

BOROUGH OF SOMERVILLE
COUNCIL MEETING AGENDA

Monday, November 18, 2013

7:00 P.M.

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

1. Roll Call
2. Salute to the Flag
3. Approval of Minutes: November 4, 2013
4. Departmental Reports & Important Notices
 - a. General Election Day November 5, 2013 Results
 - b. Effective January 1, 2014, the YMCA will not be a polling location; District 3 will be relocated to Somerville HS for 2014.
 - c. Community Forestry Plan
5. Resolutions

13-1118-323- MEMORIALIZING THE RESIGNATION OF DENNIS SULLIVAN FROM THE POSITION OF COUNCILMAN SET TO EXPIRE ON DECEMBER 31, 2013 AS A RESULT OF BEING ELECTED TO FILL AN UNEXPIRED TERM OF COUNCILMAN STIRES (term ends December 31, 2014)
6. Municipal Vacancy Law (N.J.S.A. 40A:16 et seq) Democratic seat.
The following names have been submitted on November 14, 2013 to the Office of Municipal Clerk to be considered to fill the vacancy established by the resignation of Councilman Sullivan from the Council seat that expires on December 31, 2013
 - a. Kenneth G. Utter, 15 Prospect Street;
 - b. Granville Brady, 9 Lee Way;
 - c. Carol Brady, 9 Lee Way.
7. Mayoral Appointments: Christopher D. Adickes- Planning Board
8. Discussion items
 - a. Block 127.01 Lot 24.01 Surplus Property
 - b. Adjustment of retail liquor sales request
 - c. Use of Kline Children Portrait
 - d. Gaston Avenue Study Discussion (deferred till December 2, 2013)
9. Committee Reports
10. Meeting Open to the Public
11. ORDINANCES FOR INTRODUCTION

2424- 13-1118	AMENDING CHAPTER 102, SECTION 4, ARTICLE II ENTILED DEFINITIONS AND WORD USAGE OF THE BOROUGH CODE IN THE LAND USE AND DEVELOPMENT SECTION ADDING DEFINITIONS RELATED TO RENEWABLE ENERGY AND ADDING CHAPTER 102 SECTION 116 S ENTILED WIND ENERGY SYSTEM AND ADDING CHAPTER 102 SECTION 116 ENTILED SOLAR ENERGY SYSTEM
2425-13-1118	AMENDING CHAPTER 102, SECTION 4, ARTICLE II ENTILED DEFINITIONS AND WORD USAGE OF THE BOROUGH CODE IN THE LAND USE AND DEVELOPMENT SECTION ADDING DEFINITION OF A HALF STORY AND AMENDING VARIOUS SECTIONS OF THE LAND USE CODE RELATIVE TO RESIDENTIAL ZONE DISTRICTS R-1, R-2,R-3 AND PO-R ZONES

12. CONSENT RESOLUTIONS

(Resolutions 13-1118-324 thru 13-1118-332)

13-1118-324 AUTHORIZING TRANSFER OF FUNDS TO FUND CERTAIN LINE ITEMS IN THE 2013 BUDGET

13-1118-325 ONE DAY SOLICITOR'S PERMIT APPROVAL FOR ACTION ENTERPRISES FOR FIREMEN'S LIGHT PARADE FOR SALE OF NOVELTIES

13-1118-326 APPROVING LOAN AGREEMENT WITH THE ZIMMERLI ART MUSEUM TO USE "THE KLINE CHILDREN" IN THE "STRIKING RESEMBLANCE: THE CHANGING ART OF PORTRAITURE" EXHIBITION BEING HELD FROM JANUARY 25, 2014 THROUGH JULY 13, 2014

13-1118-327 APPOINTING DAVID LANG AS THE OFFICIAL TOWN CRIER

13-1118-328 AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE FUNDS FROM SITE INSPECTION ESCROW (2) ACCOUNT – JSM LANDMARK

13-1118-329 APPROVING THE 23RD ANNUAL ST. PATRICK'S DAY PARADE FOR SUNDAY, MARCH 16, 2014 STARTING AT 1:30 AT THE EAST END OF MAIN STREET

13-1118-330 AUTHORIZING AN AGREEMENT BETWEEN THE BOROUGH OF SOMERVILLE AND THE TOWNSHIP OF BRIDGEWATER ESTABLISHING A SHARED COURT PURSUANT TO THE PROVISIONS OF N.J.S.A. 2B:12-1 ET SEQ. IN WHICH BOTH MUNICIPALITIES WILL MAINTAIN SEPARATE COURT FUNCTIONS

13-1118-332 MEMORIALIZING THE RESIGNATION OF KEN UTTER FROM THE PLANNING BOARD

13. BILLS AND VOUCHERS

14. ADJOURNMENT

The second regular Borough Council meeting for the month of November 2013 was convened on Monday, November 18 2013 at 7:00 pm prevailing time in Borough Council Chambers 24 South Bridge Street, Somerville, New Jersey.

Upon call of the roll, the following Borough Council members were present: Mayor Brian Gallagher presiding, Council President Jane Kobuta, Councilman Thompson Mitchell, Councilwoman Amanda O’Neill. Councilman Dennis Sullivan was excused from the meeting. Councilman Robert Wilson was due to arrive shortly.

Also present was Borough Clerk-Administrator Kevin Sluka.

The Pledge of Allegiance was recited by those in attendance.

The minutes of the November 4, 2013 Borough Council meeting were presented for approval.

Councilwoman Kobuta made a motion and was seconded by Councilman Mitchell to approve the aforementioned minutes. The motion was approved by the following vote:

Carried unanimously

The following resolution was presented:

RESOLUTION 13-1118-323

MEMORIALIZING THE RESIGNATION OF DENNIS SULLIVAN FROM THE POSITION OF COUNCILMAN SET TO EXPIRE ON DECEMBER 31, 2013 AS A RESULT OF BEING ELECTED TO FILL AN UNEXPIRED TERM OF COUNCILMAN (term ends December 31, 2014)

WHEREAS, the Borough Clerk received the Certification of Elected Offices dated November 13, 2013 relative to the election held on November 5, 2013; and

WHEREAS, the Certification states that Dennis Sullivan has been elected to the unexpired Borough Council seat which expires on December 31, 2014; and

WHEREAS, Councilman Sullivan has submitted a resignation dated November 14, 2013 effective on November 15, 2013 formally resigning from the Council seat that expires on December 31, 2013; and

WHEREAS, Councilman Sullivan has been sworn in during a private ceremony on November 15, 2013 by the Municipal Clerk to fill the unexpired term as Councilman to expire on December 15, 2014:

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey approves the memorialization of the resignation of Dennis Sullivan as Councilman which expires on December 31, 2013 as a result of being elected to fill the unexpired Council seat to expire on December 31, 2014

Adopted by Borough Council on November 18, 2013

Councilwoman Kobuta made a motion and was seconded by Councilman Mitchell to approve the aforementioned resolution.

The motion was approved by the following vote:

Ayes: Councilwoman Kobuta, Councilman Mitchell, Councilwoman O’Neill

Nays: None

Mayor Gallagher explained the process that is followed in order to nominate someone to fill the vacancy established by the resignation of Councilman Sullivan from the Council seat that expires on December 31, 2013.

Municipal Vacancy Law (N.J.S.A. 40A:16 et seq) Democratic seat.

The following names have been submitted on November 14, 2013 to the Office of Municipal Clerk to be considered to fill the vacancy established by the resignation of Councilman Sullivan from the Council seat that expires on December 31, 2013

- a. Kenneth G. Utter, 15 Prospect Street;
- b. Granville Brady, 9 Lee Way;
- c. Carol Brady, 9 Lee Way.

Councilman Mitchell made a motion to appoint Kenneth Utter to the vacant council seat. Councilwoman Kobuta seconded the motion.

Councilwoman O'Neill asked why all three candidates did not appear this evening to provide their background to the Council.

Mayor Gallagher responded that the Democratic Party was required to submit three names for the vacancy. He commented that since Ken Utter will be assuming a full-term in January that it makes sense for him to assume this unexpired seat at this time.

The motion was called for a vote and approved by the following vote:

Ayes:	Councilwoman Kobuta, Councilman Mitchell, Councilwoman O'Neill
Nays:	None

At this time Clerk-Administrator Sluka, administered that oath of office to Kenneth Utter to fill the unexpired term of Councilman Sullivan through December 31, 2013.

Mayor Gallagher made the following appointments: Christopher D. Adickes- Planning Board

Discussion items

Block 127.01 Lot 24.01 Surplus Property

Clerk-Administrator Sluka commented that the Tax Assessor has asked that this property be removed from the Borough surplus status. This was former transit property. The assessor would like to have the additional 600 square feet attached to an adjoining property.

Clerk-Administrator Sluka replied that he would seek to obtain some additional information on this before formal action is taken.

