

**BOROUGH OF SOMERVILLE
COUNCIL MEETING AGENDA**

Monday, May 18, 2009

6:00 P.M.

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

COUNCIL MEETING AGENDA

1. Roll Call
2. Salute to the Flag
3. Approval of Council Meeting Minutes:
 - a. May 4, 2009
4. PROCLAMATIONS
 - a. "ALS Awareness Month" (Amyotrophic Lateral Sclerosis – "Lou Gehrig's disease")
 - b. "2009 EMS Week"
 - c. "Myasthenia Gravis Awareness Month"
5. Committee Reports
6. Departmental Reports & Notices
 - a. First Quarter 2009 Analysis of Sewage Flows
7. 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)
8. ORDINANCES FOR INTRODUCTION
 - #2303 AMENDING ORDINANCE #2283 REGULATING POLITICAL CONTRIBUTIONS TO LOCAL POLITICAL CANDIDATES AND OFFICE HOLDERS AND LOCAL CAMPAIGN COMMITTEES FROM BUSINESS ENTITIES AND PROFESSIONAL BUSINESS ENTITIES TO ALSO INCLUDE REGULATING POLITICAL CONTRIBUTIONS FROM SOMERSET COUNTY POLITICAL PARTIES
 - #2304 AMENDING ORDINANCE #2282 REGULATING POLITICAL CONTRIBUTIONS TO LOCAL POLITICAL CANDIDATES AND OFFICE HOLDERS FROM DEVELOPERS ENTERING INTO AGREEMENTS FOR REDEVELOPMENT PROJECTS TO ALSO INCLUDE CONTRIBUTIONS FROM SOMERSET COUNTY POLITICAL PARTIES
 - #2305 AMENDING CHAPTER 5 OF THE BOROUGH CODE, CREATING SECTION 74 AUTHORIZING THE CREATION OF A MUNICIPAL DEPARTMENT ENTITLED DEPARTMENT OF ENGINEERING AND PARKING SERVICES
9. CONSENT RESOLUTIONS
(Resolutions 09-0518-163 through 09-0518-173)
 - 09-0518-163 APPROVAL OF 2009 VENDORS FOR 2009 MEMORIAL DAY BIKE RACES
 - 09-0518-164 APPROVING ANNUAL CONTRIBUTION TO SOMERVILLE WAR VETERANS MEMORIAL COMMITTEE FOR PARADE AND CEREMONY
 - 09-0518-165 AMENDING LANDLORD REGISTRATION BILLING
 - 09-0518-166 AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE FUNDS FROM ESCROW ACCOUNT – JSM LANDMARK
 - 09-0518-167 AUTHORIZING STREET CLOSURES ON JUNE 12, 2009 FOR THE TIME CAPSULE OPENING CEREMONY FOR WEST END AVENUE AND SOMERSET STREET BETWEEN MOUNTAIN AVENUE AND NEW STREET
 - 09-0518-168 APPROVING ONE DAY LIQUOR LICENSE FOR ENGINE COMPANY #1 FOR JULY 18, 2009

- 09-0518-169 APPROVING OFF-PREMISE 50/50 RAFFLE LICENSE FOR ENGINE COMPANY #1 FOR
DECEMBER 31, 2009
- 09-0518-170 APPROVING GRANT APPLICATION AND EXECUTION OF GRANT AGREEMENT FOR NEW
JERSEY DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENT TO PARKING LOT
NUMBER 1
- 09-0518-171 STATEMENT OF INTENT TO PURSUE PLAN ENDORSEMENT AND AUTHORIZATION TO
SUBMIT THE SUBMIT THE MUNICIPAL SELF-ASSESSMENT REPORT TO THE STATE OF
NEW JERSEY OFFICE OF SMART GROWTH
- 09-0518-172 APPROVING SIX MONTH VENDOR LICENSE FOR POP POP'S HOT DOGS
- 09-0518-173 APPROVING TAXI DRIVER – MARGARET MIKITA
10. VOUCHERS AND BILLS
11. ADJOURNMENT

Councilwoman Kobuta reported on the start Friday night concerts, Friday night cruisers, Somerville Sampler Day and Music on Main Street program.

