

Somerville, NJ December 1, 2014

Monday, December 1, 2014

7:00 P.M.

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

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COUNCIL MEETING AGENDA

1. Roll Call
2. Salute to the Flag
3. Approval of Minutes
 - a. November 17, 2014
4. Departmental Reports & Important Notices
 - a. Reorganization Meeting at Somerville High School Auditorium January 1, 2015 at noon
5. Mayoral Appointments

Steve Weinman – Emergency Management Coordinator
6. Committee Reports
7. Meeting Open to the Public
8. ORDINANCES FOR INTRODUCTION

2460-14-1201 AMENDING ORDINANCE NUMBER
2456- 14-1020 AUTHORIZING THE ESTABLISHMENT OF A
GOVERNMENT ENERGY AGGREGATION PROGRAM FOR THE
BOROUGH OF SOMERVILLE, SOMERSET COUNTY

2461-14-1201 AMENDING CHAPTER 141 OF THE BOROUGH CODE - SEWER SERVICE
CHARGES
9. ORDINANCES FOR PUBLIC HEARING AND ADOPTION

2459-14-1117 APPROVING THE PILOT APPLICATION AND AUTHORIZING THE MAYOR
AND CITY CLERK TO EXECUTE A FINANCIAL AGREEMENT BY AND
BETWEEN THE BOROUGH OF SOMERVILLE AND THE COBALT URBAN
RENEWAL, LLC PURSUANT TO N.J.S.A. 40A:20-1 ET SEQ. FOR
PROPERTY LOCATED AT 66 VETERANS MEMORIAL DRIVE, ALSO
KNOWN AS LOT 10.01 IN BLOCK 61.01, AS SHOWN ON THE OFFICIAL
TAX MAP OF THE BOROUGH OF SOMERVILLE, LOCATED IN THE EAST
CENTRAL BUSINESS DISTRICT REDEVELOPMENT AREA
10. CONSENT RESOLUTIONS

(Resolutions 14-1201-339 thru 14-1201-353)

14-1201-339 AUTHORIZING FREE HOLIDAY PARKING FROM NOVEMBER 27, 2014 TO
DECEMBER 31, 2014 IN PARKING LOTS 1, 2 & 4

14-1201-340 APPROVING THE SPRING AND FALL 2015 STREET FAIRS TO BE HELD
ON MAIN STREET ON SUNDAYS JUNE 7 & OCTOBER 4, 2015 FROM
11:00 A.M. TO 5:00 P.M.

14-1201-341 APPROVING THE 2015 ARTS & CRAFT FAIR TO BE HELD ON MAIN
STREET ON SUNDAY APRIL 26, 2015
FROM 11:00 A.M. TO 5:00 P.M.

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- 14-1201-342 APPROVING RACE ROUTE OF LEGAL RUNAROUND 5K RUN AND 3K FUN WALK ON THURSDAY, MAY 21, 2015 AT 5:30 P.M.
- 14-1201-343 APPROVING SALE OF PLENARY DISTRIBUTION LIQUOR LICENSED ESTABLISHMENTS TO OPEN AT 10:00 A.M. ON SUNDAY, DECEMBER 21, 2014
- 14-1201-344 APPROVING THE 24TH ANNUAL ST. PATRICK'S DAY PARADE FOR SUNDAY, MARCH 15, 2015 STARTING AT 1:30 AT THE EAST END OF MAIN STREET
- 14-1201-345 ACCEPTING RESIGNATION OF CAROL BRADY FROM THE SOMERFVILLE LIBRARY BOARD OF TRUSTEES EFFECTIVE JANUARY 1, 2015 (end of business December 31, 2014)
- 14-1201-346 ACCEPTING RETIREMENT RESIGNATION OF FRANK BETTS FROM THE BOROUGH OF SOMERVILLE S EFFECTIVE MAY 1, 2015 (end of business April 30, 2015)
- 14-1201-347 APPROVING THE 2013 SIDEWALK ASSESSMENT
- 14-1201-348 CANCELLING 2014 SEWER UTILITY FUND BUDGET APPROPRIATION
- 14-1201-349 AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE FUNDS FROM ESCROW ACCOUNT – VMD Associates LLC
- 14-1201-350 AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE FUNDS FROM ESCROW ACCOUNT – JSM LANDMARK
- 14-1201-351 AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE FUNDS FROM ESCROW ACCOUNT – PARKVIEW AT SOMERVILLE LLC
- 14-1201-352 ACCEPTING RESIGNATION OF MICHAEL STITLEY AS SOMERVILLE BOROUGH POLICE OFFICER EFFECTIVE JANUARY 1, 2015 (last day of service, December 31, 2014)
- 14-1201-353 ACCEPTING RESIGNATION OF MICHAEL STITLEY AS EMERGENCY MANAGEMENT COORDINATOR EFFECTIVE DECEMBER 1, 2015 (last day of service, November 30, 2014)

11. BILLS AND VOUCHERS

12. ADJOURNMENT

Somerville, NJ December 1, 2014

The first regular meeting of the Somerville Borough Council for the Month of December 2014 was convened on Monday, December 1, 2014 at 7:00 pm prevailing time in Borough Council Chambers 24 South Bridge Street, Somerville, New Jersey.

