

BOROUGH OF SOMERVILLE
COUNCIL MEETING AGENDA

1. Roll Call
2. Salute to the Flag
3. Approval of Minutes
(None for approval this meeting)
4. Departmental Reports & Important Notices
 - a. Response to Green Acres Program re: Vanderveer Recreation Projects
 - b. Letter from OPEIU announcing that Pat Weston will be the steward for Union as a result of retirement of Corrine Legge
 - c. July 4 is a holiday – Borough Offices are closed
5. Appointments
 - a. Donna Kennedy – Police Consolidation Taskforce
6. Discussion
 - a. Redevelopment update
7. Committee Reports
8. Meeting Open to the Public (At this time the public can ask questions or make comments on any matter including matters not on the agenda)
9. ORDINANCES FOR INTRODUCTION

#2396-12-0618 ESTABLISHING A MID-BLOCK CROSSWALK ON EAST HIGH STREET 118 FEET EAST OF BRIDGE STREET (Public hearing on July 16, 2012) This introduction was pulled on June 4, 2012
10. ORDINANCE FOR PUBLIC HEARING & ADOPTION

#2397-12-0618 AMENDING CHAPTER 166 SECTION 50 OF THE BOROUGH CODE ENTITLED STOP INTERSECTIONS APPROVING A STOP SIGN INSTALLATION ON THIRD STREET AT THE INTERSECTION OF THIRD STREET AND CENTER STREET (Ordinance was introduced June 4, 2012 and public hearing for adoption will be June 16, 2012)
11. TABLED ORDINANCE (no action until Parking and Traffic meets)

#2393-12-0604 AMENDING CHAPTER 166-65 OF ARTICLE XV TITLED SCHEDULE XXIA: ON-STREET PARKING METER ZONES TO INCLUDE THE SOUTH SIDE OF WEST HIGH STREET BETWEEN DAVENPORT STREET AND MOUNTAIN AVENUE
12. CONSENT RESOLUTIONS
(Resolutions 12-0702-156 thru 12-0702- 162)

12-0702-156 AUTHORIZING THE RELEASE OF THE PERFORMANCE BOND UPON RECEIPT AND ACCEPTANCE OF THE MAINTENANCE BOND FOR PROJECT LOCATED AT BLOCK 51, LOT 18 - TOBIAS

- 12-0702-157 AUTHORIZING THE BOROUGH TAX ASSESSOR TO MAKE APPLICATION WITH THE SOMERSET COUNTY BOARD OF TAXATION TO PERFORM A MUNICIPAL TAX ASSESSMENT COMPLIANCE PLAN
- 12-0702-158 APPROVING TAXI DRIVER LICENSE FOR LEONA CARRUBE
- 12-0702-159 APPROVING SOCIAL AFFAIRS PERMIT FOR IMMACULATA HIGH SCHOOL FOR SEPTEMBER 16, 2012
- 12-0702-160 AUTHORIZING THE DOWNTOWN SOMERVILLE ALLIANCE TO ACCEPT AND REVIEW ALL EVENT APPLICATIONS AND RENDER DETERMINATIONS FOR DIVISION STREET BETWEEN SOUTH STREET AND MAIN STREET
- 12-0702-161 APPROVING TEMPORARY APPOINTMENT OF RICHARD ADAMS AS ACTING COURT ADMINISTRATOR AND ADJUSTING SALARY TO AN ANNUAL SALARY OF \$51,500 EFFECTIVE JULY 1, 2012
- 12-0702-162 APPROVING TEMPORARY APPOINTMENT OF KIMBERLY MATHEWSON AS ACTING DEPUTY COURT ADMINISTRATOR AND ADJUSTING SALARY TO AN ANNUAL STIPEND OF \$36,500 EFFECTIVE JULY 1, 2012

13. BILLS AND VOUCHERS

14. ADJOURNMENT

The first regular Borough Council meeting for the month of July 2012 was convened on Monday, July 2, 2012 at 7:25 pm prevailing time in Borough Council Chambers 24 South Bridge Street, Somerville, New Jersey. The meeting was delayed due to the extended executive session.

