

**BOROUGH OF SOMERVILLE  
EXECUTIVE SESSION / WORKSHOP SESSION / COUNCIL MEETING  
AGENDA**

**Monday, August 1, 2022  
6:30 P.M.**

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

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EVENTS

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- 1. OPEN PUBLIC MEETING LAW STATEMENT**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES- EXECUTIVE SESSION**
  - a. July 18, 2022
- 4. RESOLUTION 22-0801-241 TO ENTER INTO EXECUTIVE SESSION**

**EXECUTIVE SESSION AGENDA**

- a. Personnel
- b. Redevelopment

**COUNCIL MEETING AGENDA**

- 1. OPEN PUBLIC MEETING LAW STATEMENT**
- 2. ROLL CALL**
- 3. SALUTE TO THE FLAG**
- 4. APPROVAL OF MINUTES**
  - a. July 18, 2022
- 5. DEPARTMENTAL REPORTS & NOTICES**
  - a. National Night Out Tuesday, August 2<sup>nd</sup>  
(6:00p.m.-8:00p.m. Carol Pager Park)
- 6. COMMITTEE REPORTS**
- 7. PRESENTATION**
  - a. Sanitary Sewer Sale
- 8. DISCUSSION**
  - a. FTE site work -50 Kirby Avenue
  - b. Flood Zone Advisory
- 9. ORDINANCES FOR PUBLIC HEARING AND ADOPTION** (full copy is available at the end of this agenda)

2678-22-0718

APPROVING AN AGREEMENT OF SALE  
BETWEEN THE BOROUGH AND NEW JERSEY  
AMERICAN WATER COMPANY, INC. FOR THE  
SALE OF THE BOROUGH'S WASTEWATER  
COLLECTION SYSTEM AND AUTHORIZING A  
PROPOSAL TO BE PRINTED ON THE BALLOT

FOR CONSIDERATION BY THE VOTERS WITHIN THE BOROUGH AT THE GENERAL ELECTION ON NOVEMBER 8, 2022 PROVIDING FOR THE SALE OF THE BOROUGH'S WASTEWATER COLLECTION SYSTEM TO AMERICAN WATER COMPANY, INC.

2679-22-0718

APPROVING AMENDMENTS TO THE LEASE WITH HATHAWAY SOLAR, LLC, THE CONTRACT REDEVELOPER FOR TWO LEASES WITH AFFILIATED ENTITIES OF HATHAWAY SOLAR, LLC FOR PROPERTY KNOWN AS TAX BLOCK 124, PORTIONS OF LOTS 1 & 21 LOCATED IN THE LANDFILL REDEVELOPMENT AREA PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1ET SEQ. FOR A SOLAR PROJECT

**10. MEETING OPEN TO THE PUBLIC**

(Motion and 2<sup>nd</sup> needed and roll call vote to open and close the meeting to the public. Regulations that apply during public meetings also apply during electronic meetings. Comments may be submitted prior to the meeting and maybe summarized during the meeting)

**11. CONSENT RESOLUTIONS (ANY ITEMS PULLED OFF CONSENT AGENDA ARE REQUIRED TO HAVE A MOTION AND ROLL CALL VOTE)**

**(RESOLUTIONS 22-0801-242 THRU 22-0801-258)**

(Resolutions may be pulled off consent agenda for discussion and roll call vote. Resolutions may be removed or added to the agenda)

- 22-0801-242 APPROVING PAIGE MCDONOUGH TO BE HIRED AS A LIFEGUARD AT \$17 PER HOUR FROM JUNE 18, 2022 - AUGUST 21, 2022
- 22-0801-243 APPROVING CHAPTER 159 FOR STATE OF NEW JERSEY COMMUNITY DEVELOPMENT BLOCK GRANT CORONAVIRUS AID FOR SOMERVILLE SENIOR HOUSING FACILITY UV LIGHTS
- 22-0801-244 AUTHORIZING THE SALE OF SURPLUS PROPERTY BEING A THROUGH Municibid IN ACCORDANCE WITH STATE COOPERATIVE PRICING SYSTEM
- 22-0801-245 AUTHORIZING THE SALE OF SURPLUS PROPERTY BEING A THROUGH Municibid IN ACCORDANCE WITH STATE COOPERATIVE PRICING SYSTEM
- 22-0801-246 AUTHORIZING THE REJECTION OF ALL BIDS FOR CLEANING AND TELEVISION OF 27 -IN INTERCEPTOR
- 22-0801-247 APPROVING THE CENTRAL JERSEY VOLKSWAGEN SOCIETY TO UTILIZE PARKING SPACES IN FRONT OF HISTORIC COURTHOUSE ON AUGUST 26TH 2022 FROM 5:00 P.M. – 9:00 P.M. FOR CRUISE NIGHT DISPLAY
- 22-0801-248 RESOLUTION OF THE BOROUGH OF SOMERVILLE, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY (THE "LOCAL UNIT") AUTHORIZING THE LOCAL UNIT'S PARTICIPATION IN THE POOLED LOAN FINANCING PROGRAM OF THE SOMERSET COUNTY IMPROVEMENT AUTHORITY AND AUTHORIZING THE MAKING OF AN APPLICATION TO THE LOCAL FINANCE BOARD IN CONNECTION THEREWITH AND PURSUANT TO N.J.S.A. 40A:2-26(e) AND CERTAIN OTHER MATTERS IN

CONNECTION WITH ISSUANCE OF THE LOCAL UNIT BONDS

- 22-0801-249 APPROVING SOMERVILLE STREET FAIR ON OCTOBER 2, 2022 FROM 11:00 A.M. – 5:00 P.M. ON MAIN STREET FROM GROVE STREET TO DOUGHTY AVENUE (Road closure from 7:00 a.m. to 7:00 p.m.)
- 22-0801-250 APPROVING NEW WRECKER & TOWING LICENSE FOR 2022-2023
- 22-0801-251 AWARDED A CONTRACT TO DESANTIS CONSTRUCTION, INC. FOR EASTERN STATES PARKWAY AND RESURFACING OF MADISON STREET IN THE AMOUNT OF \$657,418.46
- 22-0801-252 MEMORIALIZING KELLY GRIFFIN TO BE HIRED AS A LIFEGUARD AT \$17 PER HOUR FROM JUNE 18, 2022 - AUGUST 21, 2022
- 22-0801-253 MEMORIALIZING MEGAN MACK TO BE HIRED AS A POOL SUPERVISOR AT \$20 PER HOUR FROM JUNE 18, 2022 - AUGUST 21, 2022
- 22-0801-254 MEMORIALIZING KAYLA HNASKO TO BE HIRED AS A POOL SUPERVISOR AT \$20 PER HOUR FROM JUNE 18, 2022 - AUGUST 21, 2022
- 22-0801-255 MEMORIALIZING THE CLERK TO EXECUTE AN ACCESS AGREEMENT WITH GEOSYNTEC TO GRANT ACCESS TO HOLLY GLEN ROAD FOR PLACEMENT OF A MONITORING WELL
- 22-0801-256 APPROVING THE REDUCTION OF PERFORMANCE BOND AND CASH BOND AMOUNT FOR SOMERSET STATION URBAN RENEWAL, LLC, WITH CHA PROJECT #32956-5000
- 22-0801-257 ACCEPTING AN AWARD OF \$2,541,600.00 FROM DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR CHAMBRES PARK IMPROVEMENT GRANT NUMBER B-22-CP-NJ-0588
- 22-0801-258 AUTHORIZING BONDS AGGREGATING THE PRINCIPAL SUM NOT TO EXCEED \$5,200,000 AUTHORIZED BY ONE BOND ORDINANCE HERETOFORE ADOPTED TO FINANCE PART OF THE COST OF VARIOUS GENERAL IMPROVEMENTS IN THE BOROUGH OF SOMERVILLE, COUNTY OF SOMERSET, NEW JERSEY INTO ONE CONSOLIDATED ISSUE OF BONDS AND PROVIDING FOR THE FORM, MATURITIES AND OTHER DETAILS OF SAID CONSOLIDATED ISSUE

**12. BILLS AND VOUCHERS**

**13. ADJOURNMENT**

KEVIN SLUKA, MUNICIPAL CLERK

Ordinances scheduled for Public Hearing

**ORDINANCE #2678-22-0718**

**APPROVING AN AGREEMENT OF SALE BETWEEN THE BOROUGH AND NEW JERSEY AMERICAN WATER COMPANY, INC. FOR THE SALE OF THE BOROUGH'S WASTEWATER COLLECTION SYSTEM AND AUTHORIZING A PROPOSAL TO BE PRINTED ON THE BALLOT FOR CONSIDERATION BY THE VOTERS WITHIN THE BOROUGH AT THE GENERAL ELECTION ON NOVEMBER 8, 2022 PROVIDING FOR THE SALE OF THE BOROUGH'S WASTEWATER COLLECTION SYSTEM TO AMERICAN WATER COMPANY, INC.**

**WHEREAS**, the Borough of Somerville, in the County of Somerset, New Jersey (the "Borough") currently owns and operates a wastewater collection system servicing the residents and property owners (the "Customers") within the geographic boundaries of the Borough and a portion of Bridgewater Township (the "System"); and

