

BOROUGH COUNCIL
MINUTES –FEBRUARY 6, 2012

A Regular Meeting of the Borough Council was held in the Council Chambers of Borough Hall on Monday, February 6, 2012. The Meeting was called to order at 7:30 p.m. by Mayor Vahalla. The Invocation given by Councilman Wallace and Council President Cammarano 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 Grayzel, Muldoon, Rubin, Rasmussen, Wallace and Council President Cammarano.

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

AGENDA SESSION

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

Council President Cammarano requested that Resolutions R2012-60 be removed from the consent agenda for discussion.

A discussion was held regarding R2012-60 “Resolution Accepting the Corrective Action Plan for the 2011 Municipal Audit”. Borough Administrator Boerth stated that all of the minor stated items listed on the corrective action plan have been or will be in the near future be satisfactorily addressed.

Councilwoman Rubin stated that the possible revisions to the snow removal ordinance will be presented at the next meeting.

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

APPROVAL OF MINUTES

On a motion by Council President Cammarano, seconded by Councilwoman Rasmussen, with all in favor the September 19, 2011 Council Minutes were approved.

OPEN TO PUBLIC

Mayor Vahalla opened the meeting to the public for comment.

Darryl Schaeffer (232 Highland Avenue) requested that the Traffic and Transportation Committee discuss street signage along Grove Avenue.

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

ORDINANCE-PUBLIC HEARING

Borough Administrator Boerth presented the affidavit of publication regarding Ordinance 2012-1 **AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF METUCHEN, VARIOUS CHAPTERS, TO AMEND CERTAIN APPLICATION, LICENSE AND PERMIT FEES.**

On a motion by Council President Cammarano, seconded by Councilwoman Rasmussen, with all in favor the affidavit be received and filed according to law.

Borough Administrator Boerth read Ordinance 2012-1 by title only.

Mayor Vahalla opened the meeting to public comment on said Ordinance only.

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

On a motion by Council President Cammarano, seconded by Councilwoman Rasmussen, with all in favor said Ordinance 2012-1 be approved on second reading and published according to law.

Roll Call Vote:

Ayes: Councilpersons Grayzel, Muldoon, Rasmussen, Rubin, Wallace and Council President Cammarano

Nays: None

Abstentions: None

Motion Carried.

ORDINANCE NO. 2012-1

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

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

Section 1. Section **169-3** of Chapter 169, **Swimming Pools**, of the Code of the Borough of Metuchen, is hereby amended to add/change the following fees to read as follows:

RESIDENT MEMBERSHIPS

Prior to April 15

NEW MEMBERS

MEMBERS FEES

| | <u>FROM</u> | <u>TO</u> |
|--|------------------|-----------|
| (1)Resident Family (equivalent membership: one) | \$290 | \$300 |
| (2)Resident Family Plus | \$380 | \$390 |
| (3)Resident Individual | \$155 | \$165 |
| (4)Resident Senior | \$55 | \$60 |

Resident Rates (after April 15):

| | | |
|--|------------------|-------|
| (1) Resident Family. (equivalent membership: one) | \$350 | \$360 |
| (2) Resident Family PLUS | \$440 | \$450 |
| (3) Resident Individual | \$165 | \$175 |
| (4) Senior | \$55 | \$60 |

Non Resident Rates:

MEMBERS FEES

| | | |
|-----------------------------|------------------|-------|
| (1) Nonresident family | \$475 | \$490 |
| (2) Nonresident Family PLUS | \$560 | \$575 |
| (3) Nonresident Individual | \$250 | \$265 |
| (4) Nonresident senior | \$150 | \$160 |

Section 2. Section **87-20** of Chapter 87, **Fees, Article 11 – Recreation Program Fees**, of the Code of the Borough of Metuchen, is hereby amended to add/change the permit fees to read as follows:

§ 87-20 – Fees Established.

| <u>Program</u> | Fee FROM | TO |
|---|---------------------|----------------|
| Programs: ADD Kinder Karate | - | 15.00 per hour |

COMMUNICATIONS CONSENT AGENDA

On a motion by Council President Cammarano, seconded by Councilman Wallace, with all in favor the Communications Consent Agenda items numbers 5-10 were approved.

