

02/16/2010

**BOROUGH COUNCIL
MINUTES - FEBRUARY 16, 2010**

A Regular Meeting of the Borough Council was held in the Council Chambers of the Borough Hall on Tuesday, February 16, 2010. The Meeting was called to order 7:03 p.m. by Mayor Vahalla. The Invocation was given by Councilmember Weber and was followed by 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 Cammarano, Manley, Morrison, Rubin, Waldron and Weber.

Also present were Mayor Vahalla, Borough Administrator Boerth, Borough Attorney Frizell, Police Chief James Keane and Borough Clerk Lacina.

BUDGET WORK SESSION - POLICE DEPARTMENT

Mayor Vahalla asked Chief James Keane to provide an overview of his 2010 capital and operating budgets.

Chief Keane noted the 2010 capital request consists of three items:

- A new Computer Aided Dispatch system ("CAD").
- Digital recording device for recording and playback of 9-1-1 calls, radio transmissions and certain telephone lines
- Seven (7) Dell laptop computers which are used in-car to provide immediate access to NCIC, INFO Cop and the MVC records. The computers also allow officers to immediately file reports and refer to policies, procedures and directives.

Councilmember Manley questioned if any of the items were under state contract.

Chief Keane noted the digital recorder and laptops are available under state contract.

Councilmember Rubin noted the laptops were purchased several years ago with a grant and questioned if that funding option was still available.

Chief Keane noted the Police Department utilizes a watch list to apply for any and all grants that become available. However, there are no grants available, at this time that would fund the purchase of the computers.

Chief Keane then noted Borough Administrator requested a 10% reduction for all operating budgets. Chief Keane noted that a 10% reduction was made for the 2009 budget and after a detailed review of all line items was made, a reduction of \$1,184.00 was only able to be made. However, Chief Keane noted that the Salaries and Wages line item will see a reduction of \$121,000 due to retirements, which is a 5.5% reduction in that line item from last year.

Councilmember Waldron questioned when the year end figures for final expenditures would be ready.

Mr. Boerth noted the figures would be available with the 2010 budget documents.

Chief Keane also noted that the Police Department always purchased two vehicles, until last year when only one was purchased. Chief Keane noted that although his request only includes one car, a second vehicle is needed to properly facilitate the use-rotation schedule, especially with cars out of service.

02/16/2010

Councilmember Manley reviewed the aging fleet list and noted that adding only one vehicle a year may precipitate a budget year when several are necessary to replace unusable vehicles.

Chief Keane noted that scenario is likely and stated that the vehicles are on state contract for a purchase price of \$21,000, with an additional \$4,000 necessary for outfitting.

Councilmember Rubin questioned what happens to the unusable vehicles.

Chief Keane noted the fleet always remains at the same number. When the new vehicles are received the old cars will get sold at auction or transferred to other departments. Chief Keane noted that last year's vehicle was kept to strip for parts for the existing fleet.

Councilmember Weber suggested placing the vehicle purchase into the capital request for 2011.

Councilmember Manley also noted that the amounts reserved for maintenance contracts for the CAD, recording equipment and the laptops would be canceled out when the new equipment was approved through capital.

Chief Keane noted that a portion of the requested amount would be needed to maintain the equipment until the new equipment was purchased and installed.

Councilmember Cammarano questioned the overtime for the dispatchers.

Chief Keane noted the position is often difficult to attract and maintain. The Department's policy is to keep Police Officer's off the desk as much as possible and that requires overtime to existing dispatchers when per diem dispatchers are not available.

Chief Keane then noted for Councilmember Waldron that a underscored paragraph in Section 2 illustrates that while the Police Department may have the largest portion of the budget, it does bring in revenue through the records bureau (\$21,000), outside overtime administrative fees and vehicle use (\$29,440) and fines through summons and court appearances (\$400,000). Chief Keane noted that any possible fee increases are being reviewed by the Borough Administrator.

AGENDA SESSION

Mayor Vahalla questioned if the Council had any questions/comments on the agenda.

