

BOROUGH COUNCIL
MINUTES - APRIL 26, 2011

A Regular Meeting of the Borough Council was held in the Council Chambers of Borough Hall on Tuesday April 26, 2011. The Meeting was called to order at 6:35 p.m. by Mayor Vahalla. The invocation given by Mayor Vahalla 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 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 Lease, Rubin, Rasmussen and Wallace and Council President Cammarano.

Councilman Muldoon arrived at 6:41pm.

Also present were Mayor Vahalla, Borough Administrator Boerth, Borough Attorney Murphy and Borough Clerk Harris.

BUDGET DISCUSSION-METV

A discussion ensued regarding METV's proposed budget.

BUDGET DISCUSSION-FIRE DEPARTMENT

The Fire Chief, Robert Donnan, was invited to address the council regarding the Fire Departments budget. Chief Donnan stated that the budget for this year was the same as last year with two exceptions. The first addition came about when the Police Department purchased a new computer assisted dispatch system. There were additional maintenance fees associated with the new CAD system. The Fire Departments portion of the maintenance agreement is approximately \$4,000. Chief Donnan stated that even though times are tough that it was his job to request what the department needed to operate and to foresee additional needs and bring them to the Council's attention. The current Fire House is 75 years old and will need to be replaced in the future. The vehicle maintenance line item of the budget is the largest portion of the Fire budget. The Fire Department has expensive equipment which requires a significant amount of money to maintain. The maintenance of vehicles is very important so that when the equipment is needed it is available for service. Chief Donnan stated that there are Fire Companies that have been put out of service because the fire trucks and gear were not maintained. Mayor Vahalla stated that the Borough's ladder truck has been called upon to aid in other towns through mutual aid, which is a testament to the condition in which our trucks are kept and maintained.

SELF INSURANCE DISCUSSION

Borough Administrator Boerth discussed the Borough's current self insurance policy. Borough Administrator Boerth stated that the current plan contains certain words which keeps the Borough from having to pay large sums for insurance for its employees. Aggregating specific sets a limit for each employee over which the excess carrier will cover the additional fees provided they are covered in the Borough policy. There is also a term called an aggregate amount which means coverage for the entire pool of employees up to a certain amount. If the

Borough exceeds the total aggregate amount the excess carrier will cover the additional costs. The Borough only received one quote from Mr. Atkinson(plan administrator) who provided eight different options from two companies, United States Fire Insurance and Trustmark for the Borough to chose from. Borough Administrator Boerth stated that the only plan that came close to matching last years aggregate amount was option 7 from Trustmark at \$1,700,000 as compared to \$1,600,000 from last year. The Borough will be maintaining its current network of Qualcare and third party administrator, IDA, for the current renewal.

Mr. Atkinson stated that the Borough is assuming a slightly larger exposure per employee from \$45,000 to \$50,000.

Councilman Wallace asked if utilizing a doctor out of network was allowed.

Borough Administrator Boerth stated that the Borough receives a greater discount if employees utilize in network doctors and the employees are encouraged to do that. If the employee needs to see this doctor on a ongoing basis the carrier will actively recruit the out of network doctor to become part of the network.

Councilwoman Rasmussen asked if the current plan offers reduced insurance rates for employees who participate in a wellness program.

Borough Administrator Boerth stated that it was premature to discuss this issue at this time until the new health care requirements from the State are finalized.

Councilman Muldoon asked if the 1 1/2 percent that all employees are currently contributing goes to offset the cost the Borough incurs to provide insurance to the employees.

Borough Administrator Boerth stated the funds are placed in a trust account and then are utilized to directly offset the cost of insurance benefits.

Councilwoman Rubin stated that the cost difference for to the Borough to provided insurance coverage has increased by approximately \$125,000 from last year, which is approximately ten percent of the Borough's entire budget.

Both Borough Administrator Boerth and Mr. Atkinson suggested that the Borough accept option number seven from Trustmark with the \$50,000 stop loss and the \$95,000 corridor.

AGENDA SESSION

On a motion by Council President Cammarano, second by Councilman Lease with all in favor the agenda session was opened.

