

BOROUGH COUNCIL
MINUTES -AUGUST 20, 2012

A Regular Meeting of the Borough Council was held in the Council Chambers of Borough Hall on Monday, August 20, 2012. The Meeting was called to order at 6:10 p.m. by Mayor Thomas Vahalla. The Invocation given by Councilwoman Rasmussen 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 Rasmussen, Rubin, Grayzel and Council President Cammarano. Absent were Councilpersons Wallace and Muldoon.

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

AGENDA SESSION

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

Borough Clerk Harris stated that Resolution Number 2012-170 needed to be removed from the consent agenda due to inadequate collaboration for action by the affected departments.

Councilwoman Rubin asked when the recognition of Bob Moten the crossing guard who recently passed away, would commence. Mayor Vahalla asked Councilwoman Rubin if she would contact the school to discuss any arrangements necessary to help facilitate the recognition of the honored crossing guard.

On a motion by Council President Cammarano, seconded by Councilwoman Rasmussen with all in favor the agenda session was closed.

CLOSED SESSION

On a motion by Council President Cammarano, seconded by Councilwoman Rasmussen, with all in favor the Closed Session Resolution was approved.

CLOSED SESSION RESOLUTION

RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FOR THE PURPOSE OF INTERVIEWING CANDIDATES FOR THE POSSIBLE PROMOTION WITHIN THE POLICE DEPARTMENT .

WHEREAS, it is necessary for the Mayor and Council of the Borough of Metuchen to conduct an executive session closed to the public in order to interview candidates for possible promotion to the Police Department within the Borough of Metuchen;

NOW THEREFORE BE IT RESOLVED that the Council of the Borough of Metuchen hereby moves to go into executive session in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6 et. seq., for the purpose of interviewing candidates for the possible promotion within the Police Department in the Borough of Metuchen; and

BE IT FURTHER RESOLVED that the matters discussed in and minutes of the closed session shall be disclosed to the public when the reason for confidentiality no longer exists.

Dated: August 20, 2012

On a motion by Council President Cammarano, seconded by Councilwoman Rasmussen, with all in favor the Borough Council motion to reenter public session was approved.

Dated: August 29, 2012

APPROVAL OF MINUTES

On a motion by Council President Cammarano, seconded by Councilwoman Rubin, with all in favor the Council Minutes of March 5, March 19, April 2 and April 16, 2012 were approved.

PROCLAMATION/RESOLUTIONS HONORING

WHEREAS, impaired drivers on our nation's roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

WHEREAS, 25% of motor vehicle fatalities in New Jersey are alcohol related;
WHEREAS, an enforcement crackdown is planned to combat impaired driving;
and
WHEREAS, the summer season and the Labor Day holiday in particular are traditionally times of social gatherings which include alcohol; and
WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the State to participate in the Drive Sober or Get pulled Over 2012 Statewide Crackdown; and
WHEREAS, the project will involve increased impaired driving enforcement from August 17 through September 3, 2012;
WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;
THEREFORE, be it resolved that I, THOMAS VAHALLA, MAYOR OF THE BOROUGH OF METUCHEN on behalf of the Council and the residents of the Borough of Metuchen declares its support for the Drive Sober or Get Pulled Over 2012 Statewide Crackdown from August 17 through September 3, 2012 and pledges on increase awareness of the dangers of drinking and driving.
Dated: August 20, 2012

OPEN TO PUBLIC

Mayor Vahalla opened the meeting to the public for comment.

Tara Matise(18 Colonial Court) discussed her ideas to improve pedestrian safety in crosswalks throughout the Borough.

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

ORDINANCE-PUBLIC HEARING 2012-6

Borough Clerk Harris presented the affidavit of publication as July 20, 2012.
On a motion by Council President Cammarano, seconded by Councilwoman Rubin, with all in favor the affidavit of publication was received.
Borough Clerk Harris read said Ordinance by title only.
Mayor Vahalla opened the meeting for public comment on said ordinance only.
Hearing no one wishing to speak Mayor Vahalla closed the public comment portion.
On a motion by Council President Cammarano, seconded by Councilwoman Rasmussen, with all in favor Ordinance Number 2012-6 was approved and will be published according to law.
ROLL CALL VOTE:
AYES: Councilpersons, Rubin, Rasmussen, Grayzel and Council President Cammarano
NAYS:

ORDINANCE NO. 2012-6

AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE NO. 92-25 ESTABLISHING SALARY RANGES.