Clerk-Administrator Sluka read the open public meeting statement and advised that the meeting was properly noticed in the newspaper and at Borough Hall.

Upon call of the roll, the following Borough Council members were present: Mayor Brian Gallagher presiding, Council President Thompson Mitchell, Councilwoman Jane Kobuta, Councilwoman Amanda O'Neill, Councilman Dennis Sullivan, Councilman Ken Utter and Councilman Robert Wilson.

Also present were Borough Clerk-Administrator Kevin Sluka and Borough Attorney Jeremy Solomon.

The Boy Scouts from Somerville Troop 84 led the Pledge of Allegiance.

Mayor Gallagher welcomed the members of Troop 84 to the meeting this evening and thanked them for their contributions to the Borough through their community service projects throughout the year.

The minutes of the November 17, 2014 meeting were presented in writing for approval.

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

Carried unanimously

The following resolutions were presented:

RESOLUTION 14-1201-353

ACCEPTING RESIGNATION OF MICHAEL STITLEY AS EMERGENCY MANAGEMENT COORDINATOR EFFECTIVE DECEMBER 1, 2015 (last day of service, November 30, 2014)

BE IT RESOLVED, that the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey hereby accept the retirement resignation as Emergency Management Coordinator effective December 1, 2014 (last day of service November 31, 2014).

Councilman Utter made a motion and was seconded by Councilman Sullivan to approve the aforementioned resolution.

Councilman Sullivan commented that he has known Michael Stitley for a number of years and he has always served the Borough well. He will be missed by all in Somerville.

Councilman Utter also expressed his thanks to Mike for his dedication and giving 110% in all that he has done for the Borough. He wished him well in his new career in campus public safety.

The motion was approved by the following vote:

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

1. Nays: None

RESOLUTION 14-1201-352

ACCEPTING RESIGNATION OF MICHAEL STITLEY AS SOMERVILLE BOROUGH POLICE OFFICER EFFECTIVE JANUARY 1, 2015 (last day of service, December 31, 2014)

BE IT RESOLVED, that the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey hereby accept the retirement resignation effective January 1, 2015, (last day of service December 31, 2014)

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

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The motion was approved by the following vote:

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

Nays: None

Mayor Gallagher expressed his personal thanks to Michael Stitley. He has had the opportunity to interact with him through the Rescue Squad, Police, Emergency Management and also on a person level. He has been truly dedicated to Somerville as well as his family and he will be missed.

Mayor Gallagher commented on the appointment of an Emergency Management Coordinator and the importance of this position.

He is very confident in the appointment of Steve Weinman as the new Emergency Management Coordinator for the Borough of Somerville.

Committee Reports:

Councilman Utter reported on the upcoming Somerville Fire Department Holiday Lights Parade on December 6, 2014.

Councilman Utter reported on the Ice Carving on Division Street on December 6, 13, and 20.

Councilman Utter reported on his recent attendance at the NJ League of Municipalities Conference in Somerville.

Councilman Utter reported on the total fire alarms for month of November of 375.

Councilman Utter wished Steve Weinman well in his new role as Emergency Management Coordinator.

Councilman Wilson reminded everyone of the upcoming Peter Meyer Concert on December 12, 2014.

Councilwoman O'Neill reported that the Recreation Task Force would be meeting again on December 8, 2014.

Councilwoman O'Neill reported on the upcoming BMX event at the Go Ryde studios on Saturday, December 13, 2014.

Councilwoman O'Neill commented on the Board Health push for flu clinics and vaccinations.

Councilwoman Kobuta reported on the recent tree lighting on Saturday evening.

Councilman Mitchell reported on the rabies incident in Franklin Township involving a kitten.

Councilman Mitchell wished everyone a Happy Hanakah.

Open to the Public:

Mayor Gallagher opened the meeting to comments from the public.

Colin Driver, Arts On Division, presented the Mayor and Council with some art prints from Division Street. These were done as a part of the recent program sponsored by the Arts on Division Street program.

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

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Ordinances for Introduction:ORDINANCE NUMBER 2460-14-1201 AMENDING ORDINANCE NUMBER
2456- 14-1020AUTHORIZING THE ESTABLISHMENT OF A GOVERNMENT ENERGY AGGREGATION PROGRAM
FOR THE BOROUGH OF SOMERVILLE, SOMERSET COUNTY

WHEREAS, the Government Energy Aggregation Act, N.J.S.A. 48:3-93.1 et seq. governs the establishment of a government energy aggregation program, which is a government-operated purchasing cooperative through which energy customers purchase energy together under the auspices of a government aggregator; and

WHEREAS, the New Jersey Board of Public Utilities (“BPU”) has promulgated regulations (N.J.A.C. 14:4-6) for the implementation of government energy aggregation programs; and

WHEREAS, pursuant to the Government Energy Aggregation Act, N.J.S.A. 48:3-93.1 et seq., the Borough of Somerville seeks to establish a Government Energy Aggregation Program (“Program”) for the provision of electricity within the Borough of Somerville, for the purpose of obtaining power supply cost savings for residential customers in the Borough of Somerville and

