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**BOROUGH COUNCIL
MINUTES – SEPTEMBER 18, 2006**

REGULAR MEETING

A Regular Meeting of the Borough Council was held in the Council Chambers of the Borough Hall on Monday, September 18, 2006. The Meeting was called to order at 7:30 p.m. by Mayor O'Brien, followed by the Invocation given by Councilmember Dyas and the Pledge of Allegiance.

The Mayor advised that adequate notice of this meeting was provided by an annual notice sent to the Home News and Tribune and the Star Ledger and filing a copy with the Borough Clerk within seven days following the annual organization meeting of the body.

Present were Councilmembers Dacey, Dyas, Grossman, Totin, Vahalla and Weber.

Also present were Borough Administrator Boerth, Borough Attorney Frizell, and Borough Clerk Lacina. Mayor O'Brien was absent. Council President Weber presided as Acting Mayor.

APPROVAL OF THE MINUTES

On a motion made by Acting Council President Vahalla, seconded by Councilmember Totin, the Regular Minutes of September 5, 2006 were approved.

ORDINANCE NO. 2006-14

The Borough Clerk presented an Affidavit of Publication for Ordinance No.2006-14.

Acting Council President Vahalla made motion to receive and file the Affidavit, which was seconded by Councilmember Totin, with all in favor.

The Clerk read the Ordinance by title:

**Ordinance No. 2006-14 AN ORDINANCE AMENDING THE CODE OF THE
BOROUGH OF METUCHEN, CHAPTER 228, ENTITLED
“PLUMBING”, ARTICLE 3 “DRAINS AND SEWERS.”**

(This entire Ordinance can be found in Ordinance Book #2)

Acting Mayor Weber opened the public hearing on this Ordinance.

Hearing no further comment, the Acting Mayor closed the public portion.

On a motion made by Acting Council President Vahalla, seconded by Councilmember Totin, this Ordinance was passed on second reading and ordered published according to law.

AYES - Councilmembers Dacey, Dyas, Grossman, Totin and Vahalla.

NAYS - None.

ABSENT - None.

ORDINANCE NO. 2006-15

The Borough Clerk presented an Affidavit of Publication for Ordinance No.2006-15.

Acting Council President Vahalla made motion to receive and file the Affidavit, which was seconded by Councilmember Totin, with all in favor.

The Clerk read the Ordinance by title:

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**Ordinance No. 2006-15 AN ORDINANCE AMENDING AND SUPPLEMENTING
ORDINANCE NO. 92-25 ESTABLISHING SALARY
RANGES.**

(This entire Ordinance can be found in Ordinance Book #2)

Acting Mayor Weber opened the public hearing on this Ordinance.

Hearing no further comment, the Acting Mayor closed the public portion.

On a motion made by Acting Council President Vahalla, seconded by Councilmember Totin, this Ordinance was passed on second reading and ordered published according to law.

AYES - Councilmembers Dacey, Dyas, Grossman, Totin and Vahalla.

NAYS - None.

ABSENT - None.

ORDINANCE NO. 2006-16

The Borough Clerk presented an Affidavit of Publication for Ordinance No.2006-16.

Acting Council President Vahalla made motion to receive and file the Affidavit, which was seconded by Councilmember Totin, with all in favor.

The Clerk read the Ordinance by title:

**Ordinance No. 2006-16 AN ORDINANCE TO AMEND THE CODE OF THE
BOROUGH OF METUCHEN, CHAPTER 169
THEREOF ENTITLED SWIMMING POOLS, TO
CHANGE MEMBERSHIP FEES.**

(This entire Ordinance can be found in Ordinance Book #2)

Acting Mayor Weber opened the public hearing on this Ordinance.

Hearing no further comment, the Acting Mayor closed the public portion.

On a motion made by Acting Council President Vahalla, seconded by Councilmember , this Ordinance was passed on second reading and ordered published according to law.

AYES - Councilmembers Dacey, Dyas, Grossman, Totin and Vahalla.

NAYS - None.

ABSENT - None.

COMMUNICATIONS
CONSENT AGENDA

6. Receive the minutes of the following meetings:
 Shade Tree Commission – August 14, 2006
7. Letter from Kathi Pearsall requesting permission to hold Block Party for Milton Street on
 Saturday, September 30, 2006 – receive and approve

On a motion made by Acting Council President Vahalla, seconded by Councilmember Dyas, with all in favor, Items No. 6 and No. 7 were received and/or approved.

OTHER COMMUNICATIONS

None.

