

**BOROUGH OF SOMERVILLE
COUNCIL MEETING AGENDA**

Monday, April 4, 2011

6:00 P.M.

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

1. Roll Call
2. Salute to the Flag
3. Approval of Minutes
 - a. March 21, 2011
4. Departmental Reports & Important Notices
 - a. February Housing Inspection Report
 - b. March Housing Inspection Report
5. Proclamation:
 - a. National Nurses Week
6. Discussion
 - a. Somerville School Board Budget
 - b. Capital Budget
 - c. Division Street Circulation Plan
 - d. Overdue Meter Fines
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. RESOLUTION 11-0404-104
Authorizing the Budget to be read by title.
10. 2011 CURRENT FUND BUDGET PUBLIC HEARING
Public Hearing pertaining to 2011 Budget as introduced
(open and close hearing) No vote for adoption of budget at this time. On April 18, 2011 a vote will be heard to “adopt the budget as amended”.
11. INTRODUCTION OF BUDGET AMENDMENT
RESOLUTION 11-0404-105 AUTHORIZING THE 2011 BUDGET TO BE AMENDED
Budget amendment public hearing on April 18, 2011
12. ORDINANCES FOR HEARING & ADOPTION
 - #2358 AMENDING CHAPTER 5, ARTICLE VI, SECTION 8, SUBSECTION “A” AND ADDING SUBSECTION “C” ENTITLED FEES COLLECTED THROUGH TAX COLLECTOR AND AMENDING CHAPTER 5, ARTICLE VI, SECTION 9, SUBSECTION “A” TAX ASSESSOR

Description: Recently passed state law allows for a \$50 fee to calculate tax lien certificates after producing two (2) for free. In addition the changes the appointment of Tax Collector and Tax Assessor to be consistent with state law.
 - #2359 AN ORDINANCE TO FIX AND DETERMINE THE SALARIES, WAGES OR COMPENSATION TO BE PAID TO CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF SOMERVILLE, IN THE COUNTY OF SOMERSET, AND STATE OF NEW JERSEY, AND TO PROVIDE FOR THE TIMES OF PAYMENT THEREOF

13. CONSENT RESOLUTIONS

(Resolutions 11-0404-092 to 11-0404-103)

- 11-0404-092 CANCELLING OPEN CAPITAL BALANCES FROM 2003
- 11-0404-093 AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE FUNDS FROM INSPECTION ESCROW (2) ACCOUNT – JSM LANDMARK
- 11-0404-094 AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS IN CONNECTION WITH THE SOMERSET COUNTY IMPROVEMENT AUTHORITY’S SOMERSET MUNICIPAL BANC PROGRAM
- 11-0404-095 AUTHORIZING SUBMISSION OF 2011 MUNICIPAL ALLIANCE GRANT UPDATE
- 11-0404-096 AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE FUNDS FROM ESCROW ACCOUNT OF JSM LANDMARK
- 11-0404-097 APPROVING THE DIVISION STREET TRAFFIC CIRCULATION PLAN
- 11-0404-098 AUTHORIZING SOMERVILLE WAR VETERANS MEMORIAL COMMITTEE TO CONDUCT MEMORIAL DAY PARADE AND CEREMONY ON MAY 30, 2011 AT 9:00A.M.
- 11-0404-099 AUTHORIZING IMMACULATE CONCEPTION SCHOOL/IMMACULATA HIGH SCHOOL RACE 4 FREEDOM 5K RACE TO BE HELD ON JUNE 25, 2011
- 11-0404-100 MEMORIALIZING APPROVAL OF THE YMCA 5K RACE TO BE HELD ON OCTOBER 22, 2011
- 11-0404-101 APPROVING NEW JERSEY FIREMEN’S ASSOCIATION MEMBERSHIP APPLICATION FOR FRAZEE SUTPHEN
- 11-0404-102 AUTHORIZING DOWNTOWN SOMERVILLE ALLIANCE TO CONDUCT THE 7TH ANNUAL SAMPLER DAY FOR MAY 14, 2011 FROM 11:00A.M. TO 5:00 P.M. AND AUTHORIZING CLOSURE OF DIVISION STREET FROM WEST MAIN STREET TO SOUTH STREET FOR THE EVENT FROM 10:00 A.M. – 7:30 P.M. AND APPROVING SIDEWALK SALES PERMIT
- 11-0404-103 APPROVING THE ANNUAL WELCOME HOME PARADE FOR THE 2011 SOMERSET PATRIOTS ON APRIL 27, 2011 AT 5:00 P.M.

14. BILLS & VOUCHERS

15. ADJOURNMENT

The first regular Borough Council meeting for the month of April 2011 of the Somerville Borough Council was convened on, Monday, April 4, 2011 at 7:00pm prevailing time, in Borough Council Chambers 24 South Bridge Street, Somerville, New Jersey.

Upon call of the roll, the following Borough Council Members were present: Mayor Brian Gallagher presiding, Council President Kenneth Utter, Councilwoman Jane Kobuta, Councilman Thompson Mitchell, Councilman Dennis Sullivan and Councilman Robert Wilson. Councilwoman Patricia Webster 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.

The minutes of the regular Borough Council meeting of the March 21, 2011 were presented in writing for approval.

Councilman Utter made a motion and was seconded by Councilwoman Kobuta and were approved by the following vote:

Carried unanimously

Mayor Gallagher noted Proclamations for National Nurses Week and 2011 Earth Day.

