

BOROUGH COUNCIL
MINUTES –JUNE 18, 2012

A Regular Meeting of the Borough Council was held in the Council Chambers of Borough Hall on Monday, June 18, 2012. The Meeting was called to order at 7:30 p.m. by Mayor Vahalla. The Invocation given by Councilwoman Rubin 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 Wallace, Rasmussen, Muldoon, Grayzel, and Council President Cammarano.

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

AGENDA SESSION

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

Council President Cammarano removed Resolution No's. 2012-137 and Resolution No's. 2012-147-150 from the consent agenda.

A discussion ensued regarding the school crossing guard, Bob Moten, who recently passed away. Councilwoman Rubin would like to honor his memory with a plaque in his honor.

On a motion by Councilwoman Rubin, seconded by Councilman Wallace, with all in favor a plaque will be installed by the Borough at the intersection of Main Street and Talmadge Ave in honor of Bob Moten.

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

DISCUSSION

Ms. Shirley Bishop discussed Resolution Nos. 2012-136 and 2012-140. Ms. Bishop stated that Resolution No. 2012-136 is an update to the prior submitted spending plan. The revised spending plan sets aside \$37,125 for affordability assistance and \$48,000 for administration which will need to be spent by the year 2018. Resolution No. 2012-140 is a Memorandum of Understanding with the State of New Jersey to allow the Borough to allocate funds for Special Needs Housing as a partnership between the two entities. The Borough has agreed to provide up to \$150,000 for that partnership contingent on the amount the State will provide for such a project. The two resolutions are allowing the Borough to allocate its Affordable Housing Funds prior to the State seizing all funds collected prior to July of 2008 for non-commitment as well as protecting the additional \$150,000 in the Affordable housing Trust Fund account.

PUBLIC COMMENT

Mayor Vahalla opened the meeting for public comment.

Patty Baine Blake (42 Edith Avenue) stated her concerns regarding the Brownstone Bar and Grill. Ms. Baine would like to have the 10 o'clock noise ordinance curfew enforced and to rearrange the outside dining areas as to have the speakers face Route 27 and not towards the homes in the area.

Bridgette Guarini (Local 32 BJ) stated her concerns regarding Avalon Bay Builders and their position regarding unions in the workplace.

Mayor Vahalla stated that the project has not been brought to the Borough as of yet.

Lisa McAllister (Local 32 BJ) stated that she would like to leave additional information for the Council to review.

Mike Anastasia (Brownstone Owner) stated that he would like to work with both the Borough and the residents of Metuchen to address any concerns that come about.

Beatrice Moskowitz(279 Middlesex Avenue) praised the job preformed by the Metuchen Fire Department during the last storm.

Alex Hirschenfang(20 Edith Avenue) addressed his concerns regarding the Brownstone.

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

ORDINANCES-PUBLIC HEARING

Borough Clerk Harris presented the affidavit of publication regarding Ordinance 2012-5

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 Clerk Harris read Ordinance 2012-5 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 2012-5 be approved on second reading and published according to law.

Roll Call Vote:

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

Nays: None

Abstentions: None

Motion Carried.

ORDINANCE NO. 2012-5

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF METUCHEN, CHAPTER 37 THEREOF, ENTITLED POLICE DEPARTMENT.

BE IT ORDAINED, by the Municipal Council of the Borough of Metuchen that the Code of the Borough of Metuchen, Chapter 37, entitled "Police Department" is hereby amended as follows:

REPEAL AND REPLACE

§ 37-1 Composition; appointment.

[Amended 5-16-1969 by Ord. No. 69-12; 11-17-1969 by Ord. No. 69-30; 6-7-1971 by Ord. No. 71-9; 2-3-1986 by Ord. No. 86-2; 9-15-1997 by Ord. No. 97-20; 2-4-2002 by Ord. No. 2002-4; 4-21-2008 by Ord. No. 2008-9]

The Police Department of the Borough of Metuchen shall consist of no more than one Chief of Police, one Captain of Operations/Deputy Chief, one Lieutenant, six Sergeants, three Detectives and 17 Patrol Officers, and such employees as the Borough Council may from time to time appoint.

§ 37-35 Procedure for promotion from patrol officer to Sergeant.

[Amended 7-7-1986 by Ord. No. 86-16; 11-17-1986 by Ord. No. 86-26; 11-4-1991 by Ord. No. 91-22]

A. Procedure.

(1) The promotional procedure to the position of Sergeant from that of patrol officer within the Department shall be compromised of the following criteria:

- (a) Seniority and service.
- (b) Evaluation of the Chief of Police.
- (c) Evaluation of the Captain of Operations.
- (d) Evaluation of the Lieutenant of Patrol
- (e) Evaluation of the Borough Administrator.
- (f) A score of at least 65 on an oral examination administered by the New Jersey State Association of Chiefs of Police. Once the test scores are calculated, candidates will be ranked by their score with the best score being first and the lowest score being last. Any candidates scoring less than a 65 will be eliminated from the remainder of the process.

(2) The weight assigned to each of the afore stated criteria for the purposes of ranking the candidate shall be as follows:

Promotional Criteria	Max Points Per Category
Seniority and Service	20
Chief of Police Evaluation	65
Captain of Operations Evaluation	30
Lieutenant of Patrol Evaluation	20
Borough Administrator Evaluation	65

Seniority. In accordance with the chart set forth above the maximum 20 points for seniority and service shall be determined for each candidate by allotting 1 point per year for each of the first 15 years in service and 1/2 point for each year of service between a candidate's 16th through 25th year of service. Additionally, no patrol officer shall be eligible for a promotion to the position of Sergeant until he/she has served with the Borough of Metuchen Police Department as a sworn law enforcement officer for at least five complete years. Fractional years of service shall not be calculated in the numbers of whole years, for purposes of the calculation of points and shall be determined as of the date when the position is to be made available.