Upon call of the roll, the following Borough Council members were present: Mayor Brian G. Gallagher, President, Council President Jane Kobuta, Councilman Thompson Mitchell, Councilwoman Amanda O'Neill, Councilman Dennis Sullivan and Councilman Robert Wilson. Councilman Nicholas Stires was excused from the meeting.

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 appointed Donna Kennedy to the Police Consolidation Taskforce

Discussion

Colin Driver, Redevelopment Director provided an update on the current status of the NJ DEP Brownsfield Redevelopment Program as it pertains to the landfill.

At this point there has been no communication from the NJ Department of Environmental Protection Brownsfield Redevelopment Program in Trenton. The memorandum of understanding (MOU) was scheduled to be renewed in March 2012 and that has not taken place as of this date. They have moved toward being an enforcement agency versus a collaborative agency. There has been no update as to the status of the program. The grant program is also in a hiatus at this time.

The Borough will convene a BDA steering committee in late July or early August to discuss an update to the current site remediation plan at the landfill.

Committee Reports:

Councilman Sullivan reported that the 2012-2013 state budget has been passed. We are currently awaiting a tax rate to be approved in order to print and mail out the 3rd quarter tax bills.

Councilman Mitchell reported that Parking and Traffic will be meeting on Tuesday, July 17, 2012 at 7:00pm. They will be discussing the West High Street parking meter proposal at this meeting.

Councilman Wilson thanked everyone that supported the recent Somerville Fire Department Museum Fundraiser.

Councilwoman O'Neill reported that the Somerville Board of Health asks that you find a dead bird that you should dispose of it and report it to the Somerset County Health Department.

Councilwoman O'Neill reported that all Somerville parks and pools are open. Please visit the recreation department website for hours of operation. She thanked the DPW for their efforts in getting to pools ready for the summer season.

Councilwoman O'Neill reported that there is a Pet Finder.com link on the Borough website which will link to the Somerset Regional Animal Shelter.

Councilwoman O'Neill thanked Frank Vuoso and Michael Cole for their assistance in a recent meeting with residents regarding the TDR program for the Park Ave redevelopment area.

Councilwoman O'Neill reported that the abandon shopping carts ordinance will begin to be enforced on July 1, 2012. Please make sure that carts are left at the supermarket.

Councilwoman Kobuta reported that there will be a reading of the Declaration of Independence on the front lawn of Immaculate Conception Church on July 4, 2012.

Councilwoman Kobuta commented on a new Destination Guide for Somerset County through the Somerset County Business Partnership. Somerville and other events are highlighted in the issue.

Mayor Gallagher commented on the shopping cart issue in town. He asked the DSA to do an outreach to the landlord in the downtown to educate their tenants.

Mayor Gallagher recognized former Councilman Dave Dietrich who was at the meeting this evening.

Mayor Gallagher commented on the success of the Somerville Fire Museum event on Sunday. This brought a lot of people to the museum and also the side street off of Main Street for an event.

Mayor Gallagher commented that the JSM site on West Main Street now has steel going up for the buildings.

Meeting Open to the Public:

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

Herb Hall, 22 Fairmount Ave, Somerville, asked for an update on the police hiring.

Mayor Gallagher responded that the Council has been reviewing hiring of additional officers. There should be announcement at the next meeting.

Mr. Hall commented on the NJ Senior Tax Freeze Program. He has been working with Kevin Sluka to develop a program to educate the seniors on this program.

Mr. Hall commented on the pending Division Street discussion. There has been discussion at the Planning Board level as to the uses on Division St. He is opposed to closing this street to traffic. Somerville is a highly dense area and there are traffic congestion issues in the downtown. He has no problem with the weekend closures but feels that it should be open to traffic during the work week.