Use of Kline Children Portrait

Rob Ambrose, Co-Chair Historic Advisory Committee outlined some of the recommendations from the Historic Advisory Committee on the agreement for the loan of the painting. He would like to ask that the agreement also list Kevin Sluka as a contact. They would also like the name of the painting to be named the "The Kline Children". They would also like the credit line be changed to reflect the proper information. Finally he requested that Ville TV be asked to work with the HAC to prepare a program on the painting.

Mayor Gallagher commented that these recommendations can be worked into the agreement by Clerk-Administrator Sluka.

Adjustment of retail liquor sales request

Clerk-Administrator Sluka reported that this request would move the time of package sales from noon to 10:00am on Sundays before Thanksgiving and Christmas.

Anish Sashi, Owner of Super Saver Liquors Route, 22, Somerville, he would like to have the hours moved 10:00am in order to be able to compete with liquor stores in surrounding towns.

Jane Kobuta made a motion and was seconded by Councilwoman O'Neill to extend the operating hours.

Councilman Utter asked what percentage sales would increase by opening earlier on these days.

Mr. Sashi replied that he feels that by opening at 11:00am would increase to 8-12% of his Sunday business.

Councilman Mitchell commented he feels that businesses in Somerville need to remain competitive. Mayor Gallagher agrees that this change in hours should be the exception for the upcoming holidays rather than the norm for Sunday liquor sales.

Councilwoman Kobuta amended her motion to allow for made a motion and was seconded by Councilwoman O'Neill to extend the operating hours from 10:00am on the Sunday before Thanksgiving and Sunday before Christmas for all package stores in Somerville. Councilwoman O'Neill seconded the motion.

The motion was approved by the following vote:

Ayes:	Councilwoman Kobuta, Councilman Mitchell, Councilwoman O'Neill,
Nays:	None
Abstained:	Councilman Utter

Committee Reports:

Councilman Mitchell commented that there will be some openings on the Environmental Commission and asked for resumes are sent to the Mayor for review.

Councilman Mitchell commented that the Historic Advisory Committee will be looking for additional space for some artifacts.

Councilman Mitchell commented that the Raritan Valley Sewer Authority of a fee increase new housing connections into the system.

Councilman Mitchell wished everyone a safe upcoming holiday season.

Councilwoman O'Neill commented that she has met with Building and Grounds regarding the 2014 budget.

Councilwoman O'Neill commented on the progress of the Health Department survey.

Councilwoman O'Neill commented that November National Diabetes Month.

Councilwoman O'Neill commented that she continues to work with the recreation department on the spray ground project.

Councilwoman Kobuta reported that the new candy store has opened on Division Street.

Councilwoman Kobuta reported on another award for Division Street from Downtown NJ.

Councilwoman Kobuta reported on the final weeks for the farmers market on Division Street. The farmers market will relocate to Division Street in 2014.

Councilman Wilson arrived to the meeting at this time.

Meeting Open to the Public:

At this time, Mayor Gallagher opened the meeting to comments from the public.

David Lange. Town Crier commented that he and around 30 others will be doing Christmas Caroling Downtown in Somerville on November 30, 2013 during the tree lighting ceremony.

There were no further comments at this time and the public session was closed.

Ordinances:**ORDINANCE# 2424-13-1118****AMENDING CHAPTER 102, SECTION 4, ARTICLE II ENTITLED DEFINITIONS AND WORD USAGE OF THE BOROUGH CODE IN THE LAND USE AND DEVELOPMENT SECTION ADDING DEFINITIONS RELATED TO RENEWABLE ENERGY AND ADDING CHAPTER 102 SECTION 116 S ENTITLED WIND ENERGY SYSTEM AND ADDING CHAPTER 102 SECTION 116 ENTITLED SOLAR ENERGY SYSTEM**

WHEREAS, Chapter 102-4, Article II, entitled "Definitions and Word Usage"

Add the definitions to Chapter 102-4, Article I, in the alphabetically appropriate are;

- A.** Wind Energy System- means a wind energy conversion system consisting of a wind turbine, associated poles/towers and support structures, and associated control or conversion of electronics, which has a rated capacity consistent with applicable construction codes which will be used for on-site consumption but not including large diameter windmills.

Solar Energy System- means a solar energy system and all associated equipment which converts solar energy into a usable electrical energy, heats water or produces hot air or other similar function through the use of solar panels or photovoltaic roof shingles;

- B.** Solar Panels- a structure containing one or more receptive cells, the purpose of which is to convert the solar energy into usable electrical energy by way of a solar energy system.
- C.** Wind Turbine- means equipment that converts energy from the wind into electricity. This term includes the rotor, blades and associated mechanical and electrical conversion components necessary to generate, store, and/or transfer energy;
1. Photovoltaic Roof Shingles- means building integrated photovoltaic units that convert solar energy to electricity and may be installed in place of or in addition to conventional roof shingles and function as a solar panel component of a solar energy system

Chapter 102-116 S - Wind Energy System

1. Due to the nature of the small residential lot sizes found within the Borough, large diameter, tall wind mills shall not be permitted to be constructed in the Borough;
2. Wind energy systems shall be restricted to vertical axis wind turbine technology and permitted accessory uses or structures in specified zoning districts when primarily intended to provide energy for consumption on-site. However, this primary intention provision shall not be interpreted to prohibit the sale of excess power generated by such systems when in accordance with procedures and regulations established by the NJ Board of Public Utilities.
3. In the R-1, R-2, R-3, PO-R, H, G, B-3, B-4, B-5 & SC Zone Districts the following are conditionally permitted:
 - i. The system shall generate no more than 10 KW per residential dwelling or commercial building or be sized to generate more power that what is required by said structure.
 - ii. Only one vertical axis wind turbine can be installed per lot
 - iii. The size of the vertical axis wind turbine shall be no more than 4' in diameter and 6' tall.
 - iv. The height shall be restricted to 45 feet above ground surface to the top of the wind turbine unit.
 - v. Support poles/towers and support foundations shall be designed by as licensed engineer in the state of NJ. In the event that a wind turbine unit is

- mounted to, or is constructed on top of, an existing dwelling or building, detailed calculations and engineering drawings of the mounting shall be provided by a licensed engineer in the state of NJ. Cables shall not be permitted to support towers, monopoles or roof mounted units.
- vi. No vertical axis wind turbine support pole or tower shall be constructed in the front side yard of any property.
 - vii. Support poles and towers, including height of the wind turbine unit shall be set back a distance equal to its height from; all property lines; overhead utility poles/lines; public road right-of-way.
 - viii. All units must be connected to the electrical grid and all wiring shall be concealed, under roof lines, below the roof deck structure or underground.
 - ix. Noise energy levels shall not exceed 50 dBA at the property line.
 - x. All applications on nonresidential property require minor site plan approval that is not eligible for site plan waiver (unless the project meets is defined as a major site plan application). On residential lots (which are site plan exempt) the applicant shall submit a signed and sealed property survey by a NJ licensed surveyor which depicts all existing features including utility poles/lines. In addition the wind system specifications, wind study and design calculations for a turbine, pole, foundation, roof mounting, etc., performed by a NJ licensed engineer.
 - xi. All ground wind energy systems shall not be artificially lighted except to the extent required by the FAA or other applicable authority.
 - xii. All moving parts of the wind energy system shall be a minimum of twelve (12) feet above grade.
 - xiii. The blades on the wind energy system shall be constructed of a corrosive-resistant material.
 - xiv. The wind energy system shall comply with NJ's net metering and interconnection standards and the applicant shall provide proof that it has met any and all NJ Board of Public Utility guidelines in connection with the wind energy systems.
 - xv. Wind turbines contained in wind energy systems shall be designed with an automatic brake or other similar device to prevent over-speeding and excessive pressure on the tower structure.
 - xvi. The wind energy system shall not be used for displaying any advertising except for the reasonable identification of the manufacture of operator of the system. In no case shall any identification be visible from the property line.
 - xvii. The tower shall be designed and installed so as not to provide step bolts, a ladder or other publicly accessible means of climbing the tower, for a minimum of ten (10) feet above ground level.
4. In the I-1 & I-2 zone districts, the wind energy system is conditionally permitted, with the conditions being the same as described above §102-116S(3) with the exception of the height which shall be restricted to 100 feet above ground surface to the top of the wind turbine unit.
 5. In the B-1 and B-2 zone districts wind energy systems are not permitted.
 6. A wind energy system that is out of service for a continuous 12 month period shall be deemed to be abandoned and the Zoning Officer may issue a "Notice of Abandonment" to the owner. The notice shall be sent via regular and certified mail return receipt requested to the owner of record. Any abandoned system shall be removed at the owner's sole expense within 6 months after the owner receives "Notice of Abandonment" from the Borough. If the system is not removed within 6 months the Borough may remove the wind energy system and place a lien upon the property.
 7. Any approved of a wind energy system does not create any actual or inferred wind energy system easement against adjacent or surrounding property and/or structures. The owner and/or property owner of a wind energy system shall not infer or claim any rights to protective writs to any caused wind buffers or

operating ineffectiveness against future development adjacent to the property location of the wind energy system. The approval of any wind energy system granted by the Borough of Somerville under this article shall not create any future liability or infer any vested rights to the owner and/or property owner of the wind energy system on the part of the Borough of Somerville or by any other officer or employee thereof for any future claims against said issuance or approval of the wind energy system that result from reliance of this article or any administrative decision lawfully made thereunder.

