

12/04/06

**BOROUGH COUNCIL
MINUTES – DECEMBER 4, 2006**

REGULAR MEETING

A Regular Meeting of the Borough Council was held in the Council Chambers of the Borough Hall on Monday, December 6, 2006. The Meeting was called to order at 7:30 p.m. by Mayor O'Brien, followed by the Invocation given by Councilmember Vahalla 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 Mayor O'Brien, Borough Administrator Boerth, Borough Attorney Frizell, and Borough Clerk Lacina.

APPROVAL OF THE MINUTES

On a motion made by Council President Weber, seconded by Councilmember Dyas, the Regular Minutes of November 20, 2006 were approved.

COMMUNICATIONS
CONSENT AGENDA

- 3 Receive the minutes of the following meetings:
-Parking Authority – October 17, 2006

On a motion made by Council President Weber, seconded by Councilmember Vahalla, with all in favor, Item No. 3 was received.

OTHER COMMUNICATIONS

None.

REPORTS OF THE COUNCILMEMBERS

Council President Weber had no report.

Councilmember Vahalla noted the Youth Service Board is working on their grant application for the July '07 submission.

Councilmember Totin gave the Library schedule of events.

Councilmember Grossman had no report.

Councilmember Dyas noted that Traffic and Transportation Commissioner John Eagan has tendered his resignation.

Councilmember Dacey had no report.

REPORTS OF OFFICERS

Mr. Frizell noted the Borough has advertised a lease³ for the cell tower at the Public Works site. The bid will be opened on January 22, 2007.

Mr. Frizell also noted the Borough Council would consider a resolution to waive interest on a property on Mulberry Lane that is open space. The tenants association will pay taxes on the piece of property, however, the assessment had to be adjusted.

REPORT OF THE BOROUGH ADMINISTRATOR

Mr. Boerth had no report.

REPORT OF THE MAYOR

Mayor O'Brien noted the Borough is waiting for formal notice that the concierge service bid at the Metuchen Train Station offered by NJ Transit has been won by Lucca's of Metuchen. The Mayor noted that the Borough is pleased by the reopening of the service and hopes the concierge service will benefit the commuter customers.

COMMENTS FROM THE PUBLIC

The Mayor opened the meeting to public comment.

Hearing no comment, the Mayor closed the public portion.

NEW BUSINESS

CONSENT AGENDA

RESOLUTION NO. 2006-218

WHEREAS, the Borough of Metuchen will apply for the Safe Routes to School Program grant from the New Jersey Department of Transportation;

WHEREAS, the objectives of the Safe Routes to School Program are to enable and encourage children, including those with disabilities, to walk and bicycle to school; to make bicycling and walking to school a safer alternative; and to facilitate planning, development and implementation of projects and activities that will improve safety and reduce traffic, fuel consumption and air pollution in the vicinity

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen, County of Middlesex, that:

- 1) The Borough of Metuchen is hereby authorized to participate in the Safe Routes to School Grant; and
- 2) The **Borough Engineer** be and is hereby designated to serve as the coordinator of the Program on behalf of the Borough of Metuchen in cooperation with the Department of Transportation .

Dated: December 4, 2006

RESOLUTION NO. 2006- 219

CANCEL 2004 TAXES

WHEREAS, Block 127 Lot 22 C-221 is listed on the 2004 tax duplicate as 221 Bridge Street, at the time held by American Properties,

WHEREAS, the parcel had previously been removed from the tax duplicate due to subdivision in 2004,

WHEREAS, a residual balance remains on the parcel now designated as Block 127 Lot 22 C-221 that is not collectable,

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Metuchen that the Tax Collector requests that the remaining balance for 2004 taxes in the amount of 85.30 be canceled.

