

Somerville, NJ June 2, 2014

**BOROUGH OF SOMERVILLE
COUNCIL MEETING AGENDA**

1. Roll Call
2. Salute to the Flag
3. Approval of Minutes: None for approval
4. Departmental Reports & Important Notices
 - a. The polling location for District 3 has been relocated from the YMCA to Somerville High School for all elections.
 - b. EFFECTIVE APRIL 1, 2014 the Violations Office in Somerville is located to 100 Commons Way Bridgewater New Jersey. All summonses can be also paid on-line.
5. PROCLAMATIONS: RIDE TO WORK WEEK
6. Discussion items
 - a. Presentation to Police Department
 - b. Rutgers University CUES Landfill Presentation
7. Committee Reports
8. Meeting Open to the Public
9. ORDINANCES FOR INTRODUCTION

2444-14-0602 ADOPTING AMENDMENTS TO THE KIRBY AVENUE VISION AND REDEVELOPMENT PLAN FOR THE KIRBY AVENUE REDEVELOPMENT AREA PURSUANT TO N.J.S.A. 40A:12A-1ET SEQ.

2445-14-0602 ADOPTING AN AMENDMENT TO THE STATION AREA AND LANDFILL REDEVELOPMENT PLAN FOR THE LANDFILL REDEVELOPMENT AREA PURSUANT TO N.J.S.A. 40A:12A-1ET SEQ.

2446-14-0602 BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$300,000 FOR PRELIMINARY EXPENDITURES IN CONNECTION WITH THE CONSTRUCTION OF A PARKING GARAGE AND AUTHORIZING THE ISSUANCE OF \$300,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION
10. ORDINANCES FOR PUBLIC HEARING AND ADOPTION

2442-14-0519 ADDING CHAPTER 6 TO THE BOROUGH CODE ENTITLED MARRIAGE AND CIVIL UNION CEREMONY FEE - SECTION 1 ENTITLED PURPOSE & SECTION 2 ENTITLED COLLECTION OF FEES; COMPENSATION THROUGH THE PERFORMANCE OF MARRIAGE AND CIVIL UNION CEREMONIES

2443-14-0519 CREATING CHAPTER 7 IN THE BOROUGH ADMINISTRATIVE CODE ENTITLED "EMERGENCY SERVICE VOLUNTEERS; FIRE DEPARTMENT RESCUE SQUAD, COMMUNITY EMERGENCY RESPONSE TEAM (CERT) CRIMINAL HISTORY BACKGROUND CHECKS
11. CONSENT RESOLUTIONS
(Resolutions 14-0602-175 thru 14-0602-181)

14-0602-175 AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE FUNDS FROM ESCROW ACCOUNT - VMD Associates LLC

14-0602-176 AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE FUNDS FROM ESCROW ACCOUNT - JSM LANDMARK

14-0602-177 AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE FUNDS FROM ESCROW ACCOUNT - PARKVIEWAT SOMERVILLE LLC

Somerville, NJ June 2, 2014

14-0602-178 AUTHORIZING THE CANCELLATION OF UNCOLLECTIBLE TAXES FOR BLOCK 110 LOT 18 104 WEST HIGH STREET

14-0602-179 AMENDING RESOLUTION 13-1216-354 TO INCLUDE ADDITIONAL PROPERTIES, SPECIFICALLY TAX BLOCK 115, LOTS 6, 8 AND 28, TO THE PRELIMINARY INVESTIGATION BY THE PLANNING BOARD OF THE BOROUGH OF SOMERVILLE TO EXAMINE WHETHER CERTAIN PROPERTIES AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF SOMERVILLE SHOULD BE DETERMINED TO BE AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ. AND INCLUDED IN THE WEST MAIN STREET REDEVELOPMENT AREA

14-0602-180 HIRING KEVIN GANTT AS A SEASONAL EMPLOYEE AT A RATE OF PAY OF \$10.00 PER HOUR

14-0602-181 AFFIRMING THE HIRING OF RECREATION SEASONAL EMPLOYEES

12.BILLS AND VOUCHERS

13.ADJOURNMENT

Somerville, NJ June 2, 2014

The first regular meeting of the Somerville Borough Council for the Month of June 2014 was convened on Monday, June 2, 2014 at 7:15 pm prevailing time in Borough Council Chambers 24 South Bridge Street, Somerville, New Jersey. The meeting was delayed due to the extended executive workshop session.

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 Pledge of Allegiance was recited by those in attendance.

Mayor Gallagher asked for a moment of silence for Marge Hollod, mother of former Mayor David Hollod who recently passed away.

Discussion Items:

Presentation to the Somerville Police Department:

Francine Gargano representing the Somerset County Bar Association presented a check to Police Lt. Joseph Clymore in the amount of \$250.00. This is to support the Somerville Police Department Dare Program. This is part of the proceeds from the annual Legal Run Around 5k race which is held in Somerville on the Thursday of Memorial Day Weekend.