2011-2012 Somerville Board of Education Budget:

At this time, Dr. Tim Purnell, Superintendent of Schools for the Somerville Public Schools presented the 2011-2012 budget.

Mayor Gallagher welcomed Dr. Purnell to his first budget presentation.

Dr. Purnell recognized and thanked the members of the school administration and Board of Education Budget Committee members who are here this evening and worked hard to deliver this budget.

Dr. Purnell highlighted the following key areas of the 2011-2012 budget.

- Reinstatement of Athletic Programs
- Maintains all Current Programs and Staffing
- Maintains Current Class Sizes
- Maintains Full Day Kindergarten

- Property Taxes Down \$15.68 for 2011
- General Fund Tax Levy up 1% from Two Years Ago
- No Increase in Debt Service Levy

- Energy Efficiency
- Teacher and staff salary concessions
- Reduction of Discretionary Spending
- Reduction of Special Education Outside Placements
- Use of Facilities Policy
- Breakage from Teacher Retirements
- Elimination of the full-time assistant to the superintendent
- E-Rate
- Bus Drivers/Custodians
- Discretionary Grants

Brian Boyce, Business Administrator presented an overview of the projected revenues and expenditures.

One of the key areas of reduction was the cost of heating. Over a two year period, there was a \$203,000 decrease in costs due to the physical plant upgrades that were done in a public referendum.

Mr. Boyce also reviewed the capital project program for the district and how it helps to reduce the overall budget impact. The district has been fortunate to receive over \$730,000 facilities grant funding. There is a plan to replace the bathrooms in the high school this year by the gym and renovate them. There is also a need to repave the parking lots at the high school.

Mr. Boyce reviewed the comparative student cost data and Somerville has been spending less than the average for each student. The state average cost is \$13,338 and Somerville cost is \$12,609.

The district is under the adequacy budget which has been established by the State of New Jersey. The state average cost is \$13,338 and Somerville cost is \$12,609.

The total appropriations for 2011/2012 are \$ 36,336,156.

There is a reduction in 2011/2012 of students coming from Branchburg which will reduce the tuition that is paid to the district.

The 2011/2012 tax levy on an average property is estimated at \$4,756.28 which is down from \$4,771.96

Mayor Gallagher commended the presentation and thanked the staff for supporting the community.

Councilman Sullivan commented that nothing defines the community like its schools.

Councilman Mitchell thanked that Board of Education for holding the line on property taxes.

Councilman Wilson thanked the staff for their concessions and shared sacrifice.

Councilwoman Kobuta thanked the teacher and also for the ability to fund their depreciation.

Councilman Utter commented on the success of grants and the advancement of technology.

2011 Municipal Budget:

RESOLUTION 11-0404-104

AUTHORIZING THE BOROUGH OF SOMERVILLE 2011 MUNICIPAL BUDGET TO BE READ BY TITLE

WHEREAS, the Borough Clerk provided a copy of the full budget to the Somerville Branch of the Somerset County Library System at least 10 days prior to the date of the budget hearing; and

WHEREAS, the Municipal Clerk has provided free copies of the full budget document to any member of the public that has requested such copies: and

WHEREAS, the Municipal Clerk has met all advertising requirements as established by local budget law:

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey authorizes the 2011 Municipal Budget to be read by title.

Councilman Sullivan made a motion and was seconded by Councilman Mitchell to approve the aforementioned resolution. The motion was approved by the following vote:

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

Nays: None

Mayor Gallagher the 2011 Public Hearing on the 2011 Municipal Budget and there were no comments at this time. The final budget will be adopted at the April 18, 2011 Borough Council Meeting.

Councilman Sullivan, Finance Chairman presented the following budget amendment resolution for consideration:

RESOLUTION 11-0404-105

AUTHORIZING THE BOROUGH OF SOMERVILLE TO AMEND THE 2011 BUDGET

WHEREAS, the local municipal budget for the year 2011 was approved on the 7th of March 2011; and

WHEREAS, the public hearing on said budget was held on April 4, 2011 and legally advertised; and

WHEREAS, it is desired to amend said approved budget, now

THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey approves the following amendments:

CURRENT FUND BUDGET	FROM	TO
Anticipated Revenues		
3. Miscellaneous Revenues – Section F: Special Items of General Revenue Anticipated with Prior Written Consent of the Director – Public & Private Revenues Offset Appropriations:		
Clean Communities Program	\$15,000	\$0.00
Total Miscellaneous Revenues – Section F: Public and Private Revenues Prior Written Consent of Director of Local Government Services – Other Special Items		
Trust Surplus	\$147,516.36	\$132,516.36
SUMMARY OF REVENUES		
Total Section F: Public and Private Revenues	\$147,516.36	\$132,516.36
Total Miscellaneous Revenues	\$3,052,324.36	\$3,037,324.36
5. Subtotal General revenues (Items 1,2,3, and 4)	\$5,202,532.36	\$5,187,532.36
7. TOTAL GENERAL REVENUES	\$16,267,740.02	\$16,252,740.02
8. General Appropriations		
8.a. Operations- within "CAPS": Insurance:		
Group Insurance for employees	\$1,105,140.00	\$1,152,075.00
Total Operations within "CAPS"	\$10,054,448.00	\$10,101,383.00
Total Operations including Contingent within "CAPS"	\$10,055,448.00	\$10,102,383.00
Detail: Other Expenses	\$4,562,348.00	\$4,609,283.00
Deferred Charges and other Statutory Expenditures- Municipal with "CAPS"		
State Unemployment Insurance	\$40,000.00	\$30,000.00
Total Deferred Charges and other Statutory Expenditures- Municipal with "CAPS"	\$1,470,312.00	\$1,460,312.00
Total General Appropriations for Municipal Purposes within "CAPS"	\$11,525,760.00	\$11,562,695.00