Chapter 102-116 T – Solar Energy System

1. Due to the nature of the small residential lot sizes found within the Borough, ground mounted solar energy systems shall not be installed.
2. In all zone districts the following are conditionally permitted:
 - i. No roof-mounted solar energy systems shall not be installed on a non-conforming structure;
 - ii. A roof-mounted solar energy system shall be mounted parallel to the roof angle and shall not exceed a height of 6" above the edge of the roof line or above the highest point of the roof surface or structure;
 - iii. A roof-mounted solar energy system that is mounted on a flat roof may be angled to achieve maximum sun exposure but shall not exceed 5 feet above the roof and shall comply with the height regulations of the zone district
 - iv. In no instance shall any part of solar energy system extend beyond the roof edge.
 - v. Roof mounted solar energy systems are discouraged from being erected on the front roof of a structure which faces a street. Solar energy systems shall be located on a rear-or-side facing roof, as viewed from any adjacent street unless such installation is proven to be ineffective or impossible. The removal of potential obstructions such vegetation shall not be a sufficient cause for permitting a front facing installation. Front facing installation may be permitted if the applicant provides valid reasons why this is the only effective or possible means for utilizing solar energy on the property or Photovoltaic Roof Shingles are used which are harmonious with non-photovoltaic roof shingles. If the applicant proposes to use solar panels on a structure which faces a street, an analysis from a NJ licensed professional engineer shall be submitted stating that installation of said panels on other roof structures is ineffective or not possible.
 - vi. Solar energy systems installed for the purpose of generating electricity shall generate no more than 10 KW per residential dwelling or commercial building or be sized to generate more power that what is required by said structure. All solar energy systems shall be grid tied.
 - vii. Solar energy systems shall be designed by a NJ licensed engineer. This design includes providing detailed calculations and engineered drawings of the roof top mounting system, electrical cables shall be concealed below the roof line.
 - viii. Invertor noise shall not exceed 50 dBA at the property line;
 - ix. The design of the solar energy system shall, to the extent reasonably possible, use materials, colors, textures, screening, and landscaping that will blend into the natural setting and existing environment;
 - x. A solar energy system shall not add, contribute to or be calculated to cause an increase in the improvement coverage of the lot;
 - xi. All applications on nonresidential property require minor site plan approval that is not eligible for site plan waiver (unless the project meets is defined as a major site plan application). On residential lots (which are site plan exempt) the applicant shall submit the necessary information to the Zoning Officer for review.
 - xii. Any approved of a solar energy system does not create any actual or inferred solar energy system easement against adjacent or surrounding property and/or structures. The owner and/or property owner of a solar energy system shall not infer or claim any rights to protective writs to any caused shadows or operating ineffectiveness against future development adjacent to or higher than the property location of the solar energy system. The approval of any solar energy

system granted by the Borough of Somerville under this article shall not create any future liability or infer any vested rights to the owner and/or property owner of the solar energy system on the part of the Borough of Somerville or by any other officer or employee thereof for any future claims against said issuance or approval of the solar energy system that result from reliance on this article or any administrative decision lawfully made thereunder.

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

Borough Planner, Michael Cole commented that this ordinance will provide some changes to the location of the installation of the solar panels on home. This wind ordinance is also being reviewed by the Planning Board. This ordinance will work to keep the solar panels off the front of the house.

Mayor Gallagher opened the meeting for comments on this ordinance and there were none at this time.

Councilman Mitchell made a motion and was seconded by Councilwoman Kobuta to approve the introduction of Ordinance 2424-13-1118.

Councilman Mitchell commented on an error on page 2 under Chapter 102-116 in paragraph 2 i.

The motion was approved by the following vote:

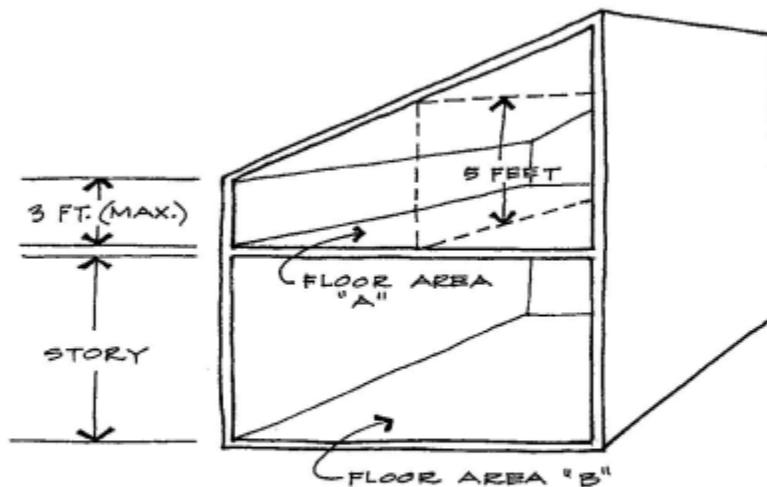
- Ayes: Councilwoman Kobuta, Councilman Mitchell,
Councilwoman O'Neill, Councilman Utter,
Councilman Wilson
- Nays: None

ORDINANCE# 2425-13-1118

AMENDING CHAPTER 102, SECTION 4, ARTICLE II ENTITLED DEFINITIONS AND WORD USAGE OF THE BOROUGH CODE IN THE LAND USE AND DEVELOPMENT SECTION ADDING DEFINITION OF A HALF STORY AND AMENDING VARIOUS SECTIONS OF THE LAND USE CODE RELATIVE TO RESIDENTIAL ZONE DISTRICTS R-1, R-2,R-3 AND PO-R ZONES

WHEREAS, Chapter 102-4, Article II, entitled "Definitions and Word Usage"
Add the definition OF HALF STORY to Chapter 102-4, Article I:

HALF STORY -; "A space under a sloping roof that has the line of intersection of the roof and wall face not more than 3 feet above the floor level and in which space the possible floor area with headroom of 5 feet or less occupies at least 40 percent of the total floor area of the story directly beneath". See the illustration below. The definition and illustration is as provided by "The latest Illustrated book of Development Definitions by Harvey S. Moskowitz and Carl G. Lindbloom.



IF FLOOR AREA "A" IS AT LEAST
40% OF FLOOR AREA "B" -
THEN "A" IS A HALF STORY.

WHEREAS, Amending Chapter 102 General Regulations to include:

The maximum improvement coverage in the Residential zone districts (R-1, R-2, R-3 & PO-R) ranges between 35% & 50%. The Committee recommends that the maximum improvement coverage be increased by 5% on properties located within these zone districts, which are used solely as residences. This increase will allow for the greater use of the property for decks, patios, hot tubs, swimming pools and other residential equipment (as defined in 102-120C), conditioned as follows:

- A. The property owner is required to perform storm water management assessment to address the increased storm water runoff (if any). The Planning Board engineer will meet the property owner on-site to review existing storm water runoff, site grading and proposed site improvements. If the proposed storm water management consists of installing yard drains/roof leaders that will pipe the storm water to the street through a curb face discharge or similar methodologies, than a storm water management drainage plot plan will be not required. If other means are proposed to addressing storm water management (i.e. rain gardens, infiltration pits, swales, etc.) the property owner is required to submit a storm water management plan which consists of a plot plan depicting existing and proposed site improvements, property boundaries, existing and proposed site grades and proposed storm water management features. The storm water management plan shall illustrate that there will be no adverse impacts on adjoining properties (as determined by the Planning Board Engineer). The property owner shall reimburse the Borough for fees incurred by the Planning Board Engineer in reviewing the proposed storm water management plan and construction and/or zoning permits will not be issued until the Borough is reimbursed for said fees.
- B. The property owner proposes best management techniques to control storm water runoff. These practices include but are not limited to piping roof leaders to the street curb face, installation of a rain garden, collecting rain water runoff with rain barrels, use of pervious surfaces for driveways, etc.

- C. As enumerated above, the property has to be used exclusively as a residential dwelling. Mixed use properties are not eligible for the increase in improvement coverage.