Ms. Gargano thanked the Mayor and Council for their continued support in this race for the past number of years. Somerville has always had a great number of participants in the race as well.

Committee Reports:

Councilman Utter reported on the recent active shooter drill at Somerville High School.

Councilman Utter reported that there were a total of 24 fire calls for the month of May 2014.

Councilman Utter reported that the Somerville-Hillsborough Rescue squad day crew program started this morning at 7:00am.

Councilman Utter reported that the merger of Somerset Medical Center with Robert Wood Johnson University Hospital was completed as of June 1, 2014.

Councilwoman O'Neill commented that the Board of Health has completed their survey and are finalizing a report to Council.

Councilwoman O'Neill commented that the Board of Health is working on bee ordinance revisions.

Councilwoman O'Neill reminded everyone of the Community Blood Drive on Thursday, June 19 at Borough Hall from 2:00pm-7:00pm.

Councilman Sullivan commented on the number of home foreclosures in town. He reminded residents to please notify Borough Hall if there are any code enforcement issues with these homes.

Councilwoman Kobuta reminded everyone of the upcoming 5th annual Arts on Division event on June 20-22, 2014.

Councilman Mitchell commented that the Historic Advisory Committee will be looking into an appraisal program for Borough artwork and antiques. He asked that any department who has these items to please notify the Historic Advisory Committee.

Councilman Mitchell reminded residents to not put grease down their drains as this causes extensive sewer issues.

Somerville, NJ June 2, 2014

Rutgers University Landfill Presentation

Colin Driver provided an overview of the program which was undertaken by Rutgers University to create a vision plan for the Landfill wetlands. This program was a result on extensive on-site evaluation and class room activities.

Frank Gallagher of Rutgers University presented a further overview of the environmental issues that were used in this program. They also looked at the community as well as the assets and finally they looked at the character of the surrounding area. There were a total of five teams that were involved in this project which started back in February.

The graduate students proceeded to present an overview of each design of the Landfill wetlands area.

This working group will continue to work through the summer on this project. There is also NJ DEP involvement in this program as they have been a part of the evaluation process.

Mayor Gallagher commented that this project is very intriguing to see what can be done by incorporating the green seam stream into the overall redevelopment of the landfill. This gives the landfill a River walk image.

Councilwoman Kobuta commented on this presentation and how exciting this project has become.

Councilman Mitchell commented that he likes how the trails are tied in with the existing Raritan River Greenway.

Councilwoman O'Neill was very impressed with the use of the water at night and how this can become a true meeting place for Somerville.

Mayor Gallagher thanked the students for their efforts and he is looking forward to the next phase of the project.

Open Public Session:

Mayor Gallagher opened the meeting from comments from the public.

Frank McAleavy, 129 Bartine Street, Somerville, commented on the termination of Pete Hendershot. He understands that Pete was only notified of this termination earlier today. Pete has dedicated a good amount of his life to the Borough.

Mayor Gallagher replied that this was a personnel issue and also pending litigation. They were not permitted to discuss at this time.

Pete Hendershot, Public Works Manager, wished to make a comment in the public session. He is a 43 year employee of the Borough. He has always been professional. He has never ignored or turned his head on any issues. He feels that he has become a scape goat for this issue. He was never talked to by investigators in reference to this incident.

At this time there were no other comments from the public and the open session was closed.

Ordinances for Introduction:

ORDINANCE # 2444-14-0602

ADOPTING AMENDMENTS TO THE KIRBY AVENUE VISION AND REDEVELOPMENT PLAN FOR THE KIRBY AVENUE REDEVELOPMENT AREA PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.

BE IT ORDAINED by the Borough Council of the Borough of Somerville, in the County of Somerset and State of New Jersey, as follows:

SECTION I

Pursuant to the "Local Redevelopment and Housing Law," P.L.1992, c.79 (C.40A:12A-1 et seq.), by an ordinance approved on November 7, 2010, the Somerville Borough Council ("Borough Council"), adopted the Kirby Avenue Vision and Redevelopment Plan for the Kirby Avenue Redevelopment Area ("Redevelopment Plan").

Somerville, NJ June 2, 2014

SECTION II

On or about March 2013, the Borough Council adopted an ordinance amending the Redevelopment Plan

SECTION III

The Borough Council has prepared further amendments to the Redevelopment Plan, which are attached hereto and made part of this ordinance and which shall be referred to the Planning Board for its consideration.

SECTION IV

Prior to the adoption of the amendment to the Redevelopment Plan, the Planning Board shall within 45 days after referral, transmit to the Borough Council, a report containing its recommendation concerning the amendment to the Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7.e.