**WHEREAS**, the Borough has determined that it is in the best interest of such Customers to sell the System to an entity with experience and expertise in owning and operating such systems in order to meet all necessary demands associated with such System including all present and future requirements of various state and federal regulatory agencies and to make necessary capital improvements to the System; and

**WHEREAS**, the Borough prepared and distributed a Request for Bids for the Sale of the Wastewater Collection System (the "RFB") dated May 3, 2022 requesting bids for the purchase of the System pursuant to N.J.S.A. 40:62-1 et seq. (the "Public Utilities Law"); and

**WHEREAS**, on June 22, 2022 the Borough received two bids from two regulated utilities, New Jersey American Water Company, Inc., and Aqua New Jersey to purchase the Borough's System; and

**WHEREAS**, based on the review of the above referenced bids, the Borough has determined that the bid submitted by New Jersey American Water Company Inc. in the amount of \$7,000,000 was the highest responsible bid; and

**WHEREAS**, under the terms of the RFB, the Borough would sell all of the Borough's rights and interests in the land and improvements comprising the System, provided that any purchaser of the System would continue to provide wastewater collection services to the Customers in accordance with all applicable state and local standards, make all capital improvements as required by the RFB, and meet other requirements set forth in the RFB; and

**WHEREAS**, the Borough and New Jersey American Water Company Inc. have agreed to the terms of the sale of the System; and

**WHEREAS**, the Public Utilities Law requires that in addition to the approval of the Borough, the legal voters of the Borough must also approve the sale of the System; and

**WHEREAS**, the Public Utilities Law, specifically N.J.S.A. 40:62-5, authorizes the Borough to request that the clerk of the County of Somerset place the question of the sale of the System on the ballot used at the next general election in the Borough, which is scheduled for November 8, 2022; and

**WHEREAS**, the Borough desires to enter into the Agreement of Sale, subject to the approval of the voters of the Borough as set forth in N.J.S.A. 40:62-5 and any other regulatory approvals set forth in the Public Utilities Law.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Somerville, County of Somerset, State of New Jersey, as follows:

#### **SECTION I**

The recitals are hereby incorporated as if set forth in full herein.

#### **SECTION II**

The Borough hereby approves the sale of the System to New Jersey American Water Company Inc. for \$7,000,000 in accordance with its bid and in accordance with the terms and conditions of the RFB and the Agreement of Sale, subject to the approval of the voters of the Borough as set forth in N.J.S.A. 40:62-5.

#### **SECTION III**

The Agreement of Sale between the Borough and New Jersey American Water Company Inc. entitled "Agreement of Sale between the Borough of Somerville, New Jersey and New Jersey American Water Company Inc." substantially in the form on file in the office of the Borough Clerk, is hereby approved with such further changes, insertions and amendments as deemed necessary by the governing body of the Borough, in consultation with the Borough staff and professionals. The approval of this Agreement of Sale is subject to compliance with the provisions of N.J.S.A. 40:62-5 of the Public Utilities Law.

**SECTION IV**

The Mayor and Council and all other appropriate officials of the Borough are hereby authorized and directed to execute the Agreement of Sale and any other documents deemed necessary to effectuate the terms of this Ordinance and to proceed with the regulatory process and approvals required under the provisions of the Agreement of Sale and the Public Utilities Law subject to approval of the sale by the voters of the Borough pursuant to N.J.S.A. 40:62-5.

**SECTION V**

The Mayor and Council hereby requests and directs the Clerk of the County of Somerset to place the following question and explanation on the ballot of the next general election, such to be substantially in the form provided in N.J.S.A. 40:62-5 as follows:

**PROPOSAL**

"Shall the Borough of Somerville, in the County of Somerset, New Jersey, be authorized to sell its wastewater collection system (commonly known as the "system") to New Jersey American Water Company Inc. for the sum of \$7,000,000?"

\_\_\_\_\_ Yes

\_\_\_\_\_ No

**Explanation**

If a majority of the legal votes cast in the Borough are "yes", the Borough of Somerville will sign an agreement with New Jersey American Water Company Inc. for the sale of the system servicing the residents and property owners within the geographic boundaries of the Borough and a portion of Bridgewater in the amount of \$7,000,000.

This agreement provides that New Jersey American Water Company Inc. will provide and maintain all wastewater collection services to the existing customers of the Borough's system and will make substantial capital improvements to such system in accordance with the terms of the Agreement of Sale approved by the Borough. Subject to the final review and approval of the New Jersey Board of Public Utilities, the service rates to the customers of the Borough's System are proposed to be changed as follows for up to a maximum of 7 years following the sale:

Year	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7
Rate Increase	0%	0%	3%	3%	3%	4%	4%

Upon the completion of the rate schedule approved by the Board of Public Utilities future rate changes shall be subject to approval by the New Jersey Board of Public Utilities.

If a majority of the legal votes cast in the Borough are “no”, the Borough will retain the system and will immediately begin a process to increase rates to the extent required to address the need for additional capital improvements and maintenance activities.

**SECTION VI**

This Ordinance shall take effect as provided by law.

**ORDINANCE #2679-22-0718**

**APPROVING AMENDMENTS TO THE LEASE WITH HATHAWAY SOLAR, LLC, THE CONTRACT REDEVELOPER FOR TWO LEASES WITH AFFILIATED ENTITIES OF HATHAWAY SOLAR, LLC FOR PROPERTY KNOWN AS TAX BLOCK 124, PORTIONS OF LOTS 1 & 21 LOCATED IN THE LANDFILL REDEVELOPMENT AREA PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. FOR A SOLAR PROJECT**

**BE IT ORDAINED AND ENACTED** by the Borough Council of the Borough of Somerville that:

**SECTION 1.** Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “**Redevelopment Law**”), a municipality may sell, convey, or lease any of its property to a redeveloper for the purpose of clearance, re-planning, development and redevelopment of a redevelopment area provided that the sale, conveyance or lease is made in conjunction with a redevelopment plan.

**SECTION 2.** Pursuant to the Redevelopment Law, on September 8, 1997 the Borough Council of the Borough of Somerville (the “**Borough**”) adopted a resolution designating an area in need of redevelopment, now known as the Borough Landfill Redevelopment Area (“**Redevelopment Area**”).

**SECTION 3.** Pursuant to the Redevelopment Law, on March 16, 1998, the Borough, by ordinance, adopted a redevelopment plan for the Redevelopment Area entitled the Borough Landfill Redevelopment Plan, which Redevelopment Plan was amended by the Borough on September 4, 2007, and the amended Redevelopment Plan is entitled

“Redevelopment Plan for the Station Area and Landfill Redevelopment Area”, which was prepared by Phillips Preiss Shapiro Associates, Inc., dated September 2007 (“**Redevelopment Plan**”), which Redevelopment Plan has been amended from time to time.

**SECTION 4.** Tax Block 124, portions of Lots 1 & 21 (the “**Property**”) are located in the Redevelopment Area.

**SECTION 5.** The Property is owned by the Borough, is currently vacant land and was used as a former municipal landfill (the “**Landfill**”), is approximately 25 acres and requires remediation and closure in accordance with applicable law.

**SECTION 6.** On May 26, 2021, the Borough entered into a redevelopment agreement (the “**Redevelopment Agreement**”) with Hathaway Solar, LLC, the designated redeveloper for the redevelopment of the Property (the “**Redeveloper**”).

**SECTION 7.** The Redevelopment Agreement requires the Redeveloper to redevelop the Property and to install, interconnect, and maintain the solar project on the Lease Area (the “**Solar Project**”).

**SECTION 8.** On February 22, 2022, the Borough entered into that certain Amended and Restated Redevelopment Agreement (the “**First Amended Redevelopment Agreement**”) with the Redeveloper.

**SECTION 9.** On March 7, 2022, the Borough entered into that certain Supplemental Agreement to Amended and Restated Redevelopment Agreement for remediation of landfill (the “**Supplemental Redevelopment Agreement**”) with the Redeveloper.

**SECTION 10.** On June 9, 2021, the Borough and the Redeveloper executed a lease for the Property (the “**Original Lease**”) in accordance with the Redevelopment Law, whereby the Borough leased the Property to the Redeveloper for the purposes of redevelopment in accordance with the Redevelopment Agreement and the Redevelopment Plans.

**SECTION 11.** The Redeveloper has assigned the Original Lease to its affiliate, who partially assigned its interest in the Original Lease to another affiliate of the Redeveloper (each such affiliate, a “**Lessee**”), and the Borough shall enter into amended and restated leases with each Lessee (such amended and restated leases, collectively, the “**Lease**”), which Lease includes amendments to Exhibit G, Annual Lease Payment Calculation and Payment Procedure, therein to address lease payment reductions based on Redeveloper contributions towards the remediation of the Property pursuant to the applicable terms and conditions in the Redevelopment Agreement and Lease.

**SECTION 12.** The Borough and Redeveloper have also agreed to amendments to the Redevelopment Agreement consistent with the Lease amendments and other related issues, which have been approved by the Borough.

