROGRAM

Amending Chapter 147 Section 5 (B) to read as follows:

B. ~~The initial price for a sticker for a garbage bag shall be three dollars (\$3). The price shall be amended from time to time by Mayor and Council.~~ The fee for each sticker is six dollars (\$6) per household trash per each additional garbage bag Household bulk items may be disposed of under the Sanitation Sticker Program only if the item is allowed under the local solid waste program. The number of stickers required for each bulk item is identified at the Municipal Clerk’s Office. The stickers shall be paid in advance of pickup. Bulk items that do not have the appropriate number of stickers shall not be picked up and shall be subject to local code enforcement rules.

Bulk items that have the appropriate number of stickers shall be placed at curbside with the regular household waste in accordance with policy.

The effective date shall be July 1, 2024.

ORDINANCE #2728-24-0205

ORDINANCE TO EXCEED THE CY 2024 MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap law, NJSA 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15 provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Borough Council of the Borough of Somerville, in the County of Somerset, New Jersey, finds it advisable and necessary to increase its CY 2024 budget by up to 3.5 % over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Mayor and Borough Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$170,925.28 in excess of the increase in final

appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Mayor and Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to the final appropriation in either of the next two succeeding years:

NOW THEREFORE BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Somerville, in the County of Somerset, New Jersey, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the Borough of Somerville shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$598,273.48 and that the CY 2024 municipal budget for the Borough of Somerville be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

This Ordinance shall take effect after publication in accordance with applicable law.

Ordinances scheduled for Adoption

ORDINANCE #2721-24-0116

AMENDING CHAPTER 6 OF THE BOROUGH CODE ENTITLED MARRIAGE AND CIVIL UNION CEREMONY FEES

BE IT ORDAINED THAT Chapter 6 of the Borough Code entitled Marriage and Civil Union Ceremony Fees shall be amended to read as follows:

§ 6-1 Purpose.

The purpose of this chapter is to establish policies and procedures for the collection of fees associated with the performance of marriage and civil union ceremonies performed by the Mayor.

§ 6-2 Collection of Fees; Compensation through the Performance of Marriage and Civil Union Ceremonies.

- A. Collection of fees. Persons seeking to be married or joined in civil union ceremonies by the Mayor shall remit the appropriate fee to be paid to the Borough

of Somerville.

- (1) Fee for officiant in the amount of \$250
 - (2) Administrative Fee of \$35.00
- B. Compensation through the performance of marriage and civil union ceremonies.
- (1) Receipt of fees. The fee shall be paid by check to the Borough of Somerville and shall be deposited in the Borough's current fund.
 - (2) Disbursement of fees. The fee for service in the amount of two hundred fifty dollars (\$250) may be disbursed to the Mayor in the amount of two hundred fifty dollars (\$250) through the appropriate budget line item and with the appropriate authorization.
 - (3) The Mayor may waive the officiant fee but shall not waive the administrative fee.

ORDINANCE #2722-24-0116

AMENDING CHAPTER 166 – 50 SCHEDULE IX ENTITLED STOP INTERSECTIONS

BE IT ORDAINED THAT, the following locations shall be listed on Schedule IX, Stop Locations

§ 166-50 Schedule IX: Stop Intersections.

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

Stop Sign	On Intersection
Hamilton Street	Southside Avenue & Hamilton Street
Southside Avenue	Hamilton Street & Southside Avenue

ORDINANCE #2723-24-0116

AMENDING CHAPTER 166 – 54 SCHEDULE XIII A ENTITLED BUS STOPS

BE IT ORDAINED THAT, Chapter 166-54 Schedule XIII A: Bus Stops be amended to include two additional stops.

§ 166-54 Schedule XIII A: Bus Stops; Schedule XIII B: Midblock Crosswalks.

A. Schedule XIII A: Bus Stops. In accordance with the provisions of § **166-18A**, the following described locations are hereby designated as bus stops.