Council President Cammarano removed resolutions 2011-99 and 2011-104 from the consent agenda.

Council President Cammarano also removed the approval of minutes of February 7, 2011 from the agenda.

On a motion by Council President Cammarano, second by Councilman Lease with all in favor the agenda session was closed.

CAPITAL BUDGET DISCUSSION

Councilman Lease asked what was done with donations to individual organizations like the Library.

Mayor Vahalla stated that the Library works differently because the State forces the Borough to give the Library "a third of a mill".

Council President Cammarano stated that the formula is referred to as "a third of a mill" but it is actually based on the assessed value of property in the Borough. The amount given to the

Library from the Borough is approximately \$760,000. The Library Board receives the funds and then determines how the money is appropriated.

Councilman Muldoon asked if there was legislation that required the Library to return any surplus it has back to the Borough.

Borough Administrator Boerth stated that any Library surplus over 20 percent would be required to be returned to the Borough.

Councilwoman Rubin stated that the Library has not come in to address the Council regarding their budget.

Mayor Vahalla stated that they will be coming before Council at a later date.

Borough Administrator Boerth stated that the Library Board is not required by law to discuss how the funds received from the Borough are being spent.

Councilman Muldoon stated that he was convinced that the items requested from the departments and the recommendations from the Borough Administrator are essential except the requests from METV. Councilman Muldoon stated that he would not support the METV budget because he felt that all of the other requests from the departments were necessary to maintain current levels of service except METV's requests.

Council President Cammarano agrees with Councilman Muldoon's assessment of METV's requests.

Councilwoman Rubin also concurs with both Councilman Muldoon and Council President Muldoon's assessment of METV's budget. Councilwoman Rubin would like to see what the public wants to watch and have additional programs directed at what the public wants to view. Councilwoman Rasmussen asked if the Council was discussing cutting the entire METV Capital Budget or to just go on the recommendation of the Borough Administrator.

Council President Cammarano stated that was what the Council was determining. Council President Cammarano stated that he is suggesting cutting the entire METV Capital Budget.

Councilman Lease asked what the requested amount for METV was.

Borough Administrator Boerth stated that the original request from METV was \$39,000 and his recommendation was for \$29,200.

Councilman Lease stated that he agrees with the recommendation of the Borough Administrator.

Councilman Wallace stated that he was content with the items included for improvement in the capital budget. Councilman Wallace stated that he was fine with the decreased METV budget of \$29,200.

On a motion by Councilman Lease, second by Councilman Wallace the Capital Budget including the \$29,200 METV portion be approved.

ROLL CALL:

AYES: Councilpersons Lease, Rasmussen and Wallace

NAYS: Councilpersons Muldoon, Rubin, Council President Cammarano

ABSTENTIONS:

The motion is defeated.

On a motion by Councilwoman Rasmussen, second by Councilman Lease that \$10,500 field camera and \$6,000 computer replacement request be approved.

Council President Cammarano stated that he would not feel comfortable approving the motion because we do not know what METV would put as most important in their budget request.

Mr. Desimone, METV station manger, addressed the Council and stated that the field camera and the computer are the two most important items on the proposed capital budget request.

On a motion by Councilwoman Rasmussen, second by Councilman Lease to withdraw the previous motion of \$16,5000 for the METV budget.

On a motion by Councilwoman Rasmussen, second by Councilman Lease to approve \$18,000 for the METV's capital budget request to include 16,500 for the field camera, computer replacement and the Chapter 2-20 charges estimated by Borough Administrator Boerth.

ROLL CALL:

AYES: Councilpersons Lease, Muldoon, Rasmussen and Wallace

NAYS: Councilpersons Rubin and Council President Cammarano

ABSTENTIONS:

The motion carries

On a motion by Council President Cammarano, second by Councilwoman Rasmussen the amended Capital budget was approved

ROLL CALL:

AYES: Councilpersons Lease, Muldoon, Rasmussen, Rubin, Wallace and Council President Cammarano

NAYS:

ABSTENTIONS:

PUBLIC COMMENT-MUNICIPAL BUDGET

Mayor Vahalla opened the meeting to public comment on the Municipal Budget only.