[STATEMENT OF PURPOSE: TO AMEND WAGE RANGES FOR CERTAIN BOROUGH EMPLOYEES]

BE IT ORDAINED, by the Mayor and Council of the Borough of Metuchen that Ordinance No. 92-25 as amended and supplemented be further amended as follows:

1. Section I, Group I is hereby amended by deleting the existing maximum ranges and replacing them with the following:

<u>RANGE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>	
3	\$18,000	\$38,000	Clerk Typist, Secretary, Deputy Court Administrator, Office Assistant
4	\$19,000	\$41,000	Telecommunications Operator
6	\$20,000	\$45,000	Accounting/Tax Clerk, Library Assistant II
7	\$21,000	\$51,000	Head Telecommunications Operator, Library Assistant I
8	\$26,000	\$53,100	Children's Librarian, Adult Services Librarian
9	\$33,000	\$56,100	Assistant Administrator, Reference Librarian
11	\$41,000	\$81,600	Library Director

2. Section I, Group V is hereby amended by deleting the existing maximum ranges and replacing with the following:

<u>RANGE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>	<u>POSITION</u>
19	\$30,000	\$51,000	Administrative Secretary
21	\$32,000	\$61,200	Administrative Officer
25	\$43,000	\$71,400	Borough Clerk, Court Administrator
29	\$48,000	\$79,600	Recreation Director, Tax Assessor, Senior Citizen Director
30	\$50,000	\$85,700	Public Works Supervisor
33	\$53,000	\$108,200	Lieutenant/DPW Supt.
35	\$58,000	\$114,300	Police Captain, Chief Financial Officer/Tax Collector, Public Works Director
36	\$63,000	\$119,400	Borough Engineer
38	\$68,000	\$126,500	Chief of Police
40	\$73,000	\$131,600	Borough Administrator

3. Additional compensation by way of holiday pay, longevity, overtime, sick days, personal days, insurance benefits for full time employees not covered in collective bargaining agreements are fully set forth in the Personnel Resolution and amendments thereto previously adopted by the Borough Council and are hereby incorporated in this Ordinance.

4. Section 6 - No officer or employee shall be paid at a base rate which is above the maximum rate for any salary range in any of the aforementioned groups. Unless otherwise provided for all new employees or newly promoted employees shall be paid at the minimum rate of the salary range for the position to which they are hired. However, the Borough Administrator may hire a prospective employee who possesses qualifications that are greater than the minimum qualifications for the position at a rate above the minimum rate, but in no case shall a new employee be hired at a rate which is greater than that of a current employee in the same group.

5. If any portion of this ordinance is in conflict with any portion of a collective bargaining agreement, then the collective bargaining agreement shall take precedence.

6. All ordinances and parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

7. This ordinance shall take effect after its publication according to law and the amendments contained herein shall be retroactive to January 1, 2012.

Dated: July 16, 2012

COMMUNICATIONS CONSENT AGENDA

On a motion by Council President Cammarano, seconded by Councilwoman Rasmussen items numbers 6-8 were accepted and approved.

6. Receive and Accept TV and Technology Advisory Committee Minutes of June 28, 2012 and July 26, 2012.
7. Receive and Accept Development Commission Minutes of March 7, 2012 and June 6, 2012.
8. Receive and Approve Block Party Request for McCoy Avenue on September 22, 2012 with rain date September 23, 2012.

COUNCIL REPORTS

Council President Cammarano stated that the Library Board met and discussed the improvements to the Children's Wing of the Library, the painting of the exterior windows on the building and other budgetary issues.

Council President Cammarano thanked all of the residents, the Police Department and the EMS for all of the support and help that was given to his family regarding his mothers illness.

Councilwoman Rubin thanked the many volunteers that helped make both the Farmers Market and Summer School House events successful through the Borough Improvement League.

Councilwoman Rasmussen stated that she has become very interested in furthering the Boroughs efforts in improving pedestrian safety throughout the town.