SECTION V

Upon receipt of the Planning Board’s recommendation or if the Planning Board fails to transmit a recommendation within 45 days after referral, the Borough Council may act upon this Ordinance adopting the amendments to the Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7.

SECTION VI

Upon adoption of this Ordinance, the Redevelopment Plan shall be revised to include the amendments contained herein and the Redevelopment Plan shall identify the date of adoption of this Ordinance amending the Redevelopment Plan.

SECTION VII

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

Mayor Gallagher opened them meeting for public comment on Ordinance 2444-14-0602 and there were none at this time.

Councilman Utter made a motion and was seconded by Councilwoman Kobuta to introduce Ordinance 2444-14-0602.

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 # 2446-14-0602

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$300,000 FOR PRELIMINARY EXPENDITURES IN CONNECTION WITH THE CONSTRUCTION OF A PARKING GARAGE AND AUTHORIZING THE ISSUANCE OF \$300,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION

BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF SOMERVILLE, IN THE COUNTY OF SOMERSET, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

The improvements described in Section 3 of this bond ordinance (the “Improvements”) are hereby authorized to be undertaken by the Borough of Somerville, New Jersey (the “Borough”) as a redevelopment project pursuant to N.J.S.A. 40A:12A-1 et seq. (the Local Redevelopment and Housing Law”). For the said Improvements there is hereby appropriated the amount of \$300,000. Pursuant to N.J.S.A. 40A:12A-37(c)(2), no down payment is required.

In order to finance the cost of the Improvements, negotiable bonds (the “Bonds”) of the Borough are hereby authorized to be issued in the principal amount of \$300,000 pursuant to the provisions of the Local Bond Law (N.J.S.A. 40A:2A-1 et seq.) and the Local Redevelopment and Housing Law. The maximum

Somerville, NJ June 2, 2014

interest rate on any Bonds issued hereunder is 6%. Pursuant to N.J.S.A. 40A:12A-37(c)(3), all Bonds issued hereunder shall mature in annual installments commencing not more than two (2) and ending not more than forty (40) years from the date of issuance. In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$300,000 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

The Improvements authorized and the purposes for which obligations are to be issued is to provide for preliminary expenditures which includes but is not limited to engineering design in connection with the construction of a parking garage located in the West Main Street Redevelopment Area in the Borough.

The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$300,000.

The estimated cost of the Improvements is \$300,000 which amount represents the initial appropriation made by the Borough.

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the municipal financial officer of the Borough (the "Municipal Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Municipal Financial Officer. The Municipal Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Municipal Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Municipal Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Municipal Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Borough Clerk and is available for public inspection.

The following additional matters are hereby determined, declared, recited and stated:

The Improvements described in Section 3 of this redevelopment bond ordinance are not current expenses, and are capital improvements that the Borough may lawfully undertake as a redevelopment project in accordance with the Local Bond Law and the Local Redevelopment and Housing Law, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

The average period of usefulness of the Improvements, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 15 years.

The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$300,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

An aggregate amount not exceeding \$300,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

Any funds received from time to time by the Borough as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct,

Somerville, NJ June 2, 2014

unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$300,000.

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor Gallagher opened them meeting for public comment on Ordinance 2446-14-0602 and there were none at this time.

Councilman Utter made a motion and was seconded by Councilwoman Kobuta to introduce Ordinance 2446-14-0602.

Councilman Mitchell commented that while he does not support the allocation of construction costs; he will support the design of the parking deck.

The motion was approved by the following vote:

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

Ordinances for Hearing and Adoption

ORDINANCE #2442-14-0519

ADDING CHAPTER 6 TO THE BOROUGH CODE ENTITLED MARRIAGE AND CIVIL UNION CEREMONY FEE – SECTION 1 ENTITLED PURPOSE & SECTION 2 ENTITLED COLLECTION OF FEES; COMPENSATION THROUGH THE PERFORMANCE OF MARRIAGE AND CIVIL UNION CEREMONIES

Mayor Gallagher opened them meeting for public comment on Ordinance 2442-14-0519 and there were none at this time.

Councilwoman Kobuta made a motion and was seconded by Councilman Mitchell to adopt Ordinance 2442-14-0519.

The motion was approved by the following vote:

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

Somerville, NJ June 2, 2014

ORDINANCE # 2443-14-0519

CREATING CHAPTER 7 IN THE BOROUGH ADMINISTRATIVE CODE ENTITLED “EMERGENCY SERVICE VOLUNTEERS; FIRE DEPARTMENT RESCUE SQUAD, CIVILIAN EMERGENCY RESPONSE TEAM (CERT) CRIMINAL HISTORY BACKGROUND CHECKS

Mayor Gallagher opened them meeting for public comment on Ordinance 2443-14-0519.

Gran Brady, 9 Lee Way, Somerville, asked if this included drug or alcohol testing.