Councilwoman Rubin stated that it was important to announce that there were no members of the public present to comment on the Municipal Budget.

Hearing or seeing no one wishing to comment Mayor Vahalla closed the public portion of the meeting.

PUBLIC COMMENT

Mayor Vahalla opened the meeting to public comment on any item on the agenda.

Hearing or seeing no one wishing to comment Mayor Vahalla closed the public portion of the meeting.

ORDINANCES -PUBLIC HEARING

Borough Clerk Harris provided the affidavit of publication for Ordinance number 2011-5.

On a motion by Council President Cammarano, second by Councilwoman Rubin, with all in favor to receive the affidavit of publication

Borough Clerk Harris read Ordinance number 2011-5 by title only.

Mayor Vahalla opened the meeting to public comment on Ordinance 2011-5 only.

Hearing no one wishing to speak Mayor Vahalla closed the public comment portion on said ordinance.

On a motion by Council President Cammarano, second by Councilwoman Rubin Ordinance 2011-5 be approved and published according to law.

ROLL CALL:

AYES: Councilpersons Muldoon, Rasmussen, Rubin, Wallace and Council President Cammarano

NAYS: Councilperson Lease

ABSTENTIONS:

ORDINANCE NO. 2011-5

**AN ORDINANCE CHANGING THE NAME OF THE CULTURAL ARTS
COMMISSION OF THE BOROUGH OF METUCHEN TO THE ARTS COUNCIL OF
THE BOROUGH OF METUCHEN**

WHEREAS, the Cultural Arts Commission of the Borough of Metuchen has recommended and requested the Mayor and Council of the Borough of Metuchen to change its name from the “Cultural Arts Commission” to the “Arts Council” in order to clarify its purpose, authority and responsibilities.

NOW THEREFORE BE IT ORDAINED that, Article V, Sections 10-22 through 10-24 of the Code of the Borough of Metuchen shall be amended to read as follows:

ARTICLE V Arts Council

§ 10-22 Establishment; Composition

There is hereby established an Arts Council which shall be composed of 18 citizens of the Borough who shall serve without compensation, plus that member of the Borough Council serving as liaison from year to year. All 18 citizen members shall serve, on a staggered basis, for a term of three years. Each of the 13 citizens currently serving as full members of the Arts Council shall continue, without need for reappointment, until the expiration of their respective current terms. With respect to the five citizen members added by this article, two shall be appointed for one year, two shall be appointed for two years and one shall be appointed for a three-year term, all terms to expire at the organizational meeting of the Mayor and Council in January for each respective term.

§ 10-23 Appointment; selection of Chairperson; vacancies.

All 18 citizen members shall be nominated by the Mayor and confirmed with the advice and consent of the Borough Council. The Borough Council liaison shall be designated every year at the annual reorganization meeting of the Borough by the members of the Borough Council. All members shall serve until their successors are duly appointed and qualified. The members of the Arts Council shall designate one of its citizen members as Chairperson and that individual shall serve until the first day of January next following that election and until his or her successor shall be appointed and qualified. Vacancies occurring other than by the expiration of the term shall be filled in the manner prescribed therein, but only for the balance of the unexpired term.

§ 10-24 Powers and duties.

The Arts Council shall have the following powers and duties:

A. To establish, amend and supplement its own bylaws to govern its structure, operations and activities to the extent not inconsistent with this article or any other local, state or federal regulation or law.

B. To make recommendations to the Mayor and Council of the Borough of Metuchen and other Borough agencies with respect to any matters relating to the advancement of the cultural, visual and performing arts in the Borough of Metuchen or the County of Middlesex.

C. To aid in bringing to the Borough those activities which will enhance the educational and cultural opportunities for the residents of the Borough.

D. To make an annual report of its activities and recommendations to the Borough Council and at such other time as the Borough Council shall request or the Arts Council deems desirable.

E. To act as liaison between the Borough Council and other federal, state and county bodies involved in promoting, funding or presenting cultural, visual and performing arts in the community.

BE IT FURTHER ORDAINED that the within ordinance shall become effective upon final passage and publication as provided by law.