Operations Excluded from "CAPS"		
Group Insurance for Employees	\$119,860.00	\$72,925.00
Total Other Operations Excluded from "CAPS"	\$139,860.00	\$92,925.00
Public & private Programs offset by Revenues		
Clean Communities Program	\$15,000.00	\$0.00
Total Public & Private Programs Offset by Revenues:	\$151,402.36	\$136,402.36
Total Operations – Excluded from "CAPS"		
Detail:	\$291,262.36	\$229,327.36
Other Expenses		
c. Capital Improvement Fund		
Capital Improvement Fund	\$35,000.00	\$45,000.00
Total Capital Improvement Fund	\$35,000.00	\$45,000.00
8. d. Municipal Debt Service – excluded from "CAPS":		
Payment of Bond Principal	\$1,190,000.00	\$1,290,000.00
Total Municipal Debt Service- Excluded from "CAPS"		\$2,286,400.00
\$2,386,400.00		
8.e. Deferred Charges – excluded "CAPS"		
Deficit in Dedicated Assessment Trust Budget	\$105,000.00	\$5,000.00
Total Deferred Charges – excluded from "CAPS"	\$154,317.66	\$54,317.66
h-2. Total General Appropriations for Municipal Purposes excluded from "CAPS"	\$2,766,980.00	\$2,715,045.02
o. Total General Appropriations- Excluded from "CAPS"	\$2,766,980.00	\$2,715,045.02
i. Subtotal General Appropriations (Items (h-1) and (o))	\$14,292,740.02	\$14,277,740.12
9. TOTAL GENERAL APPROPRIATIONS	\$16,267,740.02	\$16,252,740.02
DEDICATED SEWER UTILITY BUDGET		
10. Dedicated Revenues from Sewer Utility		
Special Items of Revenue Anticipated with Prior Written Consent of Director of Government Services		
Additional Sewer Use Charges	\$3,313.77	\$0.00
TOTAL SEWER UTILITY REVENUES	\$2,548,313.77	\$2,545,000.00
11. Appropriations for Sewer Utility		
Sewer Authority (RS 40:14A-9) Share of Costs	\$1,650,000.00	\$1,646,686.23
TOTAL SEWER UTILITY APPROPRIATIONS	\$2,548,313.77	\$2,545,000.00
DEDICATED ASSESSMENT REVENUES FROM Deficit (General Budget)	\$105,000.00	\$5,000.00
TOTAL ASSESSMENT REVENUES	\$105,000.00	\$5,000.00
15. APPROPRIATIONS FOR ASSESSMENT DEBT Payment of Bond Principal	\$105,000.00	\$5,000.00

TOTAL ASSESSMENT APPROPRIATIONS	\$105,000.00	\$5,000.00
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Chief Finance Officer Janet Kelk reviewed the changes which have no overall impact on the budget and are simply record keeping changes.

Councilman Sullivan made a motion and was seconded by Councilman Mitchell to approve the aforementioned resolution. The motion was approved by the following vote:

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

Nays: None

Division Street Circulation Plan

Mayor Gallagher commented on the need to review traffic circulation in the downtown as a result of pending redevelopment. This plan was reviewed and approved by the Planning Board

Colin Driver, Director of Community Development outlined the proposed changes in the downtown areas specifically in the area of municipal parking lot 4, Union Street and Division Street.

He noted that there were a number of meetings held to receive feedback from the residents and businesses.

The Borough has received a \$100,000 grant to make improvements to Division Street.

The current recommendation is to make Division Street a one-way street from South to North. The plan also includes widening the sidewalks on both sides to make this a destination street. Parking would be on the left hand side of the street.

There will also be the Davenport Street extension which will allow traffic into the new shopping center and also to Veteran's Memorial Drive.

There is also a recommendation to change Union Street to a one way street from Main Street to Parking Lot 4.

Michael Cole, Borough Planner explained that at a minimum the sidewalks will be doubled. The committee looking at this plan is trying to maximize pedestrian movement in this area. There is also a discussion to turning down the sidewalks to make a minimal curb.

Councilwoman Kobuta asked if parking on the right side of the street was considered.

Michael Cole explained the issue with alignment of the road and how this could not be adequately accomplished with parking on the right side of the street.

Councilman Wilson asked if there was any discussion with the owners of post office plaza to look at potential sharing of parking.

Colin Driver replied that they have had discussion with the owners but at this time they are not interested in proceeding further.

Mayor Gallagher opened the meeting for comments from the public.

Adam Deutsch, 25 Division Street, commented that there are ten empty stores and he is concerned with the direction of the traffic flow. He feels that it would not be convenient for people to now be able to drive south on Division Street.

Mayor Gallagher commented that Division Street is the "coolest" street in town and he wants it to survive. This should be the pedestrian link from the train station to the downtown. The sidewalks should be widened to allow for a better flow of traffic. We also need to look at the circulation of the entire area. There will be another connection once the Davenport Street extension from Main Street south to Veteran's Memorial Drive.

