

BOROUGH COUNCIL
MINUTES –April 4, 2011

A Regular Meeting of the Borough Council was held in the Council Chambers of Borough Hall on Monday April 4, 2011. The Meeting was called to order at 6:30 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, Muldoon, Rubin, Rasmussen, Wallace and Council President Cammarano.

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

DISCUSSION-PUBLIC WORK BUDGET

The Director of Public Works, Fred Hall was invited to address the council regarding the Department of Public Works budget. Mr. Hall stated that the department currently employs 23 full time employees spread out over eight divisions. Mr. Hall discussed the cost of garbage removal and the recycling rate in the Borough. Mr. Hall would like to introduce a single stream recycling plan to help accommodate the decreasing work force. Single Stream Recycling means that all of the recycling items that would normally be collected on various days would now all be picked up on the same day with one automated truck. The recycling collection would go from one time every two weeks to once a week. This program will allow less trucks and labor to be on the road at any given time. This program will cause a loss in recycling revenue of approximately 61,000 and an increase of approximately 10,000 for the removal of grass clippings for a total loss of 72,000. The recycling tonnage number will increase because grass clipping will now have to be placed in with the regular garbage forcing the items that residents are not recycling to be placed in with the single stream recycling items so that the grass will fit in the provided pails. The idea of placing the grass in with the regular garbage will eliminate the 17,000 tipping fee and 36,000 labor fee associated with the collection along with the elimination of one packer truck. The loss of revenue by going to the single stream recycling will almost be offset because the amount of recycling will increase and the grass clipping tonnage will decrease. Landscaping Contractors will no longer be able to drop bags of grass in front of residents homes if the residents are forced to fit all of there garbage and clippings into one can.

Councilman Muldoon asked what residents would do if all of the clippings and garbage did not fit into the garbage can.

Mr. Hall stated that if the resident can prove that they need an additional garbage can one would be provided to them.

Councilwoman Rubin asked if there was a better way to minimize graffiti located through out the town.

Mr. Hall stated that at this time the graffiti is just painted over and that there is a new product which is utilized on signage which enables the paint to be wiped away. The new product will be phased in slowly.

Councilwoman Rubin asked if there was man power strictly devoted to the prevention and upkeep of graffiti throughout the Borough.

Mr. Hall stated that when graffiti is noticed it is removed and that if anyone sees any that they should notify the Public Works Department

PROCLAMATIONS

CHIEF KEANE

The proclamations were received by the recipients.

WHEREAS, Chief James Keane has been a long and faithful employee of the Metuchen Police Department, completing thirty one years of service with many different titles within the Police Department; and

WHEREAS, during his years of service he has performed his job in an exemplary and distinguished manner. His leadership skills facilitated his promotions within the Police Department from a Police Officer in 1980 up through the distinction of Chief of Police in 1998; and

WHEREAS, Chief Keane began his career with Metuchen in the Patrol Division, was assigned as first Dare Officer and, then, was assigned to the Detective Division where he was instrumental in solving and apprehending a suspect responsible for the brutal beating of a school teacher; and

WHEREAS, Chief Keane was promoted to Sergeant in 1992 was given the responsibility of managing the Detective Bureau and in 1994 was again promoted to the rank of Lieutenant and entrusted with the accountability for the records and internal affairs division; and

WHEREAS, in 1998 then Lieutenant Keane ,was promoted to the marked title of Chief of Police where his foresight brought about the implementation of vital preventative safety measures such as a traffic safety and community policing, improved computerized communication and reestablished a community watch program;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Metuchen, hereby recognize and commend Chief James Keane for his committed years of valuable service which has provided invaluable benefits to our town and its residents;

BE IT FURTHER RESOLVED that the Mayor and Council, on behalf of the residents of Metuchen, do hereby extend their gratitude and appreciation and offer their best wishes of good health, happiness and success in the years ahead.