COMMUNICATIONS CONSENT AGENDA

On a motion by Council President Cammarano, second by Councilwoman Rubin, with all in favor the communications consent agenda items 6-14 was approved.

6. Acceptance And Receipt of Traffic and Transportation Advisory Committee Minutes of February 9, 2011.
7. Acceptance And Receipt of TV and Technology Advisory Committee Minutes of February 24, 2011.
8. Acceptance And Receipt of Planning Board Minutes of March 3, 2011.
9. Acceptance And Receipt of Development Commission Minutes of March 3, 2011.
10. Acceptance And Receipt of Historic Preservation Committee Minutes of January 11, 2011 and February 8, 2011.
11. Receive and Approve Block Party Request by Mark Herzberg for Bissett Place on Saturday June 18, 2011.
12. Receive and Approve Application for Metuchen Street Fair on June 5, 2011.
13. Receive and Approve Veterans Outreach and Administration Program for American Legion Post 65 on May 21, 2011.
14. Receive and Approve Request for American Legion Auxiliary to Hold Annual Flea Market on May 24, 2011 With Rain Date of May 25, 2011.

COUNCIL REPORTS

Council President Cammarano forewent his report due to the late hour.

AUXILIARY POLICE

Councilman Wallace reported that there were many events going on in town that the Auxiliary Police will be dispatched to. There will be a motorcycle run and the Memorial Day parade just to mention a few.

RECREATION

The Recreation Commission held its annual Easter Egg Hunt last week. The Recreation Commission is distributing a pamphlet regarding all of the summer events the Recreation Commission will be sponsoring. A bicycle run will be sponsored by Mayor Vahalla and Mayor Vicigliana of Edison in conjunction with the Recreation Commission on May 15. Metuchen Earth Day will be on May 7 sponsored by the Metuchen Recreation Commission, Environmental Commission and Department of Public Works. The event will begin at the Senior Center at 9:00 AM then stop at Trail Head Park then view the solar system at the Sportsplex and walk the Greenway heading towards South Plainfield.

TRAFFIC AND TRANSPORTATION

Councilman Wallace stated that at a previous meeting the residents of Redfield Village and Sydney Place attended a meeting regarding a parking issue at that location. After careful

consideration it was determined that there was no significant safety issue with the current parking conditions on Sydney Place. The residents were informed that the Traffic and Safety Committee does not enact ordinances and were referred to the Borough Council to have the issue addressed.

CHAMBER OF COMMERCE

Councilwoman Rubin stated that the town wide garage sale will take place this weekend. Councilwoman Rubin also stated that Cruse Nights begin May 4th and will be held every Wednesday through September. The Memorial Day Parade is scheduled to occur on May 30th. The annual golf outing will occur on June 6 at the Metuchen Golf Club. The June Bug will begin Friday, June 3 and continue every Friday through the month of June. The Farmers Market will begin on Friday June 18th. Councilwoman Rubin also stated that Chamber of Commerce is actively seeking volunteers for all of the events it sponsors and if anyone was interested in donating their time to contact the Chamber of Commerce office.

SENIOR CITIZEN

Councilwoman Rubin stated that the Senior Commission held its annual Volunteer Appreciation Day April 13th.

PLANNING BOARD

Councilwoman Rubin stated that the Planning Board will be meeting May 5th.

SHADE TREE

Councilwoman Rasmussen stated that Lauren Rabinowitz resigned from the Shade Tree Commission. Councilwoman Rasmussen also stated that the Shade Tree Commission will be planting 18 new trees this season and 9 trees from last year that did not survive will be replaced free of charge. Councilwoman Rasmussen also stated that the Shade Tree Commission won a Space Shuttle Tree at the Community Forestry's annual meeting.

DEVELOPMENT

Councilwoman Rasmussen stated the the Development Commission discussed the possibility of ground floor apartments in the B1 and D1 zones. They will meet later this month.

ENVIRONMENTAL

Councilwoman Rasmussen stated the Environmental Commission will meet April 27th.