Councilmember Morrison questioned when the remainder of the budget work sessions would be held.

Mr. Boerth stated that a worksessions would continue at the next meeting – March 1st.

Mayor Vahalla suggested the Council wait until more information becomes available from the State to schedule a more in-depth review of the budget.

APPROVAL OF THE MINUTES

On a motion made by Council President Cammarano, seconded by Councilmember Weber, the Regular Minutes of February 1, 2010 were approved.

ORDINANCE NO. 2010-3

The Borough Clerk presented an Affidavit of Publication for Ordinance No.2010-3.

Council President Cammarano made motion to receive and file the Affidavit, which was

seconded by Councilmember Weber, with all in favor.

The Clerk read the Ordinance by title:

Ordinance No. 2010-3 BOND ORDINANCE PROVIDING FOR VARIOUS 2010 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF METUCHEN, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$1,093,100 THEREFOR (INCLUDING GRANTS EXPECTED TO BE RECEIVED IN THE AGGREGATE AMOUNT OF \$453,100) AND AUTHORIZING THE ISSUANCE OF \$608,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

TEXT FOLLOWS:

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF METUCHEN, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of Metuchen, in the County of Middlesex, State of New Jersey (the "Borough"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$1,093,100, said sum being inclusive of grants from the New Jersey Department of Transportation in the amount of \$400,000, a Community Development Block Grant from the County of Middlesex in the amount of \$28,100 and a Sustainable Economic Growth Improvement Fund Grant in the amount of \$25,000, and the down payments for said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.* (the "Local Bond Law") in the aggregate amount of \$32,000. The down payments are now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$1,093,100 appropriation not provided for by application hereunder of said grants or said down payments, negotiable bonds of the Borough are hereby authorized to be issued in the aggregate principal amount of \$608,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in an aggregate principal amount not exceeding \$608,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued are as follows: (i) acquisition of Public Works equipment and a pick-up truck, and improvements to the Public Works facilities heating system; (ii) the acquisition of a CAD/RMS system, laptop computers and digital recording system for the Police Department; (iii) the acquisition of equipment for the Fire Department, including but not limited to, turnout gear, and computer hardware and software for automation; (iv) the acquisition and replacement of various audio/video equipment for the Metuchen Television Studio; (v) recreation field improvements, including but not limited to, acquisition and installation of lights at Charles Field; (vi) improvements to various sewers throughout the Borough; (vii) overlay, drainage improvements and reconstruction of various roadways throughout the Borough, including but not limited to: Orchard Avenue, University Avenue, Irving Avenue, Voorhees Place, Memorial Parkway, and the intersection at Norcross Avenue and Leonard Street and (viii) the installation of a lighted crosswalk at Main Street and Pennsylvania Avenue.

(b) The above improvements and purposes set forth in Section 3(a) shall also include all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

02/16/2010

(c) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$608,000.

(d) The aggregate estimated cost of said improvements or purposes is \$1,093,100, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor, is the aggregate down payments for said purposes in the amount of \$32,000, the grant from the New Jersey Department of Transportation in the amount of \$400,000, a Community Development Block Grant from the County of Middlesex in the amount of \$28,100 and a Sustainable Economic Growth Improvement Fund Grant in the amount of \$25,000.

SECTION 4. Except for the grants specifically appropriated in Section 1 herein, in the event the United States of America, the State of New Jersey and/or the County of Middlesex make a contribution or grant in aid to the Borough for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Middlesex. Except for the grants specifically appropriated in Section 1 herein, in the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Middlesex shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough (the "Chief Financial Officer"), provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, is on file in the office of the Clerk and is available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Borough may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 12.322 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the

02/16/2010

authorization of the bonds or notes provided for in this bond ordinance by \$608,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$82,742 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvements or purposes herein before described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Borough for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Borough other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$608,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all federally tax-exempt bonds and notes issued under this ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

INTRODUCED: February 1, 2010

FINAL ADOPTION: February 16, 2010

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

The Mayor opened the public hearing on this Ordinance.

