

BOROUGH COUNCIL
MINUTES – MARCH 15, 2010

A Regular Meeting of the Borough Council was held in the Council Chambers of the Borough Hall on Monday, March 15, 2010. The Meeting was called to order 6:03 p.m. by Mayor Vahalla. The Invocation 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, and Weber. Councilmember Waldron was absent.

Also present were Mayor Vahalla, Borough Administrator Boerth, and Borough Clerk Lacina.

Mayor Vahalla took an opportunity to thank the emergency services personnel, along with the Department of Public Works, for their extraordinary efforts during the weekend's nor'easter. Mayor Vahalla noted that he has contacted Senator Buono's office and asked that Metuchen be declared a disaster area so that federal funding could be applied for.

BUDGET WORKSESSION

Mayor Vahalla suggested the Administrator address the presented questions first.

Councilmember Morrison noted that the first question is repeated through the departments and addresses salary increases. Councilmember Morrison questioned if there is a contractual obligation to pay the raises or does the Council have the ability to affect the increases?

Admin & Exec (Worksheet pages 1 and 2); Municipal Clerk (Worksheet page 4); Financial Administration (Worksheet page 5); Tax Assessment and Administration (Worksheet page 9); METV Cable (Worksheet page 11); Land Use Administration (Worksheet page 12); Zoning Board of Adjustment (Worksheet page 13); Code Enforcement (Worksheet page 14); Police Department (Worksheet pages 17 thru 19); OEM -- Worksheet Page 21; Fire Department – Worksheet Page 24

1. *It appears you have proposed a 3.3% raise in S&W for this department over last year's actual. What are the contractual obligations we have to give a 3.3% raise? We understand there is an ordinance or resolution or rule that dictates that the administrator's raise is tied to that given to certain other employees. What percentage raises are being given to the relevant other employees?*

Council President Cammarano noted that the Borough does negotiate with the Teamsters, AFSCME and the PBA. The Teamsters and AFSCME are in the final year of a negotiated contract. The PBA, management and the Library employees are non-union. Council President Cammarano reminded that the salary increases for the CFO, Clerk and Assessor are statutory obligations, not contractual.

Councilmember Morrison noted that what is done for the union contracts affects those increases that are made by practice, rule or statutory obligation. Councilmember Morrison noted the Police Department management receives the same increase as the PBA.

Councilmember Weber questioned how many employees are not in a union.

Mr. Boerth stated that 31 employees are not covered by a union contract.

Councilmember Rubin notes that some of those employees are low level employees and

earn the least in the Borough.

Councilmember Morrison noted that wage freezes, furloughs and lay-offs make the news almost daily. Councilmember Morrison noted that the Council still does exact some affect on increases—although limited. Councilmember Morrison noted that the Council will abide by the contracts stipulations and hopes the unions in good faith will agree to concessions.

Councilmember Rubin stated that she would not choose to enact the burden of a small savings and small group of employees.

Mr. Boerth stated the savings for salary increases to non-union employees would be \$26,000.

Mr. Boerth stated the issue is still premature to address. Mr. Boerth stated that the State is awaiting the Governor's budget address and stated that a portion of state aid will be cut. The Borough is expecting cuts to range between \$42,000 and \$105,000.

Mr. Boerth stated that certain contractual discussion should not be debated in public.

Councilmember Morrison noted that at some point prior to the introduction of the budget, a discussion on the proposed raises needs to be held in Closed Session.

Admin & Exec (Worksheet pages 1 and 2)

2. *You suggest a slight increase in allocation for postage costs compared to actual spend from last year. Is there an expectation that postage costs will stabilize this year?*

Mr. Boerth stated the costs are expected to stabilize and postage costs are difficult to gauge.

Admin & Exec (Worksheet pages 1 and 2)

3. What items are included under the line item "professional services"?

Mr. Boerth stated the line item includes professional contracting costs not covered under normal retainer; Affordable Housing consultant; website contract; Planning consultant.

Councilmember Morrison asked Mr. Boerth to look into the need for Ms. Bishop's contract, as COAH is not expected to be as active as in previous years.

Mayor and Council (Worksheet page 3)

1. *What is covered by conferences and seminars?*
2. *What is covered by dues and subscriptions?*

Mr. Boerth noted that Conferences & Seminars includes annual dues for the New Jersey League of Municipalities (NJLM) and any and ally courses that will be attended. Mr. Boerth stated that Dues & Subscriptions includes the NJLM newsletter and the dues for the Mayor's associations.