REPORTS OF THE COUNCILMEMBERS

Acting Mayor Weber reported that Keep Middlesex Moving would sponsor a “Car Free Day” on September 22nd and is encouraging County residents to use alternate transportation, to go “car-free” or “car-light” on that date.

Acting Council President Vahalla noted the Senior Citizen Dinner would be held on October 22nd. An error was made in the date of the dinner in a previous report. The dinner would held at Kiddie Keep Well Kamp. Tickets and information are available through the Seniors Center. \$90,000 of former proceed have benefited the Center through programs and usable materials.

Councilmember Totin presented the Library schedule of events for the remainder of September.

Councilmember Totin also noted that the Middlesex County Food Organization and Outreach Distribution Services (MCFOODS) is asking for donations of non-perishable food items of the following products: tomato products, baby food, formula, (also diapers and wipes) peanut butter, canned meats, stews, soups and snacks. Please deliver your items to the Senior Citizen Center.

Councilme3mber Grossman had no report.

Councilmember Dyas noted the Borough had been noticed by the New Jersey Department of Transportation (NJDOT) of a 2 year project to widen 3 miles of the Route 1 corridor, both North and South, between Route 287 and the Garden State Parkway. The project will in clued new barriers and medians. A pre-construction meeting would be held on September 28th from 4:00 p.m. – 7:00 p.m. at the Edison Municipal Complex.

Councilmember Dyas then introduced Traffic and Transportation Commissioner Dan Lebar.

Commissioner Lebar noted that two recent letter to the editor authored by the same Borough resident noted complained of street sign misplacement in the Borough. After reading the first letter. All sign were inspected and no signs were found to be misplaced. After the second letter, the only problem was a temporarily removed sign from Durham and Central Avenues due to construction, but all other signs were in their rightful places.

Commissioner Lebar noted that the allegations were quite serious as the Borough relies on out of town EMS services and such a situation would cause major problems. Commissioner Lebar noted he spoke with the resident and noted the resident was not a driver and relied on the taxi service and was having trouble with getting to her intended destination. However after two full inspections of the sign, the problems seem to lie with the taxi driver and not the street signs.

Commissioner Lebar stated that the only follow up needed to be made in the self contained streets of Central Square and Park Square. Commissioner Lebar noted that numerous instances have been recorded of delivery services of all kinds not being able to find buildings within the development due to poor marking. Commissioner Lebar suggested that the lead buildings be marked with the street names to identify what street they are on. Commissioner Lebar also noted that Park Square and Park Place are routinely confused in town and more creative names should be required by the Planning Board.

Acting Council President Vahalla noted that issue was raised initially but was determined since the development is privately owned, not publicly dedicated that the Borough is limited as to the requests it can make in names.

Councilmember Dyas noted that the potential problems for the Fire Department and EMS are very serious and the site should be re-inspected.

Mr. Frizell asked that the report be forwarded to the Planning Board and their attorney and planner, as they are the body that has the final say when they write the resolution that must be followed

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during the construction of the site.

Councilmember Dacey noted the Borough is fortunate to have received a grant in the amount of \$500,000 for the continuation of improvements at Myrtle Park and Charles Field. The improvements will include seating, drainage, soil erosion, parking, ADA compliance, and a walking trail. Councilmember Dacey stated the improvements to the Park and Field have helped boost our programs tremendously.

REPORTS OF OFFICERS

Mr. Frizell had no report.

REPORT OF THE BOROUGH ADMINISTRATOR

Mr. Boerth had no report.

Acting Council President Vahalla asked Mr. Boerth on the status of Central Avenue.

Mr. Boerth stated the project is progressing. A few items are being addressed. Mr. Boerth noted that Durham and Central are substantially completed; the lighted crosswalks are still unfinished.

COMMENTS FROM THE PUBLIC

Acting Mayor Weber opened the meeting to public comment.

Dab Lebar, Middlesex Avenue, noted that there is a square in the exact middle of the intersection of Central and Durham Avenues, 1 foot square that is unfinished. The square is down to the millings and is noted repaved and the rest of the street seems complete. Will that be taken care of or will it be left like that.

Mr. Boerth stated he did not notice the unfinished square in the middle but would inspect.

Hearing no further comment, Acting Mayor Weber closed the public portion.