Clerk-Administrator Sluka replied that this does not include drug or alcohol testing.

Mayor Gallagher commented that this Ordinance will create the power to establish the background check and the police department will be responsible for the entire background process.

Councilman Utter made a motion and was seconded by Councilwoman Kobuta to adopt Ordinance 2443-14-0519.

The motion was approved by the following vote:

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

Nays: None

Resolutions:

The following consent resolutions were presented:

RESOLUTION 14-0602-175

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 \$508.75 be paid to Driver Associates LLC, (May 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 14-0602-176

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 \$2,497.50 be paid to Driver Associates LLC (May 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.

Somerville, NJ June 2, 2014

RESOLUTION 14-0602-177

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 \$185.00 be paid to Driver Associates LLC (May 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 14-0602-178

AUTHORIZING THE CANCELLATION OF UNCOLLECTIBLE TAXES FOR BLOCK 110 LOT 18 104 WEST HIGH STREET

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

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

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

<u>Block/ Lot</u>	<u>Year</u>	<u>Amount</u>	<u>Location</u>	<u>Homeowner</u>	<u>Reason</u>
110 18	2013	\$ 4,025.00	104 W High	Paternoster, A&A	100% Disabled Vet as of 5-24-2013
	2014	\$ 3,308.84			

RESOLUTION 14-0602-180

HIRING KEVIN GANTT AS A SEASONAL EMPLOYEE AT A RATE OF PAY OF \$10.00 PER HOUR

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey authorizes the hiring of Kevin Gantt as a seasonal employee at \$10.00 per hour.

RESOLUTION 14-0602-181

AFFIRMING THE HIRING OF RECREATION SEASONAL EMPLOYEES

WHEREAS, the Borough of Somerville affirms the hiring of seasonal employees for the Recreation Department at the rates defined below:

Sara Kamal	2 nd Yr.	Lifeguard	Bridgewater, NJ (works at the Ville YMCA)	\$8.75/Hour
Colin Martin	2 nd Yr.	Lifeguard	Somerville, NJ	\$9.00/Hour
Jermaine Davis	2 nd Yr.	Pool Staff	Somerville, NJ	\$8.75/Hour
Oller, Chrissy	3 rd Yr.	Lead Guard	Somerville, NJ	\$ 10.00/Hour
Cesar Samaniego	6 th Yr.	Pool Super	Hillsborough, NJ	\$ 18.25/Hour
Patty Oller	1 st Yr.	Lifeguard	Somerville, NJ	\$ 8.75/Hour

Somerville, NJ June 2, 2014

Megan Colline	1 st Yr.	Lifeguard	Bridgewater, NJ	\$ 8.75/Hour
Melissa Salazar	1 st Yr.	Lifeguard	Somerville, NJ	\$ 8.75/Hour
Michael Condo	1 st Yr.	Lifeguard	Bridgewater, NJ	\$8.75/Hour
Matthew Gately	1 st Yr.	Lifeguard	Somerville, NJ	\$8.75/Hour
Derek Roberts	1 st Yr.	Lifeguard	Bridgewater, NJ	\$8.75/Hour
Kathryn Vallis-Hale	1 st Yr.	Lifeguard	Manville, NJ	\$ 8.75 Hour

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey authorizes the hiring of the above listed seasonal personnel for the Department.

RESOLUTION 14-0602-182

AFFIRMING THE 2014 AMENDED NET SERVICE CHARGE FOR
 BLOCK 117, LOT 1.02 SOMERVILLE URBAN RENEWAL PHASE 1 LLC; BLOCK 117, LOT 1.03
 SOMERVILLE URBAN RENEWAL PHASE 2 LLC; BLOCK 117.01, LOT 1.04 SOMERVILLE URBAN
 RENEWAL PHASE 1A, LLC.

WHEREAS, in accordance with the Payment in Lieu of Taxes (PILOT) financial Agreement, the property owner is required to pay a service charge in each year of the agreement; and

WHEREAS, the prior year land tax is subtracted from the service charge thereby establishing the current year service charge as follows:

<u>B117 L1.02</u>	Q1	Q2	Q3	Q4	Total
Service fee	\$25,764.50	\$25,764.50	\$25,764.50	\$25,764.50	\$103,058.00
PY LT Credit	\$20,573.44	\$20,573.44	\$21,964.69	\$21,964.68	\$85,076.25
Total Due	\$5,191.06	\$5,191.06	\$3,799.81	\$3,799.82	\$17,981.75
Prior Year Credit	(\$5,191.06)	(\$4,477.34)			(\$9,668.40)
Due	\$0.00	\$713.72	\$3,799.81	\$3,799.82	\$8,313.35

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2nd Qtr. 2014: \$713.72 Due 5-1-2014 (10 days grace)