DEVELOPMENT

Councilwoman Rasmussen stated that the Development Commission would like to assist the Chamber of Commerce in promoting local business in the Borough.

ENVIRONMENTAL

Councilwoman Rasmussen stated that the Commission is trying to find ways to identify the meets and bounds of the Boroughs portion of the Dismal Swamp. Councilwoman Rasmussen along with Chairman Mark Herzberg, will be meeting with a company named TriState Energy to discuss a program being offered by the New Jersey Clean Energy Program to promote and fund 70% of any projects that help provide energy efficiency improvements to local businesses in Metuchen. The ideas discussed will then be reviewed the Chamber of Commerce at a meeting in September.

MUNICIPAL ALLIANCE/YOUTH SERVICE

Councilwoman Rasmussen stated that the second Town Talks meeting took place prior to the National Night Out events. The talk was a great success and highly attended. Councilwoman Rasmussen also stated that there was new legislation passed named the 911 Lifeline Legislation. This law would allow young people who are in the company of other young people who have consumed too much alcohol to ascertain help for that inebriated person without fear of punishment.

Councilwoman Rasmussen continued to mention that a chapter of SADD-Students Against Drunk Driving was being implemented at Metuchen High School as well as the fact that the Safe Homes Program which will be introduced to parents and students at the upcoming Back to School Night. Councilwoman Rasmussen thanked all of the volunteers and business owners that helped to make National Night Out such a huge success.

ARTS

Councilman Grayzel stated that the Arts Commission met on and discussed the Rocks Outdoor Concert Series in the Borough. Councilman Grayzel stated that a calendar of events is available on the BIL website.

TV AND TECNOLOGY

Councilman Grayzel stated that the TV and Technolgy Committee meet and discussed the ongoing negotiations with Cablevision regarding many issues with that service provider as well as utilizing school events for programming on MeTV. Councilman Grayzel also stated that the Committee will be manning a booth at the Country Fair to ascertain public opinion on programming on MeTv.

REPORT OF BOROUGH ATTORNEY

Borough Attorney Murphy had no report.

REPORT OF BOROUGH ADMINISTRATOR

Borough Adminstrator Boerth stated that the NJ Department of Transportation will be having a Public Information Center meeting at Borough Hall on August 27 from 4-7 pm regarding the reconstruction of the Lake Avenue Bridge project.

Borough Administrator Boerth also stated that the Mosquito Commission will be spraying in Metuchen on August 21st from 6:30pm-12am on the Middlesex Greenway North. The spraying will be truck mounted spray and that there are no health issues related to the spraying. The Mosquito Commission stated that residents may want to remain out of the direct line of spraying, turn air conditioning units to recirculate, wash all fruits and vegetables from the garden and to bring in all animal bowls and pets during spraying.

REPORT OF MAYOR

Mayor Vahlla stated that the Fire Department for the month of July responded to 21 alarms, 214 hours in alarms and emergency responses situations and 160 hours of drills and training.

Mayor Valla thanked all of the organizations and volunteers involved with both the National Night Out and Town Talks events.

Mayor Vahalla stated that the Parking Authority and the selection committee will be meeting on September 6th to discuss the selection process for the Pearl Street Parking Lot Development project developer. All members of the public are invited to attend the meeting.

CONSENT AGENDA

On a motion by Council President Cammarano, seconded by Councilwoman Rubin, with all in favor the New Business Consent Agenda items numbered 9-13 and 15-27, encompassing resolutions R2012-165 through R2012-169 and R2012-171 through R2012-184 were approved.

RESOLUTION NO. 2012-165

APPOINTMENT OF FIREFIGHTER – JAGODOWSKI

WHEREAS, the Mayor and Borough Council have been notified by Rob Donnan, Chief of the Metuchen Fire Department, that **Daniel Jagodowski** 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, **Daniel Jagodowski** be and is hereby elected, approved, and confirmed as a permanent member of the Fire Department of the Borough of Metuchen.

Dated: August 20, 2012

RESOLUTION NO. 2012-166

RESOLUTION AUTHORIZING BID AWARD FOR 2012 NJDOT AND CAPITAL ROADWAY IMPROVEMENT PROGRAM-FISCHER CONTRACTING, INC.