Audit Fees (Worksheet page 6)

1. *What do the audit fees include? Is it just for the general annual audit of operations of the Borough? Do we have the ability to direct the auditor to look at specific issues or Departments without incurring additional costs?*

Mr. Boerth noted the audit fees include budget preparation and annual audit.

Council President Cammarano questioned if there was something additional requested from the auditor.

Councilmember Morrison questioned if specific departments could be audited.

Mr. Boerth stated that all departments are audited, not just finance.

Election Expenses (Worksheet page 7)

1. *Do we have any expectation that these expenses might be lower based on fewer State and Federal seats being up for election?*

Mr. Boerth stated that Election costs were not reduced as the line is used to pay for the county share of the election and for poll workers which remains constant.

Collection of Taxes (Worksheet page 8)

1. *What is covered by "Professional Services" and is there a reason we exceeded our allocation last year?*

Mr. Boerth noted the line item pays for all of the finance system (Edmunds), the printing of tax bills and the Assessment program (Vital).

Councilmember Manley questioned if it was possible to get the financial documents in Excel rather than in the Edmunds program.

Mr. Boerth stated that he will look into an upgrade that would facilitate that request. The Edmunds system is compatible with the State system.

Council President Cammarano stated that there is no need to spend extra money.

Tax Assessment and Administration (Worksheet page 9)

2. *What is covered under the line item "Contractual Services"?*

Mr. Boerth stated that the salary for the Tax Assessor and newspaper ads are covered in this line item.

Council President Cammarano questioned if appraisals and legal fees are covered in the line.

Mr. Boerth stated they are not; the fees are covered in Legal Services and costs.

Legal Services and Costs (Worksheet page 10)

1. *What does this Department encompass? Is it simply Mr. Frizell's service as Borough Counsel?*
2. *What is the difference between the salary and wage portion and the legal fees portion? When do we get a separate bill for his work above and beyond salary? Who reviews his contemporaneous time records before recommending approval of payment?*

Mr. Boerth noted the lines cover the retainer for the Borough Attorney, fees not covered in the retainer—mainly tax appeals, the Labor Relations Attorney fees, and fees for extra work provided by the Planning and Zoning Board Attorneys.

Land Use Administration (Worksheet page 12) and Zoning Board of Adjustment (Worksheet page 13)

2. *What is covered by the line item "Contractual Services"?*

Mr. Boerth noted the \$400.meeting fee for the Planning and Zoning Board Attorneys is covered in this line.

Code Enforcement (Worksheet page 14)

2. *What is covered by the line item "Contractual Services"?*
3. *Could you explain why there is a large drop-off in the cost of Health Insurance benefits over the last two years?*
4. *Could you explain why there is an increase in PERS?*

Mr. Boerth noted that the budget is supported by permit fees and fines and that the Department of Community Affairs will inquire if fees are too high or if employees are not working enough and requires that the revenue taken in by that department is spent on that department. If the appropriations are not used, those monies can be rolled over into the general fund. If not appropriated, they remain in the Code Enforcement fund.

Mr. Boerth also noted that the health insurance costs were adjusted due to personnel and that the department does pay their portion of the PERS contribution and last year's deferral is starting to be re-paid this year.

Insurance (Worksheet page 15)

1. *We assume that the drop in H/C Claims costs is associated with the passing of a claimant. Is this correct?*
2. *Could you please explain the reason for the 10 percent hike in "Administrative Charges"?*

Mr. Boerth stated that the decrease in claims cost is due to a reduction in claims. Mr. Boerth stated the 10% increase for Administrative Charges was recommended by the Third Party Administrator (IDA).

Other Insurance (Worksheet page 16)

1. *Could you explain what is included in this "department"?*

Mr. Boerth stated this line covers accident insurance for the recreation department, Auxiliary Police, and Fire Department.

Police Department (Worksheet pages 17 thru 19)

2. *Do we have an expectation that OT for officers will rise by 25% in 2010? If so, why?*
3. *If we decided to purchase a second police vehicle this year, is there anywhere else in the Borough budget that you can recommend a \$27000 cut?*
4. *If we are "stretching" the life of our police vehicle fleet by reducing the number of new cars purchased, should we be reducing our "Equipment Maintenance and Repair" line item over what was actually spent last year?*
5. *What is included in the "Professional Services" line item?*

Mr. Boerth stated that overtime is difficult to gauge and the weather event of the last few days will be significant on that line item.

Mr. Boerth stated that at the present there is no place to cut to allow for a second police vehicle purchase.