Ken Reeder, Owner Antiques Emporium, Division Street. He and his wife oppose the plan as business are already deteriorating on the street. He also does not recall that there has ever been a concern with the size of the sidewalks.

John Kurilla, 77 Eastern Ave, Somerville commented on the plan to widen the sidewalks.

Mayor Gallagher responded that the plan is to make the street one-way and will add additional sidewalk space in front of all the stores.

Ron Schlagel, Fieldstone Dr, Somerville, commented on the flow of traffic behind parking lot 4

Michael Cole replied that there will be proper signage and traffic calming measures installed to help control in this area.

Councilman Wilson commented on the possible loss of the traffic light at the corner of Main and Division.

Colin Driver commented that if this street goes to one way, then there is a possibility that the traffic light will go away.

Councilman Mitchell asked if this information was given to the parking and traffic committee.

Colin Driver responded that the committee has been informed along the way with this project.

2011 Capital Budget:

Councilman Sullivan reported that an additional \$10,000 has been added to the operating budget which will allow for an additional \$200,000 in bonding capability should the council wish to fund additional projects.

Overdue Parking Meter Fines:

This item was deferred at this time until the Parking and Traffic Committee has had an opportunity to review this issue.

Committee Reports:

Councilman Sullivan reminded everyone that the second quarter taxes are due on May 1, 2011 with a fifteen day grace period. There is no change in the taxes until August 2011.

Councilman Mitchell commented on the Earth Day Clean-Up on April 16, 2011 at 9:00am at Somerville High School Parking Lot. Later that day is opening day for Somerville Baseball.

Councilman Mitchell reported that new historic prints of Somerville are on display in Borough Hall.

Councilman Mitchell reported that he visited parking lot #7 which has some damage to the retaining walls. They are reviewing various funding opportunities.

Councilman Mitchell expressed his concern that he was the only member of the redevelopment committee that was not given an opportunity to speak at the ground breaking event. He feels that he always looks out for the best interest for the people of Somerville.

Mayor Gallagher commented that this was not an intentional slight to you. He had asked Council President Utter to make a brief comment and at the event at the last minute he asked Councilman Wilson who had been working on the project for the past eight years to make a brief comment.

Councilman Utter reported on the achievement of Michael Stitley as a Certified Emergency Manager (CEM).

Councilman Utter commented on the safety award for 2010 to the Borough.

Councilman Utter reported that the American Flag would be hung on the court house on Memorial Day.

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

Herb Hall, 22 Fairmont Ave, Somerville, commented on the recent article in the Courier regarding the possible construction of a new county human services building on East High Street.

Mayor Gallagher commented that he has spoken with the county and has been assured that these buildings will remain under the Improvement Authority and will continue to pay taxes.

At this time there were no further comments and the public portion of the meeting was closed.

Ordinances:

The following ordinances were presented for hearing and adoption:

ORDINANCE NUMBER 2358

AMENDING CHAPTER 5, ARTICLE VI, SECTION 8, SUBSECTION "A" AND ADDING SUBSECTION "C" ENTITLED FEES COLLECTED THROUGH TAX COLLECTOR AND AMENDING CHAPTER 5, ARTICLE VI, SECTION 9, SUBSECTION "A" TAX ASSESSOR

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

Councilman Sullivan made a motion and was seconded by Councilman Mitchell to approve the aforementioned ordinance for introduction. The motion was approved by the following vote:

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

Nays: None

ORDINANCE NO. 2359

"AN ORDINANCE TO FIX AND DETERMINE THE SALARIES, WAGES OR COMPENSATION TO BE PAID TO CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF SOMERVILLE, IN THE COUNTY OF SOMERSET, AND STATE OF NEW JERSEY, AND TO PROVIDE FOR THE TIMES OF PAYMENT THEREOF".

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

Councilman Sullivan made a motion and was seconded by Councilman Mitchell to approve the aforementioned ordinance for introduction. The motion was approved by the following vote:

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

Nays: None

The following consent resolutions were presented for consideration:

**RESOLUTION 11-0404-092
CANCELLING OPEN CAPITAL BALANCES**

WHEREAS, certain General Capital Improvement appropriation balances remain dedicated to projects now completed, and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Improvement Fund or credited to Surplus, and unused debt authorizations may be canceled;

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Somerville, that the following unexpended and dedicated balances of the General Capital Appropriations be canceled:

ORD #	Date Authorized	Project Funded	Amount Canceled Unfunded
# 2141	2003	General Capital	\$ 3,500.00
# 2140	2003	SCIA Capital	\$ 1,222.60

RESOLUTION 101-0404-093

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

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

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

WHEREAS, Colin Driver has confirmed that \$ 1,135.25 be paid to Cole & Assoc (FEB/2011) for services rendered.

NOW, THEREFORE, BE IT RESOLVED, that the Finance Officer be instructed to issue a check in the amount listed above from the balance of the escrow deposit on file for JSM Landmark # 7760805601.