WHEREAS, the Borough of Somerville intends, for efficiency and cost-effectiveness and to achieve additional purchasing power for its residents and businesses, to implement its Government Energy Aggregation Program through the Somerset County Government Energy Aggregation Program (“SCGEA”), of which the County of Somerset will serve as the Lead Agency and, in that capacity and consistent with applicable rules, the County of Somerset on behalf of SCGEA participants will solicit proposals and enter into a contract for the provision of electric supply services on behalf of participating residential customers, to the extent that such a contract results in electric supply cost savings to participating residential customers; and

WHEREAS, the Borough of Somerville will, via SCGEA, from time to time during the Effective Period as defined below solicit proposals from electric power suppliers for electric generation services through the Program; and

WHEREAS, the Borough of Somerville will, via SCGEA , from time to time during the Effective Period as defined below issue one or more Request for Proposals for electric generation services and energy aggregation services on behalf of the participating residents pursuant to the Local Public Contract Law Regulations, and Government Energy Aggregation Act and the Electric Discount and Energy Competition Act; and

WHEREAS, the SCGEA will only award contracts for said electric generation service and energy aggregation services to electric power suppliers that are deemed qualified and that submit price bids lower than the prevailing price for Basic Generation Service (“BGS”);

WHEREAS, pursuant to applicable BPU rules, the Borough of Somerville needs to enter into an Electric Distribution Company Aggregation Agreement with PSE&G; and

WHEREAS, N.J.S.A. 48:3-93.1 et seq. requires the Program to be established by ordinance.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the [MUNICIPALITY], County of Somerset, State of New Jersey as follows:

SECTION 1. The Borough of Somerville hereby establishes a Government Energy Aggregation Program, in accordance with the provisions of the Government Energy Aggregation Act, N.J.S.A. 48:3-93.1 et seq.

SECTION 2. The Mayor, or appropriately authorized representative, is authorized to execute and the Clerk to attest to the execution of and Electric Distribution Aggregation Agreement, in a form acceptable to the Borough of Somerville, with PSE&G.

SECTION 3. The Borough of Somerville will implement the Program through the SCGEA, of which the County of Somerset will act as Lead Agency, and, consistent with applicable rules, the Borough of Somerville will via the SCGEA solicit proposals for electric generation and energy aggregation services on behalf of Borough’s residents and businesses, and via the SCGEA enter into a contract for such services provided that the lowest qualified bid price is below the prevailing price for BGS.

SECTION 4. The Borough of Somerville will, via the Lead Agency of the SCGEA, execute a master performance agreement that obligates the participants in the SCGEA to purchase electricity at terms and conditions stated therein with a third party supplier who has been awarded the contract by the Lead Agency on behalf of participating members of the SCGEA, and provided that such contract shall be at prices reasonably forecast and estimated by the Lead Agency to provide savings to participants relative to the price charged for BGS by PSE&G.

SECTION 5. The authorization provided to the Lead Agency shall be valid until October 31, 2018, (the “Effective Period”), at which time the authorization of the Program and the Borough of Somerville’s participation in the SCGEA for that purpose will be subject to renewal at the discretion of the Borough of Somerville.

SECTION 6. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 7. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

This ordinance shall take upon final passage and (20) days after publication.

Clerk-Administrator Sluka reported that the date was incorrect for the end date of the program and needed to be changed. This requires a change in the Ordinance as per the Board of Public Utilities (BPU)

Mayor Gallagher opened the meeting for public comment on Ordinance 2460-14-1201

There were no comments from the public on this Ordinance.

Councilman Mitchell made a motion and was seconded by Councilwoman Kobuta to introduce Ordinance 2460-14-1201

The motion was approved by the following vote:

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

ORDINANCE #2461-14-1201

AMENDING CHAPTER 141 OF THE BOROUGH CODE - SEWER SERVICE CHARGES

BE IT ORDAINED by the Mayor and Council of the Borough of Somerville, County of Somerset, State of New Jersey that Ordinances Nos. 827, 1063, 1155, 1166, 1175, 1177, 2252 & 2318 & 2426 as codified in Chapter 141, Article 1 of the Code of the Borough of Somerville, be amended in the following manner:

| RATE CODE | RATE DEFINITION | NEW RATE | SAME MINIMUM |
|-----------|---------------------------------------|----------|--------------|
| NB | Non-Somerville Business Metered | 7.25 | 75 |
| NR | Non-Somerville Residential Metered | 7.25 | 75. |
| NW | Somerville Unmetered Well-Out of Town | flat | 150. |
| SA | Somerville Apartment Metered | 6.25 | 65. |
| SB | Somerville Business Metered | 6.75 | 65. |
| SR | Somerville Residential Metered | 6.25 | 65. |
| SW | Somerville Unmetered Well | flat | 125 |

BE IT FURTHER ORDAINED as follows:

- 1) That all ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.
- 2) This ordinance shall effect upon final publication and adoption in the manner provided by law.

Mayor Gallagher opened the meeting for public comment on Ordinance 2461-14-1201

There were no comments from the public on this Ordinance.