Mr. Boerth noted the Equipment Maintenance & Repair does not service vehicles, but rather their communications equipment.

Mr. Boerth finally noted the Professional Services line provides funding for public relations

programs such as D.A.R.E. and the Citizen's police Academy.

Auxiliary Police (Worksheet page 20)

1. Who is covered under the Auxiliary Police S&W line item?
2. Do the Auxiliary Police purchase equipment independent of our police department?

The S&W line provides stipends of \$350/yr for 12 Auxiliary officers.

First Aid Contract – Worksheet Page 23

1. The "Contractual Services" line item is proposed to be increased by 4%. Has a proposal for this increased amount been received? Has it been accepted? Has the scope of services been increased?

Mr. Boerth noted the Borough has a contract with Edison Township through 2014 to provide coverage at \$100 call. The 2010 contract allows 260 calls.

Fire Department – Worksheet Page 24

2. The "new" building maintenance line proposes \$2500 increase over prior expenditures. Are the anticipated repairs those identified in the referenced OSHA report? Is there a maintenance schedule for items contemplated to be covered by this category? Will there be a bidding process required?
3. It appears that the Vehicles Maintenance & Repair line is increased by 19%. While we understand the rationale, is there a maintenance schedule which anticipates such an increase? What specific repairs are anticipated to be undertaken this year to justify the proposed increase?
4. The Equipment Maintenance line has been reduced by 43% due to the contractual services category being added. What is contemplated to be covered under "contractual services"? Who will be performing the non-contractual maintenance and repairs?
5. The line for "Conferences and Seminars" appears to recommend a 37% increase in funding over the amount expended last year. Are there mandatory conferences required this year which were not previously required which justifies the proposed increase? Is there a master list which identifies which members of the department are current on their training/seminar requirements?
6. The line for Awards/Badges/Trophies exceeds spending in this category was \$129.25 last year and \$20000 is recommended for this year? What is the basis for the increased spending in this line?
7. The line for the new category of Contractual Services contemplates contracts amounting to \$12,0000. Have there been any contracts entered into as of today which are in this category? This category replaces the former Equipment Maintenance and Repair. The combined appropriate this year for the two categories – which address the same need – is two categories total \$18,500, but total expenditures last year were roughly \$15,000.00. Is there a specific repair contemplated which necessitates this level of funding?
8. The "standby" line item has already exceeded the amount budgeted for 2010 based upon the testimony of the Chief. Where will the additional funds be pulled from? Are payroll taxes to be paid for standby work?
9. The "contribution" line is for the service provided by the "volunteer" firemen, correct? Is this based upon an ordinance or a contractual agreement?

Mr. Boerth noted the building maintenance covers general maintenance and was

previously under the Department of Public Works.

Mr. Boerth stated the Vehicle Maintenance & Repair line funds preventative maintenance that is gauged by the age of the vehicle.

Mr. Boerth noted the decrease in Equipment Maintenance is from certain monies being moved into the newly established Contractual Services. (#7)

Mr. Boerth noted the Conferences and Seminars were covered in the Fire Department budget session. Also covered were Badges and Trophies.

Mr. Boerth then noted that the past practice for the Contribution to the Fire Department is that it has been used for stipends.

At this time, the Mayor requested the budget session be suspended to hear COMMENTS FROM THE PUBLIC.

Tom Herits, 26 Michael Drive, member of the Fire Department read the following statement into record:

“Let me start by thanking the Council for the opportunity to speak to you, and for your service to the Borough.

It is our understanding that the members of the Council do receive a yearly stipend. All of you sitting before us voluntarily decided to serve on the Borough Council. All of you voluntarily took your oath of office. We broach this subject only to parallel your service and our service to the Borough. And we agree that you deserve the stipend you receive, and more. We realize the time you must devote as a councilperson to be successful, and serve the Borough appropriately; the time you spend away from your families; the time Borough business interferes with your day job. We get it. You all have schedules which no one would envy. Well, we also have scheduled meetings, and scheduled training, but this amounts to less than 15% of our time at the Fire Department. In fact, our new members must attend the same 160 hours of training that career firefighters attend. Our members are asked to respond 24/7, 365. It is the unscheduled fire calls, and Department business, that wreaks havoc on our families and jobs.

Now, be careful what you ask for with talk about the Edison FD covering Metuchen. The Edison FD runs constantly, and covers approximately 32 square miles. To also provide Metuchen with fire protection would be a considerable increase in costs to both municipalities. Paying for career firefighters, paying your proportional share of equipment purchases and maintenance, especially considering the wear and tear Edison puts on their equipment, will add up. You will quickly see that the cost to operate your Metuchen Fire Department, the cost not to outsource a fire department, is a bargain. The services and benefits we provide to the Borough, and its residents, greatly outweigh the cost.