RESOLUTION 11-0404-094

AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS IN CONNECTION WITH THE SOMERSET COUNTY IMPROVEMENT AUTHORITY'S SOMERSET MUNICIPAL BANC PROGRAM

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

WHEREAS, under the Somerset Municipal Banc Program, the Authority intends to enter into the hereinafter defined Authority Lease with TD Bank, National Association (the "Lessor");

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

WHEREAS, under the Authority Lease, the Authority shall make rental payments that are subject to annual appropriation of the Authority solely from amounts received by the Participant under the hereinafter defined Participant Lease;

WHEREAS, simultaneously with the Authority Lease, the Authority will sublease the Equipment to the Participant pursuant to the terms of that certain "Sublease Purchase Agreement" to be entered into by and between the Authority, as sublessor, and the Participant, as sublessee (together with any amendments thereof or supplements thereto in accordance with the terms thereof, the "Participant Lease"), under which Participant Lease the Participant will make rental payments that are general obligations of said Participant in an amount sufficient to pay the corresponding rental payments applicable to the Equipment, and as appropriated by the Authority under the Authority Lease, plus all administrative expenses of the Somerset Municipal Banc Program;

WHEREAS, pursuant to the county improvement authorities law, constituting Chapter 183 of the Pamphlet Laws of 1960 of the State, and the acts amendatory thereof and supplemental thereto, specifically Section 37 thereof (N.J.S.A. 40:37A-79), the County may for the purpose of aiding the Authority in the planning, undertaking, acquisition, construction or operation of a public facility, guaranty the punctual payment of moneys for the purposes of the Authority (the "County Guaranty"); and

WHEREAS, in order to implement the County Guaranty, and in accordance with the terms of that certain agreement entitled Guaranty Agreement between the County and the Authority (the "County

Agreement"), the County intends to appropriate moneys to the Authority to the extent the lease payments made by the Authority to the Lessor are not sufficient;

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

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

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

Section 3. This Resolution constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Equipment prior to the date that Borough incurs obligations under the Participant Lease. The Borough reasonably expects to reimburse such expenditures with the proceeds of obligations to be incurred by the Borough under the Participant Lease. The maximum principal amount of obligations expected to be issued for payment of the costs of the Equipment is \$670,000.

Section 4. This resolution shall become effective immediately.

RESOLUTION 11-0404-095
AUTHORIZING SUBMISSION OF 2011 MUNICIPAL ALLIANCE GRANT UPDATE

WHEREAS, the County of Somerset has prepared a contract which would provide \$11,114.00 to the Borough of Somerville for the provision of Municipal Alliance activities for the prevention of alcoholism and drug abuse and the Borough would provide a 75% match of \$8,336.00 in in-kind services a 25% cash match of \$2,778.00 will be raised by the Municipal Alliance Committee and a copy of the proposed agreement is on file in the Municipal Clerk's Office:

BE IT RESOLVED, the Borough Council of the Borough of Somerville hereby authorizes the Mayor and the Borough Council to sign the original of this agreement.

RESOLUTION 11-0404-096
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 \$ 914.38 be paid to Driver Associates (FEB/2011), \$ 1,778.32 paid to DeCotiis (JAN-FEB/2011—Main St Redev) and \$ 646.00 be paid to Cole & Assoc (FEB/2011) 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 11-0404-097
APPROVING THE DIVISION STREET TRAFFIC CIRCULATION PLAN

WHEREAS, the Borough received grant funds to widen sidewalks on Division Street; and

WHEREAS, the Borough has sought public input on March 2, 2011 in reference to a traffic circulation plan for Division Street; and

BE IT RESOLVED, that the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey hereby approve the Division Street Traffic Circulation Plan

.RESOLUTION 11-0404-098
AUTHORIZING SOMERVILLE WAR VETERANS MEMORIAL COMMITTEE TO CONDUCT
MEMORIAL DAY PARADE AND CEREMONY ON MAY 30, 2011 AT 9:00AM

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey authorizes the Somerville War Veterans Memorial Committee to conduct Memorial Day Parade and Ceremony on May 30, 2011 at 9:00a.m.

RESOLUTION 11-0404-099
AUTHORIZING IMMACULATE CONCEPTION SCHOOL/IMMACULATA HIGH SCHOOL RACE 4
FREEDOM 5K RACE TO BE HELD ON JUNE 25, 2011

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey authorizes the 8th Annual Immaculate Conception/Immaculata High School Race 4 Freedom to be held on June 25, 2011 at 8:30a.m. in memory of Staff Sergeant Andrew T. Lobasco

RESOLUTION 11-0404-100
MEMORIALIZING APPROVAL OF THE YMCA 5K RACE TO BE HELD ON
OCTOBER 22, 2011

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey authorizes the 1ST Annual YMCA 5k Race and Fun Run to be held on October 22, 2011

RESOLUTION 11-0404-101
APPROVING NEW JERSEY FIREMEN'S ASSOCIATION MEMBERSHIP APPLICATION FOR
FRAZEE SUTPHEN

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey approves New Jersey Firemen's Association membership Application for Frazee Sutphen

RESOLUTION 11-0404-102
AUTHORIZING DOWNTOWN SOMERVILLE ALLIANCE TO CONDUCT THE
7TH ANNUAL SAMPLER DAY FOR MAY 14, 2011 FROM 11:00 A.M. – 5:00 P.M. AND
AUTHORIZING CLOSURE OF DIVISION STREET FROM WEST MAIN STREET TO SOUTH
STREET FOR THE EVENT FROM 10:00 A.M.– 7:30 P.M. & APPROVING SIDEWALK SALES
PERMIT

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey authorizing Downtown Somerville Alliance to conduct the 7th Annual Sampler Day for May 14, 2011 from 11:00 to 5:00 and authorizing the closure of Division Street for the event.