Name of Street	Side	Location	Type*
Veterans Memorial Dr. W. (westbound)	North	Beginning 195 feet of the westerly curb line of Division Street and extending 135 feet	

Name of Street	Side	Location	Type*
		therefrom (across from Somerville Train Station staircase)	FS
Veterans Memorial Dr. W.	South	Beginning 240 feet of the westerly curb line of Division Street and extending 135 feet therefrom (in front of Somerville Train Station staircase)	MB

Notes:

*Type

NS = near side bus stop (bus stops before intersection).

FS = far side bus stop (bus stops after intersection).

MB = mid-block bus stop (bus stops between intersection).

ORDINANCE 2724-24-0116

AMENDING CHAPTER 166-65 SCHEDULE XXIA ON-STREET PARKING METER ZONES REDUCING METER PARKING TIME REQUIREMENTS ON VETERANS MEMORIAL DRIVE EAST ON SOUTHSIDE OF ROADWAY TO 7:00 A.M.- 6:00 P.M. MONDAY THROUGH SATURDAY

§ 166-65 Schedule XXIA: On-Street Parking Metered Zones. [Amended 2-21-2017 by Ord. No. 2513; 4-16-2018 by Ord. No. 2548]

A. (i) Veterans Memorial Drive West metered parking zone is from 7:00 a.m. – 6:00 p.m. Monday through Saturday

Name of Street	Side	Time	Rate	Location
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Veterans Memorial Drive South 11 hours \$0.25/hr. From a line perpendicular to South Doughty Street to South Bridge Street

ORDINANCE # 2725-24-0116

ESTABLISHING CHAPTER 103 OF THE BOROUGH CODE ENTITLED LEGALIZED GAMING

Chapter 103
Legalized Gaming

Article I
Legalized Gaming and Fees

§ 103-1 Legalized games defined.

Licenses issued for Raffles, Bingo, and Casino Nights by the Borough Clerk in accordance with the rules and regulations and approval issued by the State of New Jersey Legalized Games of Chance Commission (LGCCC). Legalized games of chance include off-premises draw raffles for merchandise, off-premises 50/50 cash raffles, on-premise 50/50, non-draw raffles, on-premise draw casino night, bingo, armchair races, tab pulls and any other games of chance authorized by the State of New Jersey Legalized Games of Chance Control Commission.

§ 103-2 Days allowed to conduct legalized games of chance.

Approved and legalized games of chance are able to be conducted on any day of the week.

§ 103-3 Forms and application.

All forms are available on the State of New Jersey Legalized Games of Chance Control Commission website.

§ 103-4 Fees.

The Borough Clerk shall charge a fee that is equal to the fee that is charged by the State of New Jersey Legalized Games of Chance Control Commission.

- A. The applicant shall submit two checks one payable to the Borough of Somerville and one payable to Legalized Games of Chance Control Commission.
- B. With certain raffles additional fees are required by the State of New Jersey Legalized Games of Chance Control Commission. In those cases, the Borough shall also receive an amount payable to the Borough of Somerville.
- C. Payment of Fees is only payable by check or money order and the applicant shall not combine checks.

ORDINANCE# 2726-24-0116

**AMENDING ORDINANCE #2682-22-0906 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	\$91,600	\$142,000
BORO CLERK	\$54,400	\$90,000
DEPUTY CLERK	\$35,000	\$70,000
BORO ATTORNEY	\$32,000	\$65,000
EXECUTIVE ASSISTANT	\$40,000	\$60,000
RECEPTIONIST/ADMINISTRATIVE ASSISTANT	\$40,000	\$55,000
ASS'T TO DPW DIR/ASST TO ENGINEER	\$80,000	\$135,000
PROJECT MANAGER	\$44,000	\$65,000
PUBLIC WORKS MANAGER	\$75,000	\$145,000
DIR OF COMM DEV	\$45,000	\$135,000
CHIEF FINANCIAL OFFICER	\$75,000	\$155,000
ASISTANT TO THE CFO/PAYROLL	\$45,000	\$70,000
RECREATION DIRECTOR	\$45,000	\$90,000
SUPT OF FIRE MAINT.	\$45,000	\$90,000
ASST SUPT FIRE	\$40,000	\$65,000
TAX ASSESSOR (PT)	\$32,000	\$65,000
ASST TAX ASSESSOR	\$32,000	\$40,000
CORRESPONDING SECTY (PT)	\$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	\$55,000
PART-TIME FIRE INSPECTOR	\$10,000	\$50,000
PART-TIME ASSISTANT TO		