WHEREAS, Chapter 102 Section 4, Article II entitled Section A shall be amended and the addition of Section C 4 (c) under General Regulations shall be added and shall read as follows:

Accessory uses and structures for residential development. The following requirements shall apply to uses and roofed structures accessory to residential development (as stated in § 102-117 C):

- (1) No accessory building or roofed accessory structure shall exceed sixteen (16) feet in height.
- (2) The floor area of all detached accessory buildings or all detached roofed accessory structures shall not exceed twenty percent (20%) of the gross floor area of the principal building on the lot, or six hundred (600) square feet, whichever is greater. [Amended 06-16-03 by Ord. 2143]
- (3) Buildings and roofed structures accessory to garden apartment or other multi-family residential development located in the side or rear yard shall be located at least twenty (20) feet from the side or rear lot line.
- (4) Except as provided in paragraph (3) above, accessory buildings and roofed accessory structures in the rear yard having a floor area of less than or equal to five hundred (500) square feet shall be located as follows:
 - (a) A minimum setback of three (3) feet from the side and rear lot lines shall be required for accessory buildings and roofed accessory structures that meet all of the following criteria: 1) building/structure coverage, exclusive of roof overhangs, does not exceed one hundred (100) ~~144~~ square feet, 2) horizontal dimension of any wall does not exceed twelve (12) feet, and 3) height of the structure does not exceed nine (9) feet.
 - (b) Accessory buildings and roofed accessory structures that meet the criteria in paragraph (4) above, but which do not meet all of the criteria in paragraph (4)(a) above shall be located at least five (5) feet from the side and rear lot lines.
 - (c) Notwithstanding paragraph (4) (a) and (4) (b) above a existing nonconforming residential accessory building and a roofed accessory structure may be expanded to provide additional space, provided that the existing accessory building or roofed accessory structure is less than 500 square feet. The expansion of the nonconforming side, front or rear yard of the accessory building/roofed accessory structure is less than 30 linear feet, and the expansion does not increase the size of the accessory building or roofed accessory structures to greater than 500 square feet, and the expansion does not infringe further upon any nonconforming side, front or rear yard.
- (5) Except as provided in paragraph (3) above, accessory buildings and roofed accessory structures in the rear yard having a floor area of more than five hundred (500) square feet shall be set back from the rear lot line a distance not less than one half (1/2) of that required for principal buildings in the zone district and shall be set back from the side lot line a distance not less than the distance required for principal buildings in the zone district. [Amended 06-16-03 by Ord. 2143]
- (6) No more than two detached accessory buildings shall be permitted for any single-family or two-family dwelling. [Added 06-16-03 by Ord. 2143]

WHEREAS, Chapter 102-117 shall be amended as follows:

The Borough Ordinance prohibits obstruction of street traffic under 102-117. The Committee recommends that additional language be added to 102-120F Fences and retaining walls stating that these items shall not be located in sight lines. Specifically, the follow language should added to this section; "Fences and retaining walls shall not obstructed the sight lines of driveways, street intersections or be placed within the street-right-of-way.

WHEREAS, Chapter 102-117 F- 4 shall be amended as follows

"No driveway used or intended to be used for a single family detached or two family dwelling shall have a width within the front yard exceeding one-fifth (1/5) of the width of the lot for which the driveway provides access, provided, however, that where otherwise lawful, no driveway shall exceed the width of twenty-five (25) feet. On corner lots through lots, the lot width used for making the above calculation shall be that side of the lot through which the driveway provides access to the street.

Notwithstanding the foregoing, a driveway shall be permitted to exceed the total width of functional garage door(s) by up to nine (9) feet, but only for a distance of twenty (20) feet in front of such garage door(s)".

There is no setback required for patios, decks and similar facilities that are at grade or are one foot or less above grade. There is a five (5) foot requirement if these facilities are elevated more than one (1) foot above normal grade (but no higher than the floor level of the lowest above-grade floor of the principal building, excluding basement floors). The Committee recommends that an exception be made for this requirement for a nonconforming residential use or structure located in the R-1, R-2, R-3 and PO-R zone districts. The proposed language is as follows:

WHEREAS, Chapter 120-C 2(b) shall be amended as follows

"Patios, decks and similar facilities, including the steps or stairs for such facilities, that are elevated more than one (1) foot above normal grade, but no higher than the floor level of the lowest above-grade floor of the principal building, excluding basement floors, shall be setback a least five (5) feet from any lot line. However, if the existing setback on a nonconforming residential use or structure is within five (5) feet of any lot line, the setback requirement of the facility is the setback of the nonconforming residential use or structure".

In the General Regulations of the Land Use and Development Ordinance (§ 102-117 G-8) Permitted yard encroachments. Except as hereinafter specified, yards and courts required under this chapter shall be entirely free of buildings or parts thereof:

(d) Ground story bay windows or oriels may encroach up to two (2) feet into any required yard or court.

Add a new paragraph A(3) to the end of § 102-117 , which states the following "A residential lot located in the R-1, R-2, R-3 or PO-R zoned district, which at the time of the adoption of this revised Chapter fails to comply with the minimum lot size requirements of this Chapter may be used for any use otherwise permitted in the zone in which it is located, provided required side and rear yards are proportionate to the ratio of lot area to the zone specified minimum lot area. In no event shall reductions greater than 50 percent of the minimum required setbacks be permitted. In the event that a lot which fails to comply with the minimum lot size requirements of this Chapter is contiguous with and in the same ownership as another lot, such lots shall be deemed merged and construed to be one lot for all purposes. Use thereof as other than one lot is prohibited except as may be authorized by subdivision approval".

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

Borough Planner, Michael Cole commented that this ordinance was reviewed by the residential land use committee. This will help to reduce the need for new construction applicants to have to appear before the planning or zoning board. These changes will allow for greater flexibility.

Mayor Gallagher opened the meeting for comments on this ordinance and there were none at this time.

Councilman Mitchell made a motion and was seconded by Councilwoman Kobuta to approve the introduction of Ordinance 2425-13-1118.

The motion was approved by the following vote:

Ayes: Councilwoman Kobuta, Councilman Mitchell, Councilwoman O'Neill, Councilman Utter, Councilman Wilson

Nays: None

Resolutions:

The following consent resolutions were presented:

RESOLUTION 13-1118-324

AUTHORIZING TRANSFER OF FUNDS TO FUND CERTAIN LINE ITEMS IN THE 2013 BUDGET

WHEREAS, transfers are allowed during the last two months of the year and first three months of the year, as per NJSA 40:4-58, and

WHEREAS, additional funds are needed to fund certain line items in the 2013 municipal budget, and

WHEREAS, there are excess funds in some appropriations to cover these transfers:

NOW, THEREFORE, BE IT RESOLVED, that the following transfers be made:

AMOUNT	FROM	TO
\$15,000	Road Repair/Main Admin Support 3-01-26-290-000-5111	Road Repair/Main S/W 3-01-26-290-000-111
\$30,000	Utility/Street Lights 3-01-31-435-000-692	Police S/W 3-01-25-240-000-111
\$5,000	Court Admin Support 3-01-43-490-000-511	Court S/W Overtime 3-01-43-490-000-112
\$300	Tax Assessor S/W 3-01-20-150-000-111	Tax Assessor O/E 3-01-20-150-000-504
\$1,000	Elections S/W 3-01-20-100-000-111	Administration S/W 3-01-20-120-000-111
\$5,000	Tax Collector Admin Support 3-01-20-145-000-511	Tax Collector S/W 3-01-20-145-000-111
\$825	Finance S/W 3-01-20-130-000-111	Legal S/W 3-01-20-155-000-111
\$1200	Community Development S/W 3-01-22-195-000-111	Administration S/W 3-01-20-100-000-111
\$230	Community Development 3-01-22-195-000-111	Tax Assessor O/E 3-01-20-150-000-504
\$100	BLDG Sub Code S/W 3-01-22-195-003-111	Park/Engineering S/W 3-01-20-165-000-111
\$400	Electrical Sub Code S/W 3-01-22-195-002-111	Fire S/W 3-01-25-265-000-111
\$150	Electrical Sub Code S/W 3-01-22-195-002-111	Park/Engineering O/T 3-01-20-165-000-112

Adopted by Borough Council on November 18, 2013

RESOLUTION 13-1118-325

ONE DAY SOLICITOR'S PERMIT APPROVAL FOR ACTION ENTERPRISES FOR FIREMEN'S LIGHT PARADE FOR SALE OF NOVELTIES

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey approves a one day solicitor's permit for Action Enterprises for Firemen's Light Parade for sale of novelties.

Adopted by Borough Council on November 18, 2013

RESOLUTION 13-1118-326

APPROVING LOAN AGREEMENT WITH THE ZIMMERLI ART MUSEUM TO USE "THE KLINE CHILDREN" IN THE "STRIKING RESEMBLANCE: THE CHANGING ART OF PORTRAITURE" EXHIBITION BEING HELD FROM JANUARY 25, 2014 THROUGH JULY 13, 2014

WHEREAS, the Borough is the owner and/or custodian of the Kline Children portrait; and

WHEREAS, the Zimmerli Art Museum has been storing the portrait at no cost; and

WHEREAS, the Zimmerli has requested a formal loan of the portrait for use in the "Striking Resemblance: The Changing Art of Portraiture" Exhibit to held from January 25, 2014 – June 13, 2014:

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey authorizes the execution of a loan agreement between the Borough of Somerville and the Zimmerli Art Museum for a loan of "The Kline Children" portrait.