- B. Police Chief Evaluation. The Chief of Police shall allot to each individual candidate a mathematical score, up to a maximum of 65 points, based upon an evaluation which shall consider past performance, leadership skills, management skills, personal strengths and weaknesses and other factors reasonably considered by the Chief to be related to the responsibilities of the position of Sergeant.
- C. Captain of Operations Evaluation. The Captain of Operations shall make a similar, but independent, appraisal of the individual candidates based upon the same factors as the Chief of Police, with a maximum point total of 30 points.
- D. Lieutenant of Patrol Evaluation. The Lieutenant of Patrol shall make a similar, but independent, appraisal of the individual candidates based upon the same factors as the Chief of Police and Captain of Operations, with a maximum point total of 20 points.
- E. Borough Administrator Evaluation. The Borough Administrator shall assign a point total, up to 65 points, based upon the Administrator's estimate of the personality strengths and weaknesses, leadership and supervisory qualities, ease and skill in interacting with the public, management skills and other qualities reasonably considered as relevant to the responsibilities of the position of Sergeant.
- F. Selection Process. The individuals with the top three scores will be interviewed by the Mayor and Borough Council. If a promotion is made, the Mayor and Borough Council shall promote any one of the top three candidates, regardless of ranking. If there are two sergeant positions available, the top four candidates will be interviewed by the Mayor and Borough Council. For each additional position available one candidate will be added to the interview.
- G. Maintenance of Ranking List. Once posted, the ranking list shall remain in effect for up to two years, unless the Mayor and Council exercises its discretion to call for a new test because additional candidates would be eligible for consideration to the position of Sergeant or the Mayor and Borough Council exercises its discretion to extend the list beyond two years for a period of time determined by the Mayor and Council.
- H. Removal from list. The name of any candidate may be removed from the list based on disciplinary action taken by the Department against the candidate after the list has been established.

COMMUNICATIONS AGENDA

On a motion by Council President Cammarano, seconded by Councilwoman Rasmussen, with all in favor the Communication Consent Agenda items numbered 5-9 were approved.

- 5. Receive and Accept Municipal Alliance Minutes of May 10, 2012.
- 6. Receive and Accept Environmental Commission Minutes of March 21, 2012 and April 18, 2012.
- 7. Receive and Accept Planning Board Minutes of June 16, 2011, August 18, 2011, September 15, 2011, October 6, 2011, December 1, December 15, 2011, January 5, 2012 and January 19, 2012.

8. Receive and Approve Block Party for Charles Street on July 7, 2012.
9. Receive and Approve Block Party on Milton Street on Saturday June 23, 2012 (Rain date Sunday June 24, 2012).

COUNCIL REPORTS

Council President Cammarano stated that the Police Department is continuing to enforce Pedestrian Safety as well as cell phone usage.

Council President Cammarano stated that the Library's Summer Film Festival will begin on Monday July, 9th. He also stated that the children's summer program of events have been scheduled and are available on the Borough website or at the Library.

TRAFFIC AND TRANSPORTATION

Councilman Wallace stated that the committee is attempting to discuss the possibility have the crossing guard hours extended at the Christol Street and Grove Avenue intersection for after school activities.

Mayor Vahalla stated that this request has been discussed with the Chief of Police who would like to have the crosswalk markings repainted.

Councilwoman Rubin stated that Build with A Purpose is an organization that is dedicating time and supplies to help beautify two locations in town.

Councilwoman Rubin stated that the Farmer's Market began this past weekend. The Farmers Market vendors have agreed to donate any produce that is not sold to Camp Kitty Keep Well.

DEVELOPMENT

Councilwoman Rasmussen stated that she would like to have a liaison to attend the Chamber of Commerce meetings to ensure open communication with both organizations on ideas on how to bring more shoppers and pedestrian traffic through the Borough.

SHADE TREE

Councilwoman Rasmussen stated that the Shade Tree Commission is continuing to walk around town in an effort to inventory the Borough trees planted since 2009.

MUNICIPAL ALLIANCE/YOUTH SERVICE

Councilwoman Rasmussen stated that the Municipal Alliance/Youth Services Board would like to promote the Safe Homes Program in the Borough. This program helps parents to decide what parties their children can safely attend by having all participating homes sign a petition that states that no alcohol will be served to minors in that particular home.

Councilwoman Rasmussen stated that the next Town Talks meeting will take place on August 7th at 6pm at the Senior Citizens Center followed by National Night Out in the Friendly's Parking Lot.

POOL

Councilman Muldoon stated that the Pool opens as of June 21st with its regular season hours. Councilman Muldoon also stated that new membership cards are being issued this year so all members must have a new picture taken for the new card scanning system.

PARKING AUTHORITY

Councilman Muldoon stated that the proposals for the Pearl Street Lot Development were received today from both Woodmont and Avalon Bay and will be presented at tomorrow nights regularly scheduled Parking Authority meeting.

REPORT OF BOROUGH ATTORNEY

Borough Attorney Murphy had no report.

REPORT OF BOROUGH ADMINISTRATOR

The Borough Administrator had no report.

REPORT OF MAYOR

Mayor Vahalla reported that the Fire Department in the month of May responded to 25 alarms, 184 hours of fire alarms and emergencies, 153 hours of drills and training and the cadets provide 18 volunteer hours.