Councilman Mitchell made a motion and was seconded by Councilwoman Kobuta to introduce Ordinance 2461-14-1201

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The motion was approved by the following vote:

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

Nays: None

Ordinances for Hearing and Adoption:

ORDINANCE 2459-14-1117

APPROVING THE PILOT APPLICATION AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A FINANCIAL AGREEMENT BY AND BETWEEN THE BOROUGH OF SOMERVILLE AND THE COBALT URBAN RENEWAL, LLC PURSUANT TO N.J.S.A. 40A:20-1 ET SEQ. FOR PROPERTY LOCATED AT 66 VETERANS MEMORIAL DRIVE, ALSO KNOWN AS LOT 10.01 IN BLOCK 61.01, AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF SOMERVILLE, LOCATED IN THE EAST CENTRAL BUSINESS DISTRICT REDEVELOPMENT AREA

Colin Driver provided an overview of this ordinance. This PILOT allows for relief to the developer for twenty-five years. There is approximately \$1.5 million in remediation and start-up cost associated with this project. This is nothing different from any of the other PILOTS which have been offered in town.

Mayor Gallagher opened the meeting for public comment on Ordinance 2459-14-117

There were no comments from the public on this Ordinance.

Councilman Sullivan made a motion and was seconded by Councilman Utter to adopt Ordinance 2459-14-1117.

The motion was approved by the following vote:

Ayes: Councilwoman Kobuta, Councilman Mitchell, Councilman Sullivan, Councilman Utter, Councilman Wilson

Nays: Councilwoman O'Neill

Resolutions:

The following consent resolutions were presented:

RESOLUTION 14-1201-339

AUTHORIZING FREE HOLIDAY PARKING FROM NOVEMBER 27, 2014 TO DECEMBER 31, 2014 IN PARKING LOTS 1, 2 & 4

BE IT FURTHER RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey hereby authorize free holiday parking from November 27, 2014 to December 31, 2014 in parking Lots 1, 2 & 4

Adopted by Borough Council on December 1, 2014

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RESOLUTION 14-1201-340

APPROVING THE SPRING AND FALL 2015 STREET FAIRS TO BE HELD ON MAIN STREET ON SUNDAYS JUNE 7 & OCTOBER 4, 2015 FROM 11:00 A.M. TO 5:00 P.M.

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey approves the Spring and Fall Street Fairs to be held on Main Street on Sundays, June 7 and October 4, 2014 from 11:00 a.m. to 5:00 p.m.

RESOLUTION 14-1201-341

APPROVING THE 2015 ARTS & CRAFT FAIR TO BE HELD ON MAIN STREET ON SUNDAY APRIL 26, 2015 FROM 11:00 A.M. TO 5:00 P.M.

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey approves the Arts & Craft Fair to be held on Main Street on Sunday, April 26, 2015 from 11:00 a.m. to 5:00 p.m.

RESOLUTION 14-1201-342

APPROVING RACE ROUTE OF LEGAL RUNAROUND 5K RUN AND 3K FUN WALK ON THURSDAY, MAY 21, 2015 AT 5:30 P.M.

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey approves the race route of the Legal Runaround 5K Run and 3K Fun Walk on Thursday, May 21, 2015 at 5:30 p.m.

RESOLUTION 14-1201-344

APPROVING THE 24TH ANNUAL ST. PATRICK'S DAY PARADE FOR SUNDAY, MARCH 15, 2015 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 24TH Annual St. Patrick's Day Parade for March 15, 2015 stating at 1:30 p.m.

RESOLUTION 14-1201-348

CANCELLING 2014 SEWER UTILITY FUND BUDGET APPROPRIATION

WHEREAS, the following 2014 Sewer Utility Fund Budget Appropriation balance remains unexpended and unencumbered:

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

| AMOUNT | DEPARTMENT | |
|-----------|-------------|---------------------|
| \$ 70,000 | Salary/Wage | 4-05-55-501-000-111 |

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Somerville, NJ that the above balance of the Sewer Utility Fund be canceled.

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RESOLUTION 14-1201-349

AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE FUNDS FROM ESCROW ACCOUNT – VMD Associates LLC

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 VMD Associates LLC and deposited into our Developers Escrow Account, and

WHEREAS, Colin Driver has confirmed that \$878.75 be paid to be paid to Driver Associates, LLC (November 2014) 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 VMD Associates LLC # 7762624976.

RESOLUTION 14-1201-350

AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE FUNDS FROM ESCROW 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 Escrow Account, and

WHEREAS, Colin Driver has confirmed that \$1202.50 be paid to Driver Associates LLC (November 2014) 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 # 7760805585.

RESOLUTION 14-1201-351

AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE FUNDS FROM ESCROW ACCOUNT – PARKVIEW AT SOMERVILLE LLC

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 Parkview at Somerville LLC and deposited into our Developers Escrow Account, and

WHEREAS, Colin Driver has confirmed that \$138.75 be paid to Driver Associates, LLC (November 2014) 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 Parkview LLC #7762624984.

