

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

**Monday, September 19, 2016**

**6:00 P.M.**

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

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- 1. Open Public Meeting Law Statement**
- 2. Roll Call**
- 3. Approval of Executive Session Minutes:**
  - a. September 6, 2016
- 4. Resolution 16-0919-359 to enter into Executive Session**

**EXECUTIVE SESSION AGENDA**

1. Redevelopment
2. Personnel Matters Outstanding- Fire Department
3. Personnel Matters- Contract- Gluck
4. Property Acquisition- Fire Department- Grant Extension
5. Lawsuits

**COUNCIL MEETING AGENDA**

- 1. Roll Call**
- 2. Salute to the Flag**
- 3. Approval of Minutes**
  - a. September 6, 2016
- 4. Departmental Reports & Important Notices**
  - a. August Monthly Housing Report
  - b. Power Home Remodeling holds the only active door-to door license. Residents should contact Police if any other entity conducts door-to door solicitations.
  - c. New Parking Meters being installed.
  - d. 2017 Municipal Budget Schedule
  - e. November 14, 2016 Liaisons- Final Day to submit Capital request

- f. Animal Control Services- August 2016
- g. SFPE Grant Award – Fire Official

**5. Committee Reports**

**6. Discussion Items:**

- a. Turkey Trot
- b. Parking Update

**7. Meeting Open to the Public**

**8. ORDINANCES FOR INTRODUCTION**

2506-16-0919 AMENDING THE CHAPTER 150-2. ENTITLED PERMIT AND DEPOSIT FEES ADDING SECTION D WHICH WILL ALLOW A PUBLIC UTILITY THAT IS UNDER CONTROL OF THE BOARD OF PUBLIC UTILITIES WHEN OBTAINING A ROAD OPENING PERMIT TO POST A PERFORMANCE BOND OR PROVIDE A CONTINUING BOND ON BEHALF OF ITS SUBCONTRACTOR

**9. ORDINANCES FOR PUBLIC HEARING AND ADOPTION**

2504-16-0906 AMENDING THE CHAPTER 166, SECTION 10.1 PERMIT PARKING AND ADDING CHAPTER 166-46.3 SCHEDULE V(C) TO INCLUDE STANDING, IDLING AND PARKING ON SCHOOLHOUSE LANE ON HOURS AND DAYS DESIGNATION ON SCHEDULE V(C)

2505-16-0906 ORDINANCE AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS IN CONNECTION WITH THE SOMERSET COUNTY IMPROVEMENT AUTHORITY'S SOMERSET MUNICIPAL BANC PROGRAM FOR A TOTAL AMOUNT OF \$800,000 AND \$8,000 FEE TO BE PAID TO THE SCIA FOR A TOTAL FUNDING AMOUNT OF \$808,000 AND INTEREST RATE OF 2.25% FOR A TOTAL COST OF \$916,911.69

**10. CONSENT RESOLUTIONS** (any items pulled off consent agenda is required to have a motion and roll call vote)  
(Resolutions 16-0919-360 thru 16-0919-369)

16-0919-360 APPROVING CHAPTER 159 FOR STATE OF NEW JERSEY DRUNK DRIVING ENFORCEMENT FUND GRANT

16-0919-361 AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE FUNDS FROM ESCROW ACCOUNT DESAPIO PROPERTIES TO DECOTIIS, FITZPATRICK & COLE, LLP