Mayor Gallagher commented that there has been no prior decision by the Mayor and Council to permanently close the street. The concept of closing the street has come up with the recent activities that have been taking place on the street. There are a number of organizations which need to be involved in the final decision.

John Kurilla, 77 Eastern Ave, Somerville, commented on the paint spill issue on East Main Street. He is concerned how the claims are being handled by the insurance company.

Clerk-Administrator Sluka replied that this accident has been reviewed internally by the Borough Accident Review Committee. The claims have been submitted to the insurance company and are pending review. The insurance companies of the claimants are working with the Borough insurance company. At this point he is not aware that any settlements have been reached.

Mr. Kurilla commented that his son was involved in this incident and was told that the claim was sent to the state for action. At this time there has been no resolution to the claim.

Mayor Gallagher commented that his son should be dealing with directly with the Clerk-Administrator on these insurance claim issues.

Herb Hall asked for clarification on the dead bird issue.

Councilwoman O'Neill replied that there is no health concern but the Animal Shelter has recommended that if you find and dispose of a dead bird you should notify the County Health Department.

At this time there were no further comments from the public and Mayor Gallagher closed the public portion.

ORDINANCES FOR INTRODUCTION

ORDINANCE # 2396-12-0618

ESTABLISHING A MID-BLOCK CROSSWALK ON
EAST HIGH STREET 118 FEET EAST OF BRIDGE STREET

BE IT ORDAINED by the Council of the Borough of Somerville, Somerset County, State of New Jersey, that;

SECTION I. In an effort to improve pedestrian safety in the vicinity 40 North Bridge Street and Borough Parking Lot #7, Somerset County proposes to install a mid-block crosswalk on East High Street, specifically;

<u>Roadway</u>	<u>Location</u>
East High Street, Somerville Borough	Beginning at a point 118 feet east of the southeasterly curb line of Bridge Street to a location 6 feet east thereof and extending across East High Street in a northeasterly direction to a point beginning 167 feet east of the northeasterly curb line of Bridge Street to a location 6 feet east thereof.

SECTION II. Regulatory and Warning signs, conforming to the current manual on Uniform Traffic Control Devices for Streets and Highways shall be erected and maintained to effect the above Mid-block Pedestrian Crossing

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

SECTION IV. NOTICE IS HEREBY GIVEN that the foregoing Ordinance was duly introduced and passed on first reading at a regular meeting of the Somerville Borough Council, Somerset County, State of New Jersey, held on June 18, 2012 . Further notice was given that said Ordinance will be considered for final passage and adoption at a regular meeting of said Somerville Borough Council, at Borough Council Chambers, 24 South Bridge Street, Somerville, New Jersey at 7:00 p.m. on the 16th Day of July, 2012 at which time and place any person interested therein will be given the opportunity to be heard.

Introduced: July 2, 2012
First Publication: July 3, 2012
Adoption:
Final Publication:

Brian Gallagher, Mayor

Attest:

Kevin Sluka, Municipal Clerk

Mayor Gallagher provided an overview of the ordinance. This issue was brought forward by the Prosecutors Office last year in an attempt to improve pedestrian safety from parking lot 7 to the County Administration Building. The Council was awaiting drawings from the County before taking action on this ordinance.

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

Councilman Mitchell made a motion to introduce Ordinance 2396. The motion was seconded by Councilman Wilson.

The Mayor opened the ordinance to discussion from the Council at this time.

Councilman Sullivan opposed this concept back in October and still opposes it today. It is a short walk to the corner where there is already a traffic light and a cross walk. The parking deck on East High Street is not full and can be used if people feel unsafe from crossing the street. This is a highly traveled area and it will not be safe to have another crosswalk close to the existing one.

Councilman Mitchell commented that as the County seat, there is a need for the Borough to work with the county in accommodating this request and he supports the ordinance. Councilman Mitchell also commented that the plan addresses other illegal parking issues on High Street near the corner. He would like to have these site improvements completed before the cross walk goes into effect.