RESOLUTION 14-1201-355

AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE BOROUGH OF SOMERVILLE TO REVIEW THE B1 AND B2 ZONING ORDINANCE TO DETERMINE IF BREW PUBS, CRAFT BEWERIES AND RELATED ACTIVITIES SHOULD BE ADDED TO THE ALLOWED USES

WHEREAS, the Borough Council of the Borough of Somerville has received numerous requests for the establishment of Craft Breweries, Brew Pubs and Microbreweries to be located within the B1 and B2 zoned areas; and

WHEREAS, Borough zoning does not allow this type of business activity within the B1 and B2 zoned areas; and

WHEREAS, there are no specific industry classification (SIC) codes for this business type, which is the brewing and serving of what is known as beer; and

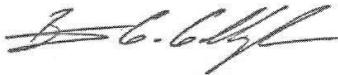
WHEREAS, the overall category commonly referred to as "craft brewing" is a fast growing business category; and

WHEREAS, the Borough wishes to explore the inclusion of these types of establishments within the Boroughs "downtown" areas; and

WHEREAS, because of the above mentioned reasons, the Borough Council of the Borough of Somerville desires that the Planning Board undertake a Review of the B1 and B2 zoning and allowed uses to ensure they are consistent with current and anticipated future use practices and industry trends for these types of businesses.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Somerville, being the governing body thereof, that the Planning Board of the Borough of Somerville is hereby directed and authorized to review the Somerville B1 and B2 zoning and recommend to the Borough Council any amendments to update the allowed uses to allow this category of business.

Adopted by Borough Council on December 1, 2014



Mayor



Borough Clerk

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 December 1, 2014



Kevin Sluka, Clerk/Administrator

Councilman Utter made a motion and was seconded by Councilwoman Kobuta to approve the aforementioned consent resolutions.

The motion was approved by the following vote:

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

Nays: None

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RESOLUTION 14-1201-343

APPROVING SALE OF PLENARY DISTRIBUTION LIQUOR LICENSED ESTABLISHMENTS TO OPEN AT 10:00 A.M. ON SUNDAY, DECEMBER 21, 2014

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey approves the sale of liquor in all Alcoholic Beverage Plenary Distribution Liquor licensed establishments to open at 10:00 a.m. o December 21, 2014 and said permission expiring immediately following on same business day.

Adopted by Borough Council on December 1, 2014

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

Councilman Utter is opposed to this resolution and would like to see the hours remain as they are.

Councilman Mitchell commented that there is competition with sales and we need to ensure that people can shop in town during these times.

The motion was approved by the following vote:

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

RESOLUTION 14-1201-345

ACCEPTING RESIGNATION OF CAROL BRADY FROM THE SOMERFVILLE LIBRARY BOARD OF TRUSTEES EFFECTIVE JANUARY 1, 2015 (end of business December 31, 2014)

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey hereby accepts the resignation of Carol Brady from the Somerville Library Board of Trustees effective January 1, 2015 (at the end of business December 31, 2014)

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

All members of the Council expressed their thanks to Carol Brady for her service to the Library Board.

The motion was approved by the following vote:

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

RESOLUTION 14-1201-346

ACCEPTING RETIREMENT RESIGNATION OF FRANK BETTS FROM THE BOROUGH OF SOMERVILLE S EFFECTIVE MAY 1, 2015 (end of business April 30, 2015)

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey hereby accepts the retirement resignation of Frank Betts from the Borough of Somerville effective May 1, 2015 (at the end of business April 30, 2015)

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

Councilman Sullivan and Councilman Mitchell expressed their thanks to Frank Betts and wished him well in his retirement.

The motion was approved by the following vote:

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

Nays: None

RESOLUTION 14-1201-347

APPROVING THE 2013 SIDEWALK ASSESSMENT

WHEREAS, the work for the 2013 Borough Sidewalk Assessment Improvement is complete; and

WHEREAS, the following property owners were afforded an opportunity in a public meeting to address any concerns or make comments: and

| Address | Block | Lot | Amount |
|----------------------|-------|------|--------------------|
| 9 Prospect Drive | 153 | 4.04 | \$1,901.76 |
| 81 West Orchard St. | 102 | 5 | \$470.40 (Paid) |
| 394 William St. | 75 | 42 | \$336.00 |
| 102 Eastern St. Pkwy | 29.02 | 22 | \$604.80 (Paid) |
| 71 Eastern Ave. | 45 | 16 | \$168.00 |
| 513 East. Main St. | 7 | 2 | \$571.20 |
| 5. S. Cadillac Dr. | 92.02 | 17 | \$2,620.80 |
| 7 Robin Street | 85.02 | 3 | \$772.80 |
| 53 Fieldstone Dr. | 83.01 | 17 | \$672.00 |
| 21 Roosevelt Pl. | 83 | 8.01 | \$2,553.60 (Paid) |
| 27 Steele Ave. | 36.01 | 8 | \$2,956.80 (Paid) |
| 29 E. High St. | 70 | 26 | \$1,344.00 |
| 135 E. Spring St. | 86 | 10 | \$403.20 |

WHEREAS, the Tax Collector shall invoice all property owners that are unpaid and is authorized to attached appropriate assessments.

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey hereby approves the 2013 Sidewalk Assessment and authorizes the Tax Collector to invoice all unpaid property owners.

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

Councilman Mitchell asked for clarification on this resolution.

Clerk-Administrator Sluka provided an overview on this program. Some of the assessments have been paid already. This is an opt-in program.