- 16-0919-362 AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE FUNDS FROM ESCROW ACCOUNT SOMERSET DEVELOPMENT, LLC TO DECOTIIS, FITZPATRICK & COLE, LLP
- 16-0919-363 APPROVING KATHERINE STACK AS A RENEWAL TAXI DRIVER
- 16-0919-364 AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE FUNDS FROM ESCROW ACCOUNT – JSM LANDMARK TO DECOTIIS, FITZPATRICK & COLE, LLP
- 16-0919-365 APPROVING CROP HUNGER WALK FOR OCTOBER 30, 2016 AT 1:30 P.M. STARTING AT THE UNITED REFORMED CHURCH WITH PRE-WALK KICK OFF AT 12:30 P.M.
- 16-0919-366 APPROVING QUALIFIED NOT-FOR-PROFIT ORGANIZATIONS TO PARK IN LOT #7 IN EXCHANGE FOR SERVICES TO BE RENDERED TO THE BOROUGH
- 16-0919-367 CANCELLING UNCOLLECTIBLE TAXES FOR BLOCK 114, LOT 8
- 16-0919-368 APPROVING A PLACE-TO PLACE-TRANSFER OF ALCOHOLIC BEVERAGE CONTROL LICENSE FOR DV FOOD, LLC, FOR LIQUOR LICENSE # 1818-33-001-013 TO EXPAND THE USE AT THE EXISTING LOCATION 1 HIGH STREET FOR SERVING OF ALCOHOLIC BEVERAGES
- 16-0919-369 REQUESTING A FORMAL EXTENSION REQUEST OF FEMA-4070-DR-NJ GRANT PROJECT NUMBER 4070-005 SOMERVILLE FLOOD ACQUISITION PROJECT FOR ENGINE COMPANY #1 LOCATED AT 170 EAST

## **11. BILLS AND VOUCHERS**

## **12. ADJOURNMENT**

Kevin Sluka, Municipal Clerk

**ORDINANCE #2506-16-0919**

**AMENDING THE CHAPTER 150-2. ENTITLED PERMIT AND DEPOSIT FEES  
ADDING SECTION D WHICH WILL ALLOW A PUBLIC UTILITY THAT IS  
UNDER CONTROL OF THE BOARD OF PUBLIC UTILITIES WHEN  
OBTAINING A ROAD OPENING PERMIT TO POST A PERFORMANCE BOND  
OR PROVIDE A CONTINUING BOND ON BEHALF OF ITS  
SUBCONTRACTOR**

**BE IT ORDAINED** by the Borough Council of the Borough of Somerville, in the County of Somerset and State of New Jersey, Chapter 150-2 D. shall be shall read as follows:

Chapter 150-2 D.

In difference to section C above as it relates to performance bonds, if a contractor working under the direct control of a public utility, in which the public utility under the control of the Board of Public Utilities, that utility may post a performance bond or continuing bond covering the contractor performing the work on its behalf. All other parts of Chapter 150-2 C apply.

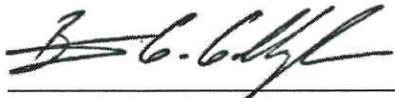
This Ordinance shall take effect twenty (20) days after publication in accordance with applicable law.

Introduction: September 19, 2016

First Publication:

Adoption:

Final Publication:



Brian Gallagher, Mayor



Kevin Sluka, Clerk/Administrator

**ORDINANCE #2504-16-0906**

**AMENDING THE CHAPTER 166, SECTION 10.1 PERMIT PARKING AND  
ADDING CHAPTER 166-46.3 SCHEDULE V(C) TO INCLUDE STANDING,  
IDLING AND PARKING ON SCHOOLHOUSE LANE ON HOURS AND DAYS  
DESIGNATION ON SCHEDULE V(C)**

**BE IT ORDAINED** by the Borough Council of the Borough of Somerville, in the County of Somerset and State of New Jersey, Chapter 166-10.1 A. (1) shall be amended and shall read as follows

**166-10.1. Permit Parking**

A. No vehicle shall be parked on the streets or parts of streets designated in Schedule VA and schedule VB and schedule VC attached hereto and made a part of this chapter, during the hours designated and days designated, unless:

- (1) The vehicle is owned by a resident of that street and the vehicle has displayed on its left rear window, in such a manner to be accessible to visible examination by an officer, a current residential parking permit

**BE IT FURTHER ORDAINED** by the Borough Council of the Borough of Somerville, in the County of Somerset and State of New Jersey, that Chapter 166-46.3 Schedule V(C) be added to the Permit parking Schedules and shall be read as follows:

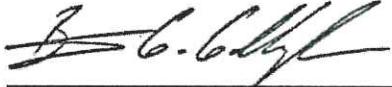
**§ 166-46.2. Schedule VC: Permit Parking.**

- A. A decal is to be displayed, in accordance with Section 166-10.1, during the following hours and days: 8:00 a.m. to 5:00 p.m., Monday, Wednesday, Thursday, Friday; 8:00 a.m. to 7:00 p.m. Tuesday; 8:00 a.m. to 1:00 p.m. Saturday except State Holidays
- B. No person shall stand or idle on any of the following streets or parts without a permit during the above times, hereof, on any of the following streets or parts:
- C. In accordance with Section 166.10.1, no person shall park a vehicle without a permit during the above times, hereof, on any of the following streets or parts of streets:

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Schoolhouse Lane	Both	Entire length

This Ordinance shall take effect twenty (20) days after publication in accordance with applicable law.

Introduction: September 6, 2016  
First Publication: September 9, 2016  
Adoption:  
Final Publication:

  
\_\_\_\_\_  
Brian Gallagher, Mayor

  
\_\_\_\_\_  
Kevin Sluka, Clerk/Administrator

**ORDINANCE #2505-16-0906**

**ORDINANCE AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS  
IN CONNECTION WITH THE SOMERSET COUNTY IMPROVEMENT  
AUTHORITY'S SOMERSET MUNICIPAL BANC PROGRAM FOR A TOTAL  
AMOUNT OF \$800,000 AND \$8,000 FEE TO BE PAID TO THE SCIA FOR A  
TOTAL FUNDING AMOUNT OF \$808,000 AND INTEREST RATE OF 2.25%  
FOR A TOTAL COST OF \$916,911.69**

**WHEREAS**, under the Somerset Municipal Banc Program (as defined herein), various municipalities, an educational services commission and school districts within the County of Somerset (the "County") and the County (each a "Participant") submit a request (the "Application") to the Somerset County Improvement Authority (the "Authority") to borrow funds from the Authority (the "Somerset Municipal Banc Program") to finance the lease purchase of certain capital equipment and, if applicable, other personal property (the "Equipment"; the financing of the Equipment under the Somerset Municipal Banc Program may be referred to herein as the "Project"); and

**WHEREAS**, under the Somerset Municipal Banc Program, the Authority intends to enter into the hereinafter defined Authority Lease with TD Equipment Finance, Inc. (the "Lessor"); and

**WHEREAS**, under the Somerset Municipal Banc Program, the Lessor intends to provide funds to acquire the Equipment over time, and immediately lease the Equipment to the Authority, all pursuant to the terms of that certain "Master Lease Purchase Agreement" to be entered into by and between the Lessor, as lessor, and the Authority, as lessee (together with any amendments thereof or supplements thereto in accordance with the terms thereof, the "Authority Lease"); and

**WHEREAS**, under the Authority Lease, the Authority shall make rental payments solely from amounts received by the Authority from the Participant under the hereinafter defined Participant Lease; and

**WHEREAS**, simultaneously with the Authority Lease, the Authority will sublease the Equipment to the Participant pursuant to the terms of that certain "Sublease Purchase Agreement" to be entered into by and between the Authority, as sublessor, and the Participant, as sublessee (together with any amendments thereof or supplements thereto in accordance with the terms thereof, the "Participant Lease"), under which Participant Lease the Participant will make rental payments that are subject to annual appropriation of said Participant in an amount sufficient to pay the corresponding rental payments applicable to the Equipment,

and as appropriated by the Authority under the Authority Lease, plus all administrative expenses of the Somerset Municipal Banc Program; and

**WHEREAS**, pursuant to the county improvement authorities law, constituting Chapter 183 of the Pamphlet Laws of 1960 of the State, and the acts amendatory thereof and supplemental thereto, specifically Section 37 thereof (N.J.S.A. 40:37A-80), the County may for the purpose of aiding the Authority in the planning, undertaking, acquisition, construction or operation of a public facility, guaranty the punctual payment of moneys for the purposes of the Authority (the "County Guaranty"); and