And think about it:

- Who's going to visit every elementary school, and requesting day care, in the Borough, during Fire Prevention Week, lecturing on fire safety and demonstrating our equipment
- Drop the ball on New Year's Eve
- Standby at the fireworks display to provide a safe environment for the spectators
- Standby for the Metuchen Country Fair and antique car shows
- Deliver Santa and holiday cheer to the various neighborhoods in the Borough
- Participate in the Little League, Memorial Day, and Holiday parades
- Host a Fire Prevention Open House
- Give tours of the Fire House
- Assist the Police Department in traffic control when needed
- Organize Metuchen Pulls-Together
- Deliver the Easter Bunny to the egg hunt

The list goes on.

And believe me, when most children have to choose between the Easter Bunny, or sitting in the fire truck and sounding the siren, the Easter Bunny loses.

The Fire Department definitely contributes to the quality of life of all Metuchen residents. We are a part of the reason why living, and raising a family, in Metuchen, is so great.

So in addition to the obvious firematic functions we perform, that is, extinguishing fire, responding to fire alarms, smoke detectors alarms, CO alarms, motor vehicle accidents and extrication, traffic control, assisting EMS where necessary, pumping basements, in short, protecting life and property, it is clear that the Metuchen Fire Department truly serves the Borough. Its members unselfishly volunteer their time for the betterment of all in the Borough.

A prime example of our contributions and services to the Borough occurred over this past several days. This past weekend for the Fire Department started with the Metuchen Inn fire at 6:30 am Saturday. Despite weather conditions and age of the building, the Fire Department successfully contained the fire in the lounge area, and saved the main structure, with no injuries. Almost immediately after taking up our equipment from this incident, the Fire Department started a more than 36 hour standby for the rain storm, responding to arcing wires, fallen trees, motor vehicular accidents, traffic control, checking on and evacuating residents, imparting goodwill during a dark experience for some Borough residents. Over 1000 man hours were expended by our members, in what was a state of emergency.

Our budget was submitted, reviewed, and approved by the Borough Administrator. The budget is managed by the Chief over the course of the entire year. Our budget includes maintenance of some of the most technically advanced equipment that the Borough owns. Intelligent airpacks, extrication equipment, thermal imaging cameras, turnout gear, the apparatus themselves, all must be in top condition in order to perform their primary function, that is, assist us in the performance of our primary function, protection of lives and property. The maintenance of this equipment is expensive. But what price do you put on the lives of the Borough firefighters and the residents we serve?

We all understand that every municipality is under the gun to hold budgets, and trim them where possible. Please remember we are tax payers also.

The proposed increase in the Fire Department budget is negligible. Approximately 90% of our budget covers equipment maintenance, updating equipment to meet regulatory agency requirements, and mandatory training. For example, we have budgeted \$28,000, or 20% of the budget, for maintenance of \$2.5 million in fire apparatus.

We serve the Borough with great pride and transparency. However, if any of you have issues regarding any operation of the Fire Department, airing and arguing them in public is not the appropriate forum. This only creates ill-will between the respective parties. We believe that more can be accomplished with informal discussions, where the objectives of each party can be better understood and an action plan to accomplish them can be formulated and implemented.

I want to thank all the members, family, and friends, in this room for, their support.

I want to leave you with one last thought. The Chiefs and Ex-Chiefs here tonight, represent over 175 years of volunteer service to the Borough. They are still active firefighters, and deserve your unconditional respect. Just think of the responsibility that rests on these individual's shoulders, or that of any of the fire officers in the Fire Department. They lead a well-trained and efficient organization, dedicated to protecting the lives and property of not only the residents of Metuchen, but also citizens wherever we are asked to perform mutual aid. Officers, especially the Chief and Deputy Chief, spend countless hours ensuring the Fire Department makes the difference. But most important, it

is their responsibility to ensure that after each fire call, every member of the Department goes back to their loved ones, safe and sound.

We do not apologize for being who we are and what we do. We are volunteer firefighters, and are proud of it.

Thank you.”

Former Fire Chiefs George Wallace and Jim Graziano followed with statements of support for the Metuchen Fire Department

Chief Walter Worczek, Menlo Park Fire Department and member of the Metuchen Volunteer fire Department noted the conservative estimate for a career fire department in Metuchen would be about \$2 million.