The motion was approved by the following vote:

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

Nays: None

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Councilwoman O'Neill, Finance Chair presented the following vouchers for approval:

| Formatted Account | Vendor Name | Item Description | Amount |
|---------------------|--------------------------------|-------------------------------|-----------|
| 4-01-20-100-000-502 | COURIER NEWS | | 22.44 |
| 4-01-20-100-000-511 | PAUL ALLENA | minutes/tech support | 650.00 |
| 4-01-20-100-000-529 | SCOTTSDALE INSURANCE CO. | deductible | 1,000.00 |
| 4-01-20-100-000-555 | NEW JERSEY LEAGUE OF MUNICIPAL | Elected officials Class | 115.00 |
| 4-01-20-100-000-628 | STAPLES CR PLAN | supplies for A/E | 236.59 |
| 4-01-20-120-000-111 | ADAM CESARIO | Election Day Fire Truck Watch | 70.00 |
| 4-01-20-120-000-634 | STAPLES CR PLAN | supplies for Elections | 58.94 |
| 4-01-20-130-000-614 | DENA FLYNN | REIMBURSE TOLLS LEAGUE MUN | 9.00 |
| 4-01-20-130-000-614 | DENA FLYNN | REIMBURSE MILEAGE LEAGUE MUN | 134.04 |
| 4-01-20-130-000-614 | DENA FLYNN | REIMBURSE PARKING LEAGUE MUN | 25.68 |
| 4-01-20-130-000-628 | STAPLES CR PLAN | supplies for Finance | 539.72 |
| 4-01-20-140-000-526 | SHI INT'L CORP. | upgrade license | 131.52 |
| 4-01-20-140-000-528 | EPLUS | cisco phones | 936.00 |
| 4-01-20-140-000-534 | COMPUTER SYSTEMS & METHODS | maint agrmt | 1,810.00 |
| 4-01-20-140-000-536 | PAUL ALLENA | | 3,000.00 |
| 4-01-20-145-000-696 | COURIER NEWS | PUBLIC NOTICE FOR TAX SALE | 156.40 |
| 4-01-20-150-000-623 | VITAL COMMUNICATIONS INC | ASSESSMENT POSTCARDS | 1,084.26 |
| 4-01-20-165-000-643 | AT&T MOBILITY | wireless charges | 201.78 |
| 4-01-22-195-000-628 | STAPLES CR PLAN | supplies for Comm Dev | 15.48 |
| 4-01-23-220-002-614 | SCOTTSDALE INSURANCE CO. | deductible | 14,000.00 |
| 4-01-23-220-003-666 | METLIFE | December dental plan | 4,466.48 |
| 4-01-25-240-000-511 | DIANE HEIMBERG | SALARY | 480.00 |
| 4-01-25-240-000-560 | AUTOZONE | WIPER BLADES - CAR #13 | 30.30 |
| 4-01-25-240-000-560 | VESPIA'S/MR TIRE | VEHICLE REPAIRS - CAR #7 | 378.49 |
| 4-01-25-240-000-614 | DIANE HEIMBERG | 2014 PETTY CASH CLOSE-OUT | 191.19 |
| 4-01-25-240-000-670 | MORPHOTRAK | MAINTENANCE CONTRACT | 2,633.69 |
| 4-01-25-240-000-670 | DELAGE LANDEN FINANCIAL SERVIC | SHARP COPIER MAINTENANCE | 163.80 |
| 4-01-25-240-000-670 | SHARP ELECTRONICE CORP | SHARP COPIER CONTRACT | 184.46 |
| 4-01-25-240-000-713 | AIM UNIFORM INC | UNIFORMS - OFF. POWELL | 567.00 |
| 4-01-25-240-000-713 | ATLANTIC TACTICAL | UNIFORMS - SGT. COLLISON | 69.98 |
| 4-01-25-240-000-713 | AIM UNIFORM INC | UNIFORMS | 408.00 |
| 4-01-25-240-000-713 | ATLANTIC TACTICAL | UNIFORMS - SGT. COLLISON | 119.96 |