RESOLUTION 11-0404-103
APPROVING THE ANNUAL WELCOME HOME PARADE FOR THE 2011 SOMERSET PATRIOTS
ON APRIL 27, 2011 AT 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 approving the Annual Welcome Home Parade for the 2011 Somerset Patriots Baseball Club on Wednesday, April 27, 2011 at 5:00 p.m.

RESOLUTION 11-0404-106
ACCEPTING THE PROPOSAL OF SKYLANDS COMMUNITY BANK FOR BANKING SERVICES

BE IT RESOLVED, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey hereby accepts the proposal of Skylands Community Bank to administer banking services.

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

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

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

Nays: None

Councilman Sullivan, Finance Chairman presented the following vouchers:

NUMBER	DATE	AMOUNT	VENDOR CODE + NAME	ACCOUNT NO.	PO NO.	PO DESCRIPTION	INVOICE NO.
025515	04/04/11	652.50 C	4518 ANNE TUCKER	024-1017-511	0044193	CLERK	
025557	04/04/11	35.90 C	4599 LIND ELECTRONICS	024-1111-533	1100215	CABLES	254897
025546	04/04/11	156.12 C	1027 GRIFFITH ELEC SUPPLY CO INC	024-1110-560	1100241	SUPPLIES	3206992
025516	04/04/11	1450.00 C	1096 ARGUS CONSTRUCTION & EQUIPMENT	014-1018-758	1100261	CONCRETE SLAB	5805
025565	04/04/11	95.00 C	0082 NJ LOCAL BDS OF HEALTH, ASSOC	024-1410-545	1100328	DUES MEMBERSHIP	
025561	04/04/11	120.00 C	0152 NALBOH	024-1410-545	1100329	2011 DUES	
025585	04/04/11	590.00 C	2384 VERDIN	024-1019-533	1100449	MAINTENANCE AGREEMEN	NJS0013
025526	04/04/11	87.84 C	4612 CONSERV FLAG CO	024-1019-517	1100539	FLAG	233801A
025587	04/04/11	75.28 C	1717 VITAL SERVICES GROUP	024-1015-569	1100600	2009 HOMESTEAD REBAT	45083
025541	04/04/11	150.00 C	0983 FIRST CHOICE AUTO PARTS & EQUI	024-1210-560	1100664	LIFT SERVICE	14149
025588	04/04/11	478.80 C	1968 WESTRON	024-1019-517	1100679	LIGHT BULBS	230853
025513	04/04/11	149.18 C	1528 ALL INDUSTRIAL-SAFETY PRODUCTS	024-1210-560	1100680	OIL PADS	181382
025540	04/04/11	117.05 C	2162 FIRE FIGHTERS EQUIPMENT CO	024-1110-560	1100682	SERVICES	20110791
025564	04/04/11	267.00 C	0690 NEW JERSEY FIRE EQUIPMENT CO	024-1110-557	1100683	SUPPLIES	37110,37245
025558	04/04/11	270.00 C	0918 MAGLOCLEN	024-1111-697	1100687	CONFERENCE	
025533	04/04/11	36.00 C	1120 DORELL & SONS	024-1110-614	1100690	KEYS	144558
025578	04/04/11	12.50 C	2322 SOMERSET LAWN & GARDEN EQUIP	024-1210-560	1100701	PUMP/TUBE	214122
025544	04/04/11	150.00 C	2231 GMIS-NJ	024-1030-697	1100707	CONFERENCE	31589182
025576	04/04/11	2573.60 C	0960 SOMERSET COUNTY ENGINEERING DE	024-1018-533	1100709	ENGINEERING SERVICES	1800
025576	04/04/11	1403.78 C	0960 SOMERSET COUNTY ENGINEERING DE	025-5007-683	1100709	ENGINEERING SERVICES	1800
025576	04/04/11	2427.93 C	0960 SOMERSET COUNTY ENGINEERING DE	026-2306-625	1100709	ENGINEERING SERVICES	1800
025517	04/04/11	166.52 C	2109 ATLANTIC TACTICAL	024-1111-713	1100710	CLOTHING ALLOWANCE	142694,142694,142
025521	04/04/11	150.00 C	1206 BUILDING SAFETY CONF	024-1114-685	1100718	BLDG. SAFETY CON.	
025527	04/04/11	150.00 C	0946 COOL O MATIC	024-1019-516	1100724	SERVICE	410377
025569	04/04/11	15585.49 C	1850 RARITAN VALLEY DISPOSAL SERV	024-1318-523	1100726	TRASH COLLECTION	0865-000409072
025569	04/04/11	22256.67 C	1850 RARITAN VALLEY DISPOSAL SERV	024-1318-665	1100726	TRASH COLLECTION	0865-000409072
025533	04/04/11	50.60 C	1120 DORELL & SONS	024-1210-687	1100727	PADLOCKS, KEYS	144651
025556	04/04/11	183.64 C	2485 LAWSON PRODUCTS	024-1210-560	1100728	BLADE KIT	0280780
025525	04/04/11	391.00 C	3244 CLEAN AIR COMPANY	024-1019-516	1100729	GRABBER ASSEMBLY	11-1244
025528	04/04/11	681.84 C	1341 DECOTIIS,FITZPATRICK,COLE & WI	026-2339-659	1100734	PROF SERVICES/FEB	
025528	04/04/11	432.46 C	1341 DECOTIIS,FITZPATRICK,COLE & WI	026-2319-608	1100735	PROF SERVICES/FEB	
025528	04/04/11	565.26 C	1341 DECOTIIS,FITZPATRICK,COLE & WI	026-2319-659	1100736	PROF SERVICES/FEB	
025514	04/04/11	541.27 C	3644 AMPERE ELECTRICAL CONTRACTORS	026-2010-700	1100737	ELECTRICAL WORK	1149
025552	04/04/11	330.00 C	2952 JOHNNY ON THE SPOT INC	024-1110-709	1100738	RENTAL	J-1052078
025537	04/04/11	500.00 C	3801 ENZO PADOVANNI	051-0111-216	1100739	RELEASE OF RD OPEN P	
025571	04/04/11	500.00 C	4630 SCHAAL CONST INC	051-0111-216	1100740	RELEASE OF RD OPEN P	
025554	04/04/11	500.00 C	1278 JSM AT SOMERVILLE LLC	051-0111-216	1100743	RELEASE OF RD OPEN P	
025567	04/04/11	500.00 C	4629 PIONEER ENVIRONMENTAL GROUP	051-0111-216	1100744	RELEASE OF RD OPEN P	