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3rd Qtr. 2014: \$3,799.81 Due 8-1-2014 (10 days grace)

.....
4th Qtr. 2014: \$3,799.82 Due 11-1-2014 (10 days grace)

<u>B117 L1.03</u>	Q1	Q2	Q3	Q4	Total
Starbucks Service fee	\$2,871.38	\$2,871.38	\$2,871.38	\$2,871.38	\$11,485.52
PY LT Credit	\$0.0	\$0.0	\$0.0	\$994.06	\$994.06
Total Due	\$2,871.38	\$2,871.38	\$2,871.38	\$1,877.32	\$10,491.46
Sports Clips Service fee	\$539.55	\$1,518.65	\$1,518.65	\$1,518.65	\$5,095.50
PY LT Credit	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
Total Due	\$539.55	\$1,518.65	\$1,518.65	\$1,518.65	\$5,095.50
WW Service fee	\$2,570.29	\$2,570.29	\$2,570.29	\$2,570.29	\$10,281.16
\$0.0 PY LT Credit	\$0.0	\$0.0	\$0.0		
Total Due	\$2,570.29	\$2,570.29	\$2,570.29	\$2,570.29	\$10,281.16
Due	\$5,981.22	\$6,960.32	\$6,960.32	\$5,966.26	\$25,868.12

1st Qtr. 2014: \$5,981.22. Due 2-1-2014 (10 days grace)

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2nd Qtr. 2014: \$6,960.32. Due 5-1-2014 (10 days grace)

Somerville, NJ June 2, 2014

3rd Qtr. 2014: \$6,960.32. Due 8-1-2014 (10 days grace)

.....
4th Qtr. 2014: \$5,966.26. Due 11-1-2014 (10 days grace)

<u>B117.01 L1.04</u>	Q1	Q2	Q3	Q4	Total
Service fee	\$7,500.00	\$7,500.00	\$7,500.00	\$7,500.00	\$30,000.00
PY LT Credit	\$0.0	\$1,673.50	\$5,020.50	\$5,020.50	\$11,714.50
Total Due	\$7,500.00	\$5,826.50	\$2,479.50	\$2,479.50	\$18,285.50
Prior Year Credit	(\$1,639.67)				(\$1,639.67)
Due	\$5,860.33	\$5,826.50	\$2,479.50	\$2,479.50	\$16,645.83

1st Qtr. 2014: \$5,860.33 Due 2-1-2014 (10 days grace)

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2nd Qtr. 2014: \$5,826.50 Due 5-1-2014 (10 days grace)

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3rd Qtr. 2014: \$2,479.50 Due 8-1-2014 (10 days grace)

.....
4th Qtr. 2014: \$2,479.50 Due 11-1-2014 (10 days grace)

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WHEREAS, the due dates and interest penalties are the same as all other customary municipal charges:

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey hereby affirm the amended 2014 net revenue for Block 117, Lot 1.02; Block 117, Lot 1.03 and Block 117.01, Block 1.04

RESOLUTION 14-0602-183
APPROVING THE TERMINATION OF PETER HENDERSHOT

WHEREAS, the Borough Council of Borough of Somerville, County of Somerset, State of New Jersey conducted a Special Meeting on May 28, 2014 at 6:00 p.m., which was duly advertised in the Courier News to discuss a lawsuit; and

WHEREAS, Peter Hendershot was sent and received a "Rice Notice" at his residence to advise of such discussion on May 28, 2014; and

WHEREAS, the policy of the borough states:

"No permanent employee may be discharged without just cause

WHEREAS, the Borough Council of the Borough of Somerville has identified "just cause" to terminate the employee effective immediately; and

WHEREAS, the Borough Administrator has placed the employee on notice of said resolution and provided details via a letter that was received via Fed Ex on May 31, 2014 at the residence of the employee.

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey hereby approves the termination of Peter Hendershot immediately.

Somerville, NJ June 2, 2014

Councilman Mitchell 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

The following resolution was presented:

RESOLUTION 14-0602-179

AMENDING RESOLUTION 13-1216-354 TO INCLUDE ADDITIONAL PROPERTIES, SPECIFICALLY TAX BLOCK 115, LOTS 6, 8 AND 28, TO THE PRELIMINARY INVESTIGATION BY THE PLANNING BOARD OF THE BOROUGH OF SOMERVILLE TO EXAMINE WHETHER CERTAIN PROPERTIES AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF SOMERVILLE SHOULD BE DETERMINED TO BE AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ. AND INCLUDED IN THE WEST MAIN STREET REDEVELOPMENT AREA