PART-TIME TECHNICAL ASSISTANT TO CONSTRUCTION OFFICIAL	\$10,000	\$30,000
FULL-TIME TECHNICAL ASSISTANT TO CONSTRUCTION OFFICIAL	\$45,000	\$70,000
ELECTRICAL SUBCODE/CONST CODE OFF.	\$45,000	\$95,000
FIRE SUBCODE/INSPECTOR/ ELECTRICAL SUBCODE/INSPECTOR	\$85,000	\$135,000
BUILDG SUB CODE/INSPECTOR		
HOUSING INSP (PT)	\$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 (administrator)	\$32,000	\$80,000
REGISTRAR/VITAL STAT	\$45,000	\$90,000
DEP REGISTRAR/ADMIN ASS'T	\$45,000	\$70,000
DEPUTY REGISTRAR	\$45,000	\$65,000
PARK ENFORC OFF	\$33,000	\$60,000
RECEPTIONIST – PT	\$17.00/hr	\$26.00/hr
PARK ENFORC. – PT.	\$17.00/hr	\$26.00/hr
PART-TIME INTERN	\$17.00/hr	\$20.00/hr
PART-TIME CLERICAL	\$17.00/hr	\$30.00/hr
RECREATION ASSISTANTS	\$17.00/hr	\$30.00/hr
LIFEGUARDS	\$18.00/hr	\$25.00/hr
POOL SUPERVISOR	\$21.00/hr	\$25.00/hr
PART-TIME FIRE MAINTENANCE (hourly)	\$17.00/hr	\$35.00/hr
PART-TIME FIRE MAINTENANCE	\$10,000	\$35,000
INTERN	\$17.00/hr	\$25.00/hr
FIRE MAINTENCE	\$17.00/hr	\$26.00/hr

FIRE DEPARTMENT:

FIRE APPARATUS DRIVER	\$600	\$2,000
FIRE DUTY	\$17.00/hr	\$20.00/hr
FIRE WATCH	\$17.00/hr	\$20.00/hr
FIRE ON-CALL	\$17.00/hr	\$20.00/hr

POLICE DEPARTMENT: (salary as per collective bargain contract)

CHIEF OF POLICE	\$140,000	\$195,000
CAPTAIN	\$115,000	\$190,000
LIEUTENANT	\$105,000	\$185,000
SERGEANT	\$79,000	\$180,000
DETECTIVE	\$60,000	\$165,000
PATROLMAN	\$50,000	\$165,000

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

GENERAL	\$50,000	\$85,000
SUPERVISING MECHANIC	\$48,000	\$85,000
MECHANIC	\$44,000	\$75,000
HEAVY EQUIP OPR	\$46,000	\$70,000

LIGHT EQUIP OPR	\$46,000	\$70,000
DRIVER LABORER	\$46,000	\$65,000
LABORERS	\$40,000	\$55,000
DRIVER-LABORER-INSPECTOR	\$40,000	\$60,000
CUSTODIAN	\$35,000	\$55,000
HEAD CUSTODIAN	\$37,000	\$58,000
PART- TIME LABORER	\$17.00/hr	\$30.00/hr
SEASONAL EMPLOYEES	\$17.00/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. Not all titles are used. The Borough reserves the right to amend the ordinance to accommodate new titles.

SECTION 3. The Borough Council reserves the right to hire any individual within the range by Resolution.

SECTION 4. This ordinance shall take effect immediately upon its final passage and publication as required by law.