Dated: April 4, 2011

DETECTIVE CARRO

WHEREAS, Detective Anthony Carro has been a long and devoted employee of the Metuchen Police Department, completing twenty five years of service with the Metuchen Police Department; and

WHEREAS, during his years of service he had performed his job in a commendable and responsible manner; and

WHEREAS, Detective Carro began his career in 1986 with Metuchen in the Patrol Division as a Patrolman and then a Corporal followed by multiple assignments to the Detective Division where he served as the department Firearms Instructor and Armorer, managing the training and qualifying of all Police Officers in the proper usage and care of their service weapons; and

WHEREAS, Detective Carro had the illustrious opportunity to utilize his supervisory skills as a Team Leader, performing a variety of tasks while working on the Middlesex County Special Operations Response Team (SORT) and also received multiple Metuchen PBA Local 60 awards;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Metuchen, hereby recognize and commend Detective Carro for his committed years of valuable service which has provided invaluable benefits to our town and its residents;

BE IT FURTHER RESOLVED that the Mayor and Council, on behalf of the residents of Metuchen, do hereby extend their gratitude and appreciation and offer their best wishes of good health, happiness and success in the years ahead.

Dated: April 4, 2011

PATROLMAN MOSKO

WHEREAS, Patrolman Mosko has completed twenty five years of dutiful service with the Metuchen Police Department; and

WHEREAS, Patrolman Mosko during his years of service had performed his job in a admirable and dependable manner dedicating his life to the betterment of the Borough of Metuchen by first volunteering as a Metuchen Auxiliary Police Officer; and

WHEREAS, Patrolman Mosko began in 1986 with the Metuchen Police Department in the Patrol Division and continued his affiliation with Police Auxiliary by serving as the liaison to that organization; and

WHEREAS, During Patrolman Mosko's tenure with the Metuchen Police Department he assisted the Emergency Management Coordinator, coordinated all towing and impound issues and all police auctions;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Metuchen, hereby recognize and commend Patrolman Mosko for his committed years of valuable service which has provided invaluable benefits to our town and its residents;

BE IT FURTHER RESOLVED that the Mayor and Council, on behalf of the residents of Metuchen, do hereby extend their gratitude and appreciation and offer their best wishes of good health, happiness and success in the years ahead.

Dated: April 4, 2011

Council President Cammarano moved R2011-92 appointment of the Police Chief and was seconded by Councilman Lease with all in favor.

Resolution R2011-92 was read into the record by Borough Clerk Harris.

RESOLUTION NO. 2011-92

APPOINTMENT OF THE CHIEF OF POLICE

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Metuchen that ***Robin Scott Rentenberg***, be and he is hereby appointed as Chief of Police for the Borough of Metuchen, Middlesex County, State of New Jersey in accordance with law and said appointment being effective April 4, 2011.

Dated: April 4, 2011

Newly appointed Chief Robin Rentenberg, joined by his wife and children, gave a speech and thanked the Borough Council for the opportunity to lead the Metuchen Police Department.

AGENDA SESSION:

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

Council President Cammarano stated the approval of the March 21, 2011 minutes are being removed from the agenda.

Council President Cammarano stated that the Development Commission minutes that were listed for approve need to be corrected to read the Planning Board minutes.

Council President Cammarano also stated that the resolution to appoint the chief of Police needs to be removed from the consent agenda because the resolution was just moved and approved.

REPORT-CABLE COMMISSION

Councilman Lease asked Mrs. Moskowitz to give a presentation for the Cable TV Committee.

Mrs. Moskowitz and Mr. Guarino, secretary to the TV and Cable Committee, approach the Council to discuss pending legislation named the Market Competition and Consumer Act.

Council President Cammarano removed himself from the dais for this discussion.

Mr. Guarino stated that the first component in the proposed legislation is the deregulation of the land based telephone system. Currently Verizon owns 90% of the land based telephone operations in New Jersey and is the strongest lobbyist for the bill. The bill will allow Verizon to charge whatever it wants with no oversight to monitor the consumer's interests. Councilwoman Moskowitz stated that the regulation of land based telephone operations are what have kept prices down in NJ because they were regulated by the Board of Public Utilities so increases had to be approved by that governing board. This legislation would pass additional costs on to the Borough such as tree trimming. Mr. Guarino stated that the second component of the proposed legislation affects the Cable TV industry. The Assembly passed the legislation in it regular form but the public outcry forced the senate to revise the legislation to include the requirement of Cable TV companies to carry the Public Education Government Local Access Channel. This requirement if not kept in the newly proposed legislation could potential eliminate METV. This legislation will also remove the requirement that forces the cable TV franchises to provide free cable and internet access to every municipality and school district they serve. Another issue that this legislation would change is the franchise process. The new legislation posed will allow the franchise process to be for 7 years with a 7 year renewal term with no say for the local governments, its effects, or any input from the Board of Public Utilities. The legislation will also do away with the right for credits due to loss of services and that the local governments will no longer have an advocate on the State level for the consumer. Mr. Guarino stated that the Cable TV Commission has put together a list of concerns that will be discussed with Senator Buono. Council President Cammarano returned to the dais.