WHEREAS, pursuant to Resolution 13-1216-354, the Borough Council of the Borough of Somerville (the "Borough Council") identified certain properties located on Main Street between Davenport and Doughty Streets, specifically Lots 17, 18, 19, 20, 20.01, 21, 22, 23, 24, 25, 26, 27, 32 and 32.01 in Block 115 (the "Original Properties"), as delineated on the tax map of the Borough of Somerville, to be considered for designation as an area "in need of redevelopment", pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, before an area may be declared in need of redevelopment, it is legally necessary for the adoption of a resolution authorizing the Planning Board of a given municipality to undertake a preliminary study to determine whether the proposed area meets the criteria for designation as a redevelopment area pursuant to N.J.S.A. 40A:12A-6; and

WHEREAS, the Borough Council has previously determined that certain lands as shown on the official tax map of the Borough of Somerville were "an area in need of redevelopment" pursuant to N.J.S.A. 40A:12A-5 and 6, which is now known as the West Main Street Redevelopment Area; and

WHEREAS, pursuant to Resolution 13-1216-354, the Borough Council directed and authorized the Planning Board undertake an examination as to whether the Original Properties may be deemed "an area in need of redevelopment" and to add same to the existing West Main Street Redevelopment Area; and

WHEREAS, the Borough Council desires to include additional properties, specifically Lots 6, 8 and 28 in Block 115, to the Original Properties for which the Planning Board will undertake a preliminary study to determine whether the proposed area meets the criteria for designation as a redevelopment area pursuant to N.J.S.A. 40A:12A-6; and

WHEREAS, the Borough Council of the Borough of Somerville hereby states that any redevelopment area determination shall authorize the municipality to use all those powers provided by the Local Redevelopment and Housing Law for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a "Non-Condensation Redevelopment Area"); and

WHEREAS, the notice of any hearing to be conducted by the Planning Board with regards to this Resolution shall specifically state that a redevelopment area determination shall not authorize the municipality to exercise the power of eminent domain to acquire any property in the delineated area.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Somerville, being the governing body thereof, that it hereby amends Resolution 13-1216-354 to include additional properties, specifically Lots 6, 8 and 28 in Block 115, to the Original Properties for which the Planning Board will undertake a preliminary study to determine whether the proposed area meets the criteria for designation as a redevelopment area pursuant to N.J.S.A. 40A:12A-6 and included in the West Main Street Redevelopment Area.

BE IT FURTHER RESOLVED THAT the Borough Council of the Borough of Somerville hereby states that any redevelopment area determination shall authorize the municipality to use all those powers provided by the Local Redevelopment and Housing Law for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a "Non-Condensation Redevelopment Area").

Somerville, NJ June 2, 2014

BE IT FURTHER RESOLVED THAT the notice of any hearing to be conducted by the Planning Board with regards to this Resolution shall specifically state that a redevelopment area determination shall not authorize the municipality to exercise the power of eminent domain to acquire any property in the delineated area.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

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

Councilwoman O'Neill asked for clarification on the properties that are going to be reviewed.

Colin Driver replied that this resolution will allow these additional properties which are outside of the original area which was originally proposed on West Main Street. These properties include additional properties on West High Street and South Doughty Ave. These are BLOCK 115, LOTS 6, 8 AND 28.

The motion was approved by the following vote:

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

Nays: None

Somerville, NJ June 2, 2014

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

Formatted Account	P.O. Id	Vendor Name	Amount
3-01-25-265-000-507	13-01581	AUTOMOTIVE ENERGY	699.54
4-01-20-100-000-502	14001267	COURIER NEWS	41.80
4-01-20-100-000-511	14001257	PAUL ALLENA	650.00
4-01-20-100-000-511	14001264	ANN QUINN	1,110.00
4-01-20-100-000-511	14001269	BOARD OF ENGINEERS	407.07
4-01-20-100-000-628	14001270	STAPLES CR PLAN	40.98
4-01-20-100-000-628	14001302	W.B. MASON CO, INC	28.01
4-01-20-100-000-635	14001262	FEDEX	26.50
4-01-20-100-000-636	14001154	SOMERSET COUNTY BUSINESS	100.00
4-01-20-130-000-628	14001270	STAPLES CR PLAN	439.37
4-01-20-130-000-628	14001302	W.B. MASON CO, INC	5.78
4-01-20-130-000-654	14001276	ADP	225.08
4-01-20-130-000-654	14001276	ADP	51.10
4-01-20-140-000-528	14001081	EPLUS	1,165.32
4-01-20-140-000-534	14001259	COMPUTER SYSTEMS & METHODS	1,810.00
4-01-20-140-000-706	14001268	QSCEND	5,000.00
4-01-20-145-000-614	14001273	DENA FLYNN	386.61
4-01-20-165-000-533	14001290	SOMERSET COUNTY ENGINEERING DE	460.30
4-01-20-165-000-533	14001290	SOMERSET COUNTY ENGINEERING DE	30.65
4-01-20-165-000-533	14001290	SOMERSET COUNTY ENGINEERING DE	75.47
4-01-20-165-000-545	14001285	NJSPLS	255.00
4-01-20-165-000-643	14001263	SOMERSET CTY ADM. BLDG	20.25
4-01-20-165-000-643	14001266	AT&T MOBILITY	193.76
4-01-20-165-000-643	14001301	HOME DEPOT CREDIT SERVICES	17.94
4-01-22-195-000-628	14001270	STAPLES CR PLAN	31.49
4-01-22-195-000-628	14001302	W.B. MASON CO, INC	30.59
4-01-22-195-000-644	14001263	SOMERSET CTY ADM. BLDG	36.13
4-01-23-220-003-666	14001309	METLIFE	4,610.56
4-01-25-240-000-511	14001281	DIANE HEIMBERG	720.00
4-01-25-240-000-533	14001173	U S SECURITY ASSOC., INC	3,477.78
4-01-25-240-000-533	14001174	U S SECURITY ASSOC., INC	3,484.33
4-01-25-240-000-537	14001200	SIRCHIE FINGERPRINT LABS	181.40
4-01-25-240-000-560	14000164	SOMERSET COUNTY VEHICLE MAINTENANCE	1,193.19