Joe Miciak, Amboy Avenue, noted this issue rears its head every so often and suggested the Borough do a study to determine the cost of a career department and weigh that against the volunteer department. Mr. Miciak stated this way facts are being used, not emotions.

Mr. Conlon, 20 Sharon Court, stated that he was insulted at the treatment of the Fire Chief at the budget session and noted that these volunteers put their lives on the line. Mr. Conlon stated the Department deserves respect from the Council.

Jill Goldy, 80 Main Street, noted that she has filed reports about the trees in front of her home for several years and nothing is ever done. Ms. Goldy stated that the weekend nor'easter brought down several trees across the street that damaged homes. Ms. Goldy noted that the issue of the condition of the trees needs to be addressed before someone is seriously hurt or killed.

Mayor Vahall noted the Borough Administrator and Public Works would be out to inspect the trees and assured that the Borough Administrator would address the matter in writing for her.

Ms. Goldy also noted that her residence was never informed of the “boil-water” advisory and that she heard the alert from a neighbor.

Council President Cammarano noted the Borough contracts with a service called Web-em. The alert was posted but it was never distributed. Council President Cammarano noted that when it was realized, other avenues were used to alert the public including Facebook, Twitter, the Borough website and AM station. Council President Cammarano stated the Borough will be looking into reverse 9-1-1 systems.

Beatrice Moskowitz, Middlesex Avenue, stated that as a former Fire Commissioner, she knows first hand, that the immediate service provided by the volunteers is exceptional.

Dick Hecht, University Avenue noted the response time of the Fire department is fantastic; their professionalism is unquestioned and asked the Council to give the Firefighters what they deserve.

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

AGENDA SESSION

Mayor Vahalla asked OEM Coordinator Jim Graziano to address the problem with Web-em over the weekend.

Mr. Graziano noted the Borough had received notice from Middlesex Water Company around 1 pm on Sunday afternoon that their treatment facility had been flooded and they

were issuing a “boil-water advisory”. Mr. Graziano noted that the alert was posted to Web-em and when no alert was issued, it was posted a second time. The second post failed to yield an alert also. The advisory was also posted on the MeTV scroll, the AM radio station alert and to the Twitter account. Mr. Graziano noted that further inquiries revealed that the company in charge of Web-em no longer is in business.

Council President Cammarano noted that it was shocking to learn that alert system was shut down without notice and that only 285 residents opted in.

Mayor Vahalla noted the Borough will explore a reverse 9-1-1 system.

Councilmember Manley wanted the Borough to make sure that the reverse 9-1-1 system would include all resident telephone numbers and not only those that have Verizon as a carrier.

Councilmember Rubin also agreed the Borough needs to evaluate any system to make sure that it will do what the Borough needs it to do. Councilmember Rubin suggested establishing a task force to review the last event and plan for the next.

Mr. Graziano stated that critique is performed by Emergency management is such case on emergency services. Mr. Graziano suggested exploring FEMA funding to assist with infrastructure and sewer system issues.

Mr. Boerth stated the Borough looked into doing a study on the sewer system but it was deemed cost prohibitive. Mr. Boerth stated the Middlesex County Utilities Authority did not have any suggestions on the matter either. Mr. Boerth stated that part of the problem is the enormous amounts of water cannot be handled by the entire multi town system.

Mayor Vahalla then questioned if the Council had any items to present for discussion.

Councilmember Rubin stated that she has a connection to the disability community, both with her personal family and with her profession. Councilmember Rubin noted that certain businesses in the downtown have accessibility issues. Councilmember Rubin requested approval to start an Accessibility Committee that would meet with Mr. Boerth to discuss problems and offer solutions. Councilmember Rubin noted the call to Service Summit could be used as a venue for recruitment.

Mayor Vahalla noted the Committee was a good idea and stated that Councilmember Rubin could begin recruiting members at the Summit.

Councilmember Rubin also noted the Bill List includes payment for 2nd quarter recycling calendars. Councilmember Rubin questioned if that information could be placed on-line and the cost for the calendars could be eliminated.

Mayor Vahalla noted that there would be difficulties in having the calendar available only on the website.

APPROVAL OF THE MINUTES

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

ORDINANCE NO. 2010-5

The Borough Clerk presented an Affidavit of Publication for Ordinance No. 2010-5.

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. 2010-5 An Ordinance to Amend the Code of the Borough of Metuchen, Various Chapters, to Amend Certain Application, License and Permit Fees.