**SECTION 13.** The Mayor and Borough Clerk are authorized to execute any and all documents necessary to amend the Original Lease, including the Lease, consisting of two separate lease agreements, in a form substantially consistent with the documents attached hereto, subject to the review and approval of such documents by the Borough’s legal counsel.

**SECTION 14.** This ordinance shall take effect upon final passage and publication as required by law.

The resolutions listed below are in draft form and may be amended prior or during the meeting

#### **RESOLUTION 22-0801-242**

**APPROVING PAIGE MCDONOUGH TO BE HIRED AS A LIFEGUARD AT \$17 PER HOUR FROM JUNE 18, 2022 - AUGUST 21, 2022**



**BE IT RESOLVED**, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey approves Paige McDonough to be hired as a Lifeguard at \$17 per hour from June 18, 2022 – August 21, 2022.

**RESOLUTION 22-0801-243**

**APPROVING CHAPTER 159 FOR STATE OF NEW JERSEY  
COMMUNITY DEVELOPMENT BLOCK GRANT  
CORONAVIRUS AID FOR SOMERVILLE SENIOR HOUSING FACILITY  
UV LIGHTS**

**WHEREAS**, NJSA 40A 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for an equal amount; and

**WHEREAS**, the Borough of Somerville has been awarded \$80,000.00 from the Community Development Block Grant administered by Somerset County and wishes to amend its 2022 Budget to include this amount as a revenue.

**NOW THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Somerville hereby requests the Director of the Division of Local Government Services to approve the amendment of an additional item of revenue in the budget of the year 2022 in the sum of \$80,000.00 to be received from grants as revenue from:

Miscellaneous Revenues:  
Special Items of General Revenue Anticipated with  
Prior Written Consent of the Director of Local  
Government Services:  
Public and Private Revenues off-set with  
Appropriations:  
Community Development Block Grant  
Grant ..... \$80,000.00

**BE IT FURTHER RESOLVED** that a like sum of..... \$80,000.00  
be and the same is hereby appropriated under the caption of:

General Appropriations:  
Operations-Excluded from "CAPS"  
Public and Private Programs Offset by Revenues:  
Community Development Block Grant

**BE IT FURTHER RESOLVED**, that the Borough Clerk of the Borough of Somerville forward two copies of this resolution to the Director of Local Government Services.

**RESOLUTION 22-0801-244**

**AUTHORIZING THE SALE OF SURPLUS PROPERTY BEING A  
THROUGH Municibid IN ACCORDANCE WITH STATE COOPERATIVE PRICING  
SYSTEM**

**WHEREAS**, the Borough is the owner of certain surplus property which is no longer needed for public use; and

**WHEREAS**, the Borough Council are desirous of selling said surplus property in an "as is" condition without express or implied warranties.

**BE IT RESOLVED** by the Council in the Borough of Somerville, County of Somerset, as follows:

(1) The sale of the surplus property shall be conducted through **Municibid** pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the

State Contract. The terms and conditions of the agreement entered into with **Municibid** is available online at **Municibid.com** and also available from the Borough of Somerville.

(2) The sale will be conducted online and the address of the auction site is govdeals.com.

(3) The sale is being conducted pursuant to Local Finance Notice 2008-9.

(4) A list of the surplus property to be sold is as follows:

**2005 DODGE DAKOTA  
VIN/ 1D7HW22K55S231635**

(5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

(6) The Borough reserves the right to accept or reject any bid submitted.

**RESOLUTION 22-0801-245**

**AUTHORIZING THE SALE OF SURPLUS PROPERTY BEING A  
THROUGH Municibid IN ACCORDANCE WITH STATE COOPERATIVE PRICING  
SYSTEM**

**WHEREAS**, the Borough is the owner of certain surplus property which is no longer needed for public use; and

**WHEREAS**, the Borough Council are desirous of selling said surplus property in an “as is” condition without express or implied warranties.

**BE IT RESOLVED** by the Council in the Borough of Somerville, County of Somerset, as follows:

(1) The sale of the surplus property shall be conducted through **Municibid** pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with **Municibid** is available online at **Municibid.com** and also available from the Borough of Somerville.

(2) The sale will be conducted online and the address of the auction site is govdeals.com.

(3) The sale is being conducted pursuant to Local Finance Notice 2008-9.

(4) A list of the surplus property to be sold is as follows:

**2006 DODGE MAGNUM  
VIN/ 2D8FV47V06H126191M**

(5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

(6) The Borough reserves the right to accept or reject any bid submitted.

**RESOLUTION 22-0801-246**

**AUTHORIZING THE REJECTION OF ALL BIDS FOR CLEANING AND TELEVISION  
OF 27 -IN INTERCEPTOR**

**WHEREAS**, the Borough of Somerville advertised bids for Cleaning And Television Of 27 - In Interceptor; and

**WHEREAS**, bids were accepted on June 1, 2022 at 10:00 a.m. in Executive Conference Room as required by the Municipal Clerk; and

**WHEREAS**, Borough of Somerville received one (1) bid; and

**WHEREAS**, after the receipt of the bid, review of the bid and review of the bid documents the Borough of Somerville recognized that the bid specifications require revision to ensure that the specifications meet the required work.

**BE IT RESOLVED**, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey authorizes the rejection of all bids.

**RESOLUTION 22-0801-247**

**APPROVING THE CENTRAL JERSEY VOLKSWAGEN SOCIETY TO UTILIZE  
PARKING SPACES IN FRONT OF HISTORIC COURTHOUSE  
ON AUGUST 26<sup>TH</sup> 2022 FROM  
5:00 P.M. – 9:00 P.M. FOR CRUISE NIGHT DISPLAY**

**BE IT RESOLVED**, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey approves The Central Jersey Volkswagen Society to use parking spaces located on Main Street in front of the Historic Courthouse on August 26<sup>th</sup> for Cruise Night display.

**RESOLUTION 22-0801-248**

**RESOLUTION OF THE BOROUGH OF SOMERVILLE, IN THE COUNTY  
OF SOMERSET, STATE OF NEW JERSEY (THE “LOCAL UNIT”) AUTHORIZING  
THE LOCAL UNIT’S PARTICIPATION IN THE POOLED LOAN FINANCING  
PROGRAM OF THE SOMERSET COUNTY IMPROVEMENT AUTHORITY AND  
AUTHORIZING THE MAKING OF AN APPLICATION TO THE LOCAL FINANCE  
BOARD IN CONNECTION THEREWITH AND PURSUANT TO N.J.S.A. 40A:2-26(e)  
AND CERTAIN OTHER MATTERS IN CONNECTION WITH ISSUANCE OF THE  
LOCAL UNIT BONDS**

**WHEREAS**, the Borough of Somerville, in the County of Somerset, State of New Jersey (the “Local Unit”), has previously duly adopted or will be duly adopting various bond ordinances authorizing the issuance of bonds or notes to finance the costs of various capital improvements (the “Capital Improvement Project”); and

**WHEREAS**, the Local Unit desires to issue bonds to permanently finance the Local Unit Projects; and

**WHEREAS**, the Local Unit believes that there is volatility in the long-term bond market for municipalities resulting in the following problems: (1) increased and unpredictable interest rates causing interest rate risk and budgeting problems, (2) shrinking investor pools to purchase municipal bonds, and (3) a reduced number of bids at municipal bond sales; and

**WHEREAS**, the Local Unit has reviewed the Pooled Loan Financing Program proposed by The Somerset County Improvement Authority (the “SCIA”), whereby the Local Unit would issue bonds (collectively, the “Local Unit Bonds”) through the Pooled Loan Financing Program of the SCIA; and

**WHEREAS**, the Local Unit believes that the SCIA’s Pooled Loan Financing Program cures many of the problems of the volatile bond market by providing (1) a more predictable interest rate, whereby the Local Unit will benefit from reduced interest costs as a result of the “AAA” guaranty by the County of Somerset, State of New Jersey (the “County Guaranty”) on the debt service of the SCIA Pooled Loan Financing Program, (2) market access to sell the Local Unit Bonds, (3) a certain investor pool to purchase the Local Unit Bonds, (4) a guaranteed purchaser of the Local Unit Bonds, and (5) decreased costs due to all the local units in the Pooled Loan Financing Program sharing in the costs of the SCIA Pooled Loan Financing Program; and

**WHEREAS**, the Local Unit further believes that any savings the Local Unit can achieve for its taxpayers, especially during this time of financial instability, is of utmost importance to its community and accordingly, the Local Unit desires to issue its Local Unit Bonds through the Pooled Loan Financing Program of the SCIA; and

**WHEREAS**, the Local Unit also desires to seek the Local Finance Board’s approval pursuant to N.J.S.A. 40A:2-26(e) for a non-conforming principal maturity schedule for the Local Unit Bonds in order to minimize the tax and financial impact of the debt service schedule for the Local Unit Bonds on the taxpayers in the Local Unit; and

**WHEREAS**, such Local Unit Bonds shall be issued in accordance with the provisions of the Local Bond Law, *N.J.S.A. 40A:2-1 et seq.*

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF SOMERVILLE, THAT**

**Section 1.** The Local Unit hereby authorizes the Local Unit's participation in the SCIA Pooled Loan Financing Program.