NEW BUSINESS

CONSENT AGENDA

RESOLUTION NO. 2006-172

Resolution – Refund of Sidewalk Escrow Fee #06-009 S

WHEREAS, John Muldoon posted \$328.00 for sidewalk escrow fees,

WHEREAS, the Planning Board Secretary has requested that the escrow fees be refunded to John Muldoon,

NOW, THEREFORE, BE IT RESOLVED, that John Muldoon be refunded \$328.00 from the Sidewalk Inspection Escrow account.

Dated: September 18, 2006

RESOLUTION NO. 2006-173

WHEREAS, the Borough of Metuchen has submitted proposals to the County of Middlesex for the Open Space, Recreation and Farmland Preservation Trust Fund Grant program; and

WHEREAS, the Borough of Metuchen has been awarded a Open Space Recreation Grant in the amount of \$500,000; and

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WHEREAS, the award will provide improvements to Myrtle Park and Charles Field in the Borough of Metuchen,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen that the Mayor and Borough Clerk are hereby directed and authorized to execute all necessary documents to effect the provisions of this grant agreement.

Dated: September 18, 2006

RESOLUTION NO. 2006-174

WHEREAS, the Contract for the 2006 Road Program has been approved in a contract between the Mayor and Council and Defino Construction Company; and

WHEREAS, the net increase to the Borough for Change Order #1 shall not exceed \$21,111.00; and

WHEREAS, the Finance Officer has determined that sufficient funds are available in the capital account as evidenced by the Finance Officer's certification;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Metuchen that the proper officials are hereby authorized to execute the said attached Change Order 1.

Dated: September 18, 2006

RESOLUTION 2006-175

BE IT RESOLVED by the Borough Council of the Borough of Metuchen that Catherine Gantner, be and is hereby appointed as the Tax Assessor for the Borough of Metuchen, commencing on September 12, 2006.

Dated: September 18, 2006

RESOLUTION NO. 2006-176

BE IT RESOLVED, by the Mayor and Council of the Borough of Metuchen that the pay of each officer and employee whose pay is established under Ordinance 92-25 and amendments thereto and who is not covered by a collective bargaining agreement is hereby set for the calendar year commencing January 1, 2006 as follows:

Group V - FULL TIME OFFICERS AND EMPLOYEES

3.375% increase on 2005 base salary with the exception of the following which shall be paid as hereinafter stipulated:

Library Personnel - Salary adjustment and increase per Library Board

Chief of Police - \$750 on base plus 3.75%

Captain of Police - \$750 on base plus 3.75%

Borough Administrator - \$750 on base plus 3.75%

Borough Clerk - \$3.58%

Chief Financial Officer/Tax Collector - 3.58%

Group II - PART TIME OFFICERS AND EMPLOYEES

3.375% increase on 2005 base salary with the exception of the following which shall be paid as hereinafter stipulated:

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| Councilmembers | \$ 1,200/yr. |
| Intern Children's Librarian | Per Library Board |
| Mayor | \$ 2,000/yr. |
| Waste Water Collection Systems Operator | \$ 440/mo. |

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| Library Clerks, Junior Asst., Pages etc | Per Library Board |
| Fire Department Per point schedule | established by Fire Chief |
| Municipal Court Judge | \$15,000/yr |
| Municipal Prosecutor | \$11,600/yr |
| Public Defender | \$ 7,500/yr |
| Registrar | \$10,000/yr |
| Deputy Registrar | \$ 4,000/yr |
| Assistant Deputy Registrar | \$ 1,000/yr |
| Fire Janitors | \$ 9.55/hr |
| Custodian | \$ 10.00/hr |

Group III - RECREATIONAL SEASONAL EMPLOYEES

Starting rate at \$6.25 plus \$0.20 per hour increase for all returning employees that are not at the maximum for the range with an additional \$0.10 per hour for those employees performing dual job assignments, except as follows:

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|---|---------------|
| Cooking Program Director | \$30.00 |
| Guitar Program Director | \$60.00 |
| Tennis Program Director | \$65.00 |
| Tennis Instructor | \$8.00 |
| Knitting Program Director | \$28.00 |
| Drama Instructor | \$10.00 |
| T-ball Instructor | \$15.00 |
| Soccer Counselor | \$125.00/week |
| Soccer Counselor (2 nd year) | \$150.00/week |
| Soccer Counselor (3 rd year) | \$175.00/week |
| Soccer Counselor (4 th year) | \$200.00/week |
| Increase \$25.00 thereafter | |
| Soccer Trainer | \$325.00/week |
| Soccer Trainer (2 nd year) | \$350.00/week |
| Soccer Trainer (3 rd year) | \$375.00/week |
| Increase \$25.00 thereafter | |
| Wrestling Counselor | \$200.00/week |
| Wrestling Counselor (2 nd year) | \$225.00/week |
| Wrestling Counselor (3 rd year) | \$250.00/week |
| Increase \$25.00 thereafter | |
| Wrestling Trainer | \$300.00/week |
| Wrestling Trainer (2 nd year) | \$325.00/week |
| Wrestling Trainer (3 rd year) | \$350.00/week |
| Increase \$25.00 thereafter | |
| Field Hockey Instructor, 1 st year | \$8.00/hr |
| Field Hockey Instructor, 2 nd year | \$8.25/hr |
| Field Hockey Instructor, 3 rd year | \$8.50/hr |