ORDINANCE NO. 2010-5

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF METUCHEN, VARIOUS CHAPTERS, TO AMEND CERTAIN APPLICATION, LICENSE AND PERMIT FEES.

BE IT ORDAINED by the Borough Council of the Borough of Metuchen, as follows:

Section 1. Section 87-20 of Chapter 87, Fees, Article 11 - Recreation Program Fees, of the Code of the Borough of Metuchen, is hereby amended to add/change the permit fees to read as follows:

§ 87-20 - Fees Established.

<u>Program</u>	<u>Fee</u>	
Special Events:		
Indoor Movie Night	\$2.00 per person	
<u>Recreational Programs</u>		
	<u>FROM</u>	<u>TO</u>
Music Camp	-----	\$300.00/week
Track Camp	-----	\$100.00 residents \$125.00non-residents
Acting 101	-----	\$155.00/week
Theatre Games	-----	\$150.00/week
Word Game Workshop	-----	\$30/session

Section 2. Effective Date

This ordinance shall become effective upon publication after final adoption.

INTRODUCTION : March 1, 2010

SECOND READING: March 15, 2010

APPROVAL OR VETO: March 17, 2010

FINAL PUBLICATION: March 20, 2010

The Mayor opened the public hearing on this Ordinance.

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

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

Roll Call Vote:

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

NAYS - None.

ABSENT - Councilmember Waldron.

ORDINANCE NO. 2010-6

The Borough Clerk presented an Affidavit of Publication for Ordinance No.2010-6.

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. 2010-6 An Ordinance to Amend the Code of the Borough of Metuchen, Chapter 37 Entitled Police Department, Part III Off Duty Police Work §37-102 to Amend Certain Fees.

BE IT ORDAINED by the Borough Council of the Borough of Metuchen, as follows:

Section 1. Section 37-102 of Chapter 37, Police Department, of the Code of the Borough of Metuchen, is hereby amended to change the license fees to read as follows:

37-102.

A. Traffic Duty or outdoor work:

- | | |
|---|--------------------------------------|
| (1) Between the hours of 6:00 a.m. and 6:00 p.m. (weekdays) | \$60.00 per hour
(4-hour minimum) |
| (2) Between the hours of 6:00 p.m. and 6:00 a.m. or Saturday and Sunday (all day) | \$70.00 per hour
(4-hour minimum) |
| (3) Security or indoor work | \$45.00 per hour
(3-hour minimum) |

B. Minimum hours of compensation:

- (1) No Change
- (2) No Change
- (3) If the Borough is notified less than 16 hours before the contract is to begin, an emergency rate of \$10 per hour will be added to the normal rate.
- (4) No Change
- (5) No Change

Section 2. Section 37-102 of Chapter 37, Police Department, of the Code of the Borough of Metuchen, is hereby amended to add the following:

C. Contractors shall pay the Borough of Metuchen the sum of twelve-dollars (\$12.00) per hour for each vehicle required for off duty use.

Section 3. Effective Date

This ordinance shall become effective upon publication after final adoption.

INTRODUCTION : March 1, 2010

SECOND READING: March 15, 2010

APPROVAL OR VETO: March 17, 2010

FINAL PUBLICATION: March 20, 2010

The Mayor opened the public hearing on this Ordinance.

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

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

Roll Call Vote:

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

NAYS - None.

ABSENT - Councilmember Waldron.

COMMUNICATIONS

CONSENT AGENDA

6. Letter from Metuchen Little League requesting permission to hold its Annual Picnic on Saturday, June 19, 2010 – receive and approve.

On a motion made by Council President Cammarano, seconded by Councilmember Weber, with all in favor, Item No. 6 was received and/or approved.

OTHER COMMUNICATIONS

None.

REPORTS OF THE COUNCILMEMBERS

Council President Cammarano noted the Development Commission is working on new ordinances and events that would assist business in the town.

Council President Cammarano noted the Pool Commission is continuing the maintenance and upgrade improvements for the opening.

Council President Cammarano presented the following Police Department report:

- A Citizen's Satisfaction Survey is now available to the public. Surveys can be picked up at Borough Hall, Police Department, Police Records, the Borough's website, Library, Senior Citizen Center and senior housing on Lincoln Avenue, Metuchen Matters and MeTV. The Police Department is looking for feedback to determine if any improvements can be made to quality of life concerns and other police services.

- The Police Department will be conducting crime prevention talks, dealing with traffic enforcement issues and working with DPW to spruce up crosswalks and other signage.
- The Police Department will be coordinating neighborhood watch programs and are available for safety talks.