**Section 2.** The Local Unit consents to the SCIA's application to the Local Finance Board of the Division of Local Government Services, in the New Jersey Department of Community Affairs (the "Local Finance Board") in connection with the Pooled Loan Financing Program and to seek the Local Finance Board's approval pursuant to N.J.S.A. 40A:2-26(e) for a non-conforming principal maturity schedule for the Local Unit Bonds.

**Section 3.** The Chief Financial Officer of the Local Unit is hereby authorized to, or direct the appropriate party to, enter into one or more loans with the SCIA and is further authorized to execute one or more bond purchase contracts, loan agreements and any and all documents, certificates, opinions and other instruments that are necessary and as may be reasonably required by the Authority in connection with such loan, after consultation with council to the Local Unit.

**Section 4.** This resolution shall take effect immediately.

**RESOLUTION 22-0801-249**

**APPROVING SOMERVILLE STREET FAIR ON OCTOBER 2, 2022 FROM 11:00 A.M. – 5:00 P.M. ON MAIN STREET FROM GROVE STREET TO DOUGHTY AVENUE (Road closure from 7:00 a.m. to 7:00 p.m.)**

**WHEREAS**, Streetfairs.org has requested to conduct a Street fair on October 2, 2022 from 11:00 a.m. to 5:00 p.m. on Main Street from Grove Street to Doughty Avenue; and

**WHEREAS**, Daryl Walker the event organizer has filed the Event Application Plan as required and shall file for all necessary state and local permits, including security and sanitation.

**WHEREAS**, Daryl Walker is required to coordinate with the Downtown Somerville Alliance, Inc., to curate the event and to work with the DSA to ensure that Main Street merchants are accommodated in accordance with the terms established.

**WHEREAS**, the roadway closure request is from 7:00 a.m. to 7:00 p.m. on October 2, 2022.

**BE IT RESOLVED**, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey hereby approve the Somerville Street fair on October 2, 2022 from 11:00 a.m. to 5:00 p.m. on Main Street from Grove Street to Doughty Avenue (Road closure from 7:00 a.m. to 7:00 p.m.)

**RESOLUTION 22-0801-250**

**APPROVING NEW WRECKER & TOWING LICENSE FOR 2022-2023**

**WHEREAS**, the following have made application for a new wrecker & towing license for 2022-2023:

Stephen Musial  
t/a Musial & Sons  
Transport Services, LLC

550 New Market Road  
Piscataway, NJ 08854

**RESOLUTION 22-0801-251**

**AWARDING A CONTRACT TO DESANTIS CONSTRUCTION, INC. FOR EASTERN STATES PARKWAY AND RESURFACING OF MADISON STREET IN THE AMOUNT OF \$657,418.46**

**WHEREAS**, the Borough of Somerville scheduled a public bid for June 15, 2022 for Eastern States Parkway and Resurfacing of Madison Street; and

**WHEREAS**, Kevin Sluka on behalf of the Borough of Somerville and received (6) six bids on June 15, 2022 and publicly read them aloud; and

**WHEREAS**, DeSantis Construction, Inc., PO Box 6030, Somerset, NJ 08875 was the lowest responsible bidder.

**THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey hereby awards a contract to DeSantis Construction, Inc., PO Box 6030, Somerset, NJ 08875 in the amount of \$657,418.46.

**RESOLUTION 22-0801-252**

**MEMORIALIZING KELLY GRIFFIN TO BE HIRED AS A LIFEGUARD AT \$17 PER HOUR FROM JUNE 18, 2022 - AUGUST 21, 2022**

**BE IT RESOLVED**, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey approves Kelly Griffin to be hired as a Lifeguard at \$17 per hour from June 18, 2022 – August 21, 2022.

**RESOLUTION 22-0801-253**

**MEMORIALIZING MEGAN MACK TO BE HIRED AS A POOL SUPERVISOR AT \$20 PER HOUR FROM JUNE 18, 2022 - AUGUST 21, 2022**

**BE IT RESOLVED**, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey approves Megan Mack to be hired as a pool Supervisor at \$20 per hour from June 18, 2022 – August 21, 2022.

**RESOLUTION 22-0801-254**

**MEMORIALIZING KAYLA HNASKO TO BE HIRED AS A POOL SUPERVISOR AT \$20 PER HOUR FROM JUNE 18, 2022 - AUGUST 21, 2022**

**BE IT RESOLVED**, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey approves Kayla Hnasko to be hired as a pool Supervisor at \$20 per hour from June 18, 2022 – August 21, 2022.

**RESOLUTION 22-0801-255**

**MEMORIALIZING THE CLERK TO EXECUTE AN ACCESS AGREEMENT WITH GEOSYNTEC TO GRANT ACCESS TO HOLLY GLEN ROAD FOR PLACEMENT OF A MONITORING WELL**

**BE IT RESOLVED**, by the Borough Council of the Borough of Somerville, in the County of Somerset, State of New Jersey hereby approves the clerk to execute an agreement with Geosyntec.

**RESOLUTION 22-0801-256**

**APPROVING THE REDUCTION OF PERFORMANCE BOND AND CASH BOND AMOUNT FOR SOMERSET STATION URBAN RENEWAL, LLC, WITH CHA PROJECT #32956-5000**

**WHEREAS**, the applicant has requested a 10% cash bond reduction and performance bond reduction; and

**WHEREAS**, in a letter dated May 31, 2022 from Christopher Borinski, PE, of CHA to Kevin Sluka, Municipal Clerk recommends the 10% cash bond amount reduction from \$313,757.52 to \$94,127.26 and performance bond amount reduction from \$2,823,817.68 to \$847,145.30.

**BE IT RESOLVED**, by the Borough Council of the Borough of Somerville, County of Somerset, State of New Jersey hereby approves the 10% cash bond reduction and performance bond reduction for Somerset Station Urban Renewal, LLC an affiliate of Somerset Development, LLC.

**RESOLUTION 22-0801-257**

**ACCEPTING AN AWARD OF \$2,541,600.00 FROM DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR CHAMBRES PARK IMPROVEMENT GRANT NUMBER B-22-CP-NJ-0588**

**WHEREAS**, the Borough of Somerville has applied for and has been awarded a grant in the amount of \$2,541,600.00 in grant #B-22-CP-NJ-0588 from Department of Housing and Urban Development for Chambres Park Improvement; and

**WHEREAS**, in July 2022 the Borough acceptance of this grant #B-22-CP-NJ-0588; and

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Borough of Somerville that the above referenced grant is hereby accepted and the Mayor is hereby authorized to execute grant documents as an authorized representative thereunder, as the representative for the Borough of Somerville.

**RESOLUTION 22-0801-258**

**AUTHORIZING BONDS AGGREGATING THE PRINCIPAL SUM NOT TO EXCEED \$5,200,000 AUTHORIZED BY ONE BOND ORDINANCE HERETOFORE ADOPTED TO FINANCE PART OF THE COST OF VARIOUS GENERAL IMPROVEMENTS IN THE BOROUGH OF SOMERVILLE, COUNTY OF SOMERSET, NEW JERSEY INTO ONE CONSOLIDATED ISSUE OF BONDS AND PROVIDING FOR THE FORM, MATURITIES AND OTHER DETAILS OF SAID CONSOLIDATED ISSUE**

**WHEREAS**, the Borough Council of the Borough of Somerville, in the County of Somerset, New Jersey (the "Borough"), has heretofore adopted one bond ordinance authorizing bonds to finance part of the cost of various general improvements in said Borough; and

**WHEREAS**, it is necessary to issue bonds pursuant to said ordinance in an aggregate principal amount not to exceed \$5,200,000 and it is deemed advisable and in the best interests of the Borough, for the purpose of the orderly marketing of said bonds and for other financial reasons, to combine the bonds authorized under said one ordinance into one consolidated issue in the aggregate principal amount not to exceed \$5,200,000 pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the Revised Statutes of New Jersey; and

**NOW, THEREFORE, BE IT RESOLVED** BY 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) that:

There shall be issued bonds of the Borough in the following principal amounts pursuant to the following bond ordinance:

A. An amount not to exceed \$5,200,000 bonds, being bonds authorized by an ordinance entitled: (Ord. No. 2675):

"BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$5,200,000 FOR STATION ROAD EXTENSION TO ROUTE 206 IN AND BY THE BOROUGH OF SOMERVILLE, IN THE COUNTY OF SOMERSET, NEW JERSEY AND

AUTHORIZING THE ISSUANCE OF \$5,200,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.”

heretofore finally adopted. The average period of usefulness is 20 years.