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

PUBLIC COMMENT

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

PROCLAMATION

The proclamation was read by Councilman Wallace.

WHEREAS, alcohol is a factor in the four leading causes of death among persons ages 10- 24: motor-vehicle crashes, unintentional injuries, homicide and suicide; and

WHEREAS, approximately 9.7 million current drinkers in the United States are between the ages of 12-20; and

WHEREAS, young people who begin drinking before age 15 are four times more likely to develop alcohol dependence than those who begin drinking at age 21; and

WHEREAS, alcohol abuse is linked to as many as two-thirds of all sexual assaults and date rapes of teens and college students and is a major factor in unprotected sex among youth, increasing their risk of contracting HIV or other transmitted diseases; and

WHEREAS, the typical American young person will see 100,000 beer commercials before he or she turns 18 (that is more than for sneakers, gum and jeans); and

WHEREAS, 13 percent of all youth, ages 12-17, had at least one serious problem related to drinking in the past year;

NOW, THEREFORE, We the Borough Council of the Borough of Metuchen do hereby proclaim that April 2011 is Alcohol Awareness Month in the Borough of Metuchen. We also call upon all citizens, parents, youth, governmental agencies, public and private institutions, businesses and workplaces, hospitals, and schools in [name area] to support efforts that will reduce and prevent underage drinking in our community.

Dated: April 4, 2011

Councilman Wallace presented the proclamation. Mrs. Moskowitz accepted the proclamation on behalf of the Youth Services Board

ORDINANCES -PUBLIC HEARING

Borough Clerk Harris provided stated that Ordinance 2011-4 entitled "AN ORDINANCE AMENDING THE LAND DEVELOPMENT ORDINANCE OF THE BOROUGH OF METUCHEN, CHAPTER 110, TO CREATE ARTICLE 68 – RIPARIAN ZONE" was published according to law.

On a motion by Council President Cammarano and seconded by Councilwoman Rubin, with all in favor the said affidavit of publication was accepted.

Borough Clerk Harris read Ordinance number 2011-4 by title only.

Mayor Vahalla opened the meeting to public comment on Ordinance 2011-4 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 Councilman Rubin Ordinance 2011-4 be approved and published according to law and hearing dates set for April 26.

Roll Call:

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

NAYS: None

ABSTAIN: None

COMMUNICATIONS CONSENT AGENDA

On a motion by Council President Cammarano, seconded by Councilman Lease with all in favor the communications consent agenda item number 11 was approved.

Acceptance and Receipt of Planning Board Minutes of December 16, 2010 and January 6, 2011.

COUNCIL REPORTS

Council President Cammarano asked for clarification about an article that was published in the newspaper stating that the Borough lost a \$500,000 grant meant for Charles Field.

Mayor Vahalla stated that the article was incorrect. The Borough received 500,000 under Mayor O'Brien and then a second \$500,000 was received approximately 2 years ago. The issue with the

project is that a water main from Middlesex Water runs underneath the project. The water main is in the process of being moved.

Council President Cammarano stated that the Borough is working in conjunction with the County and legislatures to have the water main moved in a timely fashion. At this point work has stopped until this issue can be addressed.

MUNICIPAL ALLIANCE/YOUTH SERVICE BOARD

Councilman Wallace stated the board will be holding its annual magic show fund raiser this Friday 7:30 at Campbell School. The cost is \$7 dollars for adults with the first child accompanied by that adult is free and additional children are \$3.

AUXILLARY POLICE

Councilman Wallace reported that the organization has increased its volunteer hours by 500 additional hours.

PLANNING BOARD

Councilwoman Rubin stated that the Planning Board will meet this Thursday.

SENIOR CITIZENS

Councilwoman Rubin stated that this commission will meet this Wednesday.