Councilman Wilson commended the Somerville Fire Department on their actions during the past two very serious fires in town.

Mayor Gallagher echoed Councilman Wilson's comments on the Somerville Fire Department and Somerville Rescue Squad for their efforts during these two fires.

Mayor Gallagher proposed the creation of an Arts and Culture Committee. He asked for volunteers to submit their resumes and letter of intent to him to be considered for this committee.

Mayor Gallagher created a sub-committee to study the Downtown Signage Ordinance. He called upon the members of the Downtown Zoning committee to participate in this new ad-hoc committee.

Mayor Gallagher reminded everyone of the upcoming Memorial Day activities and asked for participation from the public in both the parade and the annual memorial service at the end of the parade.

Open to the Public

Mayor Gallagher opened the meeting to comments from the public.

Margaret Weinberger, Somerville, commented that she would like to see more Green and sustainable projects undertaken by the Borough. There are a number of opportunities to go green. The upcoming farmers market will feature a number of organic products.

Mayor Gallagher cited some current and future Green programs that are complete or underway. One of the major projects is the Peter's Brook Greenway. There have been a number of stories written about events and programs in Somerville.

Mr. John Kurilla, 77 Eastern Ave, Somerville, asked for clarification on the 2009 capital budget process. Councilman Sullivan replied that the Finance Committee has met with the Borough Department Heads to review and prioritize their 2009 capital budget requests. Not everything that is requested will be funded in 2009.

Mr. Kurilla commented on safety issues with ice cream trucks and children that are crossing near these trucks.

Mayor Gallagher responded that there is a law regarding the use of a flashing red stop sign near ice cream trucks. He directed the Police Chief to review this law and provide the necessary enforcement.

Mr. Kurilla commented on the earlier speaker comment who was comparing events from other towns to Somerville.

Mr. Robert Bayait, 43 N. Middaugh St, Somerville, thanked the Mayor and Council for their support in introducing the county contribution component to the pay-to-play ordinance this evening.

He further thanked the residents who signed his petition earlier this year, representatives from the Citizens Campaign and also the Courier-News for their coverage of this issue. Finally he thanked his wife and family for their support in this issue.

There being no further comments at this time, closed the public portion of the meeting.

RESOLUTION 09-0518-167

AUTHORIZING STREET CLOSURES ON JUNE 12, 2009 FOR TIME CAPSULE OPENING CEREMONY FOR WEST END AVENUE AND SOMERSET STREET BETWEEN MOUNTAIN AVENUE AND NEW STREET

WHEREAS, the Borough of Somerville will be opening a time capsule on June 12, 2009 in front of Borough Hall; and
WHEREAS, it may be necessary to temporary close portions of West End Avenue and Somerset Street prior to safely conduct the ceremony:

NOW, THEREFORE, BE IT RESOLVED, that the Borough authorizes the potential closures of West End Avenue and Somerset Street between Mountain Avenue and New Street on June 12, 2009

RESOLUTION 09-0518-168

**APPROVING ONE DAY LIQUOR LICENSE FOR ENGINE COMPANY #1 FOR
JULY 18, 2009**

BE IT RESOLVED, that the Borough Council of the Borough of Somerville hereby approve a one day liquor license for engine Company #1 for July 18, 2009

RESOLUTION 09-0518-169

APPROVING OFF PREMISE 50/50 RAFFLE LICENSE FOR ENGINE COMPANY #1 FOR DECEMBER 31, 2009

BE IT RESOLVED, that the Borough Council of the Borough of Somerville hereby approve a 50/50 Raffle License for Engine Company #1 for December 31, 2009.