Section 2. The bonds referred to in Section 1 hereof are hereby combined into one consolidated issue of bonds in the aggregate principal amount not to exceed \$5,200,000 and are sometimes hereinafter collectively referred to as the “Bonds.” The bonds referred to in Subsection A shall be designated “General Obligation Bonds, Series 2022” and shall be numbered with the prefix G from one (1) consecutively upward. The bonds of said consolidated issue shall be dated the date of delivery of the Bonds and will be issued in fully registered form. The Bonds of said issue (i) shall be dated the date of delivery of the Bonds, (ii) shall mature in the years 2023 through 2037, or such other years as may be determined by the Chief Financial Officer, (iii) shall bear interest at the interest rates per annum as determined by the Chief Financial Officer, (iv) shall be sold at such price or prices as determined by the Chief Financial Officer, and (v) may be subject to redemption prior to their stated maturities as determined by the Chief Financial Officer, as shall be set forth in the proposal for the purchase of the Bonds acceptance of which is authorized pursuant to Section 5 hereof. The Bonds shall be numbered one consecutively upward and will be issued in fully registered form.

Section 3. The Bonds shall be payable as to interest at the corporate trust office of U.S. Bank Trust Company, National Association, Iselin, New Jersey, (or other trustee bank selected by the hereinafter defined Authority) payable on the February 15 and August 15 prior to each March 1 and September 1, commencing March 1, 2023, in an amount equal to the interest accruing to each such March 1 and September 1, and payable as to principal at the corporate trust office of U.S. Bank Trust Company, National Association, payable on the 15th day of the month immediately preceding the due date therefor. Interest on the Bonds shall be calculated on the basis of a 360-day year or nine 30-day calendar months.

Section 4. The Bonds shall be signed by the Mayor and the Borough Chief Financial Officer (each an “Authorized Officer”), by their manual or facsimile signatures, and the corporate seal of the Borough shall be affixed thereto or imprinted or reproduced thereon and shall be attested by the manual or facsimile signature of the Clerk of the Borough.

Section 5. The Bonds are hereby sold and awarded to the Somerset County Improvement Authority (the “Authority”) by an Authorized Officer at a price determined by the Authorized Officer pursuant to the terms of a Bond Purchase Agreement between the Borough and the Authority (the “Bond Purchase Agreement”). The Mayor and Chief Financial Officer are hereby authorized on behalf of the Borough to execute the Bond Purchase Agreement by and between the Borough and the Somerset County Improvement Authority and the Continuing Disclosure Agreement by and between the Borough and U.S. Bank Trust Company, National Association, if necessary.

Section 6. The Bonds and the registration provisions endorsed thereon shall be in substantially the following form:

#

**MINUTES**

**OPEN PUBLIC MEETING LAW STATEMENT**

Kevin Sluka read the Open Public Meeting Law Statement.

**ROLL CALL**

Present: Mayor Sullivan, Councilmembers Brady, Mitchell, Pitts, Stravic, Vroom, Wied.

Also present: Kevin Sluka, Municipal Clerk and Jeremy Solomon, Borough Attorney, Paige Elster, CFO, and Ryan Scerbo from DeCotiis, FitzPatrick, Cole & Giblin, LLP.

**SALUTE TO THE FLAG**

The Mayor led the Pledge of Allegiance.

**MOMENT OF SILENCE**

The Mayor requested a moment of silence for:

- Terrence Owens, served in the Marine Corps
- Charles Ahlert Jr., served in the US Army
- Stavros Buziotis, served in the US Army
- Doreen Vallone, a contributing member of the community

**APPROVAL OF MINUTES – July 18, 2022**

Councilmember	Motion	Second	Aye	Nay	Abstain	Absent
Brady			X			
Mitchell			X			
Pitts		X	X			
Stravic			X			
Vroom			X			
Wied	X		X			

**DEPARTMENTAL REPORTS**

National Night Out: Tuesday, August 2 (6:00p.m.-8:00p.m. Carol Pager Park)

**COMMITTEE REPORTS**

G. Brady - The NJ Department of Corrections has approved the jail in the new Emergency Services Facility. We have received about 95% of the architectural drawings and plans.

The state is considering a 24% increase in health insurance costs for state employees and for taxpayers. Small towns like Somerville can't afford this increase.

G. Stravic - The community garden is thriving. It's a good start to a great project. The Environmental Commission walked through Chambres Park with a representative from the NJ Tree Foundation to prepare for a tree planting project in the fall, funded by MetLife.

Reminded everyone to water young trees, especially those who received street trees. More street trees will be planted in the fall.

T. Mitchell - The Historic Advisory Committee is preparing a proposed Historic Element to the Master Plan. Planner Mike Cole is reviewing it. The State Historic Preservation Office sent a representative to look at the Daniel Robert House (Borough Hall). He seemed impressed by the restoration work we have done.

A Native American festival is planned November 5<sup>th</sup> on Division St. There will be artists, drummers, dancers and more!

One of the trees at Borough Hall died and the Historic Advisory Committee would like to replace it with a smaller ornamental tree.



R. Vroom - No report tonight.

F. Wied - Thanks to Congressman Malinowski for securing \$2.5 million for us to rehab Chambres Park. Family Pride Night was rescheduled to August 14. Work will start in the next couple of weeks at the Mercer Street basketball court.

R. Pitts - Free concerts and music are underway at Downtown Somerville. Cruise Nights will continue every Friday through Labor Day. The Artisan Market is on August 7. A jazz festival will take place this year. The Somerville Kickball tournament was held this past Sunday.

Mayor Sullivan - We got a notice from the utility company to warn the public about scams. Do not share bank, credit card or social security information with anyone over the phone. When in doubt, hang up and notify the police department.

## **PRESENTATION: Sanitary Sewer Sale**

Ryan Scerbo, from DeCotiis, FitzPatrick, Cole & Giblin, LLP

### **Overview of the RFB (Request for Bids) Process**

- Borough evaluated operations for the long-term operation, maintenance, management and ownership of its wastewater system
- Borough Council authorized, via resolution, the development and administration of a Request for Bids for the sale of the wastewater system
- The Borough formed a professional team consisting of Phoenix Advisors as financial advisor, DeCotiis, FitzPatrick, Cole & Giblin, LLP as special procurement counsel, Gibbons, P.C. as bond counsel and T&M as engineer
- The Borough's professional team and administration representatives prepared and administered a Request for Bids for the sale of the wastewater system in accordance with the Municipal Sale Law, N.J.S.A. 40:62-1 et. seq. (the "RFB")
- On March 8, 2022 the Borough issued the RFB
- On June 22, 2022 the Borough received two responses in response to the RFB from:
  - New Jersey – American Water Company, Inc. (highest bidder at \$7 Million)
  - Aqua New Jersey (\$3 Million)
- Development of Contract for Sale Wastewater System

### **Results of the RFB**

New Jersey - American Water, Inc.

- Bid to Purchase \$7 Million
- Committed to \$9.5 Million post acquisition for capital improvements in the first 10 years (including the purchase of a sewer camera truck)
- Fixed Rate Proposal
  - Year 1-2: 0%
  - Year 3-5: 3%
  - Year 6-7: 4%
- Offers low-income customer financial assistance
- Provide customer service 24/7/365 for emergencies
- Currently provides potable water service to the Borough
- Serves approximately 2.8 million customers in 190 communities

### **Contract Development**

- The parties prepared a draft contract that is substantially complete addressing the terms and conditions related to sale of the wastewater system
  - Borough will remain a member of the Somerset Raritan Valley Sewerage Authority (SRVSA)
  - Borough will continue to appoint two members to the SRVSA board
  - Annual SRVSA fee will be passed through to American, and American will pre-fund the costs (post an escrow for each year) in an amount equal to 105% of the estimated SRVSA fee to ensure the Borough is protected from shortfalls

- A copy of the proposed draft contract is located in Clerk’s Office for public review, by appointment.

**Use of Proceeds**

- Pursuant to the Municipal Sale Law, the proceeds that the Borough receives from the sale of the wastewater system must be utilized for the retirement of bonds issued for the purpose of such plant, if any, or in case no such bonds are outstanding, then to the retirement of other bonds of the municipality
- The Borough has outstanding debt associated with the wastewater system as well as other Borough debt.
- It is anticipated that the proceeds will be utilized to decrease approximately \$1.07 Million of wastewater system debt and the remainder will address a portion of the Borough’s \$16.1 million dollars of debt unrelated to the wastewater system.

**If the System is Not Sold**

- Borough would need to immediately consider raising rates to address:
  - On-going maintenance and repair responsibility for the wastewater system
  - Capital projects associated with 27” line to SRVSA
  - Costs associated with continued track down of inflow and infiltration sources
  - Additional / new staff – DPW facility needs
  - Need for new equipment due to losses sustained in recent storms

**Next Steps**

- August 1, 2022: Second reading of ordinance approving the contract for sale subject to voter approval
- First Week of August: Submit referendum question to the County for publication on the ballot
- August - November 2022: Public Education Campaign – Assisted by NJAW
- November 8, 2022: Voter Referendum
- November 2022 - January 2023: If “Yes” complete contracting process
- Summer 2023: Obtain Board of Public Utilities approval
- August 2023: Close contract and transfer system

**ORDINANCE FOR PUBLIC HEARING AND ADOPTION**

2678-22-0718 APPROVING AN AGREEMENT OF SALE BETWEEN THE BOROUGH AND NEW JERSEY AMERICAN WATER COMPANY, INC. FOR THE SALE OF THE BOROUGH'S WASTEWATER COLLECTION SYSTEM AND AUTHORIZING A PROPOSAL TO BE PRINTED ON THE BALLOT FOR CONSIDERATION BY THE VOTERS WITHIN THE BOROUGH AT THE GENERAL ELECTION ON NOVEMBER 8, 2022 PROVIDING FOR THE SALE OF THE BOROUGH'S WASTEWATER COLLECTION SYSTEM TO AMERICAN WATER COMPANY, INC.