Dated: December 4, 2006

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RESOLUTION NO. 2006-220

Waiver of interest on 3rd/4th quarter 2006 Taxes

WHEREAS, Block 44 Lot 1.04 is listed on the tax duplicate under Metuchen Square Inc. Homeowners Association, Mulberry Lane,

WHEREAS, the parcel is land that is commonly owned by each member parcel of Metuchen Square Inc. Homeowners Association,

WHEREAS, the tax assessor has been authorized to make corrections to the tax duplicate for the tax year 2007 to correct the assessments for each property owner of Metuchen Square, Inc. Homeowners Association to apportion Block 44, Lot 1.04 to each of the members by percentage of ownership as noted in the master deed, and to eliminate Block 44 Lot 1.04 from the tax duplicate,

WHEREAS, the Tax Collector requests that the property owner of Block 44 Lot 1.04 be granted a waiver of interest on delinquent taxes for the 3rd and 4th quarter 2006,

NOW, THEREFORE, BE IT RESOLVED, that the interest on delinquent taxes for Block 44 Lot 1.04 be waived as described.

Dated: December 4, 2006

RESOLUTION NO. 2006-221

WHEREAS, the Tax Collector received the necessary amount to redeem the following Tax Sale Certificate for the following property:

<u>Cert #</u>	<u>Block/Lot</u>	<u>Address</u>	<u>Lienholder</u>
05-00002	34/39	100 Middlesex Ave	R. Rothman

BE IT FURTHER RESOLVED that the Tax Collector be authorized to cancel this lien from the municipal records.

Dated: December 4, 2006

RESOLUTION NO. 2006-222

WHEREAS, there are unexpended balances in various 2006 appropriation accounts not required for the balance of 2006; and

WHEREAS, additional sums are required for the operating expenses of other Borough accounts,

NOW, THEREFORE, BE IT RESOLVED, that the following transfers be approved:

Appropriation	From	To
Tax Assessment S & W	10,000.00	
Streets & Roads OE		4,000.00
Gasoline & Diesel Fuel		6,000.00
TOTAL	10,000.00	10,000.00

Dated: December 4, 2006

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RESOLUTION NO. 2006-223

REFUND OF 2006 TAXES

WHEREAS, the following has made an overpayment of 2006 taxes,

Name	Block/Lot	Address	Amount		Year
Cielito Claudio	4.2/11	30 Mason Drive	\$4,906.44	2006 Tax Appeal	2006/4th
Monika Thornton	195/29 C6-30	30 Irongate	2,378.55	Property Owner Overpaid Taxes	2006/4th

WHEREAS, sufficient documentation of proof of overpayment of taxes has been provided to the Tax Collector,

NOW, THEREFORE, BE IT RESOLVED, that the above listed tax property owners as described above be refunded 2006 taxes to the property owners, in the amount of \$7,284.99.

Dated: December 4, 2006

RESOLUTION NO. 2006-224

Resolution – Refund of Sidewalk Escrow Fee #06-028 S

WHEREAS, G. W. S. Contractors, Inc. posted \$120.00 for sidewalk escrow fees,

WHEREAS, the Planning Board Secretary has requested that the escrow fees be refunded to G. W. S. Contractors, Inc.,

NOW, THEREFORE, BE IT RESOLVED, that G. W. S. Contractors, Inc. be refunded \$120.00 from the Sidewalk Inspection Escrow account.

Dated: December 4, 2006

On a motion made by Council President Weber, seconded by Councilmember Vahalla, with all in favor, the above Resolutions No. 2006-218 through No. 2006-224 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 \$2,670,000.74.

Dated: December 4, 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 Council President Weber, seconded by Councilmember Dyas, with all in favor, this Resolution was adopted.

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COMMENTS FROM THE PUBLIC ON NEW BUSINESS MATTERS ONLY

The Mayor opened the public hearing.

Hearing no comment, the Mayor closed the public portion.

On a motion made by Council President Weber, seconded by Councilmember Dyas, the meeting was adjourned at 7:40 p.m.

BOZENA LACINA, RMC
Municipal Clerk