Hearing no comment, the Mayor closed the public portion.

On a motion made by Council President Cammarano, seconded by Councilmember

02/16/2010

Weber, this Ordinance was passed on second reading and ordered published according to law.

Roll Call Vote:

AYES - Councilmembers Manley, Morrison, Rubin, Waldron, Weber and Council President Cammarano.

NAYS - None.

ABSENT - None.

COMMUNICATIONS
CONSENT AGENDA

5. Receive the minutes of the following meetings:
-Shade Tree Commission - December 14, 2009 & January 11, 2010
-TV & Technology Advisory Committee - October 29, 2009

On a motion made by Council President Cammarano, seconded by Councilmember Weber, with all in favor, Item No. 5 was received.

OTHER COMMUNICATIONS

None.

REPORTS OF THE COUNCILMEMBERS

Council President Cammarano stated the Police Department would like to remind residents to shovel their sidewalks after a snowfall; in particular, routes commonly used by commuters and students should be cleared as soon as possible.

Council President Cammarano noted the Pool Commission has adopted policy changes for non-members, which include the limited use of the pool during morning hours. Council President Cammarano noted that certain morning hours will be devoted to cleaning and maintenance of the pool.

Mayor Vahalla stated that the Police Department had contacted him regarding elderly residents that can no longer shovel their properties. The Mayor noted the Borough is looking for volunteers to assist these residents.

Councilmember Weber presented the following list of upcoming events from the Recreation Commission:

- March 20th - Daddy Daughter Dance--6:30 p.m. at the Pines Manor
- March 20th Annual Egg Hunt at Myrtle Field
- April 10th - Little League Opening Day Parade
- April 17th - Town Wide Garage Sale
- April 24th - Earth Day Celebration

Councilmember Waldron noted the Environmental Commission would be meeting on February 17th. Linda Hamden from Steven Winters Associates would be attending the meeting for a Q&A regarding the energy audits.

Councilmember Waldron noted that Freeholders will be approving a construction bid for the Greenway with a spring start date. The Council will also be considering a resolution supporting the New Jersey Department of Transportation for Route 27 South Plainfield Branch Project. The project will replace the structure over Greenway and intersection improvements at Lake Avenue.

02/16/2010

Councilmember Rubin noted the Library will dedicate the new Teen Corner during Library Week (April 4th thru April 11th). In January 2010, the Library served 10,678 patrons.

Councilmember Rubin noted the Shade Tree Commission presentation has been rescheduled until March 15th. The Shade Tree Commission has set up a blog at shadetreecommission.wordpress.com.

Councilmember Rubin noted the Chamber of Commerce would like to announce the following upcoming events:

- March 8th – Networking event at Hailey’s Harp and Pub.
- March 13th –Installation Dinner at the Pines Manor. This year the Chamber will recognize the Borough Improvement League as Organization of the Year and Robert Donnan as Person of the Year.

Councilmember Rubin also noted that a Community Supported Agriculture (CSA) is looking for members in Metuchen. A share is priced at \$595 and will provide organic vegetables from June to October. Interested residents can contact Tracey Gelber at traceygelber@optonline.net

Councilmember Morrison noted the Cultural Arts Commission would meet on February 22nd. The agenda will focus on the June Bugs ArtFest. June Bugs is sponsored in conjunction with the Chamber of Commerce and the committee is currently looking for artist to participate.

Councilmember Morrison thanked the Auxiliary Police for their service during the recent inclement weather. Volunteers are still needed. Interested residents may contact Councilmember Morrison, Police Chief Keane, Auxiliary Captain Dana or the Borough Clerk.

Councilmember Morrison noted that a recent letter printed in the Sentinel provided a very compelling look at the volunteer EMS services. Councilmember Morrison thanked the Metuchen EMS for their efforts. Residents interested in volunteering with the Squad should contact Lisa Garris.