RESOLUTION 09-0518-170

**APPROVING GRANT APPLICATION AND EXECUTION OF GRANT AGREEMENT FOR THE NEW JERSEY
DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENT TO PARKING LOT #1**

WHEREAS, Somerville Borough wishes to improve conditions and accessibility in Parking Lot #1; and

WHEREAS, a potential funding source for such improvements exists through the 2010 Centers of Place Grant Program available through the New Jersey department of Transportation; and

NOW, BE IT RESOLVED, that the Borough Council hereby approves the grant application:

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as COP-2010-Somerville Borough -00018 to the New Jersey Department of Transportation on behalf of Somerville:

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Somerville and their signatures constitute acceptance of the terms and conditions of the agreement and approves the execution of the grant agreement.

RESOLUTION 09-0518-171

**STATEMENT OF INTENT TO PURSUE PLAN ENDORSEMENT AND AUTHORIZATION TO SUBMIT THE
MUNICIPAL SELF-ASSESSMENT REPORT TO THE STATE OF NEW JERSEY OFFICE OF SMART**

WHEREAS, the State Planning Act recognizes that New Jersey requires sound and integrated land use planning and coordination of planning at all levels of government in order to conserve the state's natural resources, revitalize the urban centers, protect the quality of the environment, and provide needed housing and adequate public services at a reasonable cost while promoting beneficial economic growth, development and renewal; and

WHEREAS, Plan Endorsement is a voluntary review process developed by the State Planning Commission to provide the technical assistance and coordination of the State for municipalities, counties, and regional agencies to meet the goals of the State Planning Act and State Development and Redevelopment Plan (State Plan); and

WHEREAS, the purpose of the Plan Endorsement process is to increase the degree of consistency among municipal, county, regional and state agency plans with each other and with the State Plan and to facilitate the implementation of these plans and guide where and how development and redevelopment can be accommodated in accordance with the State Plan; and

WHEREAS, the State Planning Rules and Plan Endorsement Guidelines incorporate, and expand upon, the principles of the Municipal Land Use Law in order to help towns plan for a sustainable future; and

WHEREAS, the State Planning Rules and Plan Endorsement Guidelines require the preparation and submission of a Municipal Self-Assessment Report as the means by which a municipality assesses the consistency of its existing community vision and planning documents with the State Plan; and

WHEREAS, the Mayor and Council of the Borough of Somerville desire to obtain Plan Endorsement from the State Planning Commission; and

WHEREAS, the Borough of Somerville has prepared a Municipal Self-Assessment Report pursuant to the State Planning Rules and Plan Endorsement Guidelines; and

WHEREAS, the Municipal Plan Endorsement Advisory Committee has reviewed the Municipal Self-Assessment Report and recommends that the Mayor and Council approve it for submission to the State Planning Commission and the Office of Smart Growth towards the Borough of Somerville's pursuit of Plan Endorsement.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Somerville hereby expressly state the intention of the Borough of Somerville to pursue Plan Endorsement by the State Planning Commission; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Somerville approves the Municipal Self-Assessment Report and authorizes it be submitted to the Office of Smart Growth for consideration and review as part of the effort to pursue Plan Endorsement.

NOW THEREFORE BE IT FURTHER RESOLVED that the Clerk of Borough of Somerville shall transmit a copy of this Resolution and the Notice as required by the State Planning Rules to the State Planning Commission and the Office of Smart Growth.

RESOLUTION 09-0518-172

APPROVING SIX MONTH VENDOR LICENSE FOR POP POP'S HOT DOGS

BE IT RESOLVED, that the Borough Council of the Borough of Somerville hereby approve a Six Month vendor license for Pop Pop's Hot Dogs.

RESOLUTION 09-0518-173

APPROVING TAXI DRIVER – MARGARET MIKITA

BE IT RESOLVED, that the Borough Council of the Borough of Somerville hereby approve a taxi driver license for Margaret Mikita, 108 Kuscucko Street, Manville New Jersey.

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

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

Ayes:	Councilwoman Kobuta, Councilman Mitchell, Councilman Utter, Councilman Sullivan, Councilwoman Webster, Councilman Wilson
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Nays:	None
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