Councilmember Weber noted the Historical Commission is proceeding with a survey of homes with historical significance that is being funded through a grant.

Councilmember Weber noted the Recreation Commission is working on the plans for improvements to Charles Field. Organizations with an interest in the plans have been contacted. The final draft will be sent to the Borough Engineer.

Councilmember Weber noted the new parking meters are being installed by the Parking Authority.

Councilmember Rubin then presented the following Chamber of Commerce report:

- A free series of eight re-employment sessions will provide job seekers with step-by-step professional job search advice - from organizing your search, understanding your strengths, and developing a resume - to researching the market, interviewing, and negotiating your job offer. Register at www.reemploymentseries.org to take advantage of this career-building opportunity! When Monday evenings from 7:00 to 9:00 PM, starting March 22 and ending May 10, 2010.
- A "Metuchen Cares" economic Forum will be held at the Metuchen Senior Citizen Center on April 7th at 5:30 p.m. The 90 minutes seminar will focus on downtown revitalization and renewal.

Councilmember Rubin noted the International Film series would begin at the Library on April 12th.

Councilmember Rubin noted that Metuchen Seniors Inc. provides annual tax filing assistance and is looking for help to upgrade their services to allow for web-filing.

Councilmember Morrison noted the Gallery at the Rotunda current display of photographs by Judy Weinburg will be ending March 31st. The next showing will be of artists Kim Adlerman and Robert Stetz.

Councilmember Morrison noted the following Cultural Arts upcoming events and programs:

- April 11th - trip to Philadelphia's Magic Gardens-cost \$35.
- April 16th at 8:00 p.m. Coffeehouse Series presents "Blind Lemon Cello", a musical trio whose music spans jazz, blues, and pop at the BIL. Admission is \$5 (seniors and students \$4) and no reservations are necessary. Coffee and light refreshments will be served. For more information, visit the website at www.metuchennj.org or call (732) 632-8502.
- The Junebug ArtFest - Downtown Metuchen every Friday night in June from 6-10PM. The committee is looking for artists to participate.

Councilmember Morrison thanked the EMS for their service during the Nor'easter and Metuchen Inn fire. Residents interested in volunteering with the Squad can provide EMT services, administrative help and donations. Please contact Lisa Garris at the Squad.

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 or Auxiliary Captain Dana .

Councilmember Manley had no report.

REPORTS OF OFFICERS

None.

REPORT OF THE BOROUGH ADMINISTRATOR

Mr. Boerth had no report

REPORT OF THE MAYOR

The Mayor noted the Call to Service Summit is scheduled for Saturday, March 20th, from 10 a.m. to 12:30 p.m. at Metuchen Borough Hall. Metuchen residents are invited to learn about the leadership opportunities on Metuchen boards and commissions. The Summit is free and open to the public. There is limited seating so attendees are asked to RSVP to Grace Shackney at 732-548-9798 extension 6.

The Mayor noted the Chamber of Commerce Annual Installation Reception & Awards Ceremony was held on Saturday, March 13, 2010, Awards were presented to: Organization of the Year: Borough Improvement League, Citizens of the Year: Theodore & Sally Ayotte, and Chamber Distinguished Service Award: Robert Donnan, Metuchen Fire Dept.

Mayor Vahalla noted the Annual Easter Egg Hunt would be held at Myrtle Park on Saturday, March 20th.

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. 2010-57

WHEREAS, the Tax Collector received the necessary amount to redeem the following Tax Sale Certificates on the following properties:

<u>Cert #</u>	<u>Block/Lot</u>	<u>Address</u>	<u>Lienholder</u>
09-00007	197/61 C0312	239L Amboy Ave	Royal Tax Lien Services LLC
08-00014	195/24.4	60 McCoy Ave	Crusader Lien Services

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

Dated: March 15, 2010

RESOLUTION NO. 2010-58

WHEREAS, there exists a need to purchase **rescue tools** for the Borough of Metuchen, in the County of Middlesex, State of New Jersey; and

WHEREAS, this can be purchased through State Contract #A75944 ; and

WHEREAS, the maximum amount of the purchase of **rescue tools** for the Borough of Metuchen is \$14,000 and funds will be available in the 2010 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 **ESI Equipment Inc., 440 Horsham Road, Suites 4 & 5, Horsham, PA 19044.**

Dated: March 15, 2010

RESOLUTION NO. 2010-59

WHEREAS, the Borough of Metuchen has a centrally located transit hub and strives in keeping a good balance between a livable and transit-oriented community; and