Councilmember Manley stated the 2nd Annual Fuce 5K to be held on June 19th. Information is available at fuce5.com

Councilmember Manley noted that the Borough has been made aware of pilot program **Google Fiber for Communities**. Google plans to test ultra-high speed broadband networks in trial locations across the country and is looking for communities to apply. Applications are due March 26th.

REPORTS OF OFFICERS

Mr. Frizell noted that a lawsuit challenging borough zoning, *84 Orchard Associates v. the Borough of Metuchen*, has been dismissed.

REPORT OF THE BOROUGH ADMINISTRATOR

Mr. Boerth had no report.

REPORT OF THE MAYOR

Mayor Vahalla noted that the “Call to Service Summit” will be held on March 20th at 10 a.m. Further information will follow.

Mayor Vahalla noted that borough officials met with Mike Venezia from Senator Frank

02/16/2010

Lautenberg's office regarding federal funding which may become available for the proposed parking structure. Mr. Venezia has forwarded, to the Borough, an application that could net the project \$1 million and has agreed to research other funding avenues. Mayor Vahalla noted that borough officials also have meetings scheduled with Congressman Frank Pallone and Senator Robert Menendez for later this month.

Mayor Vahalla announced that a public hearing for the Community Development Block Grant application will be held on Thursday, February 18th at 6:00 p.m. in the Council Chambers. Prior year funding has been allocated towards handicapped curb improvements, the senior citizen bus driver and the other senior services.

Mayor Vahalla also noted that borough officials also met with Edison Mayor Antonia Ricigliano, Council President Charles Tomaro and Business Administrator Larry Pollex to seek continued support for the Routes 287/27 Interchange. Also discussed were possible shared service options.

Mayor Vahalla requested residents remove their vehicles from the street, if possible, during snow storms. The Borough also asks that residents DO NOT blow snow and/or shovel snow into the street. The Department of Public Works cannot keep repeating streets that have been previously cleared.

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. 2010-48

WHEREAS, bids were received by the Borough Administrator on February 9, 2010 for the 2010 Repair and Maintenance for the Metuchen Fire Department Apparatus for the Borough of Metuchen; and

WHEREAS, Fire & Safety Services Ltd. was the only bidder on the 2010 Repair and Maintenance for the Metuchen Fire Department Apparatus; and

WHEREAS, the Borough Administrator has recommended the award on said bid; and

WHEREAS, the winning bidder submitted the following rates:

Repair Labor Hourly Rate, Standard:	\$ 70.00/hr
Repair Labor Hourly Rate, Overtime	\$ 90.00/hr.
Annual Preventative Maintenance Chassis	
Service Hourly Rate	\$ 70.00/hr
Annual Pump Service Hourly Rate	\$ 70.00/hr
Annual Aerial ladder Preventative	
Maintenance Hourly Rate	\$ 70.00/hr
Percentage Mark-up	20%

WHEREAS, the Finance Officer has determined that sufficient funds will be available as evidenced by the Finance Officer's certification,

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Metuchen, County of Middlesex, State of New Jersey that the contract for 2010 Repair and Maintenance for the Metuchen Fire Department Apparatus be and the same is hereby awarded to Fire & Safety Services Ltd., 200 Ryan Street, South Plainfield, NJ 07080.

BE IT FURTHER RESOLVED, that the Mayor and the Borough Clerk are hereby authorized and directed to execute the contract for the same.

BE IT FURTHER RESOLVED that the certified check or bid bond of the successful bidder

02/16/2010

1. Fire & Safety Services Ltd, South Plainfield, NJ

be returned upon the receipt of a fully executed contract and other required documents.