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

RESOLUTION 24-0205-047

APPROVING THE PROMOTION OF SERGEANT DARRIN DIPALMA TO THE RANK OF LIEUTENANT

BE IT RESOLVED, the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey hereby approve the promotion of Sergeant DiPalma to the rank of Lieutenant effective February 6, 2024.

RESOLUTION 24-0205-048

APPROVING THE PROMOTION OF OFFICER JASON LIPICH TO THE RANK OF SERGEANT

BE IT RESOLVED, the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey hereby approve the promotion of Officer Lipich to the rank of Sergeant effective February 6, 2024.

RESOLUTION 24-0205-049

**APPROVING THE PROMOTION OF OFFICER JOSIAH SULOUFF
TO THE RANK OF SERGEANT**

BE IT RESOLVED, the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey hereby approve the promotion of Officer Sulouff to the rank of Sergeant effective February 6, 2024.

RESOLUTION 24-0205-050

**APPROVING REFUND OF PERFORMANCE BONDS #SU1169859 (\$76,770.58) AND
#SU1169858 (\$29,910.12) FOR TOTAL AMOUNT
OF \$106,680.70 FOR PULTE GROUP SOMERVILLE STATION
PROJECT #32956-4310**

WHEREAS, the applicant has requested a performance bond refund in a letter dated November 20, 2023, from CHA to Jenna LaRusso, Planning Board Secretary; and

WHEREAS, the amount of the bonds to be refunded upon delivery of maintenance bonds specified are SU1169859 in the amount of \$76,770.58 and SU1169858 in the amount of \$29,910.12.

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey hereby approves refund performance bonds for project #32956-4310 total amount of \$106,680.70.

RESOLUTION 24-0205-051

**AUTHORIZING THE BOROUGH OF SOMERVILLE TO APPLY FOR 2024-2026
SPOTTED LANTERNING PROGRAMS -POPULATION REDUCTION/CHEMICAL
CONTROL TREATMENT OPPORTUNITY GRANT THROUGH STATE OF
NEW JERSEY DEPARTMENT OF AGRICULTURE DIVISION OF PLANT INDUSTRY**

WHEREAS, in compliance with N.J.S.A. 52:14-34.4 et. Seq., the New Jersey Department of Agriculture (NJDA) hereby publishes notice of grants, subject to the availability of funds, in the following program Spotted Lanternfly Population Reduction/Chemical Control Treatment Program; and

WHEREAS, in 2021, the New Jersey Legislature began providing funding to the Department to reduce the spread and population of Spotted lanternfly in the State of New Jersey; and

WHEREAS, the department has approximately \$3.7 million available for this grant program to be encumbered by November 30, 2024 and fully expended by November 30, 2026; and

WHEREAS, a total of up to \$50,000 per county, and up to \$20,000 per municipality, subject to the availability of funds to encumbered on a first-come, first-served basis will be provided to county and municipal governments in the state who are interested in performing chemical treatment.

BE IT FURTHER RESOLVED, that the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey hereby applying for 2024-2026 Spotted Lanterning Programs -Population Reduction/Chemical Control Treatment Opportunity Grant through State of New Jersey Department of Agriculture Division of Plant Industry and authorizes Municipal Clerk to execute the documents on behalf of the Borough of Somerville.

RESOLUTION 24-0205-052

ACCEPTING A GRANT OF \$2,074,230.00 FROM THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND (HDSRF) PROGRAM THROUGH THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY AND THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the Borough of Somerville (the “Borough”) intends to redevelop and remediate a portion of the Landfill BDA located on Route 206 North in the Borough of Somerville (the “Property”); and

WHEREAS, the Borough of Somerville has applied for and has been awarded a grant in the amount of \$2,074,230.00 in grant Prod-00313395 from the Hazardous Discharge Site Remediation Fund. (HDSRF) Grant Program through the Department of Environmental Protection and the New Jersey Economic Development Authority; and

WHEREAS, in January 2024 the Borough affirmed its acceptance of this grant, Prod-00313395; and

WHEREAS, these funds are for the additional Remediation Action of certain sections of the Somerville Landfill BDA area.