ARTS COUNCIL

Councilman Muldoon stated that the Arts Council had a fundraiser to help raise funds to bring the work of two New York artists to Metuchen. The Council met their goal and the two artists work will be viewed with other local artists work in Metuchen. Councilman Muldoon also stated that the Council will be moving forward with the establishment of the 501C3. The Council will also be sponsoring a free classical concert at the 1st Presbyterian Church on May 3rd.

HISTORIC PRESERVATION

Councilman Muldoon stated that in honor of Historic Preservation Month the Committee will be having a historical scavenger hunt in the downtown area from May 1st to the 23rd.

REPORT OF BOROUGH ATTORNEY

Borough Attorney Murphy explained resolution number 2011-94. Borough Attorney Murphy stated that the Borough, with the approval of this resolution, would be able to receive competitive quotes regarding ambulance services for Metuchen. Ambulance services are considered an exception to the competitive bidding process so that the contract did not have to necessarily be awarded to the lowest bidder.

REPORT OF BOROUGH ADMINISTRATOR

The Borough Administrator Boerth stated that the flashing crosswalk project at Main Street and Pennsylvania Avenue is just about complete. Some design matters involving the entrances need to be addressed. The project is slated to be complete sometime in early summer.

Borough Administrator Boerth also stated that Middlesex County would have the Greenway paved sometime in May.

MAYOR'S REPORT

Mayor Vahalla stated that the next meeting of the Unity in the Community organization is April 27th at 4pm.

Mayor Vahalla also stated that the meeting with local landlords will be held this Thursday, April 28th at 5pm.

Mayor Vahalla stated that ribbon cuttings were held for Gulianos and Gardinas and that this week Dantes Tuxedos along with **Petagree** on Highland Avenue will also have ribbon cutting ceremonies.

Mayor Vahalla also stated that on Sunday the dedication of Johnson Field will take place.

Items removed from the Consent Agenda

RESOLUTION TO AMEND TEMPORARY BUDGET - R2011-4

On a motion by Council President Cammarano, second by Councilman Lease with all in favor Resolution R2011-104 was approved.

RESOLUTION NO.2011-104

RESOLUTION TO AMEND THE TEMPORARY BUDGET

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 2011, effective April 26, 2011:

Administrative & Executive	OE	20,000.00
Clerk	OE	200.00
Planning	S & W	3,000.00
Zoning	S & W	10,000.00

Construction	S & W	30,000.00
Insurance		100,000.00
Fire	OE	10,000.00
Streets & Roads	OE	20,000.00
Solid Waste Collection	OE	20,000.00
Buildings & Grounds	S & W	20,000.00
Sewers	OE	6,000.00
Garbage & Trash	OE	6,000.00
Senior Citizen Center	S & W	7,000.00
Recreation	S & W	20,000.00
Recreation	OE	2,000.00
Library		180,000.00
Tax Appeals		50,000.00
Street Lighting		20,000.00
Utilities		20,000.00
Municipal Court	S & W	10,000.00
Municipal Court	OE	2,000.00
Note Principal		246,500.00
	TOTAL	802,700.00
Pool	S & W	30,000.00
Pool	OE	50,000.00
Pool Note Principal		10,400.00
Pool Note Interest		5,800.00
Pool FICA		5,000.00
	TOTAL	101,200.00

On a motion by Council president Cammarano, second by Councilwoman Rubin with all in favor R2011-99 was approved.

RESOLUTION NO 2011-99

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR AFFORDABLE HOUSING/COAH COMPLIANCE SERVICES

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$3,000; and,

WHEREAS, the anticipated term of this contract is *one* year; and

WHEREAS, *Frank Piazza of the firm Piazza and Associates* has completed and submitted a Business Entity Disclosure Certification which certifies that *Frank Piazza of the firm Piazza and Associates* has not made any reportable contributions to the Borough of Metuchen, municipal candidate or holder of the public office having ultimate responsibility for the award of the contract, or campaign committee supporting such candidate or officeholder, or to the Borough of Metuchen or Middlesex County party committee, or to any political action committee (PAC) that regularly engages in the support of municipal elections and/or municipal parties in excess of the thresholds specified in borough ordinance within one calendar year immediately preceding the date of the contract or agreement, and that the contract will prohibit *Frank Piazza of the firm Piazza and Associates* from making any reportable contributions through the term of the contract; and