NEW BUSINESS/CONSENT AGENDA ITEMS

On a motion by Council President Cammarano, seconded by Councilwoman Rubin, with all in favor except for 2012-140 where Councilman Grayzel abstained, the New Business Agenda items numbered 10-23, encompassing Resolution #'s 2012-136, and R2012-138-146 and R2012-151-154 were approved.

RESOLUTION NO.2012-136

BOROUGH OF METUCHEN RESOLUTION REQUESTING REVIEW AND APPROVAL OF AN UPDATED TRUST FUND SPENDING PLAN

WHEREAS, the Governing Body of Metuchen Borough, Middlesex County petitioned the Council on Affordable Housing (COAH) for substantive certification on December 30, 2008; and

WHEREAS, Metuchen Borough first received approval from COAH on September 21, 1998 of its development fee ordinance; and

WHEREAS, the development fee ordinance establishes an affordable housing trust fund that includes development fees, payments from developers in lieu of constructing affordable units on-site, barrier free escrow funds, rental income, repayments from affordable housing program loans, recapture funds, proceeds from the sale of affordable units; and

WHEREAS, N.J.A.C. 5:97-8.1(d) requires a municipality with an affordable housing trust fund to receive approval of a spending plan from COAH prior to spending any of the funds in its housing trust fund; and

WHEREAS, N.J.A.C. 5:97-8.10 requires a spending plan to include the following:

1. A projection of revenues anticipated from imposing fees on development, based on pending, approved and anticipated developments and historic development activity;
2. A projection of revenues anticipated from other sources, including payments in lieu of constructing affordable units on sites zoned for affordable housing, funds from the sale of units with extinguished controls, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, and interest earned;
3. A description of the administrative mechanism that the municipality will use to collect and distribute revenues;
4. A description of the anticipated use of all affordable housing trust funds pursuant to N.J.A.C. 5:97-8.7, 8.8, and 8.9;
5. A schedule for the expenditure of all affordable housing trust funds;
6. If applicable, a schedule for the creation or rehabilitation of housing units;
7. A pro-forma statement of the anticipated costs and revenues associated with the development if the municipality envisions supporting or sponsoring public sector or non-profit construction of housing; and
8. A plan to spend the trust fund balance as of July 17, 2008 within four years of the Council's approval of the spending plan, or in accordance with an implementation schedule approved by the Council;
9. A plan to spend and/or contractually commit all development fees and any payments in lieu of construction within three years of the end of the calendar year

in which funds are collected, but no later than the end of third round substantive certification period;

10. The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan; and
11. A description of the anticipated use of excess affordable housing trust funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation.

WHEREAS, Metuchen Borough has updated its spending plan consistent with N.J.A.C. 5:97-8.10 and P.L. 2008, c.46.

NOW THEREFORE BE IT RESOLVED that the Governing Body of Metuchen Borough, Middlesex County requests that COAH review and approve Metuchen's updated spending plan.

Dated: June 18, 2012

RESOLUTION NO. 2012-138

RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE COUNTY OF MIDDLESEX, DIVISION OF SOLID WASTE MANAGEMENT AND THE BOROUGH OF METUCHEN FOR THE E-WASTE SUBSIDY PROGRAM

WHEREAS, Middlesex County is proactive in addressing environmental issues such as the proper recycling of consumer electronics; and

WHEREAS, effective January 1, 2011, recycling of certain consumer electronics is mandatory in the State of New Jersey; and

WHEREAS, the County has entered into a contract with Sims Recycling Solutions to accept residentially generated consumer electronics; and

WHEREAS, the County is seeking to provide a financial incentive that will assist municipalities in properly recycling the consumer electronics that they collect curbside or at their drop-off centers; and

WHEREAS, the County and Municipality are authorized to enter into this Agreement pursuant to N.J.S.A. 40A:11-5(2);

NOW, THEREFORE, in consideration of mutual covenants and conditions between the parties, the sufficiency of which is hereby acknowledged, the County and Municipality hereby agree as follows:

1. The County shall provide a subsidy of the cost of collection, storage, and transportation of covered electronics by the municipality. All covered electronics collected by the municipality must be brought to or picked up by the County's contractor, Sims Recycling Solutions, 401 Mill Road, Edison, NJ 08837 or other future designated contracted vendor(s). Covered electronics are defined as including computers (desktops and laptops), monitors (cathode-ray tube and flat panel), and televisions (cathode-ray tube and flat panel).
2. All non-covered consumer electronics will be accepted by the County's contractor at no charge to each municipality, providing that the municipality is delivering/causing to be delivered to the County's contractor all covered electronics. Non-covered electronics include cell phones, copiers, digital cameras, DVD players, e-book readers, fax machines, keyboards, MP3 players, modems, mouse's, personal digital assistants (PDAs), printers, scanners, stereo and radio equipment, telephones, VCRs, and any products that contain rechargeable batteries.
3. The Municipality shall collect, store, and transport all consumer electronics in a manner that will prevent weather damage or cause such items to arrive at the Contractor's facility broken.
4. The subsidy for covered electronics will be established by the Middlesex County Division of Solid Waste Management (DSWM) upon determination of the amount of available funding. The DSWM will utilize documentation provided by the contractor to allocate the appropriate amount of funding to each municipality. The subsidy will be provided in February 2013 based upon weight of covered electronics recycled by each municipality in 2011 and 2012. A second reimbursement will be provided in February 2014 based upon weight of covered electronics recycled in 2013.
5. Municipalities that deliver/cause to be delivered covered electronics to a vendor other than the County's contractor will not be able to participate in the remaining aspects of the contract,

including the delivery of consumer electronics and mercury containing devices to the contractor's facility by residents.