WHEREAS, bids were received by the Borough Administrator on August 8, 2012 for the 2012 NJDOT and Capital Roadway Improvement Program for the Borough of Metuchen; and

WHEREAS, the Borough Council has reviewed the recommendation made by the Borough Engineer on said bids; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds will be available in the amount of \$314,923.25, and funds are available in the 2012 Capital Ordinance as evidenced by the Chief Financial Officer's Certification, of which \$314,923.25 is 2012 Capital Funds,

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Metuchen, County of Middlesex, State of New Jersey that the contract for the 2012 NJDOT and Capital Roadway Improvement Program be and the same is hereby awarded to most responsive bidder, Fischer Contracting Inc., 10 Short Hills Lane, Scotch Plains, NJ 07076 and that award of contract is conditioned on approval from the New Jersey Department of Transportation.

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

BE IT FURTHER RESOLVED, that the certified check or bid bonds of the unsuccessful bidders:

1. JADS Construction, Po Box 513, South River, NJ 08882
2. Black Rock Enterprises, LLC., 1316 Englishtown Road, Old Bridge, NJ 08857
3. Manzo Maroba, Inc., 1208 Highway 34, Suite 21, Matawan, NJ 07747
4. Tony and Son, Inc., PO Box AH, Rahway, NJ 07065
5. Cardinal Contracting, Co. LLC., 1738 Route 206, Southampton, NJ 08088
6. Defino Co., 28 Industrial Drive, Cliffwood Beach, NJ 07735

be returned.

BE IT FURTHER RESOLVED, that the certified check or bid bond of the successful bidder and the next lowest bidders:

1. Fischer Contracting, Inc. 10 Short Hills Lane, Scotch Plains, NJ 07076
2. Top Line Construction Corp., 22 Fifth Street, Somerville, NJ 08876
3. DeSantis Construction, 491 Elizabeth Avenue, Somerset, NJ 08873

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

Dated: August 20, 2012

RESOLUTION NO. 2012-167

RESOLUTION AUTHORIZING SUBMISSION FOR MUNICIPAL ALLIANCE GRANT

WHEREAS, the Borough Council of the Borough of Metuchen, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Middlesex;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Metuchen, County of Middlesex, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of an application for the Metuchen Municipal Alliance grant for calendar year 2012 in the amount of **\$13,257.00**.
2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Dated: August 20, 2012

RESOLUTION 2012-168

RESOLUTION APPOINTING MUNICIPAL ALLIANCE COORDINATOR

BE IT RESOLVED by the Borough Council of the Borough of Metuchen that Irene Morris Nann be appointed as a Municipal Alliance Coordinator with a term to expire December 31, 2012.

Dated: August 20, 2012

RESOLUTION NO. 2012-169

**RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE BOND FOR
SUBURBAN SQUARE LLC. - BLOCK 82, LOTS 1.01, 2.01, 8 & 16 AND BLOCK 83 LOTS
1-8, 9.01, 9.02, 28 & 29**

WHEREAS, in a letter dated February 15, 2011 Birdsell Engineers reduced the original project Performance Bond amount for Suburban Square, LLC, Block 82, Lots 1.01, 2.01, 8 & 16 and Block 83 Lots 1-8, 9.01, 9.02, 28 & 29 from \$612,252.04 to \$338,405.03 and cash portion from \$68,028.08 to \$37,600.63

WHEREAS, Suburban Square, LLC., has received approval to phase the construction of Block 82, Lots 1.01, 2.01, 8 & 16 and Block 83 Lots 1-8, 9.01, 9.02, 28 & 29; and

WHEREAS, Suburban Square, LLC., has requested a refund of the performance guarantees for various improvements on Block 82, Lots 1.01, 2.01, 8 & 16 and Block 83 Lots 1-8, 9.01, 9.02, 28 & 29; and

WHEREAS, the Project Engineer has reported that the Phase 1 contract has been completed in an acceptable manner; and

WHEREAS, the Borough has requested that \$18, 862.73 be posted for the new cash portion guarantee for Phase 2; and

WHEREAS, the Borough has also requested that a new Performance Bond be posted for the new Phase 2 in the amount of \$169,764.61; and