Adopted by Borough Council on November 18, 2013

RESOLUTION 13-1118-328

AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE FUNDS FROM SITE INSPECTION ESCROW (2) ACCOUNT – JSM LANDMARK

WHEREAS, the Land Use and Development Ordinance of the Borough of Somerville requires a performance guarantee deposit be made for various projects, and

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

WHEREAS, the Borough of Somerville has received a request for payment in the amount of \$1,484.37 be paid to Cole & Associates (October 2013) 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 JSM Landmark # 7760805601.

Adopted by Borough Council on November 18, 2013

RESOLUTION 13-1118-329

APPROVING THE 23ND ANNUAL ST. PATRICK'S DAY PARADE FOR SUNDAY, MARCH 16, 2014 STARTING AT 1:30 AT THE EAST END OF MAIN STREET

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey hereby approves the 23rd Annual St. Patrick's Day Parade for March 16, 2014 stating at 1:30 p.m.

Adopted by Borough Council on November 18, 2013

RESOLUTION 13-1118-330

AUTHORIZING AN AGREEMENT BETWEEN THE TOWNSHIP OF BRIDGEWATER AND THE BOROUGH OF SOMERVILLE AND THE TOWNSHIP F BRIDGEWATER ESTABLISHING A SHARED COURT PURSUANT TO THE PROVISIONS OF N.J.S.A 2B:12-1 ET. SEQ. IN WHICH BOTH MUNICIPALITIES WILL MAINTAIN SEPARATE COURT FUNCTIONS

WHEREAS, TOWNSHIP OF BRIDGEWATER ("Bridgewater"), a municipal corporation of the State of New Jersey, having offices at 100 Commons Way, Bridgewater, New Jersey 08807 and THE BOROUGH OF SOMERVILLE ("Somerville"), a municipal corporation of the State of New Jersey, having offices at 25 West End Avenue, Somerville, New Jersey 08876 (the "Agreement.

WHEREAS, N.J.S.A. 2B:12-1 et. seq. authorizes municipalities to enter into an agreement by ordinance to provide jointly for courtrooms, judge's chambers, equipment, supplies and employees for their municipal courts and agree to appoint judges and administrators without establishing a joint municipal court; and

WHEREAS, Somerville and Bridgewater have agreed to establish a shared court; and

WHEREAS, Bridgewater has the capacity and facilities to establish a shared court with Somerville; and

WHEREAS, Somerville and Bridgewater desire to enter into an agreement for a shared court;

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. SCOPE OF SERVICES

- (a) Bridgewater and Somerville shall share the existing courtroom, judge's chambers, necessary equipment and supplies for their municipal courts in the Municipal Complex located at 100 Commons Way, Bridgewater, New Jersey 08807.
- (b) William T. Kelleher, Jr., who at the time of this Agreement, shall remain the Judge for both the Somerville and Bridgewater Municipal Courts. In the future, each municipality reserves the right to appoint its own Judge, Prosecutor and Public Defender pursuant to the applicable statutes and/or court rules.
- (c) Bridgewater shall provide the necessary employees to administer the shared court. The Bridgewater Township Court Administrator shall be the Court Administrator for both the Somerville and Bridgewater Courts.
- (d) Bridgewater agrees pursuant to the extent allowed and subject to the provisions of its applicable Human Resources ordinances to hire one full time employee and one part time employee presently employed by Somerville in its municipal court administration.
- (e) Bridgewater will store all required Somerville records at the Bridgewater site, including, but not limited to, all tickets, complaints, financial records, docket records and manual receipts. Somerville shall deliver archival materials to a secure storage facility designated by Bridgewater. The Somerville court records shall be maintained separately from the Bridgewater court records.
- (f) Bridgewater will provide for all violation payments for Somerville in person during Monday, Thursday and Friday from 8:30 a.m. On court days the payment window opens at 9:00 a.m. The payment window closes at 4:00 pm. Credit card payments only accepted until 3:30 p.m. Bridgewater will staff all court sessions with Bridgewater police and Bridgewater Township personnel.
- (g) The hours of operation for the Bridgewater court shall be 8:30 a.m. every Wednesday and the 1st and 3rd Tuesday of the month. The hours for the Somerville court shall be 8:30 a.m. the 2nd and 4th Tuesdays of the month. This provision shall be approved by the Assignment Judge Yolanda Ciccone and by the Director of the Courts.
- (h) The security to be provided by Bridgewater police at the court sessions shall be pursuant to AOC Directive #15-06, Appendix K, State Wide Model Municipal Security Plan., a copy of which is annexed hereto.

2. TERM

It is anticipated that this Agreement will commence on February 1, 2014 (the "Effective Date") and continue for three (3) years. This Agreement may be renewed by Somerville and Bridgewater upon the adoption of a resolution or ordinance by each municipality provided if there are any substantial changes to the terms of this Agreement then the renewal shall be subject to the approval of Assignment Judge, Yolanda Ciccone. Somerville and Bridgewater each retain the right to terminate this Agreement at any time with or without cause upon ninety (90) days written notice.

COMPENSATION

Somerville shall pay to Bridgewater for the first year of this Agreement \$211,863.28 as more particularly described in Schedule B annexed hereto. For the second year of this Agreement, the cost will increase by 2% to \$216,100.55. For the third year of this Agreement, the cost will increase by 2% to \$220,422.56. As shown on Schedule B, all costs associated with the operation of a municipal court for Somerville are included with the exception of the salaries and benefits, if any, to be paid to the Prosecutor and Public Defender who shall be appointed and paid for by Somerville.

Judge Kelleher presently receives health benefits from Bridgewater. There will be no additional benefits paid to Judge Kelleher or any other Judge appointed by Somerville pursuant to the terms of this Agreement.

3. FINANCIAL AND OTHER ADDITIONAL PROCEDURES

- (a) Separate financial records will be maintained for the Bridgewater court and Somerville court and each court will have its own separate audit conducted.
- (b) Bridgewater shall be responsible for workers' compensation cases for any claims made by Township employees involved in the administration of the Somerville Court after the shared court starts functioning which is anticipated to be February 1, 2014 ("EFFECTIVE DATE").
- (c) The Court Administrator shall be the only person handling money for the Somerville and Bridgewater courts who shall be bonded and the bonding shall be provided and paid for by Bridgewater.
- (d) Each court shall have separate journals and separate deposits.
- (e) Both Somerville and Bridgewater shall maintain monthly case books and disburse monies consistent with judiciary financial procedures.
- (f) Each court is a separate entity and, therefore, each court shall maintain, as necessary, separate forms and stationery.
- (g) Bridgewater may conduct an independent audit of Somerville's court financial records at its sole discretion prior to the Effective Date of this Agreement.
- (h) Fines or fees collected on cases in the Somerville court shall be deposited into a Somerville account. Monies in the Somerville account shall be disbursed by Bridgewater at the end of each month and shall be forwarded to the Chief Financial Officer of Somerville.
- (i) Bridgewater a month before the Effective Date of this Agreement shall cooperate with the Administrative Office of the Courts (Municipal Court Services Division) and email the following information:
 - Start date for shared court
 - Updates to court record:
 - Name of court (if applicable)
 - Address and phone
 - Office hours
 - Judge, prosecutor and court administrator names
 - Journal/time payment printer remote numbers
 - Updates to receipt and warrant printers
 - Additions and changes for user ID's
 - Address and phone number changes for police (if applicable)
 - Complete ACH authorization form for bank account changes (if applicable, this should be done approximately 1 month prior to the mergers Effective Date.
 - A copy of voided check for new accounts and the ACH authorization form are to be faxed or mailed to Municipal Court Services.
- (j) Somerville shall:
 - Update respective municipality websites, contact the media (if appropriate), modify municipal signs, advise the N.J. Lawyers Diary, etc. regarding the closure of existing facility(s) and the relocation of the shared courts.
 - Provide customers with the location, court hours, directions, telephone/fax numbers, etc. of all involved courts.

- Place a recorded message on court former phone lines provide customers with the new court location and contact information.
- Contact external agencies with updated contact information (e.g. local and State Police, Weights and Measures, N.J. Transit, County Prosecutor’s Office, etc.)

(k) Bridgewater shall also provide adequate signage indicating at the Bridgewater site the location of the Somerville Court.

4. AUTHORITY TO ENTER INTO THIS AGREEMENT

Bridgewater and Somerville represent that each has adopted an ordinance or a resolution authorizing the execution of this Agreement.