6. The Municipality shall hold harmless and save, protect and indemnify, the County, and their respective officials, members, agents and employees from any damages, suits, or claims for damages to persons or property which arise out of the actions or failure to act of the Municipality and/or its employees or agents in carrying out the provisions of this Agreement.
7. This Agreement shall be for a two-year (24 month) period commencing on January 1, 2012 or for such shorter period as may be dictated by the exhaustion of available funds. Any party may terminate this Agreement by providing a thirty (30) day written notice to the other parties hereto.
8. Merger Clause. This Agreement constitutes the entire Agreement and understanding between the parties in relation to its subject matter, and supersedes all previously and contemporaneous agreements, understandings, representations and warranties between the parties.
9. Modifications. The terms and conditions in this Agreement, including any schedules herein or attached hereto, may be modified at any time by mutual agreement of the parties in writing duly signed by their authorized representatives.
10. Notices. Any notice or consent required or permitted hereunder shall be in writing and shall be delivered to the other party by registered or certified mail, return receipt requested, overnight mail, and addressed to the party as set forth below or to such other address as said party may have specified by notice given in writing to the other party:

To the County:

County of Middlesex
Division of Solid Waste
Management 711 Jersey Avenue
New Brunswick, NJ 08901

To the

Municipality:

Borough of Metuchen

Metuchen Municipal

Bldg.

500 Main Street

Metuchen, NJ 08840

11. Governing Law. This agreement and any questions concerning its validity, construction and performance shall be governed by the laws of the State of New Jersey.
12. Severability. In the event that any provision of this Agreement, for any reason, shall be determined to be invalid, illegal or unenforceable in any respect, the parties hereto shall negotiate in good faith and agree to such amendments to this Agreement or to such other appropriate actions as, to the maximum extent practicable in light of such determination, shall implement and give effect to the intentions of the parties as reflected herein and any other provisions of this Agreement, as so amended, shall remain in full force and effect.

Dated: June 18, 2012

RESOLUTION NO. 2012-139

**RESOLUTION AMENDING RESOLUTION NO.2012-22- AWARD OF CONTRACT
FOR BOROUGH LABOR RELATIONS ATTORNEY**

WHEREAS, on January 3, 2012 the Borough of Metuchen had a need to acquire the services of a Borough Labor Relations Attorney as a fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and,

WHEREAS, Requests for Qualifications were received on December 21, 2011 and reviewed by the Borough Administrator; 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 the calendar year 2012; and,

WHEREAS, the original agreement stipulated that the maximum amount of the contract shall not exceed \$15,000 and funds shall be available in the 2012 budget as evidenced by the Chief Financial Officer's Certification; and,

WHEREAS, the Borough has deemed it necessary to dedicate an additional \$5,000 for continued services; and,

WHEREAS, the new maximum amount of the contract shall not exceed \$20,000 and funds shall be available in the 2012 budget as evidenced by the Chief Financial Officer's Certification.

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

1. The Chief Financial Officer is hereby authorized and directed to amend the agreement with the firm of Apruzzese, McDermott, Mastro and Murphy, 25 Independence Boulevard, Liberty Corner, NJ 07938.
2. A notice of this action shall be printed once in The Home News Tribune.

Dated: June 18, 2012

RESOLUTION NO.2012-140

RESOLUTION ALLOCATING MONEY FROM MUNICIPAL AFFORDABLE HOUSING TRUST FUND TO THE SPECIAL NEEDS HOUSING PARTNERSHIP

WHEREAS, the Governing Body of Metuchen, Middlesex County has approval to establish and administer an Affordable Housing Trust Fund (AHTF) that includes development fees, payments from developers in lieu of constructing affordable units on-site, barrier free escrow funds, rental income, repayments from affordable housing program loans, recapture funds, proceeds from the sale of affordable units; and

WHEREAS, Metuchen wishes to participate in the Special Needs Housing Partnership established through the Departments of Community Affairs (DCA) and Human Services (DHS) and the New Jersey Housing Mortgage and Finance Agency (HMFA); and

WHEREAS, AHTF monies may be allocated for affordable supportive/special needs housing within Metuchen; and

WHEREAS, by allocating up to \$150,000.00 to the Special Needs Housing Partnership from its Affordable Housing Trust Fund, Metuchen will provide the funding for the acquisition and rehabilitation of special needs housing within its borders; and

WHEREAS, the Borough of Metuchen also wishes to enter in a Memorandum of Understanding with DHS and HMFA, which understanding will coordinate the efforts of the parties to create appropriate housing for individuals with developmental disabilities in the community through the purchase and conversion of existing residential properties within the municipality.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Metuchen, Middlesex County hereby allocates up to \$150,000 for use by the Special Needs Housing Partnership, as needed for the acquisition of "Berenger House", on Grove Avenue in Metuchen.

MAY IT FURTHER BE RESOLVED THAT the Governing Body of Metuchen hereby authorizes Mayor Thomas Vahalla to execute the MOU with HMFA and DHS on behalf of the municipality.