WHEREAS, Frank Piazza will be providing the services of Affordable Housing/COAH Compliance Services; and

WHEREAS, the maximum amount of the contract is \$5,000.00 and funds will be available in the 2011 Budget as evidenced by the Chief Financial Officer's Certification; and

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

1. The Mayor and Borough Clerk are hereby authorized and directed to execute an agreement with *Frank Piazza of the firm Piazza and Associate, 216 Rockingham Row, Princetonal Forrestal Village, Princeton, NJ 08540.*

2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with <N.J.S.A. 19:44A-20.4> of the Local Public Contracts Law because the contract is for a service performed by person(s) authorized by law to practice a recognized profession that is regulated by law.

3. A notice of this action shall be printed once in The Home News Tribune.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

Dated: April 26, 2011

CONSENT AGENDA

On a motion by Council President Cammarano, second by Councilwoman Rubin, with all in favor with one abstention by Councilwoman Rasmussen on R2011-95 the remaining items on the consent agenda were approved.

RESOLUTION NO. 2011-94

HEALTH INSURANCE THIRD PARTY ADMINISTRATOR AND NETWORK

WHEREAS, the Borough Council of Metuchen adopted a self-insurance program for the Borough's Group Medical and Dental Coverage which shall renew effective on **May 1, 2011**; and

WHEREAS, this self-insurance program shall require a renewal of Insurance Design Administrators as the Third Party Administrator and the renewal of Qualcare as the Insurance Network for in-state members (Beechstreet for out-of-state members) and Trustmark Insurance Co. as Reinsurer; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Metuchen do hereby authorize the appointment of the above stated for all currently existing medical and dental programs offered for Borough employees and retirees.

RESOLUTION NO. 2011-95

RESOLUTION AUTHORIZING THE USE OF COMPETITIVE CONTRACTING FOR EMS SERVICES

WHEREAS, the Local Public Contracts Law at N.J.S.A. 40A:11-4.1 et seq., provides for the utilization of a process called competitive contracting in lieu of public bidding for procurement of specific goods and or services; and

WHEREAS, said process allows for competition, the award being based on a methodology which includes an evaluation, ranking and weighing of criteria as well as cost; and

WHEREAS, the Borough wishes to initiate competitive contracting for EMS services; and

WHEREAS, N.J.S.A.:11-4-3(a) requires that in order to initiate competitive contracting, the governing body shall pass a resolution authorizing the use of competitive contracting each time specialized goods or services enumerated in N.J.S.A. 40A:11-4.1 is desired to be contracted.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Metuchen that the appropriate borough officials are hereby authorized to initiate competitive contracting for the aforesaid project in conformance with N.J.S.A. 40A:11-4.1 et seq.

Dated: April 26, 2011

RESOLUTION NO. 2011-96

**INTERLOCAL AGREEMENT WITH MIDDLESEX COUNTY IMPROVEMENT
AUTHORITY FOR RECYCLING OF YARD WASTE**

WHEREAS, the Borough of Metuchen requires recycling and marketing services for yard waste materials; and

WHEREAS, municipalities which enter into a two (2) year agreement with the Middlesex County Improvement Authority (MCIA) for the recycling of yard waste are guaranteed a rate not to exceed \$22.87 per ton for leaves; \$37.00 per ton for grass clippings; and \$29.88 per ton for brush per ton commencing on April 1, 2011 and shall end on March 13, 2013; and

WHEREAS, the Borough of Metuchen is desirous of entering into an agreement with the Middlesex County Improvement Authority after reviewing other alternatives,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen that the Mayor and Clerk be and are hereby authorized to enter into and execute a Yard Waste Recycling and Marketing Services agreement with the Middlesex County Improvement Authority under the terms and conditions as negotiated in the contract.

Dated: April 26, 2011

RESOLUTION NO. 2011-97

APPOINTMENT OF FIREFIGHTER – REYNOLDS

WHEREAS, the Mayor and Borough Council have been notified by Rob Donnan, Chief of the Metuchen Fire Department, that **Mark Reynolds** has been elected to be a permanent member of the Metuchen Fire Department; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Metuchen that in accordance with Chapter 8 of the Code of the Borough of Metuchen, **Mark Reynolds** be and he is hereby elected, approved, and confirmed as a permanent member of the Fire Department of the Borough of Metuchen.