4. INDEMNIFICATION

The parties agree that each will defend, indemnify and save the other harmless from any and all claims by third parties resulting from or claimed to result from their individual acts or omissions.

5. ASSIGNMENTS

This Agreement may not be assigned by one party without the written consent of the other.

6. ENTIRE AGREEMENT

This Agreement sets forth the entire understanding of the parties hereto with respect to the transactions contemplated herein. No change or modification of this Agreement shall be valid unless the same shall be in writing and signed by all the parties hereto.

7. SEVERABILITY

If any clause, sentence, paragraph, section or part of this Agreement shall be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof, directly involved in the controversy in which such judgment shall have been rendered.

9. APPROVAL

This Agreement is specifically subject to the approval of Assignment Judge, Yolanda Ciccone.

Adopted by Borough Council on November 18, 2013

RESOLUTION 13-1118-331

APPROVING SOCIAL AFFAIRS APPLICATION FOR ENGINE COMPANY #1 FOR DECEMBER 7, 2013

BE IT RESOLVED, the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey, herby approve a social affairs permit for engine company #1 for December 7, 2013.

Adopted by Borough Council on November 18, 2013

RESOLUTION 13-1118-332

MEMORIALIZING THE RESIGNATION OF KEN UTTER FROM THE PLANNING BOARD

BE IT RESOLVED, the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey, herby approve the resignation of Ken Utter from the Planning Board effective upon being sworn in as Councilmember.

Adopted by Borough Council on November 18, 2013

Councilwoman Kobuta made a motion and was seconded by Councilman Mitchell to approve the aforementioned resolutions

The motion was approved by the following vote:

Ayes: Councilwoman Kobuta, Councilman Mitchell,
Councilwoman O'Neill, Councilman Utter,
Councilman Wilson

Nays: None

RESOLUTION 13-1118-327

APPOINTING DAVID LANG AS THE OFFICIAL TOWN CRIER

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey hereby appoints David Lang as Town Crier.

Adopted by Borough Council on November 18, 2013

Councilwoman Kobuta made a motion and was seconded by Councilman Mitchell to approve the aforementioned resolutions

The motion was approved by the following vote:

Ayes: Councilwoman Kobuta, Councilman Mitchell,
Councilwoman O'Neill, Councilman Utter,
Councilman Wilson

Nays: None

The following vouchers were presented for approval:

Formatted Account	Account Description	P.O. Id	Vendor Name	Item Description	Amount
2-01-20-100-000-400	VITAL TRANSFER	13-01231	150 BRIDGE HOLDINGS LLC	PY/2012 GARBAGE REIMBURSEMENT	9,152.00
3-01-20-100-000-530	COPYING/ COPIER	13-01306	DELAGÉ LANDEN FINANCIAL SERVIC	lease agrmt Nov.	355.00
3-01-20-100-000-531	CODIFICATION	13-01300	CODED SYSTEMS LLC	codification	4,788.35
3-01-20-100-000-532	CONVENTION	13-01192	NEW JERSEY LEAGUE OF MUNICIPAL	Women in Government	30.00
3-01-20-100-000-593	FEMA/IRENE & SANDY	13-00771	YORK FENCE CO INC	fence lot 1 repairs	2,665.00
3-01-20-100-000-593	FEMA/IRENE & SANDY	13-01117	TOP LINE CONSTRUCTION	wall repair	2,000.00
3-01-20-100-000-635	POSTAGE	13-01299	USPS-NEOPOST	reimburse postage machine	1,000.00
3-01-20-130-000-503	AUDIT	13-01233	SUPLEE, CLOONEY & CO	AUDIT FED/STATE PROGRAMS 2012	2,805.00
3-01-20-130-000-628	OFFICE SUPPLIES	13-01292	W.B. MASON CO, INC	supplies for Finance	23.19
3-01-20-130-000-654	PAYROLL SERVICES	13-01234	ADP	PAYROLL SERVICES	124.92
3-01-20-130-000-654	PAYROLL SERVICES	13-01287	ADP	PAYROLL SERVICE	36.00
3-01-20-135-000-503	AUDIT	13-01233	SUPLEE, CLOONEY & CO	AUDIT FED/STATE PROGRAMS 2012	3,520.00
3-01-20-140-000-534	COMP\SOFTWARE MAINT	13-01289	VITAL COMMUNICATIONS INC	TAX COLLECTOR SYSTEM	331.50
3-01-20-140-000-598	INTERNET CONNECTION	13-01288	VITAL COMMUNICATIONS INC	INTERNET CONNECTION	400.00
3-01-20-150-000-623	MANDATED	13-01140	VITAL COMMUNICATIONS INC	2014 Notice of Assessments	1,052.37
3-01-20-150-000-694	TUITION/ EDUCATION	13-01141	FRANK BETTS	Miles to Cape May, NJ 2013	163.73
3-01-20-155-000-657	PUBLIC DEFENDER	13-01290	JAMES LOEWEN, ESQ	public defender-Nov.	375.00
3-01-20-165-000-533	CONTRACTED SERVICES	13-01280	SOMERSET COUNTY ENGINEERING DE	General Engineering	1,638.08
3-01-20-165-000-533	CONTRACTED SERVICES	13-01280	SOMERSET COUNTY ENGINEERING DE	administration	150.93
3-01-20-165-000-643	PARKING LOT MTN	13-01293	VERIZON COMMUNICATIONS	internet charges	109.99
3-01-21-185-000-502	ADVERTISING LEGAL	13-01195	COURIER NEWS		46.88
3-01-22-195-000-511	ADMIN SUPPORT	13-01256	AUDREY SUTTON		2,465.00
3-01-22-195-000-530	COPYING/ COPIER	13-01210	SHARP ELECTRONICE CORP		473.83
3-01-25-240-000-511	ADMIN SUPPORT	13-01244	DIANE HEIMBERG	SALARY	711.00
3-01-25-240-000-538	COMMUNUITY OUTREACH	13-01206	ARCARO AWARD GALLERY	RETIREMENT GIFT - CAPT. FAZIO	125.00
3-01-25-240-000-548	DETECTIVE EQUIPMENT	13-01200	MINUTEMAN PRESS	500 DETEC. CASE FILE JACKETS	230.00
3-01-25-240-000-560	EQUIPMENT REPAIR/MAINT	13-01196	FULLERTON FORD INC	VEHICLE REPAIRS	1,188.70
3-01-25-240-000-560	EQUIPMENT REPAIR/MAINT	13-01222	VESPIA'S/MR TIRE	VEHICLE REPAIRS - CAR #7	631.64
3-01-25-240-000-560	EQUIPMENT REPAIR/MAINT	13-01243	VALUE TOWING SERVICE	TOWING - CAR #4	40.00
3-01-25-240-000-560	EQUIPMENT REPAIR/MAINT	13-01255	AAMCO	TRANSMISSION REPAIRS	2,998.95
3-01-25-240-000-616	MEDICAL EXAMS	13-01240	STATE OF NEW JERSEY	DRUG TESTING	225.00
3-01-25-240-000-628	OFFICE SUPPLIES	13-01197	STAPLES CREDIT PLAN	OFFICE SUPPLIES	164.58
3-01-25-240-000-628	OFFICE SUPPLIES	13-01198	MOORE MEDICAL LLC	50 OXYGEN MASKS	34.50
3-01-25-240-000-628	OFFICE SUPPLIES	13-01277	MOORE MEDICAL LLC	LIFEPAK PEDIATRIC	618.00