5. Receipt and Acceptance of Traffic and Transportation Committee's December 14, 2011 meeting minutes.
6. Receipt and Acceptance of TV and Technology Committee's October 27, 2011 meeting minutes.
7. Receipt and Acceptance of Planning Board's May 19, 2011 meeting minutes.
8. Receipt and Acceptance of Zoning Board's April 14 and May 12, 2011 meeting minutes.
9. Receipt and Acceptance of Development Commission's October 5, November 2 and December 7, 2011 meeting minutes.
10. Receive and Accept Resignation of Sergeant Steven Menafro from the Police Department.

COUNCIL REPORTS

LIBRARY

Council President Cammarano stated that the Library Board will have their meeting later in the month

EMS

Council President Cammarano stated that the EMS will meet later on in the month.

Council President Cammarano stated that the Daytime EMS Service coverage by JFK began at 6am this morning.

POLICE AUXILLARY

Councilman Wallace stated that the Police Auxiliary members volunteered a total of 2,614 hours for the year.

DEVELOPMENT

Councilwoman Rasmussen stated the Development Commission has finished the Borough Business Brochure.

ENVIRONMENTAL

Councilwoman Rasmussen stated that the Environmental Commission and Shade Tree Commission are working in conjunction with Metuchen High School to beautify the outdoor learning space near the teachers lounge. Councilwoman Rubin stated that Earth Day is April 22nd and the Commission would like to plan an event at the Greenway if it has been completed. However if it is not completed a clean up day will occur at Centennial Park.

CABLE TV

Councilwoman Rasmussen attended the Cable TV meeting on Councilman Grayzel's behalf. The MeTV programming survey was discussed.

POOL

Councilman Muldoon discussed the Pool membership fee increases. Councilman Muldoon also stated that the Borough and Engineer are formulating a plan to make the pool meet the newer ADA requirements.

PARKING AUTHORITY

Councilman Muldoon stated that the Parking Authority will be meeting with the Pearl Street Development Committee to discuss the potential development of the Pearl Street Lot. A presentation will be made sometime in March to the Borough Council.

BOARD OF HEALTH

Councilman Grayzel stated that the Board of Health met on February 1st. Councilman Grayzel stated that the new Health Inspector for the Borough is Thomas Falcetto.

ARTS COUNCIL

Councilman Grayzel stated that the Arts Council met on January 30th. Councilman Grayzel stated that the Arts Council holds an Open Mic Night every 4th Friday from 6:30pm to 10pm at Brewed Awakenings.

REPORT OF BOROUGH ADMINISTRATOR

Borough Administrator Boerth stated that the Charles Field project is continuing to progress. Borough Administrator Boerth stated that the field surface has been lined and installed.

MAYOR'S REPORT

Mayor Vahalla stated that the daytime EMS Services with JFK started this morning. Mayor Vahalla stated that the new garbage truck should be here this week and that the new recycling and garbage pickup program is slated to begin March 1st. Mayor Vahalla stated that the Planning Board approved an application to help develop the old bicycle shop on Main Street.

CONSENT AGENDA

On a motion by Council President Cammarano, seconded by Councilwoman Rasmussen, with all in favor the New Business Consent Agenda item numbers 10 through 35 encompassing R2012-37 through R2012-62 were approved.

Resolution No. 2012-37 **Refund of 2011 Tax Overpayments**

WHEREAS, the following have made overpayment of taxes,

| Name | Block/Lot | Address | Amount | | Year |
|--|-----------|--------------------|------------|-------------|--------------------------|
| CitiMortgage for Dan & Mara Rosencrown | 61/27 | 32 Sharon Court | \$2,236.14 | Overpayment | 2011/4 th qtr |
| Wells Fargo Bank for Robert & Francita Guy | 51.3/34 | 417 Midland Ave | \$1,511.34 | Overpayment | 2011/3 rd qtr |
| Kevin & Natalie Critchley | 93/124 | 53 Christol Street | \$2,603.59 | Overpayment | 2011/4 th qtr |
| Jon & Theresa Pocchia | 78/34 | 2 Lynn Circle | \$2,258.00 | Overpayment | 2011/4 th qtr |

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

NOW, THEREFORE, BE IT RESOLVED, that the above listed property owner or agent be refunded property taxes as described in the amount of \$8,609.07.