Dated: April 26, 2011

RESOLUTION NO. 2011-98

APPOINTMENT OF FIRE FIGHTER – MULLIGAN

WHEREAS, the Mayor and Borough Council have been notified by Rob Donnan, Chief of the Metuchen Fire Department, that **Bryan Mulligan** has been elected to be a permanent member of the Metuchen Fire Department; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Metuchen that in accordance with Chapter 8 of the Code of the Borough of Metuchen, **Bryan Mulligan** be and he is hereby elected, approved, and confirmed as a permanent member of the Fire Department of the Borough of Metuchen.

Dated: April 26, 2011

RESOLUTION NO 2011-100

**RESOLUTION AUTHORIZING A LIEN REDEMPTION FOR BLOCK 144 LOT 13.1 –
21 HALSEY STREET**

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

<u>Cert #</u>	<u>Block/Lot</u>	<u>Address</u>	<u>Lienholder</u>
10-00007	144/13.1	21 Halsey Street	Michael Karanevskii

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

Dated: April 26, 2011

RESOLUTION NO. 2011-101
**RESOLUTION TO GRANT EXEMPTION FOR DISABLED VETERAN
AND TO REFUND 2011 TAXES**

WHEREAS, the Tax Assessor of the Borough of Metuchen has been provided sufficient proof that the owner of the property known as 417 Midland Avenue, Block 51.3, Lot 34, in the Borough of Metuchen is owned by a 100% Permanently & Totally Disabled Veteran, as noted in a letter from the Department of Veterans Affairs dated December 28, 2010, and

WHEREAS, the property owner Robert L. Guy, being determined to be totally and permanently disabled by the Department of Veteran Affairs applied to the Borough of Metuchen for the tax exemption on February 15, 2011, for Block 51.3, Lot 34,

NOW THEREFORE, BE IT RESOLVED, that the Chief Financial Officer/Tax Collector is hereby authorized to refund the homeowner the monies already paid for the 2011 1st quarter taxes, prorated for the period of exemption in the amount of \$732.48, and to cancel the remaining 2011 taxes as levied.

Dated: April 26, 2011

RESOLUTION NO. 2011-102
**RESOLUTION TO REDUCE 2010 AND 2011 TAXES FOR BLOCK 174 LOT 5 – 61
GROVE AVENUE**

WHEREAS, a successful State Tax Court Appeal judgment was awarded to Block 174, lot 5, 61 Grove Avenue for 2010,

WHEREAS, the assessed value for this parcel changed for 2010 by a reduction in the assessed value of \$45,216.00,

WHEREAS, the property owner has requested that the resulting 2010 tax overpayment be applied to the 2011 first half taxes,

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Metuchen, that the Tax Collector be and is hereby authorized to reduce the 2010 taxes on Block 174, Lot 5 in the amount of \$2,236.38 due to the successful State Tax Court Appeal including amendments, and apply the resulting 2010 tax overpayment to the first half of 2011 taxes in the amount of \$2,236.38.

RESOLUTION NO. 2011-103
**RESOLUTION TO REDUCE AND REFUND 2008, 2009 TAXES AND TO REDUCE
AND APPLY 2010 TAXES BLOCKS 114 LOTS 42.1, 47 AND 52**

WHEREAS, successful State Tax Court Appeal judgments were awarded to the following parcels for 2008, 2009 and 2010,

WHEREAS, the assessed value for these parcels changed for 2008, 2009 and 2010 by the assessed values as listed below,

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Metuchen, that the Tax Collector be and is hereby authorized to reduce and refund the 2008 taxes on the listed parcels in the amount of \$16,859.98 due to the successful State Tax Court Appeals including amendments, resulting in a total refund to the parcels listed for 2008 taxes in the amount of \$16,859.98,

AND BE IT FURTHER RESOLVED by the Borough Council of the Borough of Metuchen, that the Tax Collector be and is hereby authorized to reduce and refund the 2009 taxes on the listed parcels in the amount of \$23,783.65 due to the successful State Tax Court Appeals including amendments, resulting in a total refund to the parcels listed for 2009 taxes in the amount of \$23,783.65.