CHAMBER OF COMMERCE

Councilwoman Rubin stated that there will be a ribbon cutting for Gardenias on Friday April 15. Julianna's Trattoria will be having a ribbon cutting on April 12. The Chamber is also sponsoring a Dine Downtown Metuchen Event. The event will occur every Tuesday and Wednesday evening and will provide special priced meals from local restaurants. Councilwoman Rubin also stated that the town wide garage sale will occur on April 30. The Chamber of Commerce will place additional information in its garage sale flyers notifying residents that electronic goods are not collected with regular trash.

SHADE TREE

Councilwoman Rasmussen stated that the Shade Tree Commission will meet later this month.

DEVELOPMENT

Councilwoman Rasmussen stated the Development Commission will meet later this month.

ENVIRONMENTAL

Councilwoman Rasmussen stated the Environmental Commission will be moving the Earth Day events do to the ongoing work on the Greenway. The new date for the Earth Day events will be May 7. The day will begin at Trail Head Park then end at the Sportsplex to view the solar panel roof

CULTURAL ARTS

Councilman Muldoon stated that there is an ordinance introduction on the agenda to change the

name of the Cultural Arts Commission to the Arts Council of the Borough of Metuchen. The Cultural Arts Commission felt that the name change was more encompassing of the services the commission provides.

The Commission is sponsoring an event on May 22 to Magic Gardens in Philadelphia. Councilman Muldoon stated that the Cultural Arts Commission is in need of volunteers for certain events. Any interested volunteers could attend the next Cultural Art meeting on April 25th or contact Councilman Muldoon by email.

POOL

Councilman Muldoon stated the pool membership application is available. The early registration deadline with the discount ends April 15. The Pool Commission is purchasing a new card scanning system for the members.

PARKING AUTHORITY

Councilman Muldoon stated that the submissions RFP for the Pearl Street Parking Structure are due May 15.

Shortly parking stickers will be able to be purchased on-line via credit card or automatic check. Additional information will be available on the website.

The Parking Authority's next meeting will be April 19 at 8pm.

Mayor Vahalla stated that the pool fees for pool memberships are waived for the EMS, Auxiliary Police and Fire Department volunteers.

LIBRARY

Councilman Lease stated that the Library Board has not had a meeting since his last report so he had nothing new to report.

The Borough Attorney had no report.

The Borough Administrator had no report.

MAYOR'S REPORT

Mayor Vahalla stated that the next meeting of the Unity in the Community organization is April 27. The organization is looking to hold a walk primarily in the downtown area.

Mayor Vahalla also stated that a meeting will be arranged for local business owners to voice any ideas as to how to fill the empty store fronts in town.

NEW BUSINESS/CONSENT AGENDA

On a motion by Council President Cammarano, second by Councilwoman Rubin with all in favor the consent agenda encompassing resolutions R2011-77 through R2011-91 and 2011-93 was approved.

RESOLUTION NO. 2011-77

RESOLUTION APPROVING SUBMISSION OF THE 2010 TONNAGE REPORT

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection and Energy is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Borough Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Metuchen that the Borough of Metuchen endorses the submission of the recycling tonnage grant application for the year **2010** to the New Jersey Department of Environmental Protection and Energy and designates Fred Hall to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED, that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.
Dated: April 4, 2011

Resolution No. 2011-78
Refund of 2010 Taxes

WHEREAS, the following have made overpayment of taxes caused by a tax overbill because of a reduction in assessed value in the 2010 tax year,

Name	Block/Lot	Address	Amount		Year
Hoi Yin Holdings, Inc.	48.4/2.02 C-5A	160-5A Liberty Street	2,282.47	2010 tax overbill	2010
Hoi Yin Holdings, Inc.	48.4/2.02 C-5D	160-5D Liberty Street	286.32	2010 tax overbill	2010
Metuchen I, LLC	71/37.02	215 Durham Ave	7,034.05	2010 tax overbill	2010
District at Metuchen LLC	110/30.4	669 Middlesex Ave	819.79	2010 tax overbill	2010
Metuchen Lake Realty	142/48.6	Essex Ave	47.57	2010 tax overbill	2010

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 owners or agents be refunded property taxes as described in the amount of \$10,470.20.