Councilman Wilson supports this ordinance. He agrees with Councilman Sullivan that this is not a great distance to travel to Bridge Street to cross. He does travel through this area and sees the J walking that is currently taking place. He feels that this will provide a safe crossing from Lot 7. He also commented that the relationship with the County is important. When we are asked for something that we need to work with them to make a stretch of road safer. This is not a heavy lift on the part of the Borough.

Councilwoman O'Neill commented that it is not too unreasonable to ask people to walk 62 extra steps to the cross-walk at Bridge and High. She provided some suggestions as to encouraging the employees to not J walk and to use the designated cross walk. She does not support this ordinance.

Councilwoman Kobuta commented that she will not support this ordinance. She feels that this will present a traffic hazard as there is a cross walk already and traffic in this area has been an issue. She had requested a cross-walk in the past for the YMCA and was denied the request. She did research on the issue and found that a mid-block cross walk should not be closer than 400 feet from the nearest traffic light or corner.

Mayor Gallagher commented that it is very important to build relationships. The goal is Somerville is to provide a pedestrian friendly environment. We are a transit village and a downtown community. He feels that the job of the Borough Council is to make people safe. We have a county complex in our downtown. We have a choice to make people that come to Somerville safer or not.

The motion was called and defeated by the following vote:

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

Consent Resolutions:

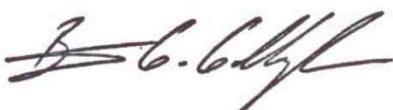
The following consent resolutions were presented for consideration:

RESOLUTION 12-0702-156

AUTHORIZING RELEASE OF THE PERFORMANCE BOND UPON RECEIPT AND ACCEPTANCE OF THE MAINTENANCE BOND FOR PROJECT LOCATED AT BLOCK 51, LOT 18

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey authorizes the release of a performance bond upon receipt and acceptance of the maintenance for project located at Block 51, Lot 18 (Frank Tobias).

Adopted by Borough Council on July 2, 2012



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 July 2, 2012.



Kevin Sluka, Clerk/Administrator

RESOLUTION 12-0702-157

AUTHORIZING THE BOROUGH TAX ASSESSOR TO MAKE APPLICATION WITH THE SOMERSET COUNTY BOARD OF TAXATION TO PERFORM A MUNICIPAL TAX ASSESSMENT COMPLIANCE PLAN

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey authorizes the Tax Assessor to request to the Somerset County Board of Taxation to perform a municipal tax assessment compliance plan.

Adopted by Borough Council on July 2, 2012



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 July 2, 2012.



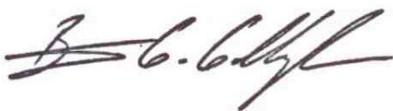
Kevin Sluka, Clerk/Administrator

RESOLUTION 12-0702-158

APPROVING TAXI DRIVER LICENSE FOR LEONA CARRUBE

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey approves a taxi driver license for Leona Carrube, Bloomsbury, NJ

Adopted by Borough Council on July 2, 2012



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 July 2, 2012.



Kevin Sluka, Clerk/Administrator

RESOLUTION 12-0702-159

APPROVING SOCIAL AFFAIRS PERMIT FOR IMMACULATA HIGH SCHOOL FOR
SEPTEMBER 16, 2012

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey approves a social affairs permit for Immaculata High School for September 16, 2012.

Adopted by Borough Council on July 2, 2012



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 July 2, 2012.



Kevin Sluka, Clerk/Administrator

RESOLUTION 12-0702-161

APPROVING TEMPORARY APPOINTMENT OF RICHARD ADAMS AS ACTING COURT
ADMINISTRATOR AND ADJUSTING SALARY TO AN ANNUAL SALARY OF \$51,500
EFFECTIVE JULY 1, 2012

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey authorizes the temporary appointment of Richard Adams as Acting Court Administrator and adjusting salary to an annual salary of \$51,500 effective July 1, 2012

Adopted by Borough Council on July 2, 2012



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 July 2, 2012.