WHEREAS, the Project Engineer recommends the full release of the performance guarantee for Phase 1 in the amount of \$338,405.03(posted in the form of surety bond) and \$37,600.63 (posted in cash) plus accrued interest upon posting of a 2 year maintenance bond for Phase 1 in the amount of \$61,456.69; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen that the Chief Financial Officer is hereby authorized and directed to release the performance bond in the amounts directed by the Project Engineer to Suburban Square, LLC., 228A Pierson Ave., Edison, NJ 08837 upon posting the new Phase 2 Performance Bond in the amount of \$169,764.61 and \$18, 862.73 new cash portion guarantee for Phase 2 and a two year maintenance bond for Phase 1 in the amount of \$61,456.69 and payment of the any outstanding fees.

Dated: August 20, 2012

RESOLUTION NO.2012-171

**RESOLUTION AUTHORIZING REFUND OF TYPE 1 COOKING OPERATIONS
PERMIT – MANDATO-CARNIVAL CONCESSIONS**

WHEREAS, Carmine Mandato of Carnival Concessions, paid for a Type 1 Cooking Operations Permit in the amount of \$42.00 for the annual Metuchen Street Fair; and

WHEREAS, a request for a permit refund was requested prior to the June 3, 2012 Street Fair by Carmine Mandato of Carnival Concessions;

NOW, THEREFORE, BE IT RESOLVED, that Carmine Mandato of Carnival Concessions, 196 Garden Avenue, Belleville, NJ 07109 be refunded \$42.00 from the account.

Dated: August 20, 2012

RESOLUTION NO. 2012-172

**RESOLUTION AUTHORIZING INTERLOCAL AGREEMENT WITH MIDDLESEX
COUNTY FOR THINK GEOGRAPHIC INFORMATION MAPPING SOFTWARE (GIS)**

WHEREAS, the Middlesex County Prosecutors has received additional FY 2009 funding from the Office of Homeland Security and Preparedness (OHS&P) for the purpose of purchasing an enhancement to the “Think Geographic Information System (GIS)” mapping software already available to the participating agencies. This enhancement is known as “Think GIS Event Manager”, hereinafter referred to as Event Manager) which provides law enforcement the ability to develop maps and plans in order to enhance the ability of emergency services to plan for and handle various types of events that adversely impact their community, such as road closures, power outages, flooded areas, natural and man-made catastrophic events, etc; and

WHEREAS, the County of Middlesex wishes to purchase said Event Manager and distribute them to municipalities which already have the Think GIS but do not have this enhancement and host the majority of the recognized critical infrastructure and assets in the County; and

WHEREAS, the Borough of Metuchen has agreed to accept said software under the terms and conditions specified in the agreement

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, Middlesex County and the Borough of Metuchen do mutually agree as follows:

- 1) The County shall purchase Event Manager through the use of OHS&P FY2009 grant funds; and
- 2) The County Prosecutor, in his sole discretion, shall determine which municipality shall be eligible to receive this Event Manager, which shall be assigned to the municipal law enforcement agency and utilized for planning responses to various types of events that may occur within the municipality; and
- 3) The County shall, at its sole cost and expense be responsible for the following:
 - A. Arranging for the purchase of and distribution of the Event Manager to the receiving law enforcement agencies;
 - B. Providing a training session at a location to be determined by the County Prosecutor, on utilization of the Event Manager; and
 - C. Maintenance of the system for year one (1)
 - D. Hosting the server in which the Event Manager will be housed
- 4) The Borough of Metuchen shall, at its sole cost and expense, be responsible for the following:
 - A. Providing at a minimum, one (1) law enforcement representative for training as required;
 - B. Supply all of the necessary computer and related hardware to support the Event Manager; and
 - C. Sharing with the other participating agencies any recurring annual maintenance costs for Event Manager, effective July 2013, which at the time of this agreement is \$52.50 per agency to be paid directly to the vendor; and
 - D. When appropriate making the Event Manager available to other law enforcement agencies via mutual aid requests
- 5) The Borough of Metuchen shall save, protect, indemnify and hold harmless the County Prosecutor, the County and/or its elected officials officers and employees from any and all damages or claims for damages to persons or property which may result from the use of the Event Manager provided pursuant to this Agreement.
- 6) The Agreement represents the entire understanding of the parties. It shall not be amended, except through written amendment approved by the respective governing bodies.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen that the Mayor and Borough Clerk are hereby authorized and directed to enter into an Agreement with the County of Middlesex for the Think Geographic Information System (GIS) mapping software.