**WHEREAS**, in order to implement the County Guaranty, and in accordance with the terms of that certain agreement entitled Guaranty Agreement between the County and the Authority (the "County Agreement"), the County intends to appropriate moneys to the Authority to the extent the lease payments made by the Authority to the Lessor are not sufficient:

**NOW THEREFORE BE IT RESOLVED**, by the governing body of the Borough of Somerville as follows:

**Section 1.** That the Participant Lease, in the form presented to this meeting, be and the same is hereby approved, and the Mayor, Chief Financial Officer or Business Administrator of the Borough of Somerville (each, an "Authorized Participant Representative") is hereby authorized to, and one of such officers shall execute the Participant Lease, with such additions, deletions or modifications as such officer shall approve, and to deliver the same to the addresses designated on such Participant Lease, such approval to be conclusively evidenced by the execution and delivery thereof.

**Section 2.** That any Authorized Participant Representative is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or proper for the execution and delivery of the Participant Lease and for carrying out the sale, issuance and delivery of the lease obligations, and all related transactions contemplated by this resolution.

**Section 3.** This Resolution constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough of Somerville reasonably expects to pay expenditures with respect to the Equipment prior to the date that the Borough of Somerville incurs obligations under the Participant Lease. The Borough of Somerville reasonably expects to reimburse such expenditures with the proceeds of obligations to be incurred by the Borough of Somerville under the Participant Lease. The maximum principal amount of obligations expected to be issued for

payment of the costs of the Equipment is \$800,000 and an \$8,000 fee from the SCIA

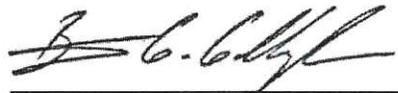
**Section 4.** The total funding amount is \$808,000.00, which includes a \$8,000 fee from the Somerset County Improvement Authority, which will be financed.

**Section 5.** The interest rate shall be 2.25%

**Section 6.** The schedule of payments over the term of the lease shall be interest at \$108,911.69 and principal at \$808,000 for total amount of debt service at \$916,911.69

This Ordinance shall take effect twenty (20) days after publication in accordance with applicable law.

Introduction: September 6, 2016  
First Publication: September 9, 2016  
Adoption:  
Final Publication:



Brian Gallagher, Mayor



Kevin Sluka, Clerk/Administrator

**RESOLUTION 16-0919-359**

**AUTHORIZING EXECUTIVE SESSION**

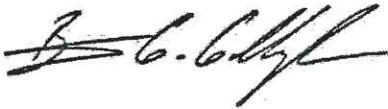
**WHEREAS**, the Open Public Meeting Act P.L. 1975, Chapter 231 permits the exclusion of the public from meetings in certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist; and

**WHEREAS**, the Governing Body may wish to discuss matters involving the purchase of property, personnel, potential litigation, employment or appointments

**BE IT RESOLVED**, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey authorizes entering into Executive Session.

Adopted by Borough Council on September 19, 2016



\_\_\_\_\_  
Mayor



\_\_\_\_\_  
Clerk/Administrator

I, Kevin Sluka, Borough Clerk of the Borough of Somerville, County of Somerset, State of New Jersey, hereby certify this to be a true copy of a resolution adopted by the Borough Council on September 19, 2016.