Dated: February 6, 2012

RESOLUTION NO. 2012-38 **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:

| ESCROW ACCOUNT | AMOUNT | DEPOSITOR |
|----------------|--------|--|
| 10-911 E | 435.00 | George Jacobi 25 Vail Place |
| 11-916 E | 538.64 | Michael Petronella 75 Beacon Hill Drive |

Dated: February 6, 2012

RESOLUTION NO. 2012-39

**REAPPLY 2011 TAX OVERPAYMENT-BEACHER-31 WOODBRIDGE AVENUE-B195
L26.1**

WHEREAS, the following has made overpayment of 2011 taxes,

| Name | Block/Lot | Address | Amount | | |
|----------------------------|-----------|-------------------|------------|-----------------------------------|--------------------------------------|
| Ronald & Brenda Beacher | 195/26.1 | 31 Woodbridge Ave | \$4,175.66 | Overpayment of taxes-refinance | Apply to 2012/1 st qtr |

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

NOW, THEREFORE, BE IT RESOLVED, that the above listed property tax overpayment be applied as described, in the amount of \$4,175.66.

Dated: February 6, 2012

RESOLUTION NO.2012-40

**RESOLUTION TO CANCEL AND REFUND 2011 ADDED TAXES-47 BLAIR AVENUE-
B172 L26**

WHEREAS, a successful County Tax Appeal judgment was awarded to Block 172, Lot 26, 47 Blair Avenue, changing the assessed values for 2011 for added assessments from 47,400 to 19,700 for improvements for ten (10) months, and

WHEREAS, the reduction in taxes will be first applied to any 2010 delinquent tax balances and the balance refunded, and

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 2011 added assessment tax billing on Block 172, Lot 26 due to the successful County Tax Appeals including amendments, in the amount of \$1,187.16 resulting in a \$1,187.16 in refund.

Dated: February 6, 2012

RESOLUTION NO 2012-41

RESOLUTION AUTHORIZING LIEN REDEMPTIONS-

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

| Cert # | Block/Lot | Address | Lienholder |
|----------|-----------|-----------------|-----------------|
| 11-00005 | 112/12 | 342 Lake Ave | Crestar Capital |
| 11-00017 | 195/32 | 4-6-8 Amboy Ave | Crestar Capital |

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

Dated; February 6, 2012

RESOLUTION 2012-42

**RESOLUTION TO REDUCE 2009, 2010 AND 2011 TAXES-STATE COURT
JUDGEMENTS**

WHEREAS, a successful State Tax Court Appeal judgment was awarded to Block 44.1, lot 27.1, 131 Liberty Street for 2009, 2010, and 2011,

WHEREAS, the assessed value for this parcel changed for each year by a reduction in the assessed value of \$91,800.00,

WHEREAS, the stipulation of settlement requires that all reductions in taxes due to the

appeal be applied towards future taxes levied,

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 2009, 2010 and 2011 taxes on Block 44.1, Lot 27.1 in the amount of \$13,642.40 due to the successful State Tax Court Appeal for the years 2009, 2010, and 2011 including amendments, and apply the resulting tax overpayments to 2012 taxes in the amount of \$13,642.40.

Dated: February 6, 2012

RESOLUTION NO 2012-43

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR AFFORDABLE HOUSING/COAH MATTERS ATTORNEY AND TAX APPEAL ATTORNEY

WHEREAS, the Borough of Metuchen has a need to acquire the services of a Attorney for Affordable Housing/COAH issues and a Tax Appeal Attorney as a contract without competitive bidding (non fair and open) pursuant to the provisions of <N.J.S.A. 19:44A-20.4; and,

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$5,000; and,

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

WHEREAS, *David Frizell and Bruce Samuels of the firm Frizell and Samuels* has completed and submitted a Business Entity Disclosure Certification which certifies that *David Frizell and Bruce Samuels of the firm Frizell and Samuels* 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 *David Frizell and Bruce Samuels of the firm Frizell and Samuels* from making any reportable contributions through the term of the contract; and

WHEREAS, Bruce Samuels will be providing the services of Tax Appeal Attorney; and

WHEREAS, David Frizell will be providing the services of Affordable Housing/COAH Attorney; and

WHEREAS, the maximum combined amount of the contract is \$10,000.00 and funds will be available in the 2012 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 *David Frizell and Bruce Samuels of the firm Frizell and Samuels, 450 Main Street, Metuchen, NJ 08840*.