Somerville, NJ June 2, 2014

4-01-25-240-000-560	14001198	VALUE TOWING SERVICE	40.00
4-01-25-240-000-560	14001236	VESPIA'S/MR TIRE	75.84
4-01-25-240-000-560	14001237	AUTOZONE	141.12
4-01-25-240-000-560	14001242	AUTOZONE	33.23
4-01-25-240-000-628	14001293	STAPLES CREDIT PLAN	527.77
4-01-25-240-000-670	14001203	DELAGE LANDEN FINANCIAL SERVIC	157.41
4-01-25-240-000-670	14001240	SHARP ELECTRONICE CORP	154.50
4-01-25-240-000-713	14001199	ATLANTIC TACTICAL	48.97
4-01-25-240-000-713	14001221	SGT MICHAEL STITLEY	361.99
4-01-25-240-000-713	14001232	ATLANTIC TACTICAL	67.89
4-01-25-240-000-713	14001238	OFFICER JEFF HERBERT	293.21
4-01-25-240-000-713	14001241	ATLANTIC TACTICAL	30.40
4-01-25-240-000-713	14001294	ATLANTIC TACTICAL	49.99
4-01-25-240-000-713	14001295	UNIVERSAL UNIFORM SALES CO INC	1,058.00
4-01-25-252-000-525	14001265	SOMERVILLE RESCUE SQUAD	40,000.00
4-01-25-265-000-557	14001208	KNOX COMPANY	629.00
4-01-25-265-000-661	14001255	CENTRAL HOOK AND LADDER	1,300.00
4-01-25-265-000-697	14001269	BOARD OF ENGINEERS	229.88
4-01-25-265-001-569	14001045	MINUTEMAN PRESS	77.56
4-01-25-265-001-628	14001270	STAPLES CR PLAN	95.07
4-01-25-275-000-637	14001256	SHAIN, SCHAFFER & RAFANELLO,PC	1,000.00
4-01-26-290-000-519	14001189	STAVOLA ASPHALT COMPANY	207.68
4-01-26-290-000-519	14001212	WELDON ASPHALT CO	129.61
4-01-26-290-000-519	14001282	STAVOLA ASPHALT COMPANY	182.67
4-01-26-290-000-557	14001134	PEIRCE EQUIPMENT	165.30
4-01-26-290-000-560	14000918	APPOLONIA, INCORPORATED	1,565.27
4-01-26-290-000-560	14001084	CAMMPS HARDWARE & LAWN PRODUCT	91.11
4-01-26-290-000-560	14001220	APPOLONIA, INCORPORATED	79.60
4-01-26-290-000-560	14001233	CAMMPS HARDWARE & LAWN PRODUCT	196.86
4-01-26-290-000-621	14001183	BRIAN MESS	20.00
4-01-26-290-000-621	14001297	KENNY BARNEY	10.00
4-01-26-290-000-621	14001298	JOE SZWARC	10.00
4-01-26-290-000-621	14001299	ROBERT MIKITA	10.00
4-01-26-290-000-621	14001300	WADE HALL	10.00
4-01-26-290-000-674	14001213	FANWOOD CRUSHED STONE CO	1,318.80
4-01-26-290-000-687	14001270	STAPLES CR PLAN	46.06
4-01-26-305-000-523	14001283	CIPOLLINI CARTING & RECYCLING	19,427.17