**OPEN PUBLIC HEARING**

Councilmember	Motion	Second	Aye	Nay	Abstain	Absent
Brady			X			
Mitchell	X		X			
Pitts			X			
Stravic			X			
Vroom		X	X			
Wied			X			

**Comments**

Brian Gallagher - The conversation should have been had with the public prior to starting the RFB process. There isn’t a lot of time to educate people between August and November. Responses to the RFB should have been posted on the Borough website before voting.

Richard Matthews - Asked if there will be a facilities charge.

R. Scerbo - NJAW is adopting all our rates and fees associated with the system right now, which don't include a facilities charge. They're maintaining our rates for 2 years at zero percent.

Mike Kerwin - This is an issue that the Somerville community has been dealing with for a very long time. We have an opportunity now to engage in a transaction that will eliminate risk to the Borough. Fixing the leaky system once and for all can only help the environment and our community.

**CLOSE PUBLIC HEARING**

Councilmember	Motion	Second	Aye	Nay	Abstain	Absent
Brady			X			
Mitchell		X	X			
Pitts	X		X			
Stravic			X			
Vroom			X			
Wied			X			

**ADOPTION**

Councilmember	Motion	Second	Aye	Nay	Abstain	Absent
Brady		X	X			
Mitchell	X		X			
Pitts			X			
Stravic					X	
Vroom			X			
Wied			X			

**Comments**

G. Brady- As a Borough, we don't do sewers very well. The more the town expands the more difficult a time we're going to have keeping up with it. This is an opportunity for us to pay off the debt incurred and move on.

G. Stravic - Agreed that the process seemed backwards. Asked about other communities who have done this in the past, and if they were long term or if this was a new concept.. Also asked if we had looked at contracting out, rather than selling. Would like to see something longer than a 7-yr contract in regard to increasing fees.

R. Scerbo - The process must start with presenting the governing body with accurate details before asking if they would like to sell the wastewater system. Between now and the election it's upon us to get information out to the public.

Regarding other options, such as contract operation or shared services, we're looking at all the same costs and obligations for the Borough. We needed to request bids first to find out the impact on the Borough if we were to sell the system. That process is statutorily dictated. If the governing body is willing to sell, then that information is presented to the public. Ultimately the public decides what should happen to the system.

F. Wied - Asked about the Bound Brook process and where they are a year after it was approved.

R. Scerbo - It's exactly the same process as this. They had to increase their rates before going out to bid. Their system sold for approximately \$5 million. The governing body chose to move it to referendum. The public voted in favor of it and the contract was finalized in January. We'll be closing in the next few weeks.

F. Wied - We're not selling it tonight. We're just putting it on the ballot. There's going to be a public information campaign to get the information out to the voters. I have confidence in the voters making the right choice.

T. Mitchell - Asked about the municipal connection fee.

R. Scerbo - Once the system is sold, the Borough won't need to charge a connection fee. NJAW doesn't charge connection fees.

Mayor Sullivan - In terms of planning for the budget, we would continue to own and operate the sewer system and be responsible for repairs until September of the next year.

I support the referendum and trust the voters and trust our ability to give them the tools they need.

R. Scerbo - The next step is talking to the County Clerk to get the question on the ballot and then we'll move on to an education campaign.

## **DISCUSSION**

### **TFE site work - 50 Kirby Avenue**

Francie Tajfel, In-House Counsel and Carey Tajfel, President at TFE Properties

F. Tajfel - There were no industrial activities in the history of the property. It was owned by a book binding company, but the property was only used for a warehouse for distribution. There was no expectation of contamination. After closing, we learned that some soil in the immediate vicinity of a former PSEG transformer tested positive for the presence of PCBs. PSEG concluded the PCBs did not derive from the transformer.

We tested the soil until the perimeter was clean. The testing expanded all the way around the eastern and southern walls of the building. This must have been a historic fill that was brought to the property, perhaps during construction of the building decades ago. We think there were two derivations, the transformer and the historic fill.

There is another patch, not adjacent to the building, with historic fill that is also contaminated with PCBs. What was found here triggers state supervision (DEP) and the federal government (EPA). We also determined that the caulk in portions of the building had PCB contamination unrelated to the soil. This resulted in additional testing and reports. Our results showed that the concrete was contaminated in an inexplicable way.

We have now submitted all the remediation site plans to the DEP and EPA. Most of the activity the past few months has been the testing and removal of most of the contaminated fill. around the building and former transformer site. The patch of contamination will be remediated by capping it. In the building, we have removed all the caulk and all the existing asbestos, in preparation for a future demolition.

The next step is to shut down utilities and apply for a demolition permit. We have all our governmental approvals, except for building permits.

T. Mitchell - Asked if they would follow the original plan that was approved 3-4 years ago without any changes. Also asked if there was any danger from airborne asbestos.

F. Tajfel - Confirmed they would follow the original plan and there wasn't any danger from airborne asbestos. There is also no groundwater impact.

R. Vroom - Mentioned homes in the area and asked how close the PCBs were to the property line.

F. Tajfel - Most of it was concentrated close to the building wall and the transformer pad. Said they will make their reports and LSRP professional (DEP liaison) available to the Borough for more technical questions. There is also going to be a 2-3 week period of follow-up concrete testing. There isn't any concern regarding the removal of asphalt.

Mayor Sullivan - Asked for a quick summary sheet that can be posted on the website.

**Flood Zone Advisory Committee**

R. Vrooms – The committee met multiple times and was made up of various members of the Borough, including members of the Environmental Commission, Zoning Board, Planning Board, Council President Pitts and the OEM Coordinator.

It became clear the properties that need the most attention are the Brookside and garden apartments on Cliff Street, which were most impacted by floodwaters. The other garden apartments that were impacted heavily are on South Bridge, in the redevelopment zone. That did not fall under the scope of the committee, but we are recommending they be considered for similar guidelines.

**Main Recommendations:**

- Compel the owner of the property instead of remediating to apply for the Green Acres program.
- Allow the developer to raise what they have now and build up to 5 stories on the property. Coverage is a big concern. The recommendation is to keep the same amount of impervious coverage and the same number of indigenous trees currently on the property to help absorb some of the rainwater. It would not be 90% coverage, just the current coverage.
- Add a means of egress to the rear for first responders and to allow people to leave in case of a flash flood.
- Create a pre-warning system.
- Ensure a lease agreement for residents to understand they are in a flood zone.

These are only recommendations from an ad-hoc committee for discussion.

Mayor Sullivan - The council will take some time to review this. He asked K. Sluka to prepare copies of the recommendations for the Planning Board for their feedback and to post them on the website.

R. Vrooms - There is a concern that this is hyper-focused on one area. The recommendation is to also bring this to the land use attorney to ensure this is not spot zoning.

Once this is done, our goal is to look at the Borough as a whole and get in touch with the county. We look forward to figuring out a way to better prepare ourselves and maybe finding ways to mitigate on a county level, instead of as individual municipalities.

Mayor Sullivan - I would like to keep this committee and give them new direction, after we prepare this ordinance.

**ORDINANCE FOR PUBLIC HEARING AND ADOPTION**

2679-22-0718 APPROVING AMENDMENTS TO THE LEASE WITH HATHAWAY SOLAR, LLC, THE CONTRACT REDEVELOPER FOR TWO LEASES WITH AFFILIATED ENTITIES OF HATHAWAY SOLAR, LLC FOR PROPERTY KNOWN AS TAX BLOCK 124, PORTIONS OF LOTS 1 & 21 LOCATED IN THE LANDFILL REDEVELOPMENT AREA PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. FOR A SOLAR PROJECT

Councilmember	Motion	Second	Aye	Nay	Abstain	Absent
Brady			X			
Mitchell	X		X			
Pitts			X			
Stravic			X			
Vroom			X			
Wied		X	X			

There were no comments from the public.

**CLOSE PUBLIC HEARING**

Councilmember	Motion	Second	Aye	Nay	Abstain	Absent
Brady			X			
Mitchell		X	X			
Pitts			X			
Stravic			X			
Vroom	X		X			
Wied			X			

**ADOPTION**

Councilmember	Motion	Second	Aye	Nay	Abstain	Absent
Brady			X			
Mitchell		X	X			
Pitts			X			
Stravic			X			
Vroom	X		X			
Wied			X			

**MEETING OPEN TO THE PUBLIC**

Councilmember	Motion	Second	Aye	Nay	Abstain	Absent
Brady			X			
Mitchell			X			
Pitts			X			
Stravic	X		X			
Vroom		X	X			
Wied			X			

**Comments**

Brian Gallagher - Suggested making Station Road a county road.