Group IV - SEASONAL EMPLOYEES/POOL

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|--|-------------------|
| Pool Manager/Recreation Director | \$10,000.00 |
| Assistant Manager | \$6,500.00/season |
| Swim Team Coach | \$3,600.00/season |
| Assistant Swim Team Coach | \$2,000.00/season |
| Lifeguard (1st year) | \$ 6.75/hr. |
| Lifeguard (2nd year) | \$ 6.75/hr. |
| Lifeguard (3rd & 4 th year) | \$ 7.25/hr. |

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|---|-------------------|
| Senior Lifeguard | \$ 8.00/hr. |
| Head Lifeguard | \$ 10.00/hr. |
| Diving Coach | \$1,200.00/season |
| Activities Director | \$1,600.00/season |
| Swim Team Aide | \$ 700.00/season |
| Maintenance, Laborer (1 st year) | \$ 5.25/hr. |
| Maintenance, Laborer (2 nd , year) | \$ 5.45/hr |
| Maintenance, Laborer (3 rd year) | \$ 5.65/hr |
| Maintenance, Laborer(4 th year) | \$ 5.85/hr |
| Maintenance, Specialist | \$ 6.75/hr. |
| Gate Attendants (1 st year) | \$ 5.15/hr. |
| Gate Attendants (2 nd , year) | \$ 5.35 /hr |
| Gate Attendants (3 rd year) | \$ 5.55/hr |
| Gate Attendants (4 th year) | \$ 5.75/hr |
| Head Gate Attendant | \$ 8.00/hr. |

BE IT FURTHER RESOLVED, that no officer or employee shall be paid at a rate which is above the maximum rate for any salary range in any of the aforementioned groups; and

BE IT FURTHER RESOLVED, that unless otherwise provided for all new employees or newly promoted employees shall be paid at the minimum rate of the salary range for the position to which they are hired. However, the Borough Administrator may hire a prospective employee who possesses qualifications for the position at a rate above the minimum rate, but in no case shall a new employee be hired at a rate which is greater than that of a current employee in the same range.

Dated: September 18, 2006

On a motion made by Acting Council President Vahalla, seconded by Councilmember Dyas, with all in favor, the above Resolutions No. 2006-172 through No. 2006-176 were adopted.

OTHER NEW BUSINESS

BILL RESOLUTION

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Metuchen that the proper warrants be drawn and all bills paid totaling \$1,316,743.27.

Dated: September 18, 2006

I, Rebecca Cuthbert, Chief Financial Officer of the Borough of Metuchen do hereby certify that funds are available for the payment of bills for the Borough of Metuchen.

/s/ Rebecca Cuthbert, CFO

On a motion made by Acting Council President Vahalla, seconded by Councilmember Totin, with all in favor, this Resolution was adopted.

ORDINANCE NO. 2006-17

Acting Council President Vahalla made motion to introduce and take up on first reading Ordinance No. 2006-17, which was seconded by Councilmember Dyas, with all in favor.

The Clerk read the following Ordinance by title:

Ordinance No. 2006-17 AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF METUCHEN, CHAPTER 20 THEREOF, ENTITLED FIRE DEPARTMENT.

Acting Council President Vahalla moved this Ordinance be passed on first reading, published according to law, and public hearing set down for October 2, 2006. This motion was seconded by Councilmember Dyas.

AYES - Councilmembers Dacey, Dyas, Grossman, Totin and Vahalla..

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NAYS -None.

COMMENTS FROM THE PUBLIC ON NEW BUSINESS MATTERS ONLY

Acting Mayor Weber opened the public hearing.

Hearing no comment, Acting Mayor Weber closed the public portion.

On a motion made by Acting Council President Vahalla, seconded by Councilmember Totin, the meeting was adjourned at 8:12 p.m.

BOZENA LACINA, RMC
Municipal Clerk