AND BE IT FURTHER RESOLVED by the Borough Council of the Borough of Metuchen, that the Tax Collector be and is hereby authorized to reduce the 2010 taxes on the listed parcels in the amount of \$27,336.54 due to the successful State Tax Court Appeals including amendments and apply the resulting 2010 tax overpayments to the 2011 taxes levied in the amount of \$27,336.54.

Block/Lot/Qual	Address	Assessment Reduction	Total Tax Reduction	Refund	2010 Appeal Applied to 2011	Tax Year
114/42.1	68 Pearl Street	27,000	1,240.38	1,240.38		2008 4 th qtr
114/42.1	68 Pearl Street	36,700	1,751.32	1,751.32		2009 4 th qtr
114/42.1	68 Pearl Street	40,600	2,008.08		2,008.08	
114/47	551 Middlesex Ave	186,200	8,554.03	8,554.03		2008 4 th qtr
114/47	551 Middlesex Ave	252,800	12,063.62	12,063.62		2009 4 th qtr
114/47	551 Middlesex Ave	280,400	13,868.58		13,868.58	
114/52	545 Middlesex Ave	153,800	7,065.57	7,065.57		2008 4 th qtr
114/52	545 Middlesex Ave	208,900	9,968.71	9,968.71		2009 4 th qtr
114/52	545 Middlesex Ave	231,700	11,459.88		11,459.88	

Dated: April 26, 2011

BILL LIST

On a motion by Council President Cammarano, second by Councilman Lease, with all in favor the bill resolution in the amount of \$2,285,708.68 was approved

ORDINANCE-INTRODUCTION

On a motion by Council President Cammarano, second by Councilman Lease, with all in favor Ordinance 2011-6 was taken up on first reading.

The Borough Clerk Harris read the Ordinance by title only.

On a motion by Council President Cammarano, second by Councilwoman Rubin Ordinance 2011-6 was passed on first reading published according to law and a public hearing date set for May 16.

ROLL CALL

AYES: Councilman Lease, Muldoon, Rasmussen, Rubin, Wallace and Council President Cammarano

NAYS: N

ABSTENTIONS:

ORDINANCE NO. 2011-6

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF METUCHEN, VARIOUS CHAPTERS, TO ADD AND 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.

Recreational Programs

	<u>FROM</u>	<u>TO</u>
Summer Field Hockey	\$95	\$100
Multi Media Workshops		\$120/ 1 week- \$225/2 weeks
Track Camp	\$100	\$110
Bulldog Baseball Camp		\$150
Bulldog T-Ball Camp		\$90
Kiddie Sports Camp (Flag Football/T-Ball)		\$65
Junior Sports Camps (Baseball/Basketball/ Flag Football)		\$170
Turf Field Rental (No Lights) Non Commercial		\$60 per day
Turf Field Rental (No Lights) Commercial		\$100 per day

Section 2 Section **87-2** of Chapter 87, **Fees, Article 2 – License Fees and Expiration Dates**, of the Code of the Borough of Metuchen, is hereby amended to add the permit fees to read as follows:

87-2 - Schedule

	<u>FEE</u>
Retail food establishment re-inspection	\$50
Retail food establishment initial plan review	\$75

Fees are payable to the Middlesex County Public Health Department within ten (10) business days of the re-inspection or plan review.

Failure to pay the fee within ten (10) working days will result in a court summons with fines as follows:

	<u>FEE</u>
First Penalty:	\$100
Second Penalty	\$200
Third and Subsequent Penalties	\$400

Section 3. Effective Date

This ordinance shall become effective upon publication after final adoption.

PUBLIC COMMENT

Mayor Vahalla opened the meeting to public comment on any item.

Hearing no one wishing to speak Mayor Vahalla closed the public comment portion of the meeting.

ADJOURNMENT

On a motion by Council President Cammarano, second by Councilman Lease, with all in favor the meeting was adjourned at 9:51PM.