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| 4-01-25-240-000-713 | ATLANTIC TACTICAL | UNIFORMS - OFF. ANTHONY | 371.83 |
| 4-01-25-240-000-713 | AIM UNIFORM INC | UNIFORMS - OFF. COVERT | 887.96 |
| 4-01-25-240-000-713 | OFFICER JEFF HERBERT | CLOTHING ALLOWANCE | 99.99 |
| 4-01-25-240-001-533 | U S SECURITY ASSOC., INC | CROSSING GUARDS | 2,868.51 |
| 4-01-25-240-001-533 | U S SECURITY ASSOC., INC | CROSSING GUARDS | 2,180.16 |
| 4-01-25-265-000-511 | OCTAVIO ANGELOZZI | hours worked | 508.75 |
| 4-01-25-265-000-511 | THOMAS CALABRESE | hours worked | 277.50 |
| 4-01-25-265-000-585 | TODD STARNER | 4TH QUARTER 2014 FIRE DRIVER | 440.00 |
| 4-01-25-265-000-585 | JOE STITLEY | 4TH QUARTER 2014 FIRE DRIVER | 440.00 |
| 4-01-25-265-000-585 | THOMAS MCCORMICK | 4TH QUARTER 2014 FIRE DRIVER | 440.00 |
| 4-01-25-265-000-585 | TOM FERRIS | 4TH QUARTER 2014 FIRE DRIVER | 440.00 |
| 4-01-25-265-000-661 | CENTRAL HOOK AND LADDER | Dec. rent | 1,300.00 |
| 4-01-25-265-000-697 | GALLS,LLC | uniform shirt | 132.20 |
| 4-01-25-265-000-697 | ROBERT LYNN | reimbursement for expenses | 260.56 |
| 4-01-25-265-001-628 | STAPLES CR PLAN | supplies for Fire Safety | 121.07 |
| 4-01-25-275-000-637 | SHAIN, SCHAFFER & RAFANELLO,PC | Dec. prof services | 1,000.00 |
| 4-01-26-290-000-519 | STAVOLA ASPHALT COMPANY | asphalt | 507.65 |
| 4-01-26-290-000-519 | STAVOLA ASPHALT COMPANY | asphalt | 924.82 |
| 4-01-26-290-000-519 | STAVOLA ASPHALT COMPANY | | 76.33 |
| 4-01-26-290-000-519 | STAVOLA ASPHALT COMPANY | asphalt | 225.83 |
| 4-01-26-290-000-519 | STAVOLA ASPHALT COMPANY | | 248.54 |
| 4-01-26-290-000-554 | J.H. FISCHER & SON, INC. | Poly street broom | 332.40 |
| 4-01-26-290-000-554 | J.H. FISCHER & SON, INC. | tapered handle for broom | 102.00 |
| 4-01-26-290-000-557 | J.H. FISCHER & SON, INC. | metal tip broom handle | 138.60 |
| 4-01-26-290-000-557 | J.H. FISCHER & SON, INC. | 24in. garage broom | 156.48 |
| 4-01-26-290-000-557 | J.H. FISCHER & SON, INC. | Pick Mattock Head | 29.34 |
| 4-01-26-290-000-557 | J.H. FISCHER & SON, INC. | pick handle | 25.40 |
| 4-01-26-290-000-557 | J.H. FISCHER & SON, INC. | pick mattock w/fiberglass | 53.74 |
| 4-01-26-290-000-557 | J.H. FISCHER & SON, INC. | railroad pick w/fiberglass | 60.94 |
| 4-01-26-290-000-557 | J.H. FISCHER & SON, INC. | axe w/fiberglass | 44.30 |
| 4-01-26-290-000-557 | J.H. FISCHER & SON, INC. | sledge hammer | 58.40 |
| 4-01-26-290-000-557 | J.H. FISCHER & SON, INC. | orange sport cone tc18ch | 99.00 |
| 4-01-26-290-000-557 | J.H. FISCHER & SON, INC. | lump hammer | 51.00 |
| 4-01-26-290-000-557 | J.H. FISCHER & SON, INC. | spring brace rake | 319.20 |
| 4-01-26-290-000-557 | J.H. FISCHER & SON, INC. | asphalt rake 63-125 | 255.00 |
| 4-01-26-290-000-557 | J.H. FISCHER & SON, INC. | Alum. asphalt rake | 345.60 |

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| 4-01-26-290-000-557 | J.H. FISCHER & SON, INC. | 36" Alum. Ldscape rake+handle | 293.70 |
| 4-01-26-290-000-557 | J.H. FISCHER & SON, INC. | long handle poly scoop | 282.00 |
| 4-01-26-290-000-557 | J.H. FISCHER & SON, INC. | L.H. Square Point shovel | 112.20 |
| 4-01-26-290-000-557 | J.H. FISCHER & SON, INC. | union sq. point shovel | 112.20 |
| 4-01-26-290-000-557 | J.H. FISCHER & SON, INC. | union round point shovel | 112.20 |
| 4-01-26-290-000-557 | J.H. FISCHER & SON, INC. | "D" handle poly scoop | 282.00 |
| 4-01-26-290-000-560 | NAPA-GENUINE PARTS CO. | October 2014 bills | 8.45 |
| 4-01-26-290-000-560 | HOOVER TRUCK CENTER | door parts | 2,503.60 |
| 4-01-26-290-000-560 | CENTRAL JERSEY TRAILER HITCH D | salt spreader parts | 219.37 |
| 4-01-26-290-000-560 | SOMERSET COUNTY VEHICLE MAINTENANCE | maintenance repairs | 114.57 |
| 4-01-26-290-000-560 | HOME DEPOT CREDIT SERVICES | supplies for PW-Roads | 88.93 |
| 4-01-26-290-000-621 | JOE SZWARC | meal ticket 11-9-14 | 10.00 |
| 4-01-26-290-000-621 | RODNEY DORSEY | meal ticket 11-9-14 | 10.00 |
| 4-01-26-290-000-621 | BRIAN MESS | meal ticket 11-9-14 | 10.00 |
| 4-01-26-290-000-621 | GEORGE CONSTANTINO | meal ticket 11-9-14 | 10.00 |
| 4-01-26-290-000-630 | DAVID WEBER OIL CO | tank gauges | 60.00 |
| 4-01-26-290-001-677 | MANVILLE MASONS SUPPLY INC | salt pallets | 1,154.44 |
| 4-01-26-290-001-677 | MANVILLE MASONS SUPPLY INC | calcium chloride | 41.44 |
| 4-01-26-300-000-631 | TREASURER-STATE OF NEW JERSEY | Recycle compost monitoring fee | 1,015.00 |
| 4-01-26-305-000-523 | CIPOLLINI CARTING & RECYCLING | garbage removal fees | 43,933.86 |
| 4-01-26-310-000-516 | BIG MIKE INC | emergency sewer repair park a | 687.00 |
| 4-01-26-310-000-517 | DEER PARK | water | 77.75 |
| 4-01-26-310-000-517 | TREASURER, STATE OF NJ | Life Hazard Use Inspection | 199.00 |
| 4-01-26-310-000-517 | HOME DEPOT CREDIT SERVICES | supplies for B&G | 59.62 |
| 4-01-26-310-000-532 | BRENDAN NALLY | reimburse-convention expenses | 151.16 |
| 4-01-26-310-000-558 | VIKING TERMITE & PEST CONTROL | pest control rec. office | 218.00 |
| 4-01-26-310-000-558 | VIKING TERMITE & PEST CONTROL | pest control rec. office | 0.00 |
| 4-01-26-310-000-638 | HOME DEPOT CREDIT SERVICES | supplies for B&G | 27.98 |
| 4-01-26-310-000-639 | LAWSON PRODUCTS INC | shop supplies | 151.05 |
| 4-01-27-330-000-533 | SOMERSET COUNTY HEALTH DEPT | NOVEMBER 2014 INVOICE | 8,792.47 |
| 4-01-28-375-000-646 | RIVERSIDE FENCE LLC | Walnut St park fence | 1,890.00 |
| 4-01-28-375-000-646 | HOME DEPOT CREDIT SERVICES | supplies for PW-parking lots | 146.16 |
| 4-01-31-440-000-704 | VERIZON COMMUNICATIONS | FIOS - 10/28/14 - 11/27/14 | 144.99 |
| 4-01-31-440-000-705 | VERIZON WIRELESS | cell/pager charges | 1,160.63 |
| 4-01-31-440-000-705 | XTEL COMMUNICATIONS | phone charges | 49.81 |
| 4-01-31-460-000-579 | SOMERSET COUNTY VEHICLE MAINTENANCE | Fuel | 9,425.64 |