**CLOSE PUBLIC SESSION**

Councilmember	Motion	Second	Aye	Nay	Abstain	Absent
Brady			X			
Mitchell			X			
Pitts			X			
Stravic			X			
Vroom		X	X			
Wied	X		X			

**CONSENT RESOLUTIONS (RESOLUTIONS 22-0801-242 THROUGH 22-0801-258, EXCEPT FOR 22-0801-251 and 22-0801-257)**

Councilmember	Motion	Second	Aye	Nay	Abstain	Absent
Brady		X	X			
Mitchell	X		X			
Pitts			X			
Stravic			X			
Vroom			X			
Wied			X			

22-0801-251 AWARDING A CONTRACT TO DESANTIS CONSTRUCTION, INC. FOR EASTERN STATES PARKWAY AND RESURFACING OF MADISON STREET IN THE AMOUNT OF \$657,418.46

Councilmember	Motion	Second	Aye	Nay	Abstain	Absent
Brady			X			
Mitchell	X		X			
Pitts		X	X			
Stravic			X			
Vroom			X			
Wied			X			

Mayor Sullivan - The water company did extensive work there. Looking at the road conditions it would have been unwise to put new pavement over what exists there.

K. Sluka - We accepted an escrow payment from the water company, for about half the cost. This is for the construction contract and it will be done this year.

F. Wied - Asked how far along Madison was the work being done and the possibility of including Jefferson Street.

K. Sluka - Confirmed Madison St, between Post and Eastern. There wasn't the economic ability to do other streets within this particular project.

22-0801-257 ACCEPTING AN AWARD OF \$2,541,600.00 FROM DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR CHAMBRES PARK IMPROVEMENT GRANT NUMBER B-22-CP-NJ-0588

Councilmember	Motion	Second	Aye	Nay	Abstain	Absent
Brady			X			
Mitchell		X	X			
Pitts			X			
Stravic			X			
Vroom	X		X			
Wied			X			

Mayor Sullivan - Congressman Malinowski submitted 10 projects and this made its way to the final 3. We don't have a timeline yet, but the designs are ready to go.

K. Sluka - Borough staff will start training this week on how to implement this grant.

## BILLS & VOUCHERS

Account	PO #	Vendor Name	Amount
1-01-20-100-000-111	22-00959	PUBLIC EMPLOYEES' RETIRE SYS	1,971.75
1-01-20-100-000-111	22-00959	PUBLIC EMPLOYEES' RETIRE SYS	1,211.73
1-01-20-135-000-503	21-00714	PKF O'CONNOR DAVIES, LLP	18,000.00
1-01-25-240-000-111	22-00961	PUBLIC EMPLOYEES' RETIRE SYS	4,449.83
1-01-28-375-000-533	22-00028	JERSEY JOE'S LAWN SERVICE	325.00
1-09-55-502-000-503	21-00714	PKF O'CONNOR DAVIES, LLP	2,000.00
2-01-20-100-000-529	22-00002	BENZINO, LLC	300.00
2-01-20-100-000-530	22-00004	W.B. MASON CO., INC	111.10
2-01-20-100-000-530	22-00722	XEROX (STEWART)	264.63
2-01-20-100-000-635	22-00007	FEDEX	34.01
2-01-20-100-000-659	22-00017	DRIVER ASSOCIATES LLC	13,000.00
2-01-20-130-000-628	22-00034	W.B. MASON CO., INC	126.81
2-01-20-130-000-628	22-00034	W.B. MASON CO., INC	79.99
2-01-20-130-000-628	22-00039	STAPLES CR PLAN	163.89
2-01-20-130-000-670	22-00045	PHOENIX ADVISORS LLC	1,000.00
2-01-20-130-000-670	22-00049	PHOENIX ADVISORS LLC	1,500.00
2-01-20-140-000-533	22-00056	KRS IT CONSULTING LLC	7,360.80
2-01-20-140-000-534	22-00064	VITAL COMMUNICATIONS INC	100.00
2-01-20-140-000-598	22-00069	VERIZON	186.99
2-01-20-155-000-533	22-00143	JEREMY SOLOMON	4,333.00
2-01-21-180-000-640	22-01003	MCNALLY, YAROS,KACZYNSKI,LIME	1,119.50

2-01-21-185-000-607	22-00991	MICHAEL LOMBARDOZZI	357.50
2-01-21-185-000-607	22-00991	MICHAEL LOMBARDOZZI	1,043.90
2-01-22-195-000-533	22-01002	FOVEONICS IMAGING TECHNOLOGIES	7,497.00
2-01-22-195-000-628	22-00102	STAPLES CR PLAN	41.48
2-01-23-220-003-666	22-00131	METLIFE-GROUP BENEFITS	5,398.52
2-01-25-240-000-560	22-00090	VESPIA'S/MR TIRE	845.97
2-01-25-240-000-560	22-00972	SUPER CAR WASH OF BRIDGEWATER	23.80
2-01-25-240-000-628	22-00892	SOMERSET CTY ADM. BLDG	87.87
2-01-25-240-000-628	22-00981	OFFICER V SPADEA	94.90
2-01-25-240-000-670	22-00941	SHARP ELECTRONICS CORP	37.65
2-01-25-240-000-697	22-00977	DARE/ADVOCACY FOR DRUG EDUCAT	650.00
2-01-25-240-000-713	22-00087	ATLANTIC TACTICAL	29.99
2-01-25-240-000-713	22-00087	ATLANTIC TACTICAL	175.99
2-01-25-240-000-713	22-00087	ATLANTIC TACTICAL	27.99
2-01-25-240-000-713	22-00087	ATLANTIC TACTICAL	53.98
2-01-25-240-000-713	22-00087	ATLANTIC TACTICAL	42.98
2-01-25-240-000-713	22-00087	ATLANTIC TACTICAL	45.98
2-01-25-252-001-533	22-00255	JASON KRASKA	1,458.33
2-01-25-265-000-507	22-00106	PDQ AUTO SUPPLY OF MANVILLE	54.04
2-01-25-265-000-507	22-00108	FIRE & SAFETY SERVICES LTD	594.09
2-01-25-265-000-507	22-00108	FIRE & SAFETY SERVICES LTD	719.43
2-01-25-265-000-507	22-00108	FIRE & SAFETY SERVICES LTD	1,425.00
2-01-25-265-000-507	22-00108	FIRE & SAFETY SERVICES LTD	1,198.55
2-01-25-265-000-560	22-00114	DORELL LOCKSMITHS	95.51
2-01-25-265-000-560	22-00117	CENTRAL JERSEY NURSERIES	53.32
2-01-25-265-000-560	22-00117	CENTRAL JERSEY NURSERIES	161.98
2-01-25-265-000-560	22-00338	V.E. RALPH & SON, INC	106.00
2-01-25-265-000-560	22-00972	SUPER CAR WASH OF BRIDGEWATER	77.35
2-01-25-265-000-628	22-00267	STAPLES CR PLAN	105.88
2-01-25-265-000-661	22-00112	LINCOLN HOSE CO # 4	1,300.00
2-01-25-265-000-690	22-00992	GLENN THORNE	190.00
2-01-25-265-000-690	22-00992	GLENN THORNE	120.00
2-01-25-265-000-690	22-00992	GLENN THORNE	45.00
2-01-25-265-000-690	22-00993	NICHOLAS FABIANO	110.00
2-01-25-265-000-690	22-00993	NICHOLAS FABIANO	310.00
2-01-25-265-000-690	22-00994	DAVE VALLONE SR	190.00
2-01-25-265-000-690	22-00994	DAVE VALLONE SR	310.00
2-01-25-265-000-690	22-00995	DAVID VAUGHN	190.00
2-01-25-265-000-690	22-00995	DAVID VAUGHN	45.00
2-01-25-265-000-690	22-00996	MICHAEL BIGELOW	190.00
2-01-25-265-000-690	22-00997	JOE RODRIGUEZ	190.00
2-01-25-265-000-690	22-00997	JOE RODRIGUEZ	45.00
2-01-25-265-000-690	22-00998	NICK CZARRUNCHICK	45.00
2-01-25-265-001-628	22-00953	SOMERSET CTY ADM. BLDG	25.00
2-01-25-265-001-713	22-00954	ROBERT LYNN	400.85
2-01-25-265-002-574	22-00010	AMERICAN WATER	12,939.22
2-01-25-275-000-637	22-00360	BOB SMITH & ASSOC.	1,666.66
2-01-26-290-000-555	22-00597	RUTGERS, STATE UNIV OF, NJ	481.00
2-01-26-290-000-560	22-00032	NAPA-GENUINE PARTS CO.	19.47
2-01-26-290-000-560	22-00032	NAPA-GENUINE PARTS CO.	25.96
2-01-26-290-000-560	22-00032	NAPA-GENUINE PARTS CO.	74.99
2-01-26-290-000-560	22-00032	NAPA-GENUINE PARTS CO.	96.51
2-01-26-290-000-560	22-00032	NAPA-GENUINE PARTS CO.	113.97
2-01-26-290-000-560	22-00032	NAPA-GENUINE PARTS CO.	59.88
2-01-26-290-000-560	22-00032	NAPA-GENUINE PARTS CO.	37.99
2-01-26-290-000-560	22-00658	AARON & CO	26.03
2-01-26-290-000-560	22-00823	TRIOUS, INC	49.36
2-01-26-290-000-560	22-00823	TRIOUS, INC	12.87
2-01-26-290-000-560	22-00823	TRIOUS, INC	820.16