\_\_\_\_\_  
Kevin Sluka, Clerk/Administrator

**RESOLUTION 16-0919-360**

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

**WHEREAS**, NJSA 40A 4-87 provides that the Director of the Division of Highway Traffic Safety 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 \$11,996.33 from NJ Department of Law and Public Safety- Drunk Driving Enforcement Fund Grant and wishes to amend its 2016 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 Highway Traffic Safety to approve the amendment of an additional item of revenue in the budget of the year 2016 in the sum of.....\$11,996.33 to be received from grants as revenue from:

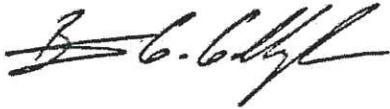
Miscellaneous Revenues:  
Special Items of General Revenue Anticipated with  
Prior Written Consent of the Director of Division of Highway Traffic  
Safety Public and Private Revenues off-set with  
Appropriations:  
Drunk Driving Enforcement Fund Grant  
Grant ..... \$11,996.33

**BE IT FURTHER RESOLVED** that a like sum of..... \$ 11,996.33  
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 Fund Grant

**BE IT FURTHER RESOLVED**, that the Borough Clerk of the Borough of Somerville forward two copies of this resolution to the Director of Division of Highway Traffic Safety.

Adopted by Borough Council on September 19, 2016



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Mayor



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Clerk/Administrator

I, Kevin Sluka, Borough Clerk of the Borough of Somerville, County of Somerset, State of New Jersey, hereby certify this to be a true copy of a resolution adopted by the Borough Council on September 19, 2016.



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Kevin Sluka, Clerk/Administrator

RESOLUTION 16-0919-361

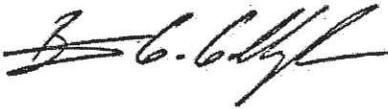
**AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE FUNDS  
FROM ESCROW ACCOUNT DESAPIO PROPERTIES TO DECOTIIS,  
FITZPATRICK & COLE, LLP**

**WHEREAS**, the Borough of Somerville requires a Developers Escrow to pay for developer costs associated with redevelopment projects; and

**WHEREAS**, it is determined that \$365.75 be paid to DeCotiis, FitzPatrick & Cole, LLP (Invoice #178269, Period Ending 08/31/16) for services rendered.

**NOW, THEREFORE, BE IT RESOLVED**, that the Finance Officer be instructed to issue a check in the amount listed above from the balance of the escrow deposit on file for DeSapio Properties #7763733738.

Adopted by Borough Council on September 19, 2016



\_\_\_\_\_  
Mayor



\_\_\_\_\_  
Clerk/Administrator

I, Kevin Sluka, Borough Clerk of the Borough of Somerville, County of Somerset, State of New Jersey, hereby certify this to be a true copy of a resolution adopted by the Borough Council on September 19, 2016



\_\_\_\_\_  
Kevin Sluka, Clerk/Administrator

RESOLUTION 16-0919-362

**AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE FUNDS  
FROM ESCROW ACCOUNT SOMERSET DEVELOPMENT, LLC TO  
DECOTIIS, FITZPATRICK & COLE, LLP**

**WHEREAS**, the Borough of Somerville requires a Developers Escrow to pay for developer costs associated with redevelopment projects; and

**WHEREAS**, a deposit was received from Somerset Development, LLC and deposited into our Developers Escrow Account; and

**WHEREAS**, it is confirmed that \$1,486.00 be paid to DeCotiis, FitzPatrick & Cole, LLP (Invoice #178270, Period Ending 08/31/16) for services rendered.

**NOW, THEREFORE, BE IT RESOLVED**, that the Finance Officer be instructed to issue a check in the amount listed above from the balance of the escrow deposit on file for Somerset Development LLC #7762624992.

Adopted by Borough Council on September 19, 2016



\_\_\_\_\_  
Mayor



\_\_\_\_\_  
Clerk/Administrator

I, Kevin Sluka, Borough Clerk of the Borough of Somerville, County of Somerset, State of New Jersey, hereby certify this to be a true copy of a resolution adopted by the Borough Council on September 19, 2016.



\_\_\_\_\_  
Kevin Sluka, Clerk/Administrator

RESOLUTION 16-0919-363

APPROVING KATHERINE STACK AS A RENEWAL TAXI DRIVER

**BE IT RESOLVED**, by the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey that Katherine Stack be approved as a renewal taxi driver.