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

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

RESOLUTION 24-0205-053

AUTHORIZING VEHICLES TO BE DISPOSED AS SCRAP VALUE

WHEREAS, N.J.S.A.: 11-36(6) sale or other disposition of personal property states that if the estimated fair value of the property to be sold does not exceed the applicable bid threshold it may be sold at private sale; and

WHEREAS, it has been determined the vehicles listed below shall be disposed of as scrap value via private sale; and

1D7HW22K55S231635	2005	Dodge	P/U
2D8FV47V06H126191	2006	Dodge	Magnum
1FDKE30M4JHA82179	1988	Ford	Utility
1FTSF31L62ED26652	2002	Ford	P/U
2FAHP71WX3X198124	2003	Ford	CVPI

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey authorizes the vehicles listed in the preamble to be disposed of as scrap value at private sale.

RESOLUTION 24-0205-054

APPROVING THE ALFA ROMERO OWNERS CLUB TO UTILIZE PARKING SPACES IN FRONT OF HISTORIC COURTHOUSE ON MAY 31ST AND AUGUST 23RD FROM 5:00 P.M. – 9:00 P.M. FOR CRUISE NIGHT DISPLAY

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey approves the Alfa Romero Owners Club to use parking spaces located on Main Street in front of the Historic Courthouse on May 31ST and August 23RD for Cruise Night display.

RESOLUTION 24-0205-055

APPROVING OVERPAYMENT REFUND FOR LAND DISTURBANCE PAYMENT LOCATED AT 52 FAIRVIEW AVENUE TO DERNER RE INC.

WHEREAS, an overpayment has occurred for a land disturbance payment for 52 Fairview Avenue; and

WHEREAS, the Finance department has researched and determined that a refund should be issued.

NOW, THEREFORE, BE IT RESOLVED, that the Finance department be instructed to refund the amount listed below to:

DERNER RE INC. 101 EDGEWOOD RD., GREENBROOK, NJ 08812
in the amount of \$100.00

RESOLUTION 24-0205-056

REQUESTING THAT THE SOMERVILLE BOROUGH PLANNING BOARD CONDUCT A REVIEW OF THE CURRENT ZONING LAWS AND REGULATIONS REGARDING FIREARMS RETAIL STORES AND OUTLETS AND PROPOSE RECOMMENDATION TO THE BOROUGH COUNCIL FOR CONSIDERATION

WHEREAS, the Borough of Somerville requests that the Planning Board conduct a review of the current Zoning Laws and regulations specifically regarding current Firearms Retail Stores, Outlets and related categories; and

WHEREAS, the Borough Council requests that the Planning Board provide written comments back to the Borough Council for its review and consideration.

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey requests that the Somerville Borough Planning Board conduct a review of current laws and regulations regarding firearms retail stores, Outlets and related categories and provide written recommendation to the Borough Council for consideration.

RESOLUTION 24-0205-057

AUTHORIZING AN INTENT TO PURCHASE A 2024 CHEVY TAHOE UNDER NEW JERSEY STATE CONTRACT THROUGH GENTIILLI MOTORS AND LIGHTING PACKAGE THROUGH EAST COAST EMERGENCY LIGHTING FOR THE TOTAL AMOUNT OF \$77,246.32

WHEREAS, the Borough of Somerville Fire Department has identified a need for a new Fire Chief's vehicle for response; and

WHEREAS, the vehicle is identified under New Jersey State Contract T2776-01485 as a Chevy Tahoe for the total price of \$59,898.77 listed on Quote # Est 9282 through Gentilini Motors, 2703 Fire Road, Egg Harbor Township, New Jersey 08234; and

WHEREAS, the Borough of Somerville Fire Department has specified the lighting package necessary and is available through East Coast Emergency lighting identified in estimate #36676 in the total amount of \$17,347.55; and