2-01-26-290-000-560	22-00823	TRIOUS, INC	-18.25
2-01-26-290-000-560	22-00844	LACAL EQUIPMENT, INC.	1,121.39
2-01-26-290-000-673	22-00326	SOMERSET CTY RD & BRIDGE DIV	109.00
2-01-26-290-000-673	22-00971	AMPERE ELECTRICAL CONTRACTORS	640.00
2-01-26-290-000-674	22-00047	STAVOLA ASPHALT COMPANY	145.37
2-01-26-290-000-674	22-00047	STAVOLA ASPHALT COMPANY	219.41
2-01-26-290-000-713	22-00647	FLEMINGTON DEPARTMENT STORE	3,584.35
2-01-26-290-000-723	22-00342	FASTENAL	634.85
2-01-26-290-000-723	22-00342	FASTENAL	388.50
2-01-26-290-000-723	22-00342	FASTENAL	359.70
2-01-26-290-000-723	22-00342	FASTENAL	582.11
2-01-26-290-000-723	22-00363	FUSCO'S RENTAL WORLD	3,200.00
2-01-26-290-001-553	22-00891	SNOCARE SERVICES LLC	9,192.50
2-01-26-305-000-523	22-00030	LMR DISPOSAL, LLC	787.44
2-01-26-305-000-523	22-00030	LMR DISPOSAL, LLC	934.54
2-01-26-310-000-506	22-00015	AUTOMATIC COMMUNICATIONS ALARM	250.00
2-01-26-310-000-516	22-00012	AMPERE ELECTRICAL CONTRACTORS	479.00
2-01-26-310-000-516	22-00036	PROFESSIONAL CLIMATE CONTROL	450.00
2-01-26-310-000-516	22-00040	SCOTT BECKER PLUMBING & HEATIN	120.00
2-01-26-310-000-516	22-00983	TREASURER STATE OF NEW JERSEY	120.00
2-01-26-310-000-517	22-00246	W.B. MASON CO., INC	145.98
2-01-26-310-000-517	22-00902	FASTSIGNS	100.62
2-01-26-310-000-517	22-01007	HOME DEPOT CREDIT SERVICES	67.09
2-01-26-310-000-517	22-01007	HOME DEPOT CREDIT SERVICES	-2.00
2-01-26-310-000-536	22-00940	RAW POWER GENERATOR SERVICES	354.99
2-01-26-310-000-558	22-00141	CAVANAUGH'S	55.00
2-01-26-310-000-570	22-00987	REINER GROUP, INC	18,944.00
2-01-26-310-000-638	22-00942	CERTAPRO PAINTERS OF HUNTERDON	1,246.79
2-01-26-310-000-638	22-00978	AUTOMATIC COMMUNICATIONS ALARM	1,000.00
2-01-28-370-000-614	22-00944	KATHLEEN GERNDT	225.00
2-01-28-370-000-628	22-00249	STAPLES CR PLAN	16.99
2-01-28-370-000-699	22-00980	DANIELLE ZACEK	100.00
2-01-28-370-000-704	22-00885	D & B POOLS	1,068.96
2-01-28-370-000-704	22-00914	RECREONICS	195.00
2-01-28-370-000-750	22-00221	BSN SPORTS,LLC	150.00
2-01-28-370-000-750	22-00221	BSN SPORTS,LLC	2,730.00
2-01-28-375-000-560	22-00558	CENTRAL JERSEY NURSERIES	108.97
2-01-28-375-000-560	22-01007	HOME DEPOT CREDIT SERVICES	270.92
2-01-28-375-000-633	22-00968	W.B. MASON CO., INC	11.90
2-01-28-375-000-645	22-00820	WINNING TEAMS BY NISSEL,LLC	437.94
2-01-28-375-000-648	22-00549	PACE ANALYTICAL SERVICES INC.	157.47
2-01-28-375-000-648	22-00786	MIRACLE CHEMICAL CO	562.20
2-01-31-440-000-705	22-00054	VERIZON	33.08
2-01-31-440-000-705	22-00067	VERIZON	36.33
2-01-31-440-000-705	22-00074	VERIZON WIRELESS	120.20
2-01-31-440-000-705	22-00659	SOMERVILLE BOARD OF ED	1,075.00
2-01-31-445-000-717	22-00011	AMERICAN WATER	4,158.12
2-05-55-502-000-533	22-00084	BOROUGH OF MANVILLE	964.08
2-05-55-502-000-533	22-00725	T & M ASSOCIATES	1,125.00
2-05-55-502-000-533	22-00725	T & M ASSOCIATES	1,893.79
2-05-55-502-000-533	22-00731	PHOENIX ADVISORS LLC	5,850.00
2-05-55-502-000-533	22-00732	T & M ASSOCIATES	2,171.25
2-05-55-502-000-562	22-00856	BIG MIKE INC	455.00
2-05-55-502-000-569	22-00086	MGL PRINTING SOLUTIONS	1,152.00
2-05-55-502-000-635	22-00960	MGL PRINTING SOLUTIONS	1,968.21
2-05-55-502-000-635	22-00960	MGL PRINTING SOLUTIONS	1,262.00
2-09-55-502-000-533	22-00939	SALVATORE SCALORA LANDSCAPING	2,050.00
2-09-55-502-000-557	22-00127	STAPLES CR PLAN	13.49
2-09-55-502-000-560	22-00126	IPS GROUP INC	523.45

2-09-55-502-000-569	22-00884	DRI-STICK DECAL CORPORATION	517.50
C-04-00-002-441-625	20-00356	COLLIERS ENGINEERING & DESIGN	382.50
C-04-00-002-441-625	20-00356	COLLIERS ENGINEERING & DESIGN	27.98
C-04-00-002-570-907	22-00987	REINER GROUP, INC	7,491.00
C-04-00-002-638-999	22-00984	YOUR WAY CONSTRUCTION INC	119,888.73
C-04-00-002-670-610	22-00682	T & M ASSOCIATES	6,029.04
C-06-00-002-621-610	21-00926	T & M ASSOCIATES	1,634.00
C-06-00-002-621-610	21-01603	T & M ASSOCIATES	434.25
G-02-40-001-000-243	21-01511	T & M ASSOCIATES	139.97
G-02-40-001-000-628	20-00862	GEOSYNTEC CONSULTANTS	4,034.42
G-02-40-001-000-631	21-01389	GEOSYNTEC CONSULTANTS	75,901.31
G-02-40-002-016-592	22-00937	Jeffrey Lamborn	54.00
T-12-00-000-000-647	22-00437	OCCOUTDOORS, INC.	590.38
T-12-00-000-000-680	22-00999	SOMERSET CTY ADM. BLDG	65.00
T-13-00-000-000-211	22-01001	MCNALLY, YAROS,KACZYNSKI,LIME	819.00
T-13-00-000-000-211	22-01001	MCNALLY, YAROS,KACZYNSKI,LIME	472.50
T-13-00-000-000-211	22-01001	MCNALLY, YAROS,KACZYNSKI,LIME	1,500.50
T-13-00-000-000-219	22-00812	AMAZON CAPITAL SERVICES, INC	870.64
T-13-00-000-000-235	22-00979	HUNTER POOLS LLC	895.00
T-13-00-000-000-235	22-00979	HUNTER POOLS LLC	1,485.00
T-13-00-000-000-235	22-00979	HUNTER POOLS LLC	1,885.00
T-13-00-000-000-235	22-00979	HUNTER POOLS LLC	958.56
T-13-00-000-000-235	22-00979	HUNTER POOLS LLC	5,950.00
T-13-00-000-000-235	22-00979	HUNTER POOLS LLC	5,400.00
T-13-00-000-000-235	22-00979	HUNTER POOLS LLC	3,950.00
T-13-00-000-000-235	22-00979	HUNTER POOLS LLC	995.00
T-13-00-000-000-290	22-01006	MINUTEMAN PRESS	104.16
T-13-00-000-000-306	22-00973	T & M ASSOCIATES	5,170.00
T-13-00-000-000-306	22-00974	T & M ASSOCIATES	812.50
T-13-00-000-000-306	22-00974	T & M ASSOCIATES	96.50
T-13-00-000-000-306	22-00975	T & M ASSOCIATES	289.50
T-13-00-000-000-306	22-00989	T & M ASSOCIATES	9,678.75
T-16-00-000-211-004	22-00988	T & M ASSOCIATES	312.50

Councilmember	Motion	Second	Aye	Nay	Abstain	Absent
Brady		X	X			
Mitchell			X			
Pitts			X			
Stravic			X			
Vroom			X			
Wied	X		X			

**ADJOURNMENT**

Councilman Mitchell made a motion to adjourn, seconded by Councilman Wied, all voted favorably.

Respectfully Submitted,

Kevin Sluka, RMC