Adopted by Borough Council on September 19, 2016



\_\_\_\_\_  
Mayor



\_\_\_\_\_  
Clerk/Administrator

I, Kevin Sluka, Borough Clerk of the Borough of Somerville, County of Somerset, State of New Jersey, hereby certify this to be a true copy of a resolution adopted by the Borough Council on September 19, 2016.



\_\_\_\_\_  
Kevin Sluka, Clerk/Administrator

RESOLUTION 16-0919-364

**AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE FUNDS FROM ESCROW ACCOUNT – JSM LANDMARK TO DECOTIIS, FITZPATRICK & COLE, LLP**

**WHEREAS**, the Borough of Somerville requires a Developers Escrow to pay for developer costs associated with redevelopment projects, and

**WHEREAS**, a deposit was received from JSM Landmark and deposited into our Developers Escrow Account, and

**WHEREAS**, it has confirmed that \$2,568.70 be paid to Decotiis, FitzPatrick & Cole, LLP (Invoice #178268, Period Ending 08/31/16) for service rendered.

**NOW, THEREFORE, BE IT RESOLVED**, that the Finance Officer be instructed to issue a check in the amount listed above from the balance of the escrow deposit on file for JSM Landmark # 7760805585.

Adopted by Borough Council on September 19, 2016



\_\_\_\_\_  
Mayor



\_\_\_\_\_  
Clerk/Administrator

I, Kevin Sluka, Borough Clerk of the Borough of Somerville, County of Somerset, State of New Jersey, hereby certify this to be a true copy of a resolution adopted by the Borough Council on September 19, 2016.



\_\_\_\_\_  
Kevin Sluka, Clerk/Administrator

RESOLUTION 16-0919-365

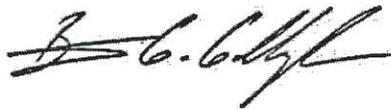
**APPROVING CROP HUNGER WALK FOR OCTOBER 30, 2016 AT 1:30 P.M.  
STARTING AT THE UNITED REFORMED CHURCH WITH PRE-WALK KICK  
OFF AT 12:30 P.M.**

**WHEREAS**, Central Somerset Crop Walk will be held on October 30, 2016 with a Pre-Walk kickoff at 12:30 p.m. , registration at 1:00 p.m.; and

**WHEREAS**, Central Somerset Crop Walk has multiple way to participate from volunteering to walking the 3.5 mile or 1.3 mile course and making and soliciting donations:

**BE IT RESOLVED**, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey hereby approves the Crop Huger Walk for October 30, 2016 at 1:30 p.m. starting and ending at the United Reformed Church involving walkers and participants from area churches.

Adopted by Borough Council on September 19, 2016



\_\_\_\_\_  
Mayor



\_\_\_\_\_  
Clerk/Administrator

I, Kevin Sluka, Borough Clerk of the Borough of Somerville, County of Somerset, State of New Jersey, hereby certify this to be a true copy of a resolution adopted by the Borough Council on September 19, 2016.



\_\_\_\_\_  
Kevin Sluka, Clerk/Administrator

RESOLUTION 16-0919-366

**APPROVING QUALIFIED NOT-FOR-PROFIT ORGANIZATIONS TO PARK IN  
LOT #7 IN EXCHANGE FOR SERVICES TO BE RENDERED TO THE  
BOROUGH**

**WHEREAS**, the Borough of Somerville has various 501 (c) 3 Not-for-Profit Organizations that desire to park or store equipment on Borough owned land; and

**WHEREAS**, certain Not-for-Profit organizations perform services to the Borough of Somerville at no cost to the Borough; and

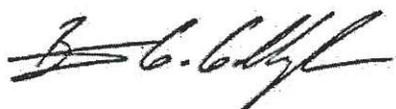
**WHEREAS**, the Borough of Somerville has identified Lot # 7 as a location in which not-for-profit agencies can park or store equipment; and

**WHEREAS**, the Borough of Somerville will create a contract with said agencies in which the agencies shall supply appropriate insurance certificate and registration information and services being provided; and

**WHEREAS**, the Borough of Somerville will consider amendments to the parking ordinance to provide appropriate authority for such action:

**BE IT RESOLVED**, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey hereby approves that qualified not-for-profit organizations that supply needed services to the Borough of Somerville be allowed to park or store equipment in Lot 7 and the parking ordinance shall be amend to provide statutory authority to provide for same.