Dated: February 16, 2010

RESOLUTION NO. 2010-49

WHEREAS, there exists a need to purchase **turn-out gear** for the Borough of Metuchen, in the County of Middlesex, State of New Jersey; and

WHEREAS, this can be purchased through State Contract #71050 ; and

WHEREAS, the maximum amount of the purchase of diesel fuel for the Borough of Metuchen is \$19,193.31 and funds will be available in the 2010 capital budget as evidenced by the Chief Financial Officer's Certification; and

WHEREAS, public bids are not required when the purchase is under a state contract in accordance with 40A:11-12 of the Local Public Contracts Law.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Metuchen, in the County of Middlesex as follows:

1. The Chief Financial Officer and Borough Administrator are hereby authorized and directed to approve and forward a Purchase Order to **Total Fire Group, c/o Safe-T, #1 Innovation Court, Dayton, Ohio 45414.**

Dated: February 16, 2010

RESOLUTION NO. 2010-50

RESOLUTION SUPPORTING THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR ROUTE 27 SOUTH PLAINFIELD BRANCH PROJECT

WHEREAS, the New Jersey Department of Transportation has informed the Borough of Metuchen of the plans for the replacement of the structure over Greenway and intersection improvements at Lake Avenue; and,

WHEREAS, the Borough of Metuchen agrees that the structure is in need of replacement;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen that the replacement of the structure over Greenway and intersection improvements at Lake Avenue, as presently proposed by the New Jersey Department of Transportation, are hereby endorsed by the borough.

Dated: February 16, 2010

RESOLUTION NO. 2010-51

REFUND OF 2008 AND 2009 TAXES

WHEREAS, the following has made overpayment of 2008 and 2009 taxes,

Name	Block/Lot	Address	Amount		Year
Wells Fargo for Wallace & Christine Francis	B29/L1.0501 Coo3	3 Ayers Ct.	\$2,853.66	Overpayment of taxes	2009/4 th qtr
Daniel Mangieri	B51.6/L7	312 Midland Ave	\$1,362.36	Overpayment of taxes	2008/3rd qtr

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

02/16/2010

NOW, THEREFORE, BE IT RESOLVED, that the above listed property owners or agents be refunded 2008 property taxes as described, in the amount of \$1,362.36 and 2009 property taxes as described in the amount of \$2,853.66.

Dated: February 16, 2010

On a motion made by Council President Cammarano, seconded by Councilmember Weber, with all in favor, the above Resolutions No. 2010-48 through No. 2010-51 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 **\$298,223.87**.

Dated: February 16, 2010

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 Cammarano, seconded by Councilmember Weber, with all in favor, this Resolution was adopted.

ORDINANCE NO. 2010-4

Council President Cammarano made motion to introduce and take up on first reading Ordinance No. 2010-4, which was seconded by Councilmember Weber, with all in favor.

The Clerk read the following Ordinance by title:

Ordinance No. 2010-4 AN ORDINANCE TO RELEASE, VACATE AND EXTINGUISH ANY AND ALL PUBLIC RIGHTS IN AND TO CERTAIN ALLEYS IN BLOCK 56 AND BLOCK 59, IN THE BOROUGH OF METUCHEN.

Council President Cammarano moved this Ordinance be passed on first reading, published according to law, and public hearing set down for March 1, 2010. This motion was seconded by Councilmember Weber.

Roll Call Vote:

AYES - Councilmembers Manley, Morrison, Rubin, Waldron, Weber and Council President Cammarano.

NAYS - None.

COMMENTS FROM THE PUBLIC ON NEW BUSINESS MATTERS ONLY

The Mayor opened the public hearing.

John Burke, 3 Talmadge Avenue, noted that his residence borders a doctor's office on Main Street. Mr. Burke stated that the properties are currently separated by a buffer of trees, shrubs and ivy. Mr. Burke stated that he did not want to lose this buffer when the alley is vacated and requested the entire alley be vacated to him.

Mr. Boerth stated that the matter would have to be discussed with the Zoning Officer.

02/16/2010

Council President Cammarano stated that the Borough could not vacate the entire alley to Mr. Burke.

Councilmember Weber stated that if the buffer is there as a condition of the resolution of approval, the doctor will not be able to remove the trees, shrubs and ivy.

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

On a motion made by Council President Cammarano, seconded by Councilmember Weber, the meeting was adjourned at 8:38 p.m.

BOZENA LACINA, RMC