Dated: June 18, 2012

RESOLUTION NO. 2012-141

RESOLUTION AMENDING R2012-87 AND R2012-88 AUTHORIZING STATE CONTRACT PURCHASE FOR REGULAR UNLEADED FUEL AND DIESEL FUEL-

WHEREAS, there exists a need to purchase **regular unleaded fuel and diesel fuel** for the Borough of Metuchen, in the County of Middlesex, State of New Jersey; and

WHEREAS, this can be purchased through State Contract #A80913 and or T0083 for regular unleaded fuel and State Contract #A81398 and or T0077 for diesel fuel; and

WHEREAS, the resolution encompasses previous authorizations to both Taylor Oil Co., Inc., 77 Second Street, Somerville, NJ 08876 in the amount of \$36,124.21 and Petroleum Traders Corp. 7110 Pointe Inverness Way, Ft. Wayne, IN 46804 in the amount of \$20,000.00; and

WHEREAS, the additional maximum amount of the purchase of regular unleaded fuel and diesel fuel for the Borough of Metuchen is \$95,000.00 for a total not to exceed \$95,000.00 and funds will be available in the 2012 budget as evidenced by the Chief Financial Officer's Certification of which \$95,000.00 is certified from the 2012 budget, subject to adjustment to the amount of award; 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 **Rachles Michele Oil Company, 116 Kuller Road, Clifton, NJ 07011.**

Dated: June 18, 2012

RESOLUTION NO.2012-142

RESOLUTION TO REDUCE 2009 AND 2010 TAXES-STATE TAX APPEAL

WHEREAS, a successful State Tax Court Appeal judgment was awarded to Block 150, Lot 51, 23 Graham Avenue for 2009 and 2010

WHEREAS, the assessed value for this parcel changed for each year by a reduction in the assessed value of \$10,000.00,

WHEREAS, the reduction in taxes for the above referenced Block and Lot for 2009 is \$247.49 and \$494.60 for 2010,

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 and 2010 taxes on Block 150, Lot 51 in the amount of \$742.09 due to the successful State Tax Court Appeal for the years 2009 and 2010, including amendments, and refund the resulting tax overpayment in the amount of \$742.09.

Dated: June 18, 2012

RESOLUTION NO.2012-143

REAPPLY 2011 AND 2012 TAX OVERPAYMENTS

WHEREAS, the following has made overpayment of 2011 and 2012 taxes,

Name	Block/Lot	Address	Amount		Year
CoreLogic for Robert & Mary Coscia	184/63	32 Home Street	\$2,799.08	Apply to 2012/3 rd qtr	2012/2 nd qt
Johnmg LLC	127/22 C236	236 Bridge Street	\$30.00	Apply to 2012 2 nd qtr	2011/1 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 \$2,829.08.

Dated: June 18, 2012

RESOLUTION NO.2012-144

RESOLUTION APPROVING CERTAIN TAX COMPLIANCE PROCEDURES AND OTHER RELATED ACTIONS

WHEREAS, the Borough Council of the Borough of Metuchen (the "Council"), in County of Middlesex, New Jersey (the "Borough"), has previously issued and expects to continue to issue tax-exempt obligations for the purposes of financing the costs of various capital improvements in the Borough; and

WHEREAS, it is necessary in connection with the issuance of such tax-exempt obligations to implement certain compliance procedures required by the Internal Revenue Code of 1986, as amended (the "Code");

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF METUCHEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY that:

Section 1. The Chief Financial Officer of the Borough is hereby appointed as the Tax Compliance Officer with respect to all outstanding tax-exempt obligations previously issued by the Borough and all future tax-exempt obligations to be issued by the Borough in order for the Borough to comply with the requirements of the Code and regulations promulgated thereunder.

Section 2. The Post Issuance Compliance Guide, which is on file in the office of the Tax Compliance Officer, is hereby approved by the Council and the Council hereby authorizes the Tax Compliance Officer to update such Guide, in consultation with Bond Counsel, as is required from time to time in order to comply with the requirements of the Code and the regulations promulgated thereunder.

Section 3. This resolution shall take effect immediately.

Dated: June 18, 2012

RESOLUTION NO. 2012-145

RESOLUTION AUTHORIZING THE RENEWAL OF ALL OF THE BOROUGH'S \$944,760 BOND ANTICIPATION NOTES, SERIES 2011B DATED JUNE 29, 2011, AND AUTHORIZING BONDS IN THE SUM OF \$770,070 AUTHORIZED BY ONE BOND ORDINANCE HERETOFORE ADOPTED TO FINANCE VARIOUS CAPITAL IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF METUCHEN, COUNTY OF MIDDLESEX, NEW JERSEY, AND PROVIDING FOR OTHER DETAILS OF SAID ISSUE.

WHEREAS, the Borough Council of the Borough of Metuchen, County of Middlesex, New Jersey (the "Borough") has heretofore adopted one bond ordinance to finance part of the costs of the construction and acquisition of various capital improvements in, by and for the Borough (the "Ordinance"); and

WHEREAS, the Borough has not previously funded any of the bonds authorized by the Ordinance and it is desirable to issue bond anticipation notes pursuant to the Ordinance; and

WHEREAS, the Borough has heretofore issued its Bond Anticipation Notes, Series 2011B dated June 29, 2011 in the aggregate principal amount of \$994,760 (the "Prior Notes"); and

WHEREAS, the Prior Notes mature on June 28, 2012 and it is desirable to renew the Prior Notes in the amount permitted by and pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the Revised Statutes of New Jersey (the "Local Bond Law"); and

WHEREAS, it is advisable and in the best interests of the Borough, for the purpose of the orderly marketing of said notes and for other financial reasons, to combine the notes authorized under the Ordinance and the Prior Notes to be renewed into one issue in an aggregate principal amount of not more than \$1,714,830 (collectively, the "Notes") pursuant to the Local Bond Law; now, therefore,

BE IT RESOLVED by the BOROUGH COUNCIL OF THE BOROUGH OF METUCHEN, in the County of Middlesex, New Jersey as follows:

SECTION 1. That the Notes shall be renewed as one issue and shall be in such denomination or denominations, shall bear such number or numbers, such date or dates of issue and maturity, and such rate or rates of interest, as may be determined in the manner and in accordance with the applicable provisions of the Local Bond Law. The Notes shall be entitled "Bond Anticipation Notes, Series 2012B" (the "Notes").