Dated; April 4, 2011

RESOLUTION NO. 2011-79

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #10-004 S, 31 HICKORY,
FOX AND FOXX**

WHEREAS, Fox & Foxx Development, LLC posted \$674.00 for curb, apron and sidewalk escrow fees at 31 Hickory Street,

WHEREAS, the Planning Board Secretary has requested that the escrow fees be refunded to Fox & Foxx Development, LLC,

NOW, THEREFORE, BE IT RESOLVED, that Fox & Foxx Development, LLC be refunded \$674.00 from the Sidewalk Inspection Escrow Account.

Dated: April 4, 2011

RESOLUTION NO. 2011-80

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #10-014 S, 48 VOORHEES
PLACE, FOX AND FOXX**

WHEREAS, Fox & Foxx Development, LLC posted \$326.00 for curb and apron escrow fees at 48 Voorhees Place,

WHEREAS, the Planning Board Secretary has requested that the escrow fees be refunded to Fox & Foxx Development, LLC,

NOW, THEREFORE, BE IT RESOLVED, that Fox & Foxx Development, LLC be refunded \$326.00 from the Sidewalk Inspection Escrow Account.

Dated: April 4, 2011

RESOLUTION NO. 2011-81

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #10-018 S, 33 EDITH
AVENUE, DIANTONIO MASONRY LLC.**

WHEREAS, DiAntonio Masonry LLC posted \$432.00 for apron escrow fees at 33 Edith Avenue,

WHEREAS, the Planning Board Secretary has requested that the escrow fees be refunded to Diantonio Masonry LLC,

NOW, THEREFORE, BE IT RESOLVED, that DiAntonio Masonry LLC be refunded \$432.00 from the Sidewalk Inspection Escrow Account.

Dated: April 4, 2011

RESOLUTION NO. 2011-82

**REFUNDING STREET OPENING BOND 242 CHRISTOL STREET BLOCK 97 LOT
1.1012**

WHEREAS, on May 24, 2010 in accordance with the Borough of Metuchen Ordinance, \$500.00 was posted by Fox and Foxx as the required Performance Guarantees for Street Opening #1078 (2010)– 242 Christol Street; and

WHEREAS, the Director of Public Works advises that said work has been completed in a manner satisfactory to his department; and

WHEREAS, the Director of Public Works advises it is in order to release the monies previously deposited,

NOW, THEREFORE, BE IT RESOLVED, by The Borough Council of the Borough of Metuchen that the Chief Financial Officer be and is hereby authorized to release said funds in the amount of \$500.00 to, Fox and Foxx, 940 Amboy Avenue Suite 101 Edison, NJ 08837 as recommended by the Director of Public Works.

Dated: April 4, 2011

RESOLUTION NO. 2011-83

**REFUNDING STREET OPENING BOND 246 CHRISTOL STREET BLOCK 97 LOT
1.1011**

WHEREAS, on May 24, 2010 in accordance with the Borough of Metuchen Ordinance, \$500.00 was posted by Fox and Foxx as the required Performance Guarantees for Street Opening #1077 (2010)– 246 Christol Street; and

WHEREAS, the Director of Public Works advises that said work has been completed in a manner satisfactory to his department; and

WHEREAS, the Director of Public Works advises it is in order to release the monies previously deposited,

NOW, THEREFORE, BE IT RESOLVED, by The Borough Council of the Borough of Metuchen that the Chief Financial Officer be and is hereby authorized to release said funds in the amount of \$500.00 to, Fox and Foxx, 940 Amboy Avenue Suite 101 Edison, NJ 08837 as recommended by the Director of Public Works.

Dated: April 4, 2011

RESOLUTION NO 2011-84

LIEN REDEMPTION FOR 230 CENTER STREET, BLOCK 51.5 LOT 2

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>
07-00007	51.5/2	230 Center Street	ATFH Real Property

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

Dated: April 4, 2011

RESOLUTION NO. 2011-85

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 4, 2011:

Administrative & Executive	S & W	20,000.00
Administrative & Executive	OE	10,000.00
Mayor & Council	S & W	2,000.00
Clerk	S & W	10,000.00
Financial Administration	S & W	40,000.00
Collection of Taxes	OE	1,000.00
Assessment of Taxes	S & W	10,000.00
Assessment of Taxes	OE	1,000.00
METV	S & W	15,000.00
Insurance		100,000.00
Police	OE	25,000.00
Emergency Management	S & W	1,000.00
Fire	OE	5,000.00
Uniform Fire Safety	S & W	3,000.00
Public Works Administration	OE	500.00
Streets & Roads	S & W	60,000.00