3-01-25-240-000-697	TRAINING PROGRAMS	13-01241	MONMOUTH COUNTY POLICE ACADEMY	DETECTIVE SKILLS TRAINING	75.00
3-01-25-240-000-713	UNIFORMS	13-01203	AIM UNIFORM INC	CLOTHING ALLOWANCE	222.00
3-01-25-240-000-713	UNIFORMS	13-01204	ATLANTIC TACTICAL	UNIFORMS	277.94
3-01-25-240-000-713	UNIFORMS	13-01221	OFFICER V SPADEA	UNIFORMS - OFF. SPADEA	31.12
3-01-25-240-000-713	UNIFORMS	13-01242	ATLANTIC TACTICAL	UNIFORMS - SGT. GARCIA	895.62
3-01-25-240-000-713	UNIFORMS	13-01253	ATLANTIC TACTICAL	UNIFORMS - OFF. OBIEDZINSKI	503.63
3-01-25-240-000-713	UNIFORMS	13-01276	ATLANTIC TACTICAL	UNIFORMS - SGT. STITLEY	316.89
3-01-25-240-001-533	CONTRACTED SERVICES	13-01087	U S SECURITY ASSOC., INC	CROSSING GUARDS	2,535.87
3-01-25-240-001-533	CONTRACTED SERVICES	13-01088	U S SECURITY ASSOC., INC	CROSSING GUARDS	2,653.88
3-01-25-252-000-745	STATEWIDE RISK MANAGEMENT	13-01320	SOMERVILLE RESCUE SQUAD	REIMBURSEMENT FOR INSURANCE	15,000.00
3-01-25-252-000-745	STATEWIDE RISK MANAGEMENT	13-01320	SOMERVILLE RESCUE SQUAD	REIMBURSEMENT FOR TRAINING	5,000.00
3-01-25-252-000-745	STATEWIDE RISK MANAGEMENT	13-01320	SOMERVILLE RESCUE SQUAD	REIMBURSEMENT FOR NEW EQUIP	5,000.00
3-01-25-265-000-507	APPARATUS REPAIRS	13-01146	FIRE & SAFETY SERVICES LTD	repairs	2,959.04
3-01-25-265-000-511	ADMIN SUPPORT	13-01323	OCTAVIO ANGELOZZI	hours worked-fire dept	582.75
3-01-25-265-000-557	EQUIPMENT- NEW	13-00875	POST ACE HARDWARE	supplies for Fire Dept	438.42
3-01-25-265-000-661	RENT	13-01291	LINCOLN HOSE CO # 4	Nov. rent	1,300.00
3-01-25-265-000-697	TRAINING PROGRAMS	13-01147	SOMERSET COUNTY EMERGENCY	training classes	1,000.00
3-01-26-290-000-560	EQUIPMENT REPAIR/MAINT	13-00739	PDQ AUTO SUPPLY OF MANVILLE	October 2013 billing	137.19
3-01-26-290-000-560	EQUIPMENT REPAIR/MAINT	13-01029	AARON & CO	black pipe	4.74
3-01-26-290-000-560	EQUIPMENT REPAIR/MAINT	13-01217	MICHAEL ROCCO	grease	89.95
3-01-26-290-000-687	SHOP SUPPLIES	13-00578	ATCO INTERNATIONAL	floor cleaner	679.00
3-01-26-290-000-687	SHOP SUPPLIES	13-00739	PDQ AUTO SUPPLY OF MANVILLE	October 2013 billing	84.49
3-01-26-290-000-687	SHOP SUPPLIES	13-00875	POST ACE HARDWARE	supplies for PW	172.98
3-01-26-305-000-523	BRIDGEWATER RESOURCES	13-01285	CIPOLLINI CARTING & RECYCLING	tipping fees	320.46
3-01-26-305-000-523	BRIDGEWATER RESOURCES	13-01285	CIPOLLINI CARTING & RECYCLING	tipping fees	257.63
3-01-26-305-000-523	BRIDGEWATER RESOURCES	13-01317	CIPOLLINI CARTING & RECYCLING	solid waste	19,427.17
3-01-26-305-000-523	BRIDGEWATER RESOURCES	13-01317	CIPOLLINI CARTING & RECYCLING	solid waste	10,027.03
3-01-26-305-000-523	BRIDGEWATER RESOURCES	13-01317	CIPOLLINI CARTING & RECYCLING	solid waste	9,975.47
3-01-26-310-000-516	BUILDING REPAIRS	13-00740	SPARKLE JANITORIAL SUPPLY	Janitor supplies October bills	660.31
3-01-26-310-000-516	BUILDING REPAIRS	13-01153	GRIFFITH ELEC SUPPLY CO INC	photo eye control	36.61
3-01-26-310-000-516	BUILDING REPAIRS	13-01153	GRIFFITH ELEC SUPPLY CO INC	Light bulbs	22.71
3-01-26-310-000-517	BUILDING SUPPLIES	13-00875	POST ACE HARDWARE	supplies for October	38.62
3-01-26-310-000-517	BUILDING SUPPLIES	13-01122	JEWEL ELECTRIC SUPPLY CO	light bulbs	355.20
3-01-26-310-000-517	BUILDING SUPPLIES	13-01123	GRIFFITH ELEC SUPPLY CO INC	electric parts	65.61
3-01-26-310-000-517	BUILDING SUPPLIES	13-01123	GRIFFITH ELEC SUPPLY CO INC	electric parts	106.95
3-01-26-310-000-517	BUILDING SUPPLIES	13-01123	GRIFFITH ELEC SUPPLY CO INC	electric parts	37.77

3-01-26-310-000-517	BUILDING SUPPLIES	13-01123	GRIFFITH ELEC SUPPLY CO INC	electric parts	19.14
3-01-26-310-000-517	BUILDING SUPPLIES	13-01157	DEER PARK	drinking water	103.04
3-01-26-310-000-559	ENGINE CO	13-01129	DORELL & SONS	new hardware	378.00
3-01-26-310-000-638	POLICE HDQTRS	13-01119	AMPERE ELECTRICAL CONTRACTORS	install line to air cond.	486.60
3-01-26-310-000-638	POLICE HDQTRS	13-01127	SCOTT BECKER PLUMBING & HEATIN	plumbing repair police dept	898.50
3-01-26-310-000-722	VEHICLE REPAIRS	13-00739	PDQ AUTO SUPPLY OF MANVILLE	October 2013 billing	6.26
3-01-28-375-000-560	EQUIPMENT REPAIR/MAINT	13-01069	INTERNATIONAL SHEET METAL	steel bar	125.00
3-01-28-375-000-646	PARKS MAINTENANCE	13-00739	PDQ AUTO SUPPLY OF MANVILLE	October 2013 billing	17.91
3-01-28-375-000-646	PARKS MAINTENANCE	13-01097	RARITAN VALLEY AGWAY	Lug U Post 5ft LT Duty	26.94
3-01-31-440-000-704	TELEPHONE- POLICE	13-01239	VERIZON WIRELESS	TELEPHONE MAINTENANCE	894.90
3-01-31-440-000-704	TELEPHONE- POLICE	13-01258	VERIZON COMMUNICATIONS	FIOS - 9/28/13 - 11/27/13	280.32
3-01-31-440-000-705	TELEPHONE- A/E	13-01296	VERIZON COMMUNICATIONS	FIOS internet	112.35
3-01-31-440-000-705	TELEPHONE- A/E	13-01297	VERIZON BUSINESS	email charges for November	67.50
3-01-31-440-000-705	TELEPHONE- A/E	13-01298	VERIZON COMMUNICATIONS	internet charges	272.00
3-01-31-440-000-705	TELEPHONE- A/E	13-01301	VERIZON WIRELESS	cell/pager charges	1,236.56
3-01-31-440-000-705	TELEPHONE- A/E	13-01302	VERIZON	phone charges 908-704-2490	1,497.89
3-01-31-460-000-579	GAS/DIESEL	13-01205	SOMERSET COUNTY VEHICLE MAINT	Somerville Rescue	468.14
3-01-31-460-000-579	GAS/DIESEL	13-01205	SOMERSET COUNTY VEHICLE MAINT	Somerville Police	3,765.30
3-01-31-460-000-579	GAS/DIESEL	13-01205	SOMERSET COUNTY VEHICLE MAINT	Misc Borough vehicles	3,466.82
3-01-43-490-000-557	EQUIPMENT- NEW	13-01324	GRAMCO BUSINESS COMMUNICATION	recording system for court	1,162.50
3-01-43-490-000-628	OFFICE SUPPLIES	13-01318	UNIVERSAL COMPUTING SERVICES I	boxed mailer notoces	256.20
3-01-55-000-000-004	TAX OVERPAY- CURRENT	13-01321	LANCE & SUSAN OSBORN	TAX OVERPAYMENT	250.00
3-05-55-502-000-511	ADMIN SUPPORT	13-01322	ANN LANEVE	HOURS WORKED	1,260.00
3-05-55-502-000-533	CONTRACTED SERVICES	13-01124	BIG MIKE INC	Emergency sewer repair	1,225.00
3-05-55-502-000-534	COMP\SOFTWARE MAINT	13-01289	VITAL COMMUNICATIONS INC	SEWER UTILITY BILLING	255.00
3-05-55-502-000-560	EQUIPMENT REPAIR/MAINT	13-00739	PDQ AUTO SUPPLY OF MANVILLE	October 2013 billing	15.72
3-05-55-502-000-560	EQUIPMENT REPAIR/MAINT	13-00875	POST ACE HARDWARE	supplies for PW	80.84
3-05-55-502-000-654	PAYROLL SERVICES	13-01234	ADP	PAYROLL SERVICES	53.53
3-05-55-503-000-655	RARITAN VALLEY SEWER AUTH	13-01307	SOMERSET RARITAN SEWERAGE AUTH	SEWAGE TREATMENT 4TH QUARTER	386,475.93
3-07-00-000-000-533	CONTRACTED SERVICES	13-01271	LOUMARC SIGNS	Remove Spooky Sprint Banner	100.00
3-07-00-000-000-577	FRINGE	13-01272	HORIZON BLUE CROSS BLUE SHIELD		832.49
3-07-00-000-000-693	TELEPHONE	13-01273	VERIZON	Monthly Office Communications	164.58
3-07-00-000-000-732	LANDSCAPING	13-01268	GROUNDSCARE LANDSCAPE LLC	Monthly Landscape Maintenance	1,920.21
3-07-00-000-000-742	BRANDING	13-01201	SOMERSET COUNTY BUSINESS	Tourism Destination Guides	60.00
3-07-00-000-000-742	BRANDING	13-01270	BUSINESS PARTNERSHIP OF	2 Attendees, Tourism Awards	80.00
3-07-00-000-000-767	MAINSTREET SEMINARS	13-01106	NJ LEAGUE OF MUNICIPALITIES	2013 League of Municipalities	65.00
3-07-00-000-000-770	DIV ST AMENITIES	13-00875	POST ACE HARDWARE	supplies for DSA	8.54