SECTION 2. That all of the Notes shall be signed by the manual or facsimile signatures of the Mayor of the Borough and the Chief Financial Officer of the Borough and the corporate seal of the Borough shall be affixed thereto, attested by the manual signature of the Clerk of the Borough, and shall be payable, both as to principal and interest, to the purchaser thereof, and shall be in substantially the form as attached hereto as Exhibit A and made a part hereof.

SECTION 3. That the Chief Financial Officer of the Borough be and she hereby is authorized and directed to determine all matters in connection with the Notes not determined by this or a subsequent resolution and her signature upon the Notes shall be conclusive as to such determinations.

SECTION 4. That the Chief Financial Officer of the Borough be and she hereby is authorized to take all actions necessary to sell the Notes at public or private sale in such amount as she may determine at not less than par and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to the date of delivery thereof and payment therefor.

SECTION 5. That any instrument issued pursuant to this resolution shall be a general obligation of the Borough, and the Borough's full faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

SECTION 6. That the Chief Financial Officer of the Borough be and she hereby is authorized and directed to report in writing to the Borough Council at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this resolution is made, such report to include the principal amount, description, interest rate and maturity of the Notes sold, the price obtained and the name of the purchaser.

SECTION 7. That the portion of the Notes attributed to the renewal of the Prior Notes will be "deemed designated" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code") (relating to an exception to the disallowance of interest expense of certain

financial institutions allocable to tax-exempt interest) and the portion of the Notes financing the improvements provided for by the Ordinance are hereby designated as “Qualified Tax-Exempt Obligations” for purposes of Section 265(b)(3) of the Code. The Chief Financial Officer of the Borough is hereby authorized and directed to satisfy any reporting requirements made necessary by any Federal rules and regulations with respect to such designation and deemed designation of the Notes.

SECTION 8. That the Mayor of the Borough, the Chief Financial Officer of the Borough and the Clerk of the Borough are hereby authorized to execute all documents necessary for the sale and delivery of the Notes.

SECTION 9. That this resolution shall take effect immediately.

RESOLUTION NO.2012-146
RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATION NJSA 40A:4-87-CLEAN COMMUNITIES GRANT

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 \$20,196.13, which is now available from the State of New Jersey Solid Waste Administration for Clean Communities Grant in the amount of \$20,196.13.

BE IT FURTHER RESOLVED, that the like sum of \$20,196.13 is hereby appropriated under the caption Clean Communities Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from State of New Jersey Solid Waste Administration in the amount of \$20,196.13.

Dated: June 18, 2012

RESOLUTION NO.2012-151
RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATION NJSA 40A:4-87- ICF INTERNATIONAL SAMHSA-TOWN HALL
MEETING GRANT

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 \$500.00, which is now available from ICF International – Contractor for SAMHSA – Town Hall Meeting-Municipal Alliance Grant,

BE IT FURTHER RESOLVED, that the like sum of \$500.00 is hereby appropriated under the caption ICF International-SAMHSA-Town Hall Meeting Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from ICF International – Contractor for SAMHSA – Town Hall Meeting-Municipal Alliance Grant in the amount of \$500.00.

Dated: June 18, 2012

RESOLUTION NO.2012-152

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87-MUNICIPAL COURT ALCOHOL EDUCATION, REHABILITATION, AND ENFORCEMENT FUND GRANT

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 \$593.59, which is now available from the State of New Jersey Administrative Office of the Courts for a Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund Grant in the amount of \$593.59.

BE IT FURTHER RESOLVED, that the like sum of \$593.59 is hereby appropriated under the caption Alcohol Education, Rehabilitation and Enforcement Fund Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from State of New Jersey Administrative Office of the Courts for a Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund Grant in the amount of \$593.59.

Dated: June 18, 2012

RESOLUTION NO. 2012- 153

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
11-925 E	592.20	James Reno 212 Main Street
11-934 E	681.94	Joseph Micele 279 Central Avenue

Dated: June 18, 2012

RESOLUTION-2012-154

RESOLUTION ESTABLISHING BOROUGH OF METUCHEN GREEN TEAM FOR PARTICIPATION IN THE SUSTAINABLE JERSEY CERTIFICATION PROGRAM

WHEREAS, the Borough Council and Administrator of Borough of Metuchen strive to implement ways to save tax dollars while assuring clean air and water, protecting ecological resources, and building a community that is sustainable economically, environmentally and socially; and

WHEREAS, Borough of Metuchen is seeking guidance and certification from the Sustainable Jersey program, which requires the Borough to designate a Green Team advisory committee to lead and coordinate the sustainability activities of the community; and

WHEREAS, The Borough's Green Team will leverage the skills and expertise of team members to develop plans, implement programs, and assist with educational opportunities that support the creation of a sustainable community; and

WHEREAS, The Green Team will represent Borough of Metuchen's diverse array of stakeholders, and harness the power of the community-at-large to shift the municipality toward a sustainable future.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Metuchen in the County of Middlesex, State of New Jersey, authorizes the designation of Environmental Commission as Borough of Metuchen's Green Team for the Sustainable Jersey Program and for purposes of applying for Sustainable New Jersey Grants.