Dated: August 20, 2012

RESOLUTION NO. 2012-173

**REFUND OF OTHER FEES & PERMITS- PLUMBING -#12-0518-JOHN BURTON
PLUMBING AND HEATING, INC.**

WHEREAS, John Burton Plumbing and Heating, Inc. of 400 Amboy Avenue, Metuchen made payment on July 5, 2012 in the amount of \$50.00 for a Plumbing Permit fee for work to be done at 203 Highland Avenue; and

WHEREAS, the homeowner no longer wishes to have the work performed; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Metuchen that the Chief Financial Officer is hereby authorized and directed to refund John Burton Plumbing and Heating , 400 Amboy Avenue, Metuchen, NJ 08840 in the amount of \$50.00 for the Plumbing Permit fee.

Dated: August 20, 2012

RESOLUTION NO. 2012-174

RESOLUTION AUTHORIZING THE BOROUGH OF METUCHEN TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

WHEREAS, N.J.S.A 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Cranford Police Cooperative Pricing System (ID# 47 – CPCPS), hereinafter referred to as the “Lead Agency” has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, on August 20, 2012 the governing body of the Borough of Metuchen, County of Middlesex, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE, BE IT RESOLVED as follows:

TITLE

This resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Metuchen

AUTHORITY

Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Chief Financial Officer is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracting Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

Dated: August 20, 2012

RESOLUTION NO. 2012-175

RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE FOR 3 FLASHBACK 2 IN-CAR VIDEO SYSTEM ASSEMBLIES

WHEREAS, there exists a need for 3 Flashback 2 In-Car Video System Assemblies for the Police Department in the Borough of Metuchen, in the County of Middlesex, State of New Jersey; and

WHEREAS, this can be purchased through State Contract #T0106 and A-81311; and

WHEREAS, the maximum amount of the purchase of 3 Flashback 2 In-Car Video System Assemblies in the Borough of Metuchen is \$14,235.00 and funds will be available in the 2012 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 L3 Mobile Vision, Inc., 90 Fanny Road Boonton, NJ 07005.

Dated: August 20, 2012

RESOLUTION NO. 2012-176

RESOLUTION TO GRANT EXEMPTION FOR DISABLED VETERAN AND TO REFUND 2012 TAXES

WHEREAS, the Tax Assessor of the Borough of Metuchen has been provided sufficient proof that the owner of the property known as 212 High Street, Block 140, Lot 65.1, 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 August 13, 2012, and

WHEREAS, the property owner George E. Einhorn, 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 August 15, 2012, for Block 140, Lot 65.1,

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Metuchen that the Chief Financial Officer/Tax Collector is hereby authorized to refund the homeowner the monies already paid for the 2012 3rd quarter taxes, prorated for the period of exemption in the amount of \$1,270.14, and to cancel the remaining 2012 taxes as levied.

Dated: August 20, 2012

RESOLUTION NO.2012-177

RESOLUTION AUTHORIZING REAPPLICATION OF 2010 TAX OVERPAYMENT

WHEREAS, the following has made overpayment of 2010 taxes,

Name	Block/Lot	Address	Amount		Year
Sherri Square	153.1/6 C104B	264Newman Street	\$1,064.15	Apply to 2012/3 rd qtr	2010/2 nd qt

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 tax overpayment be applied as described, in the amount of \$1,064.15.

Dated: August 20, 2012

RESOLUTION NO.2012-178

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION

NJSA 40A:4-87

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Metuchen in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget in the year 2012 in the sum of \$4,000.00, which is now available from the State of New Jersey Department of Law and Traffic Safety for an Aggressive Driver Grant in the amount of \$4,000.00.

BE IT FURTHER RESOLVED, that the like sum of \$4,000.00 is hereby appropriated under the caption State of New Jersey Department of Law and Traffic Safety for an Aggressive Driver Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from State of New Jersey Department of Law and Traffic Safety for an Aggressive Driver Grant in the amount of \$4,000.00.