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 January 17, 2012

RESOLUTION NO.2012-44

RESOLUTION REFUNDING SIDEWALK ESCROW FEE #11-025 – LAWRENCE GORDON – 355 DURHAM AVENUE

WHEREAS, Lawrence Gordon posted \$48.00 for sidewalk escrow fees at 355 Durham Avenue; and

WHEREAS, the Planning Board Secretary has requested that the escrow fees be refunded to Lawrence Gordon,

NOW, THEREFORE, BE IT RESOLVED, that Lawrence Gordon be refunded \$48.00 from the Sidewalk Inspection Escrow account.

Dated: February 6, 2012

RESOLUTION NO.2011-45

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #11-023 – STEVE BARRETT
169 CHRISTOL STREET**

WHEREAS, Steve Barrett posted \$232.00 for apron and sidewalk escrow fees at 169 Christol Street; and

WHEREAS, the Planning Board Secretary has requested that the escrow fees be refunded to Steve Barrett,

NOW, THEREFORE, BE IT RESOLVED, that Steve Barrett be refunded \$232.00 from the Sidewalk Inspection Escrow account.

Dated: February 6, 2012

RESOLUTION NO.2012-46

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #11-022 – CAROLYN
ROBERTS – 68 GRAHAM AVENUE**

WHEREAS, Carolyn Roberts posted \$344.00 for apron and sidewalk escrow fees at 68 Graham Avenue; and

WHEREAS, the Planning Board Secretary has requested that the escrow fees be refunded to Carolyn Roberts,

NOW, THEREFORE, BE IT RESOLVED, that Carolyn Roberts be refunded \$344.00 from the Sidewalk Inspection Escrow account.

Dated: February 6, 2012

RESOLUTION NO. 2012-47

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE FOR
TIRES**

WHEREAS, there exists a need 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 T0123; and

WHEREAS, the maximum amount of the purchase of tires for the Borough of Metuchen is \$10,000.00 and funds will be available in the 2012 budget as evidenced by the Chief Financial Officer's Certification, of which \$10,000.00 is certified from the 2012 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: February 6, 2012

RESOLUTION NO. 2012-48

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE FOR
OFFICE SUPPLIES**

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

WHEREAS, this can be purchased through State Contract #77249; and

WHEREAS, the maximum amount of the purchase of office supplies for the Borough of Metuchen is \$12,600.00 and funds will be available in the 2012 budget as evidenced by the Chief Financial Officer's Certification of which \$12,600.00 is certified from the 2012 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:

2. The Chief Financial Officer and Borough Administrator are hereby authorized and directed to approve and forward a Purchase Order to **Staples Business, PO Box 415256, Boston, MA 02241-5256.**

RESOLUTION NO.2012-49
RESOLUTION AUTHORIZING RESERVE TRANSFERS

WHEREAS, there are unexpended balances in various 2011 appropriation reserve accounts not required for the balance of 2011; and

WHEREAS, additional sums are required for the operating expenses of other Borough accounts,

NOW, THEREFORE, BE IT RESOLVED, that the following transfers be approved:

| APPROPRIATION | TRANSFER IN | TRANSFER OUT |
|----------------------------------|------------------|------------------|
| PLANNING OE | | 5,000.00 |
| ADMINISTRATIVE & EXECUTIVE OE | 5,400.00 | |
| MAYOR & COUNCIL OE | 200.00 | |
| FINANCIAL ADMINISTRATION OE | | 9,000.00 |
| FINANCIAL ADMINISTRATION SW | | 6,500.00 |
| ELECTION OE | | 850.00 |
| PLANNING BOARD SW | | 1,500.00 |
| ZONING SW | | 3,000.00 |
| UNIFORM CONSTRUCTION CODE SW | | 5,000.00 |
| UNIFORM CONSTRUCTION CODE OE | | 3,100.00 |
| INSURANCE OE | | 400.00 |
| POLICE OE | 4,000.00 | |
| FIRE SW | | 1,100.00 |
| SOLID WASTE COLLECTION | 22,000.00 | |
| SEWERS OE | 7,000.00 | |
| STREET LIGHTING | 8,600.00 | |
| UTILITIES | 16,200.00 | |
| SOCIAL SECURITY | 4,450.00 | |
| MUNICIPAL COURT | 550.00 | |
| POLICE SW | | 32,950.00 |
| | | |
| TOTALS | 68,400.00 | 68,400.00 |