WHEREAS, the total cost of the vehicle \$77,246.32, various other fees for registration, delivery and transfer fees are not included in the total amount; and

WHEREAS, the Chief Financial Officer is hereby directed to draft an ordinance to enable funds to be placed in the Capital Improvement Fund to procure the vehicle as described in the preamble of this resolution and identified in the estimates further referenced in the preamble; and

WHEREAS, the Municipal Clerk is directed to advertise the ordinance and establish the public hearing for Borough Council Consideration and advertise all required resolutions throughout this transaction to comply with the New Jersey Public Contracts Law; and

WHEREAS, once the funds are in place the Municipal Clerk shall place on the agenda the appropriate resolutions with the certification of funds to formally authorize the purchase.

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey authorizes an intent to purchase a vehicle identified under New Jersey State Contract T2776-01485 as a Chevy Tahoe for the total price of \$59,898.77 listed on Quote # Est 9282 through Gentilini Motors, 2703 Fire Road, Egg Harbor Township, New Jersey 08234 for the total cost of the vehicle \$77,246.32.

RESOLUTION 24-0205-058

APPROVING SPARTAN SPIRIT 5K ON SATURDAY, JUNE 22, 2024 AT 8:30A.M. CONTINGENT ON OFFICE OF EMERGENCY MANAGEMENT AND POLICE DEPARTMENT APPROVALS

WHEREAS, Spartan Spirit 5K is schedule to take place on Saturday, June 22, 2024, starting at 8:30a.m.; and

WHEREAS, the event will be take place at Immaculata High School; and

WHEREAS, the event 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 Spartan Spirit 5K to be held on June 22, 2024, starting at 8:30a.m., 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 24-0205-059

APPROVING THE CENTRAL JERSEY CORVETTE CLUB TO UTILIZE PARKING SPACES IN FRONT OF HISTORIC COURTHOUSE ON JUNE 7th & AUGUST 2nd 2024 FROM 5:00 P.M. – 9:00 P.M. FOR CRUISE NIGHT DISPLAY

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey approves the Central Jersey Corvette Club to use parking spaces located on Main Street in front of the Historic Courthouse on June 7th and August 2nd for Cruise Night display.

RESOLUTION 24-0205-060

APPROVING A 2024 FARMER'S MARKET SEASONAL FEE SCHEDULE AND APPLICATION PROCESS FOR THE SOMERSET COUNTY REGIONAL FARMER'S MARKET

WHEREAS, the Borough of Somerville and the Board of Education are partnering with the Somerville Alliance For Food Education "SAFE" with the 2024 Somerset County Regional Farmer's Market; and

WHEREAS, SAFE is the designated primary sponsor and organizer of the Somerset County Regional Farmer's Market, formerly known as Farm to Table Market at Duke Farms sponsored and coordinated by Duke Farms; and

WHEREAS, the Board of Education of will be providing the use of their property to hold the market on Sunday, May 5, 2024 through November 24, 2024 from 10:00 a.m. – 1:00 p.m.; and

WHEREAS, the market historically draws up to 600 people on a Sunday and is expected to draw customers from throughout the region; and

WHEREAS, the Borough of Somerville will assess an seasonal fee of \$150.00 that would cover all the vendors that require health inspections and said funds will cover costs related to the required health inspections and shall be paid by SAFE; and

WHEREAS, the Borough of Somerville requires that each vendor complete and submit to the sponsor the required documents as established by the temporary food establishment permit package; and

WHEREAS, if additional costs arise that are assessed to the Borough of Somerville the Borough reserves the right to assess additional fees to cover said fees and SAFE mutually agrees that an additional assessment may apply if said situations arise:

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey approves a 2024 seasonal fee schedule and application process for the 2024 Somerset County Regional Farmer's Market in the amount of \$150 one hundred fifty dollars to cover all vendors from may 5, 2024 to November 24, 2024.