Dated: August 20, 2012

RESOLUTION NO.2012-179

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION

NJSA 40A:4-87

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Metuchen in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget in the year 2012 in the sum of \$4,000.00, which is now available from the State of New

Jersey Department of Law and Traffic Safety for a Bike and Pedestrian Safety Grant in the amount of \$4,000.00.

BE IT FURTHER RESOLVED, that the like sum of \$4,000.00 is hereby appropriated under the caption State of New Jersey Department of Law and Traffic Safety for a Bike and Pedestrian Safety Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from State of New Jersey Department of Law and Traffic Safety for a Bike and Pedestrian Safety Grant in the amount of \$4,000.00.

Dated: August 20, 2012

RESOLUTION NO.2012-180
RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATION
NJSA 40A:4-87

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Metuchen in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget in the year 2012 in the sum of \$4,000.00, which is now available from the State of New Jersey Department of Law and Traffic Safety for a Cell Phone Grant in the amount of \$4,000.00.

BE IT FURTHER RESOLVED, that the like sum of \$4,000.00 is hereby appropriated under the caption State of New Jersey Department of Law and Traffic Safety for a Cell Phone Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from State of New Jersey Department of Law and Traffic Safety for a Cell Phone Grant in the amount of \$4,000.00.

Dated: August 20, 2012

RESOLUTION NO. 2012-181
RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATION
NJSA 40A:4-87

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Metuchen in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget in the year 2012 in the sum of \$4,400.00, which is now available from the State of New Jersey Department of Law and Traffic Safety for a Drive Sober or Get Pulled Over Grant in the amount of \$4,400.00.

BE IT FURTHER RESOLVED, that the like sum of \$4,000.00 is hereby appropriated under the caption State of New Jersey Department of Law and Traffic Safety for a Drive Sober or Get Pulled Over Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from State of New Jersey Department of Law and Traffic Safety for a Drive Sober or Get Pulled Over Grant in the amount of \$4,400.00.

Dated: August 20, 2012

RESOLUTION NO. 2012-182
RESOLUTION – REFUND ESCROW BALANCE

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>
08-808 E	823.75	KED Group, LLC 457-459 Main Street
11-918 E	422.50	Mary Steever 10 & 18 Ethel Place
11-935 E	635.50	Madusudhan Sonee 317 Midland Avenue

Dated: August 20, 2012

RESOLUTION NO. 2012-183

**RESOLUTION AUTHORIZING REFUND OF STREET OPENING PERMIT BOND-20
BRYANT AVENUE**

WHEREAS, on May 1, 2012 in accordance with the Borough of Metuchen Ordinance, \$500.00 was posted by Joseph Lai as the required Performance Guarantees for Street Opening #12-022-20 Bryant Avenue; 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, Joseph Lai, 20 Bryant Avenue, Metuchen, NJ 08840 as recommended by the Director of Public Works.

Dated: August 20, 2012

RESOLUTION 2012-184

**RESOLUTION TO CANCEL 2012 TAXES - EXEMPTION FOR DISABLED VETERAN
GRANTED IN 2011**

WHEREAS, 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,

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,

WHEREAS, the Tax Assessor of the Borough of Metuchen failed to enter the tax exemption into the 2012 tax levy causing Block 51.3, Lot 34 to reflect full tax billing for the 2012 year,

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer/Tax Collector is hereby authorized to cancel 2012 taxes as levied.

Dated: August 20, 2012

BILL LIST

On a motion by Council President Cammarano, seconded by Councilwoman Rubin, with all in favor the bill resolution in the amount of \$8,716,298.35 was approved.

APPOINTMENTS

On a motion by Council President Cammarano, seconded by Councilman Grayzel, with all in favor the appointment of Carissa Sestito to the Arts Council with a term to expire on January 1, 2015 was approved.

ARTS COUNCIL	TERM TO EXPIRE
Carissa Sestito	1/1/15

PUBLIC COMMENT

Mayor Vahalla opened the meeting to public comment on any items on the agenda. Hearing no one wishing to speak the Mayor closed the meeting to public comment.

ADJOURNMENT

On a motion by Council President Cammarano, seconded by Councilwoman Rubin with all in favor the meeting was adjourned at 8:48p.m.

Respectfully Submitted,