Dated: February 6, 2012

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

WHEREAS, Birdsall Engineers in a letter dated December 29, 2011 recommended the full release of the performance guarantee in the amount of \$380,365.69(posted in the form of surety bond) and 10 % cash portion in the amount of \$42,262.85 plus interest with the stipulation that a two year maintenance guarantee in the amount of \$139,184.34 be posted to the borough and payment of any outstanding fees and taxes; 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 Metuchen I, LLC, c/o The Maven Group, 7801 Norfolk Avenue, Suite 200, Bethesda, MD upon posting of a two year maintenance bond in the amount of \$139,184.34 and payment of any outstanding fees and taxes.

Dated: February 6, 2012

RESOLUTION NO. 2012-54
RESOLUTION AUTHORIZING RELEASE OF STREET OPENING BOND -11
CLIFFWOOD PLACE BLOCK 143.2 LOT 21

WHEREAS, on December 8, 2011 in accordance with the Borough of Metuchen Ordinance, \$500.00 was posted by Michael Mandell Plumbing and heating Inc. as the required Performance Guarantees for Street Opening #11-048 (2011)-11 Cliffwood Place; 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, Michael Mandell, 17 Oliver Street, Metuchen, NJ 08840 as recommended by the Director of Public Works.

Dated: February 6, 2012

RESOLUTION NO. 2012-55
APPOINTMENT OF FIREFIGHTER – Saguinsin

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

Dated: February 6, 2012

RESOLUTION NO. 2012-56

WHEREAS, the Borough of Metuchen desires to participate in a grant program by submitting an application to the New Jersey Department of Highway Traffic Safety for the Aggressive Driver Enforcement Grant,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen, county of Middlesex, that:

- 1) The Borough of Metuchen is hereby authorized to participate in the **AGGRESSIVE DRIVER ENFORCEMENT** Grant; and
- 2) The Chief of Police be and is hereby designated to serve as the coordinator of the Program on behalf of the Borough of Metuchen in cooperation with the Office of Highway Safety.

Dated: February 6, 2012

RESOLUTION NO. 2012-57

WHEREAS, the Borough of Metuchen desires to participate in a grant program by submitting an application to the New Jersey Department of Highway Traffic Safety for the Cell Phone Enforcement Grant,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen, county of Middlesex, that:

- 1) The Borough of Metuchen is hereby authorized to participate in the **CELL PHONE ENFORCEMENT** Grant; and
- 2) The Chief of Police be and is hereby designated to serve as the coordinator of the Program on behalf of the Borough of Metuchen in cooperation with the Office of Highway Safety.

Dated: February 6, 2012

RESOLUTION NO. 2012-58

WHEREAS, the Borough of Metuchen desires to participate in a grant program by submitting an application to the New Jersey Department of Highway Traffic Safety for the Pedestrian Safety Enforcement Grant,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen, county of Middlesex, that:

- 1) The Borough of Metuchen is hereby authorized to participate in the **PEDESTRIAN SAFETY ENFORCEMENT** Grant; and
- 2) The Chief of Police be and is hereby designated to serve as the coordinator of the Program on behalf of the Borough of Metuchen in cooperation with the Office of Highway Safety.