Buildings & Grounds	S & W	10,000.00
Buildings & Grounds	OE	15,000.00
Sewers	S & W	25,000.00
Garbage & Trash	S & W	80,000.00
Forestry	S & W	15,000.00
Parks & Playgrounds	S & W	20,000.00
MCJIF		85,000.00
Edison Animal Control		5,000.00
Library Consortium		6,000.00
Street Lighting		30,000.00
Utilities		80,000.00
Gasoline & Diesel Fuel		40,000.00
Social Security		65,000.00
Court	S & W	20,000.00
Interest on Notes		93,250.00
	TOTAL	892,750.00

Dated: April 4, 2011

RESOLUTION NO. 2011-86
STATE CONTRACT PURCHASE FOR REGULAR UNLEADED GAS-AMEND
RESOLUTION R 2011-29

WHEREAS, there exists a need to amend resolution R2011-29 to purchase **regular unleaded gasoline** for the Borough of Metuchen, in the County of Middlesex, State of New Jersey; and

WHEREAS, this can be purchased through State Contract #65047 ; and

WHEREAS, the maximum amount of the purchase of regular unleaded gasoline for the Borough of Metuchen is amended to increase by \$30,000 for a total not to exceed \$50,000 and funds will be available in the 2011 budget as evidenced by the Chief Financial Officer's Certification of which \$50,000 is certified from the 2011 temporary budget, subject to adjustment to the amount of award at time of budget adoption; 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 **Petroleum Traders Corp. 7110 Pointe Inverness Way, Ft. Wayne, IN 46804.**

Dated: April 4, 2011

RESOLUTION NO. 2011-87
STATE CONTRACT PURCHASE FOR TIRES – AMEND RESOLUTION R2011-32

WHEREAS, there exists a need to amend resolution R2011-32 to purchase tires for the Borough of Metuchen , in the County of Middlesex, State of New Jersey; and

WHEREAS, this can be purchased through State Contract #A-71687; and

WHEREAS, the maximum amount of the purchase of tires for the Borough of Metuchen is amended to increase by \$5,000.00 for a total amount not to exceed \$10,000.00 and funds will be available in the 2011 budget as evidenced by the Chief Financial Officer's

Certification, of which \$10, 000.00 is certified from the 2011 temporary budget, subject to adjustment to the amount of award at time of budget adoption; 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 **F&S Tire Corp., 58 Brunswick Avenue, Edison, NJ 08817**

Dated: April 4, 2011

RESOLUTION NO. 2011-88
REFUND VARIOUS ESCROW BALANCES

WHEREAS, the Planning Board Secretary has requested that the following escrow accounts be closed and the balance be refunded to the depositors,

WHEREAS, the Planning Board Secretary has contacted the Board Engineer, Planner and Attorney for authorization to release the funds and determine the projects are closed,

WHEREAS, the Planning Board Secretary has provided a list to the Chief Finance Officer with a sign-off from the Board Professionals, that the following escrow projects are complete and can be closed, and that no further billing from the professionals for these projects will be paid.

BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen for the Chief Financial Officer/Tax Collector be instructed to refund, in the amount indicated, the following escrow balances to the depositors, as the project has been determined to be closed:

<i>ESCROW ACCOUNT</i>	<i>AMOUNT</i>	<i>DEPOSITOR</i>
04-663 I	314.38	Women Helping Women 224 Main Street
07-788 E	91.00	Robert Russo 215 Columbia Avenue
08-833 E	573.75	Larry Weiss 450 Middlesex Avenue
09-854 E	122.50	Amy Brooks 19 Wilmer Place
09-857 E	167.50	Fox & Foxx Development, LLC 75 Beacon Hill Drive
09-881 E	776.12	Angelo Guilino 205 Main Street
10-886 E	695.00	Metuchen Dance Center 395 Main Street
10-890 E	156.76	Joseph Tassani 45 Division Street

Dated: April 4, 2011

RESOLUTION NO. 2011-89

ESTABLISHING BANK SIGNATORIES FOR THE MUNICIPAL COURT

WHEREAS, Revised Statute NJSA 40:3-25 provides that moneys held in any separate fund, i.e., General Account, Capital Fund, Trust Account and all Escrow Accounts, shall be treated as moneys held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Metuchen, County of Middlesex and State of New Jersey that the TD Bank Court General and Court Bail Account , and that the custodian shall be Rebecca Cuthbert, Chief Financial Officer. All disbursements for these accounts shall be made by checks signed by:

Judge Gary Price
Anne M. Tucker

Dated: April 4, 2011

RESOLUTION NO. R2011-90

TEMPORARY APPOINTMENT OF ACTING FIRE INSPECTOR/FIRE SUBCODE OFFICIAL

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Metuchen that Albert Hopping (License #002975) be and he is hereby appointed as the Acting Fire Inspector/Fire Subcode Official for the Borough of Metuchen, April 4, 2011 to May 6, 2011; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall transmit a certified copy of this resolution to the New Jersey Department of Community Affairs.

Dated: April 4, 2011

RESOLUTION NO. 2011-91

WHEREAS, the Borough Administrator representing the Governing Body of the Borough of Metuchen, County of Middlesex, State of New Jersey, has negotiated with the Teamsters Local No. 11 for the union's collective bargaining agreement for the period of January 1, 2011 through December 31, 2013; and

WHEREAS, a memorandum of agreement was signed between representatives of the Teamsters Local No. 11 and the Borough of Metuchen; and

WHEREAS, the terms of the memorandum have been ratified by the membership of the Teamsters Local No. 11; and

WHEREAS, the Governing Body of the Borough of Metuchen has reviewed same and is desirous of ratifying said memorandum of agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Metuchen, County of Middlesex, State of New Jersey that the terms and conditions of the memorandum of agreement are hereby adopted;

BE IT FURTHER RESOLVED, that the Borough Administrator and Borough Clerk be and the same are hereby authorized to execute a contract incorporating the terms of the memorandum of agreement with the Teamsters Local No. 11.

Dated: April 4, 2011

RESOLUTION NO. 2011-93

RESOLUTION – REFUND ESCROW BALANCE – 12 CENTER STREET

WHEREAS, the Planning Board Secretary has requested that the following escrow accounts be closed and the balance be refunded to the depositors,

WHEREAS, the Planning Board Secretary has contacted the Board Engineer, Planner and Attorney for authorization to release the funds and determine the project is closed,

WHEREAS, the Planning Board Secretary has provided a list to the Chief Finance Officer with a sign-off from the Board Professionals, that the following escrow project is complete and can be closed, and that no further billing from the professionals for this project will be paid.

BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen for the Chief Financial Officer/Tax Collector be instructed to refund, in the amount indicated, the following escrow balance to the depositor, as the project has been determined to be closed:

<i>ESCROW ACCOUNT</i>	<i>AMOUNT</i>	<i>DEPOSITOR</i>
10-897 E	1,000.00	Pearl Street Associates 12 Center Street

Dated: April 4, 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 2,355, 542.95 were approved.

ORDINANCE-INTRODUCTION

On a motion by Council President Cammarano, second by Councilwoman Rubin with all in favor Ordinance 2011-5 was taken up on first reading.

The Borough Clerk read the Ordinance by title only.

On a motion by Council President Cammarano, second by Councilman Lease Ordinance 2011-5 was passed on first reading published according to law and a public hearing date set for April 26.

ROLL CALL

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

NAYS: None

ABSTAIN: None

DISCUSSION-CAPITAL BUDGET

Borough Administrator Boerth stated that it was his recommendation to increase the Capital budget by \$75,000 to include the repaving of the entire length of Linden Avenue. This increase will raise the Capital Budget to 1,000,020. The additional funds would not increase the original 5% down payment of 47, 250.

The consensus of Council was to have METV and the Fire Department come in for discussion on their Capital budgets at the next Council meeting before any decision on the Capital budget be made.

PUBLIC COMMENT

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

Frank Cammarano (23 Elm Avenue) asked if Middlesex Water was going to move the water main located underneath Charles Field.

Councilman Lease questioned if anything was going to be done with the fire hydrants that a now located in the middle of the sidewalk when the sidewalks were widened.

Council President Cammarano stated that he though the engineer probably envisioned a planting basin around any new obstructions on the sidewalk.

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

ADJOURMENT

On a motion by Council President Cammarano, second by Councilman Mulddon with all in favor the meeting was adjourned at 8:56pm.