BE IT FURTHER RESOLVED that the Green Team as created by the within Resolution shall be advisory in nature and shall not have the authority to bind the Borough of Metuchen without further action by the Mayor, Council and/or Administrator.

BE IT FURTHER RESOLVED that the Green Team shall periodically report and make recommendations to the Mayor, Borough Council and Administration of its activities and action to be taken by the Borough.

ITEMS REMOVED FROM CONSENT AGENDA

On a motion by Councilwoman Rubin, seconded by Councilwoman Rasmussen, with all in favor, except Council President Cammarano who abstained, the New Business Agenda item number 24, Resolution #2012-137 was approved.

RESOLUTION NO.2012-137

**RESOLUTION AUTHORIZING RETENTION OF
CONFLICT TAX APPEAL ATTORNEY AND
CONFLICT TAX APPEAL ASSESSOR**

WHEREAS, the Borough of Metuchen has a need to retain a Conflict Tax Appeal Attorney and Conflict Tax Appeal Assessor to represent the Borough of Metuchen in connection with tax appeals pending at the Middlesex County Tax Board by one or more members of the governing body; and

WHEREAS, the regular Borough Tax Appeal. Attorney, Bruce Samuels, Esq., and the Tax Assessor, Robert J. Sweeney, cannot handle said appeal(s) as they present a conflict; and

WHEREAS, David Lonski, Esq. will be providing the services of Conflict Tax Appeal Attorney; and

WHEREAS, Frank Colon will be providing the services of Conflict Tax Assessor, to the extent necessary;

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

1. David Lonski, Esq. and Frank Colon are hereby authorized to represent the Borough at the Middlesex County Tax Board in connection with any appeal(s) by one or more members of the governing body and to resolve said appeal(s) by Stipulation.
2. David Lonski, Esq. and Frank Colon shall each be compensated for their representation on an hourly basis not to exceed \$150.00 per hour for David Lonski, Esq. and \$50.00 per hour for Frank Colon.
3. 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; and
4. A notice of this shall be printed once in The Home News Tribune.

Dated: June 18, 2012

RESOLUTION NO.2012-149

On a motion by Council President Cammarano, seconded by Councilwoman Rasmussen, with all in favor, the New Business Agenda item number 27, Resolution #2012-149 was approved with stipulations.

Mayor Vahalla opened this resolution for discussion.

The public, Business owner and the Borough Council discussed the many issues regarding the Brownstone liquor license.

The Borough Council has agreed to renew the said license with the following conditions.

Special Conditions:

1. Unless the Council adopts a Resolution to permit a subsequent or permanent

- amendment to the License; the permission to use the outdoor area for service/consumption of alcohol shall expire on June 30, 2013.
2. Any music live or recorded shall cease in the outdoor area at 10:00 p.m., seven days a week. After 10:00 p.m., the Applicant shall keep the doors shut in order to ensure compliance with the Borough's concerns related to the outdoor area's use.
 3. All of the prior conditions of approval for the use of the outdoor area shall be strictly complied with.
 4. The speakers utilized for live or recorded music for the outdoor area shall be re-positioned to face highway 287.

RESOLUTION NO. 2012-149

RESOLUTION AUTHORIZING LIQUOR LICENSE RENEWAL FOR SK & SK INC. T/A BROWNSTONE BAR AND GRILL WITH THE SPECIAL CONDITIONS

WHEREAS, the following applicants for Plenary Retail Consumption, Plenary Retail Distribution, and Club licenses have complied with the provisions of R.S. Title 33, Intoxicating Liquors, C.L., Alcoholic Beverage Law; and

WHEREAS, these applicants will have been investigated by the Chief of Police, Fire Inspector and Health Inspector by June 30th; and

WHEREAS, the proper application and fees have been received; and

WHEREAS, while at this stage, no legally valid objections have been made as to why these applications should not be approved, the Borough has received and reviewed complaints relating to the operation of the establishment; and

WHEREAS, the Borough of Metuchen has chosen to impose special conditions on the following license for the period July 1, 2012 to June 30, 2013 due to complaints and concerns of the Borough;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Metuchen, that pursuant to the statute in such case made and provided that the following Plenary Retail Consumption Licenses for the period July 1, 2012 to June 30, 2013 be and the same are hereby granted to said applicants.

State License No.	Licensee & Licensed Premises	Fee Paid
	<u>PLENARY RETAIL CONSUMPTION</u>	
1210-33-010-004	Sk & Sk Inc.. T/A Brownstone Bar and Grill 932 Middlesex Avenue	\$2,200

Special Conditions:

1. Unless the Council adopts a Resolution to permit a subsequent or permanent amendment to the License; the permission to use the outdoor area for service/consumption of alcohol shall expire on June 30, 2013.
2. Any music live or recorded shall cease in the outdoor area at 10:00 p.m., seven days a week. After 10:00 p.m., the Applicant shall keep the doors shut in order to ensure compliance with the Borough's concerns related to the outdoor area's use.
3. All of the prior conditions of approval for the use of the outdoor area shall be strictly complied with.
4. The speakers utilized for live or recorded music for the outdoor area shall be re-positioned to face highway 287.

Dated: June 18, 2012

RESOLUTION NO.2012-147

On a motion by Council President Cammarano, seconded by Councilwoman Rasmussen, with all in favor, the New Business Agenda item number 25, Resolution #2012-147 was approved.