RESOLUTION NO. 2012-59

WHEREAS, the Borough of Metuchen desires to participate in a grant program by submitting an application to the Gannett Foundation for its bi-annual grant,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen, county of Middlesex, that:

- 1) The Borough of Metuchen is hereby authorized to participate in the **GANNETT FOUNDATION** Grant; and
- 2) The Borough of Metuchen be and is hereby designated to serve as the coordinator of the Program on behalf of the Borough of Metuchen in cooperation with the Gannett Foundation

RESOLUTION NO. 2012-60

RESOLUTION TO ADOPT CORRECTIVE ACTION PLAN

WHEREAS, pursuant to Division of Local Government Services, Local Finance Notice 92-15, all local units are required to prepare and submit a Corrective Action Plan as part of their annual audit process;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Metuchen, that the Corrective Action Plan in connection with the 2010 Audit, prepared by Chief Finance Officer Rebecca Cuthbert and attached to the original of this resolution, shall be and is hereby approved; and

BE IT FURTHER RESOLVED that copies of said Corrective Action Plan, as approved by the Borough Council, be forwarded to the Chief Financial Officer Rebecca Cuthbert and the N. J. Division of Local Government Services forthwith.

RESOLUTION NO.2012-61
RESOLUTION AUTHORIZING THE EXECUTION AND ENTRY INTO A TRAFFIC SIGNAL AGREEMENT BETWEEN THE STATE OF NEW JERSEY AND THE BOROUGH OF METUCHEN

WHEREAS, a traffic condition exists at the intersection of Route 27 and Lake Avenue, in the Borough of Metuchen, in the County of Middlesex, which requires the installation and operation of a semi-actuated traffic control signal with pedestrian push buttons and areas of image detection in order to minimize the possibility of accidents; and

WHEREAS, it is necessary to expedite the safe movement and conduct of pedestrian and vehicular traffic; and

WHEREAS, the State of New Jersey has indicated its willingness to install a traffic control signal at said intersection; and

WHEREAS, the State of New Jersey has proposed a form of Agreement pertaining to maintenance of said traffic signal, which the Borough of Metuchen has reviewed and revised to a form acceptable to the Borough of Metuchen;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk of the said Borough of Metuchen, be and are hereby authorized to enter into an Agreement with the State of New Jersey, acting through its Commissioner of Transportation, for the purpose aforesaid, a copy of the Agreement being attached hereto and made a part hereof

BE IT FURTHER RESOLVED that the Mayor and the Clerk of the Borough of Metuchen, be and hereby are authorized to execute the Agreement.

RESOLUTION NO. 2012-62
RESOLUTION AUTHORIZING THE EXECUTION AND ENTRY INTO A JURISDICTIONAL AGREEMENT BETWEEN THE STATE OF NEW JERSEY AND THE BOROUGH OF METUCHEN

WHEREAS, improvements will be made by the State along Route 27 in the Borough of Metuchen; and

WHEREAS, the above improvements will affect several Borough roadways; and

WHEREAS, in order to prevent future legal or maintenance issues in these areas, the State of New Jersey requested the Borough of Metuchen enter into "Jurisdictional Agreement" to apportion the jurisdiction for Highway Maintenance and Highway Control in an equitable manner pursuant to N.J.S.A. 27:7-1 et seq.; and

WHEREAS, the State of New Jersey has proposed a form of Agreement pertaining to the apportionment of jurisdiction for Highway Maintenance and Highway Control, which the Borough of Metuchen has reviewed and revised to a form acceptable to the Borough of Metuchen;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk of the said Borough of Metuchen, be and are hereby authorized to enter into a Jurisdictional Agreement with the State of New Jersey, acting through its Commissioner of Transportation, for the purpose aforesaid, a copy of the Agreement being attached hereto and made a part hereof

BE IT FURTHER RESOLVED that the Mayor and the Clerk of the Borough of Metuchen, be and hereby are authorized to execute the Jurisdictional Agreement.

BILL LIST

On a motion by Council President Cammarano, seconded by Councilwoman Rasmussen, with all in favor the bill resolution in the amount of **\$2,794,391.58** was approved.

PUBLIC COMMENT

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

Darryl Schaefer (232 Highland Avenue) commented on the new daytime ambulance services being provided by JFK.

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

ADJOURNMENT

On a motion by Council President Cammarano, seconded by Councilwoman Rasmussen, with all in favor the meeting was adjourned at 8:12pm.

Respectfully Submitted:

Kathryn Harris
Municipal Clerk