3-07-00-000-000-770	DIV ST AMENITIES	13-00976	COLE & ASSOCIATES LLC	Division Elec & Water	315.87
3-07-00-000-000-770	DIV ST AMENITIES	13-01236	JOHNNY ON THE SPOT INC	2 Units, Oktoberfest	274.00
3-07-00-000-000-770	DIV ST AMENITIES	13-01264	UNITED RENT-ALL	Music Series Staging	3,000.00
3-07-00-000-000-770	DIV ST AMENITIES	13-01265	JOHNNY ON THE SPOT INC	Add'l Unit Present at AOD	75.00
3-07-00-000-000-770	DIV ST AMENITIES	13-01266	A & S SERVICE COMPANY, INC	Giardina Electrical Repair	974.57
3-07-00-000-000-770	DIV ST AMENITIES	13-01269	YANNETTA'S SERVICE LLC	Concrete Umbrella Bases	300.00
3-07-00-000-000-770	DIV ST AMENITIES	13-01269	YANNETTA'S SERVICE LLC	Concrete Supplies	72.00
3-07-00-000-000-902	BUSINESS SEMINARS	13-01275	BETH ANNE MACDONALD	Meal Allowance, League	75.00
3-07-00-000-000-905	INDUSTRY OUTREACH	13-01267	ROD HIRSCH	Festiville PR Distribution	250.00
3-07-00-000-000-905	INDUSTRY OUTREACH	13-01275	BETH ANNE MACDONALD	Ceremonial Scissors	184.00
3-07-00-000-000-915	SIDEWALK SWEEPING	13-01269	YANNETTA'S SERVICE LLC	Sidewalk Cleanings	2,875.00
3-07-00-000-000-935	TRASH & RECYCLING CANS	13-01269	YANNETTA'S SERVICE LLC	Trash Bag Supplies	120.00
3-07-00-000-000-958	OFFICE SUPPLIES	13-01275	BETH ANNE MACDONALD	Office Supplies	139.99
3-07-00-000-000-958	OFFICE SUPPLIES	13-01308	STAPLES BUSINESS ADVANTAGE		113.96
3-07-00-000-000-965	EVENTS: FARMERS MARKET	13-01269	YANNETTA'S SERVICE LLC	Farmers Mkt Set-Up/Break Down	200.00
3-07-00-000-000-966	EVENTS: HALLOWEEN DIV ST	13-01263	MARY A REH	Pumpkins for Halloween Party	70.00
3-07-00-000-000-967	EVENTS: HOLIDAY EVENTS	13-01226	THE DESSERT PLATE	500 Donated Cookies	0.00
3-07-00-000-000-967	EVENTS: HOLIDAY EVENTS	13-01226	THE DESSERT PLATE	500 Gingerbread People	525.00
3-07-00-000-000-967	EVENTS: HOLIDAY EVENTS	13-01235	SCULPTED ICE WORKS	Ice Carving, 12/14	275.00
3-07-00-000-000-967	EVENTS: HOLIDAY EVENTS	13-01235	SCULPTED ICE WORKS	Ice Carving, 12/21	275.00
3-07-00-000-000-967	EVENTS: HOLIDAY EVENTS	13-01264	UNITED RENT-ALL	Jubilee Staging	1,000.00
3-07-00-000-000-967	EVENTS: HOLIDAY EVENTS	13-01309	MARK ROGER	Balance Due, Santa's Arrival	250.00
3-07-00-000-000-967	EVENTS: HOLIDAY EVENTS	13-01310	SCULPTED ICE WORKS	Balance Due, Ice Carving 12-14	275.00
3-07-00-000-000-968	EVENTS: JAZZ FESTIVAL	13-01313	BOROUGH OF SOMERVILLE	Jazz Fest Police Presence	1,292.00
C-04-00-002-189-907	BLDG & GRDS	13-00546	HOLT/MORGAN/RUSSELL ARCHITECTS	Ceiling Vault Project Borough	8,278.80
C-04-00-002-227-907	BLDG & GRDS	13-00370	HAHR CONSTRUCTION	Library Ramp & Stair Addition	28,115.00
C-04-00-002-306-907	BLDG & GRDS	13-01082	BARRETT BUILDING & RENOVATION	replace window well roofing	2,200.00
C-04-00-002-306-907	BLDG & GRDS	13-01096	ROYAL PAINTING	Paint library	3,260.00
C-04-00-002-361-625	RDS & SIDEWALKS	13-01280	SOMERSET COUNTY ENGINEERING DE	veterans memorial drive	8,178.51
C-04-00-002-377-625	RDS & SIDEWALKS	13-01159	SIGNS AND SAFETY DEVICES L.L.C	street sign sample	53.95
C-04-00-002-377-625	RDS & SIDEWALKS	13-01280	SOMERSET COUNTY ENGINEERING DE	sm-307	564.92
C-04-00-002-412-907	BLDG & GRDS	13-00370	HAHR CONSTRUCTION	Library Ramp & Stair Addition	8,710.00
C-06-00-002-378-603	SEWER UTILITY CAPITAL	13-01232	DECOTIIS,FITZPATRICK,COLE & WI	PROFESSIONAL SERVICES	6,982.64
C-06-00-002-378-603	SEWER UTILITY CAPITAL	13-01232	DECOTIIS,FITZPATRICK,COLE & WI	PROFESSIONAL SERVICES	156.92
G-02-40-001-012-734	PED & VEH WAYFARE	13-01280	SOMERSET COUNTY ENGINEERING DE	Signal Bridge & Cliff	86.91
G-02-40-002-012-551	DRUNK DRIVING ENFORCEMENT GRANT	13-01257	DRAGER SAFETY DIAGNOSTICS	BREATHZLYER CERTIFICATION	155.00

G-02-40-005-000-541	CLEAN COMMUNITIES	13-01194	BOROUGH OF SOMERVILLE	re-imburse litter collection	3,000.00
T-13-00-000-000-211	PLAN BD ESCROW	13-01195	COURIER NEWS		51.28
T-13-00-000-000-211	PLAN BD ESCROW	13-01225	ERIC WASSER		318.75
T-13-00-000-000-211	PLAN BD ESCROW	13-01225	ERIC WASSER		573.75
T-13-00-000-000-211	PLAN BD ESCROW	13-01225	ERIC WASSER		170.00
T-13-00-000-000-213	POAA	13-01324	GRAMCO BUSINESS COMMUNICATION	sound system for court	1,162.50
T-13-00-000-000-215	S C YOUTH COM GRANT	13-01303	INSTIT FOR HEALTHCARE ADVANCE	BOOKS FOR TEEN HEALTH	343.00
T-13-00-000-000-219	UNIFORM FIRE CODE	13-01304	GLENN THORNE	HOURS WORKED	150.00
T-13-00-000-000-219	UNIFORM FIRE CODE	13-01305	MEGAN BOUZIOTIS	HOURS WORKED	16.50
T-13-00-000-000-232	RESERVE FOR RETIREMENT	13-01319	BOROUGH OF SOMERVILLE	REIMBURSE RETIREMENT POLICE	55,317.60
T-13-00-000-000-522	CDBG LIBRARY	13-00370	HAHR CONSTRUCTION	Library Ramp & Stair Addition	8,775.00
T-13-00-000-000-542	CABLE TV	13-01294	GRANICUS INC	Nov. maint agrmt VilleTV	109.00
					680,016.32

Councilman Mitchell made a motion and was seconded by Councilman Wilson to approve the aforementioned vouchers.

The motion was approved by the following vote:

Ayes: Councilwoman Kobuta, Councilman Mitchell,
Councilwoman O'Neill, Councilman Utter,
Councilman Wilson

Nays: None

Mayor Gallagher commented on some letters that he received from the kindergarden students at Vanderveer School entitled "If I were Mayor".

There being no further business to come before the Borough Council, Councilman Mitchell made a motion and was seconded by Councilman Wilson to adjourn the meeting. The motion was approved by the following vote:

Carried unanimously

The meeting was adjourned at 7:45pm

Respectfully submitted,

Paul Allena
Secretary