WHEREAS, as of May 1, 2010, NJ Transit has proposed to increase fares by 25% and to trim service proportionate to recent ridership declines;

WHEREAS, the Borough of Metuchen opposes such excessive fare increases and the amplified burden borough commuters will be faced with, especially in this recession; and

WHEREAS, the proposal will produce negative consequences on the municipal parking rate structure, parking revenues collected which accrue to the municipal general fund or parking authority operating expense and existing parking authority bonded indebtedness; and

WHEREAS, providing commuters with ease of transportation and parking is an essential element of redevelopment, urban renewal and smart growth infrastructure; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Metuchen do hereby express its disapproval of NJ Transit's proposed 25% increase in fares and the discontinuation of services.

BE IT FURTHER RESOLVED that copies of this resolution will be transmitted to Governor Christie and the Legislature urging them to oppose the NJ Transit fare increase and service cuts.

Dated: March 15, 2010

RESOLUTION NO. 2010-60

WHEREAS, the Borough of Metuchen is the owner of the following surplus equipment, which is no longer needed for public use:

<u>DEPARTMENT</u>	<u>YEAR/MAKE/MODEL</u>	<u>VIN/SERIAL #</u>	<u>MIN. BID</u>
Police Department	1995 BMW 740	4WBAGF6320SDH0076	\$1,500.00
Public Works	Meyers Snow Plow 8'6" fits FORD F350 -	Never used but parts missing	\$ 200.00
Public Works	1991 Ford E350 12 passenger bus	1FDKE37G1MHB34789	\$1,000.00
Library	Various Office Equipment		

WHEREAS, the Borough of Metuchen desires to authorize the sale of the above surplus equipment at public sale pursuant to N.J.S.A. 40A:11-36, to the highest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Metuchen, County of Middlesex, and State of New Jersey as follows:

1. The Borough of Metuchen hereby declares the above described surplus equipment is no longer needed for public use.
2. All vehicles and equipment will be auctioned off in an "as is" condition.
3. The Borough of Metuchen, its officers and attorney are hereby authorized and directed to take any and all steps necessary to proceed with a public sale of said surplus equipment. The sale will take place **Saturday, May 1 at 10:00 a.m. at the Police Department Garage**, 501 Middlesex Avenue, Metuchen.
4. A deposit equaling 10% of the bid price in the form of cash or certified check made payable to the Borough of Metuchen, must be left for any item over \$500 with the balance to be paid within two working days.
5. The notice of the date, time and place of the public sale together with a description of surplus equipment and the conditions of sale, shall be published in The Home News, the official newspaper of the Borough of Metuchen, with the sale being held not less than seven (7) nor more than fourteen (14) days after publication of said notice. The surplus equipment will be sold on a cash basis to the highest bidder(s).
6. No limit shall be placed on the number of surplus equipment that can be purchased by any one bidder.
7. This resolution shall take effect immediately.

Dated: March 15, 2010

RESOLUTION NO. 2010-61

REFUND OF 2010 TAXES

WHEREAS, the following has made overpayment of 2010 taxes,

Name	Block/Lot	Address	Amount		Year
Robert & Angela Dowdy	B180/L20	522 Upland Ave	\$2,352.60	Overpayment of taxes	2010/1st qtr

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 property owner or agent be refunded 2010 property taxes as described in the amount of \$2,352.60.

Dated: March 15, 2010

RESOLUTION NO. 2010-62

WHEREAS, N.J.S.A. 40A:4-19 of the Local Budget Act provides that temporary appropriations shall be made for the purposes and amounts required in the manner and time therein provided;

NOW, THEREFORE BE IT RESOLVED that the following additional temporary emergency appropriations shall be made for the year 2010, effective March 15, 2010:

Police	OE	21,500.00
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Dated: March 15, 2010

On a motion made by Council President Cammarano, seconded by Councilmember , with all in favor, the above Resolutions No. 2010-57 through No. 2010-62 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 **\$2,938,566.09**.

Dated: March 15, 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. 2010-7

Council President Cammarano made motion to introduce and take up on first reading Ordinance No. 2010-7, which was seconded by Councilmember Weber, with all in favor.

The Clerk read the following Ordinance by title:

Ordinance No. 2010-7 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 April 5, 2010. This motion was seconded by Councilmember Morrison.

Roll Call Vote:

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

NAYS - None.

ABSENT - Councilmember Waldron.

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 Cammarano, seconded by Councilmember Weber, the meeting was adjourned at 9:05 p.m.

BOZENA LACINA, RMC
Municipal Clerk