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025555	04/04/11	500.00	C	4628	KAREN & PETER PLESH	051-0111-216	1100745	RELEASE OF RD OPEN P	
025551	04/04/11	500.00	C	4625	J FLETCHER CREAMER & SON INC	051-0111-216	1100748	RELEASE OF RD OPEN P	
025551	04/04/11	500.00	C	4625	J FLETCHER CREAMER & SON INC	051-0111-216	1100749	RELEASE OF RD OPEN P	
025560	04/04/11	500.00	C	0008	MOOREHOUSE MARCELLA CORP	051-0111-216	1100750	RELEASE OF RD OPEN P	
025579	04/04/11	1700.00	C	2528	SOMERVILLE WAR VETERAN'S COMM	024-1512-525	1100752	ANNUAL CONTRIBUTION	
025562	04/04/11	1143.25	C	3510	NEW JERSEY AMERICAN WATER	024-1215-717	1100754	WATER SUPPLIED/MARCH	
025566	04/04/11	650.00	C	0523	PAUL ALLENA	024-1010-511	1100755	SERVICES	
025566	04/04/11	2500.00	C	0523	PAUL ALLENA	024-1030-536	1100755	SERVICES	
025559	04/04/11	200.00	C	2358	MASELLIS SEWER SERVICE	024-1110-709	1100756	MAINT AGRMT	
025553	04/04/11	1000.00	C	3207	JOSEPH DEMARCO	024-1028-637	1100757	PROF SERVICES	
025530	04/04/11	6158.05	C	1056	DELTA DENTAL PLAN OF NJ INC	024-1027-666	1100758	HEALTH BENEFITS	
025545	04/04/11	218.00	C	2893	GRANICUS INC	051-0111-542	1100759	MAINT AGRMT	25341
025520	04/04/11	241.50	C	1271	BOB SMITH & ASSOC.	024-1010-533	1100760	PROF SERVICES	
025520	04/04/11	287.50	C	1271	BOB SMITH & ASSOC.	024-1016-529	1100760	PROF SERVICES	
025523	04/04/11	6.20	C	1025	CABLEVISION OF RARITAN VALLEY	051-0111-542	1100761	CABLE	
025539	04/04/11	36.74	C	3258	FEDEX	024-1010-635	1100762	SHIPPING CHARGES	7-423-82816
025573	04/04/11	422.53	C	3623	SHARP ELECTRONICS	024-1010-530	1100763	MAINT AGRMT	C715980-711
025583	04/04/11	144628.00	C	1454	STATEWIDE INSURANCE FUND	024-1025-745	1100764	INSURANCE	495AR
025575	04/04/11	1000.00	C	2309	SOMERSET COUNTY EMERGENCY SERV	024-1110-697	1100767	TRAINING	8141
025524	04/04/11	1300.00	C	0847	CENTRAL HOOK AND LADDER	024-1110-661	1100768	RENT	
025540	04/04/11	99.00	C	2162	FIRE FIGHTERS EQUIPMENT CO	024-1110-560	1100769	SERVICES	20110711
025564	04/04/11	76.19	C	0690	NEW JERSEY FIRE EQUIPMENT CO	024-1110-560	1100770	SERVICES	37276,37278
025580	04/04/11	64.99	C	1006	STAPLES BUSINESS ADVANTAGE	024-1210-628	1100774	TONER CARTRIDGE	8018001099
025514	04/04/11	153.50	C	3644	AMPERE ELECTRICAL CONTRACTORS	024-1019-638	1100775	REPLACED FIXTURE	1159
025533	04/04/11	42.60	C	1120	DORELL & SONS	024-1019-517	1100776	KEYS	144341,144405,144
025533	04/04/11	138.00	C	1120	DORELL & SONS	024-1019-516	1100778	SERVICE CALL	144630
025535	04/04/11	44.40	C	0539	EAGLE EQUIPMENT INC	044-4009-560	1100780	VALVE, BUSHING, NIPP	009533
025563	04/04/11	3000.00	C	2898	NEW JERSEY DEPT OF ENVIRONMENT	026-2319-608	1100781	DISCHARGE CATEGORY P	
025543	04/04/11	400.00	C	2548	GENSERVE INC	024-1019-516	1100782	PREVENTATIVE MAINTEN	0016078
025536	04/04/11	75.00	C	0719	EHRlich	024-1019-558	1100784	PEST CONTROL	2311
025538	04/04/11	122.98	C	4524	EVERBANK	024-1111-670	1100785	XEROX RENTAL	
025519	04/04/11	233.38	C	3728	AVAYA INC	024-1214-704	1100786	TELEPHONE MAINTENANC	
025542	04/04/11	1359.19	C	1317	FULLERTON FORD INC	024-1111-560	1100787	VEHICLE REPAIRS	C74295,C74877
025517	04/04/11	239.74	C	2109	ATLANTIC TACTICAL	024-1111-713	1100788	CLOTHING ALLOWANCE	142905
025518	04/04/11	410.24	C	2118	ATLANTIC TACTICAL OF NJ	024-1111-628	1100789	OC SPRAY	SQ123537
025532	04/04/11	648.00	C	0744	DIANE HEIMBERG	024-1111-511	1100790	SALARY	
025589	04/04/11	595.00	C	4600	WILLIAM D BOYLE	024-1114-511	1100791	TEMP. ELECT. INSP.	
025577	04/04/11	7929.83	C	1914	SOMERSET COUNTY TREASURER	024-1410-533	1100793	MARCH BOH CONTRACT	
025584	04/04/11	45.00	C	4547	TD WEALTH MANAGEMENT	026-2189-610	1100795	ACCT # 81-1529-80-9	
025534	04/04/11	3408.13	C	4607	DRIVER ASSOCIATES LLC	026-2319-608	1100796	MARCH PROF SERVICES	
025534	04/04/11	15290.31	C	4607	DRIVER ASSOCIATES LLC	026-2339-659	1100796	MARCH PROF SERVICES	
025581	04/04/11	25.25	C	3160	STAPLES CR PLAN	024-1010-628	1100797	SUPPLIES	