RESOLUTION NO. 2012-147

RESOLUTION AUTHORIZING RENEWAL OF LIQUOR LICENSES

WHEREAS, the following applicants for Plenary Retail Consumption, Plenary Retail Distribution, and Club licenses have complied with the provisions of R.S. Title 33, Intoxicating Liquors, C.L., Alcoholic Beverage Law; and

WHEREAS, these applicants will have been investigated by the Chief of Police, Fire Inspector and Health Inspector by June 30th; and

WHEREAS, the proper application and fees have been received; and

WHEREAS, no legally valid objections have been made as to why these applications should not be approved,

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Metuchen, that pursuant to the statute in such case made and provided that the following Plenary Retail Consumption, Plenary Retail Distribution and Club Licenses for the period July 1, 2012 to June 30, 2013, be and the same are hereby granted to said applicants.

State License No.	Licensee & Licensed Premises	Fee Paid
<u>PLENARY RETAIL CONSUMPTION</u>		
1210-32-002-003	Metuchen Inn A Corp, T/A Metuchen Inn 424 Middlesex Avenue	\$2,200
1210-33-012-009	CGC Café LLC T/A Novita 25 New Street	\$2,200
<u>PLENARY RETAIL DISTRIBUTION</u>		
1210-44-003-001	Great Atlantic and Pacific Tea Co.Inc. Debtor in Possession 45 Pearl Street	\$1,431
1210-44-007-006	Sunny & Shivani. T/A Metuchen Liquor and Delicatessen 422 Main Street	\$1,431
1210-44-011-009	Abrol, Inc. T/A Wine Chateau 85 Central Avenue	\$1,431
<u>CLUBS</u>		
1210-31-014-001	American Legion Fugle Hummer Post 65 Lake and Holly Street Post Office Box 365	\$ 150
1210-31-017-002	Metuchen Elks #1914 87 Middlesex Avenue	\$ 150

Dated: June 18, 2012

RESOLUTION NO.2012-148

On a motion by Council President Cammarano, seconded by Councilman Wallace, with all in favor, the New Business Agenda item number 26, Resolution #2012-148 was approved with stipulations.

RESOLUTION NO. 2012-148
**RESOLUTION AUTHORIZING RENEWAL OF LIQUOR LICENSES FOR HHP
ENTERPRISES LLC WITH STIPULATIONS**

WHEREAS, the following applicants for Plenary Retail Consumption, Plenary Retail Distribution, and Club licenses have complied with the provisions of R.S. Title 33, Intoxicating Liquors, C.L., Alcoholic Beverage Law; and

WHEREAS, these applicants will have been investigated by the Chief of Police, Fire Inspector and Health Inspector by June 30th; and

WHEREAS, the proper application and fees have been received; and

WHEREAS, no legally valid objections have been made as to why these applications should not be approved,

WHEREAS, the Borough of Metuchen has chosen to impose special conditions on the following licenses for the period July 1, 2012 to June 30, 2013 due to past repeated disturbances and nuisances; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Metuchen, that pursuant to the statute in such case made and provided that the following Plenary Retail Consumption, Plenary Retail Distribution and Club Licenses for the period July 1, 2012 to June 30, 2013 be and the same are hereby granted to said applicants.

State License No.	Licensee & Licensed Premises	Fee Paid
--------------------------	---	-----------------

PLENARY RETAIL CONSUMPTION

1210-33-008-008	HHP Enterprises LLC T/A Hailey's Harp & Pub 400 Main Street	\$2,200
-----------------	---	---------

Conditions:

1. Unless the Council adopts a Resolution to permit a subsequent or permanent amendment to the License; the within permission to use the outdoor area for service/consumption of alcohol shall expire on June 30, 2013.
2. The 36" rail separating the licensed area from the public sidewalk shall be maintained at all times to prevent passage. Access to the outdoor licensed area shall be solely from within the licensed establishment.
3. No service shall be made in the outdoor area after 10:00 P.M. on weekdays, 11:00 P.M. on Friday and Saturday.
4. Tables shall be a maximum of 36" in diameter, or 36" square, and shall be no higher than 30".
5. Service in the outside area shall be limited to seated customers. No standing service shall be permitted.

Dated: June 18, 2012

RESOLUTION NO.2012-150

On a motion by Council President Cammarano, seconded by Councilwoman Rasmussen, with all in favor, the New Business Agenda item number 27, Resolution #2012-150 was approved.

RESOLUTION NO. 2012-150
**RESOLUTION AUTHORIZING RENEWAL OF POCKET LIQUOR LICENSE-
MERCADO GRILL**

WHEREAS, the following applicant for Plenary Retail Consumption has complied with the provisions of R.S. Title 33, Intoxicating Liquors, C.L., Alcoholic Beverage Law; and

WHEREAS, these applicants will have been investigated by the Chief of Police, Fire Inspector and Health Inspector by June 30th; and

WHEREAS, the proper application and fees have been received; and

WHEREAS, no legally valid objections have been made as to why these applications should not be approved,

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Metuchen, that pursuant to the statute in such case made and provided that the following Plenary Retail Consumption, Plenary Retail Distribution and Club Licenses for the period July 1, 2012 to June 30, 2013, be and the same are hereby granted to said applicants.

State License No.	Licensee & Licensed Premises	Fee Paid
--------------------------	---	-----------------

PLENARY RETAIL CONSUMPTION

1210-33-009-007	MERCADO GRILL (In pocket)	\$2,200
-----------------	------------------------------	---------

Dated: June 18, 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 **\$2,870,507.75** was approved.

PUBLIC COMMENT

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

ADJOURNMENT

On a motion by Council President Cammarano, seconded by Councilman Wallace, with all in favor the meeting was adjourned at 9:45pm.

Respectfully Submitted:

Kathryn Harris
Municipal Clerk