Somerville, NJ June 2, 2014

4-01-26-305-000-523	14001283	CIPOLLINI CARTING & RECYCLING	17,774.76
4-01-26-305-000-523	14001303	CIPOLLINI CARTING & RECYCLING	907.42
4-01-26-310-000-516	14001096	AUTOMATIC COMMUNICATIONS ALARM	140.00
4-01-26-310-000-516	14001105	LOCK TECH	550.65
4-01-26-310-000-517	14001223	GRAINGER	33.00
4-01-26-310-000-517	14001270	STAPLES CR PLAN	24.99
4-01-26-310-000-517	14001301	HOME DEPOT CREDIT SERVICES	36.17
4-01-27-330-000-533	14001231	SOMERSET COUNTY HEALTH DEPT	8,792.47
4-01-27-340-000-510	14001275	SOMERSET REGIONAL ANIMAL SHELTER	19,486.00
4-01-28-375-000-560	14001301	HOME DEPOT CREDIT SERVICES	210.84
4-01-28-375-000-581	14001137	W.B. MASON CO, INC	383.88
4-01-28-375-000-581	14001301	HOME DEPOT CREDIT SERVICES	129.22
4-01-31-440-000-705	14001260	VERIZON	80.42
4-01-31-440-000-705	14001280	XTEL COMMUNICATIONS	49.86
4-01-31-440-000-705	14001308	VERIZON	90.48
4-05-55-502-000-533	14001252	AMERICAN WATER	300.00
4-05-55-502-000-533	14001252	AMERICAN WATER	221.22
4-05-55-502-000-539	14001188	NORLAB	222.00
4-05-55-502-000-614	14001301	HOME DEPOT CREDIT SERVICES	260.00
4-05-55-503-000-655	14001253	SOMERSET RARITAN SEWERAGE AUTH	212,005.28
4-07-00-000-000-933	14001301	HOME DEPOT CREDIT SERVICES	29.97
4-07-00-000-000-960	14001301	HOME DEPOT CREDIT SERVICES	28.97
C-04-00-002-377-625	14001290	SOMERSET COUNTY ENGINEERING DE	782.19
C-04-00-002-377-625	14001290	SOMERSET COUNTY ENGINEERING DE	122.60
C-04-00-002-420-625	14001290	SOMERSET COUNTY ENGINEERING DE	43.46
C-04-00-002-427-659	14001279	DRIVER ASSOCIATES LLC	12,800.00
C-04-00-002-427-659	14001304	DECOTIIS,FITZPATRICK,COLE & WI	715.11
C-04-00-002-427-659	14001305	DECOTIIS,FITZPATRICK,COLE & WI	66.50
C-04-00-002-427-659	14001306	DECOTIIS,FITZPATRICK,COLE & WI	1,087.82
C-04-00-002-427-659	14001307	DECOTIIS,FITZPATRICK,COLE & WI	299.95
C-04-SC-002-012-700	14001258	SOMERVILLE BOARD OF ED	750.00
G-02-40-001-000-590	13-01311	KUNZMAN CONSTRUCTION, L.L.C.	37,046.45
T-12-00-000-000-102	14001068	JENNIFER WARTA	75.00
T-12-00-000-000-102	14001121	JERRY SHAN	20.00
T-12-00-000-000-102	14001122	JAMES BARRY	20.00
T-12-00-000-000-102	14001130	KATHRYN KORGER	20.00
T-12-00-000-000-501	14001222	THE BRIDGEWATER CONNECTION	100.00

Somerville, NJ June 2, 2014

T-12-00-000-000-508	14001243	SOMERVILLE MIDDLE SCHOOL	50.00
T-12-00-000-000-582	14001219	EFINGERS	170.00
T-12-00-000-000-628	14001186	STAPLES BUSINESS ADVANTAGE	54.46
T-12-00-000-000-680	14001125	SCREEN STYLES	672.25
T-12-00-000-000-680	14001194	CROWN TROPHY	32.90
T-13-00-000-000-210	14001277	ERIC LAI	11,477.50
T-13-00-000-000-211	14000920	COLE & ASSOCIATES LLC	3,440.00
T-13-00-000-000-215	14001274	GOTR 5K	1,080.00
T-13-00-000-000-219	14001271	GLENN THORNE	200.00
T-13-00-000-000-219	14001272	MEGAN BOUZIOTIS	24.75
T-13-00-000-000-306	14001278	COLE & ASSOCIATES LLC	415.00
T-13-00-000-000-542	14001261	GRANICUS INC	218.00
			430,389.50

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

Councilwoman O'Neill voted no on Voucher 14001255 CENTRAL HOOK AND LADDER \$1,300.00

The motion was approved by the following vote:

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

Nays: None

There being no further business to come before the Borough Council, Councilman Sullivan made a motion and was seconded by Councilwoman Kobuta and approved by the following vote:

Carried unanimously

The meeting was adjourned at 8:10

Respectfully submitted,

Paul Allena
Secretary