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025581	04/04/11	33.67	C	3160	STAPLES CR PLAN	024-1015-628	1100797	SUPPLIES	
025581	04/04/11	154.02	C	3160	STAPLES CR PLAN	024-1410-628	1100797	SUPPLIES	
024207	03/24/11	1886.08	M	3220	ELAINE F. GOLDSMITH	025-5004-500	1100798	SIDEWALK ASSMT REFUN	
025531	04/04/11	520.00	C	1550	DENNIS GALVIN	051-0111-211	1100805	PROFESSIONAL SERVICE	
025572	04/04/11	1198.12	C	2227	SGT KENNETH DECICCO	024-1111-697	1100807	TUITION REIMBURSEMEN	
025581	04/04/11	349.95	C	3160	STAPLES CR PLAN	024-1111-628	1100808	OFFICE SUPPLIES	6011 1000 5391 02
025568	04/04/11	149.16	C	3780	PSE&G CO.	024-1216-580	1100809	ELECTRIC SERVICE	
025529	04/04/11	39.71	C	1701	DEER PARK	024-1019-517	1100810	BOTTLED WATER	
025547	04/04/11	1501.89	C	1024	HERBERT A. HALL	051-0111-542	1100811	REIMBURSEMENT	
025590	04/04/11	2232.39	C	0951	XTEL COMMUNICATIONS	024-1214-705	1100812	PHONE CHARGES	
025568	04/04/11	36.57	C	3780	PSE&G CO.	024-1216-580	1100813	TRAFFIC SIGNAL SERVI	
025548	04/04/11	45.64	C	1681	HOME DEPOT CREDIT SERVICES	024-1010-636	1100814	SUPPLIES	
025548	04/04/11	35.68	C	1681	HOME DEPOT CREDIT SERVICES	024-1019-517	1100814	SUPPLIES	
025548	04/04/11	112.67	C	1681	HOME DEPOT CREDIT SERVICES	024-1210-560	1100814	SUPPLIES	
025548	04/04/11	43.17	C	1681	HOME DEPOT CREDIT SERVICES	024-1510-560	1100814	SUPPLIES	
025570	04/04/11	40.00	C	3454	REGISTRARS ASSN OF NJ	024-1410-613	1100816	MET-REGISTRAR MTG.	
025586	04/04/11	104.00	C	4532	VICTORIA J WELICHKO	051-0111-219	1100822	PART TIME ASST	
025522	04/04/11	241.81	C	2655	BUSINESS WORLD INC	024-1114-530	1100823	COPY SERVICE	9105556
025582	04/04/11	104.40	C	3388	STAR LEDGER	024-1010-502	1100827	LEGAL ADS	
025574	04/04/11	545.64	C	4633	SHARP OFFICE SUPPLY	024-1010-628	1100828	SUPPLIES	5319394

PAYMENT TOTALS BY FUND:	MANUAL PAYMENTS	CYCLE PAYMENTS
FUND 024	.00	224,523.75
FUND 014	.00	1,450.00
FUND 025	1,886.08	1,403.78
FUND 026	.00	26,392.20
FUND 051	.00	6,350.09
FUND 044	.00	44.40
TOTAL	1,886.08	260,164.22

Councilman Sullivan made a motion and was seconded by Councilman Mitchell to approve the aforementioned vouchers and was approved by the following vote:

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

Nays: None

Councilman Mitchell abstained on voucher #1100767

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

Carried unanimously

The meeting was adjourned at 9:10pm

Respectfully submitted,

Paul Allena
Secretary