Adopted by Borough Council on September 19, 2016



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Mayor



\_\_\_\_\_  
Clerk/Administrator

I, Kevin Sluka, Borough Clerk of the Borough of Somerville, County of Somerset, State of New Jersey, hereby certify this to be a true copy of a resolution adopted by the Borough Council on September 19, 2016.



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Kevin Sluka, Clerk/Administrator

RESOLUTION 16-0919-367

CANCELLING UNCOLLECTIBLE TAXES FOR BLOCK 114, LOT 8

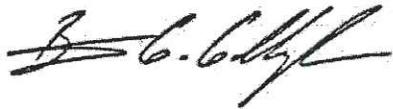
**WHEREAS**, the Tax Collector has advised that the following taxes are uncollectible for the reasons shown below, and

**WHEREAS**, the Collector has requested that the uncollectible taxes be cancelled of record.

**NOW THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Somerville, that the taxes shown below be cancelled of record and that the Collector be and is hereby authorized to adjust her records accordingly:

<u>Block/ Lot</u>	<u>Year</u>	<u>Amount</u>	<u>Location</u>	<u>Homeowner</u>	<u>Reason</u>
114 8	2016	\$6,750.42	49 W High	Somerset County	Parking Lot
	2017	6,661.70		Improvement Auth	Now Tax Exempt

Adopted by Borough Council on September 19, 2016



\_\_\_\_\_  
Mayor



\_\_\_\_\_  
Clerk/Administrator

I, Kevin Sluka, Borough Clerk of the Borough of Somerville, County of Somerset, State of New Jersey, hereby certify this to be a true copy of a resolution adopted by the Borough Council on September 19, 2016.



\_\_\_\_\_  
Kevin Sluka, Clerk/Administrator

**RESOLUTION 16-0919-368**

**APPROVING A PLACE-TO PLACE-TRANSFER OF ALCOHOLIC BEVERAGE CONTROL LICENSE FOR DV FOOD, LLC, FOR LIQUOR LICENSE # 1818-33-001-013 TO EXPAND THE USE AT THE EXISTING LOCATION 1 W. HIGH STREET FOR SERVING OF ALCOHOLIC BEVERAGES**

**WHEREAS**, DV Food, LLC has applied for a Place-to-Place Transfer (Expansion of Premises) of a Plenary Retail Consumption License #1818-33-001-013; and

**WHEREAS**, the Borough of Somerville has received the completed submitted application form, the transfer fees have been paid and the license has been properly renewed and the proposed location inspected; and

**WHEREAS**, DV Food, LLC is utilizing the license at 1 High Street, Somerville, New Jersey under the trade name of Tapestre; and

**WHEREAS**, this Place-to -Place Transfer will enable DV Foods to expand use of the license on the second floor of the exiting building 1 W. High Street, Somerville, New Jersey; and

**WHEREAS**, DV Food, LLC provided corporate ownership as John Proske (99%) and Michael Proske (1%); and

**WHEREAS**, the pending transfer was advertised in the Courier News and published on April 20, 2016 and April; 27, 2016 and no objections were received:

**BE IT RESOLVED**, that the Borough Council of the Borough of Somerville hereby approve a Place-to-Place Transfer of Alcoholic Beverage Control License for DV Food, LLC, Liquor License 1818-33-001-013.

Adopted by the Borough Council on September 19, 2016



\_\_\_\_\_  
Mayor



\_\_\_\_\_  
Clerk/Administrator

I, Kevin Sluka, Borough Clerk of the Borough of Somerville, County of Somerset, State of New Jersey, hereby certify this to be a true copy of a resolution adopted by the Borough Council on September 19, 2016.