Kevin Sluka, Clerk/Administrator

RESOLUTION 12-0702-162

APPROVING TEMPORARY APPOINTMENT OF KIMBERLY MATHEWSON AS ACTING DEPUTY COURT ADMINISTRATOR AND ADJUSTING SALARY TO AN ANNUAL STIPEND OF \$36,500 EFFECTIVE JULY 1, 2012

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey authorizes the temporary appointment of Kimberly Mathewson as Acting Deputy Court Administrator and adjusting salary to an annual stipend of \$36,500 effective July 1, 2012

Adopted by Borough Council on July 2, 2012



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 July 2, 2012.



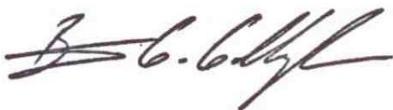
Kevin Sluka, Clerk/Administrator

RESOLUTION 12-0702-163

APPROVING USE OF BOROUGH HALL LAWN FOR SHAKESPEARE PRESENTATION FOR JULY 12, 2012

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey approves the use of Borough Hall lawn and street closure of West End Ave for the Somerville Library Shakespeare Program on July 12, 2012

Adopted by Borough Council on July 2, 2012



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 July 2, 2012.



Kevin Sluka, Clerk/Administrator

Councilwoman Kobuta made motion and was seconded by Councilman Mitchell 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 Wilson

Nays: None

RESOLUTION 12-0702-160

AUTHORIZING THE DOWNTOWN SOMERVILLE ALLIANCE TO ACCEPT AND REVIEW ALL EVENT APPLICATIONS AND RENDER DETERMINATIONS FOR DIVISION STREET BETWEEN SOUTH STREET AND MAIN STREET

WHEREAS, several government departments, borough officials, volunteers and consultants are involved in activities on Division Street; and

WHEREAS, it is necessary to centralize the communications for efficiency and financial purposes; and

WHEREAS, the licensing office will forward all event usage requests for Division Street to the Downtown Somerville Alliance; and

WHEREAS, the Borough of Somerville in-house staff only shall lend support and expertise if needed at no cost to the Downtown Somerville Alliance as part of this centralized process:

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey authorizes the Somerville Alliance to accept and review and make determinations on event applications for Division Street between Main and South Streets

Adopted by Borough Council on July 2, 2012



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 July 2, 2012.



Kevin Sluka, Clerk/Administrator

Councilman Wilson commented that he received a communication from SBPA that the DSA should not have full authorization to approve the street events. They would like to have input into this decision.

Clerk-Administrator Sluka commented that he has proposed this resolution. There have been a number of events recently which have prompted him to develop a centralized approval process for events on Division Street.

Mayor Gallagher commented that there have been pop up events recently on Division Street. There is a need to centralize the event approval process.

Councilman Mitchell commented that he feels that the SBPA does not want last minute road closures to take place.

Clerk-Administrator Sluka replied that this is not intended for road closures. This is for special event approval. The Borough Council will still need to approve all road closures.

Councilman Wilson commented that he feels that the SBPA is concerned with the DSA making the final decisions.

Mayor Gallagher commented that the DSA should have a roll in reviewing these programs just as they currently do for Main Street programs.

Councilman Wilson asked that the DSA get input from all concerned parties on these events.

Mayor Gallagher agreed that the DSA should be consulting with the other agencies involved in the events on Division Street.

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

The motion was approved by the following vote:

Ayes: Councilwoman Kobuta, Councilman Mitchell,
Councilwoman O'Neill, Councilman Sullivan,
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 to adjourn the meeting. The motion was approved by the following vote:

Carried unanimously

The meeting was adjourned at 8:30pm

Respectfully submitted,

Paul Allena
Secretary