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| 4-01-55-000-000-004 | HAZEL & GORDON HARRIS | REFUND TAX OVERPAYMENT | 1,542.61 |
| 4-05-55-502-000-696 | COURIER NEWS | PUBLIC NOTICE FOR TAX SALE | 200.00 |
| 4-07-00-000-000-958 | HOME DEPOT CREDIT SERVICES | supplies for DSA | 28.97 |
| 4-07-00-000-000-958 | STAPLES CR PLAN | supplies for DSA | 32.93 |
| C-04-00-002-272-610 | COURIER NEWS | | 126.52 |
| C-04-00-002-306-907 | SERVICE EXPERTS NJ PLUMBING LL | dehumidifier for Rec office | 2,656.00 |
| C-04-00-002-306-907 | FOREMOST FIRE PROTECTION, LLC | repairs to Wortman Tower | 610.00 |
| C-04-00-002-377-907 | SERVICE EXPERTS NJ PLUMBING LL | heat pump for librar.work room | 3,452.00 |
| C-04-00-002-420-611 | AUTOMATIC COMMUNICATIONS ALARM | closed circuit camera systems | 8,400.00 |
| C-04-00-002-440-659 | COLIN DRIVER | PROFESSIONAL SERVICES | 12,800.00 |
| C-04-00-002-441-611 | COMPUTER SYSTEMS & METHODS | HP notebook | 1,427.00 |
| C-04-00-002-441-909 | MTP PLUMBING & HEATING LLC | winterize pool | 1,317.55 |
| C-04-00-002-454-610 | COURIER NEWS | legal ads | 150.96 |
| C-04-00-002-454-610 | SUPLEE, CLOONEY & CO | PREPARATION OF SDS ORD 2454 | 425.00 |
| C-04-SC-002-012-700 | SOMERVILLE BOARD OF ED | Dec. VOIP charges | 750.00 |
| G-02-40-002-014-217 | RED FOX CONSULTING | PROFESSIONAL SERVICE | 157.50 |
| T-13-00-000-000-219 | GLENN THORNE | HOURS WORKED | 200.00 |
| T-13-00-000-000-219 | MEGAN BOUZIOTIS | HOURS WORKED | 24.75 |
| T-13-00-000-000-306 | COLE & ASSOCIATES LLC | PROFESSIONAL SERVICES | 825.00 |
| T-13-00-000-000-306 | ACCURATE SEWER & DRAIN | REFUND INSPECTIONS ESCROW | 445.00 |
| T-13-00-000-000-306 | COLE & ASSOCIATES LLC | PROFESSIONAL SERVICE | 182.50 |
| T-13-00-000-000-542 | GRANICUS INC | Dec. maint. agrmt-VilleTV | 218.00 |
| | | | 159,240.81 |

Councilwoman O'Neill made a motion and was seconded by Councilman Mitchell to approve the aforementioned vouchers.

Councilwoman O'Neill noted a no vote on voucher 140002760

The motion was approved by the following vote:

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

Nays: None

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At this time, the Borough Council there being no further business, Councilman Sullivan made a motion and was seconded by Councilman Mitchell to adjourn the meeting.

The motion was approved by the following vote:

Carried unanimously

The meeting was adjourned at 7:40pm.

Respectfully submitted,

Paul Allena
Secretary