\_\_\_\_\_  
Kevin Sluka, Clerk/Administrator

**RESOLUTION 16-0919-369**

**REQUESTING A FORMAL EXTENSION REQUEST OF FEMA-4070-DR-NJ  
GRANT PROJECT NUMBER 4070-005 SOMERVILLE FLOOD ACQUISITION  
PROJECT FOR ENGINE COMPANY #1 LOCATED AT 170 EAST**

**WHEREAS**, the Borough of Somerville requested grant assistance on October 1, 2013 to relocate a Firehouse located at 170 East Main Street, Somerville New Jersey from a floodplain that had FEMA documented repetitive flooding events and construct a new Firehouse ; and

**WHEREAS**, on March 25, 2015 the Borough of Somerville was granted approval from the United States, Department of Homeland Security, FEMA Region II a grant in the amount of \$454,325.00 from the Federal Government and required to have a non-federal share of \$151,442.00; and

**WHEREAS**, Borough of Somerville has received a commitment from the County of Somerset to receive up to \$150,000.00 as the non- federal share contribution and the Borough of Somerville committed \$1,442.00 as the remaining portion of the non-federal match, which creates a funding amount of \$605,767.00 ; and

**WHEREAS**, the grant approval allows for the demolition of the site at 170 east Main and restoration of the space to be open space and added to the adjacent park land; and

**WHEREAS**, the grant approval required the Mayor to execute the grant documents and the Mayor executed the documents on May 11, 2015; and

**WHEREAS**, the grant approval requires that the scope of work be completed by March 25, 2017; and

**WHEREAS**, the Borough Administrator has been completing the quarterly reports as required under the grant requirements and submitting those reports electronically as per grant requirements; and

**WHEREAS**, the Borough Administrator has made the granting agency aware of the delays in the quarterly reports and through conversation; and

**WHEREAS**, Borough of Somerville is unable to meet the grant requirements in the time frame established in the executed grant agreement due to relocation difficulties; and

**WHEREAS**, the granting agency suggested that the Borough of Somerville apply for a Scope of Work change, in which the building would remain at the location and funds would be spent on flood protection efforts at the current location; and

**WHEREAS**, the granting agency advised that the Scope of Work change request is due 90 days before the grant expires, in addition, the Borough of Somerville is required to supply bonafide reasons for the delays, accounting of funds, performance status, copies of contracts, revised budgets, etc: and

**WHEREAS**, the Borough of Somerville does not desire to change the Scope of Work but desires to use the funds for its granted purposes which was for the demolition of the building and relocation of the firehouse located at 170 East Main Street; and

**WHEREAS**, the Borough of Somerville is actively pursuing relocation and design of a new firehouse,

**WHEREAS**, the negotiation process, acquisition of land, design of the facility, procure funding and construction will far extend the date of March 25, 2017, which is the deadline for the grant; and

**WHEREAS**, the Borough of Somerville is formally requesting an extension of the grant deadline of March 25, 2017 to provide sufficient time for the Borough of Somerville to acquire land, design of the firehouse; obtain funding, production of construction documents, bidding, and construction of a new firehouse

**BE IT RESOLVED**, that the Borough Council of the Borough of Somerville hereby respectfully request an extension the Hazard Mitigation Grant, Project Number 4070-0005, FEMA 4070 DR-NJ, Somerville Flood Acquisition to be extended to provide sufficient time for the Borough to negotiate and purchase land, design a firehouse, obtain construction documents, obtain funding and construct a new firehouse

Adopted by the Borough Council on September 19, 2016



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Mayor



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Clerk/Administrator

I, Kevin Sluka, Borough Clerk of the Borough of Somerville, County of Somerset, State of New Jersey, hereby certify this to be a true copy of a resolution adopted by the Borough Council on September 19, 2016.



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Kevin Sluka, Clerk/Administrator