

**BOROUGH OF METUCHEN**  
**COUNCIL MINUTES –APRIL 1, 2013**

A Regular Meeting of the Borough Council was held in the Council Chambers of Borough Hall on Monday, April 1, 2013. The Meeting was called to order at 6:30 p.m. by Mayor 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 Wallace, Rasmussen, Inzerro, Grayzel, Cammarano and Council President Muldoon.

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

**CLOSED SESSION**

On a motion by Council President Muldoon, seconded by Councilwoman Rasmussen, with all in favor the Borough Council entered into closed session for the purpose of matters of ongoing litigation.

**CLOSED SESSION RESOLUTION**  
**RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FOR THE PURPOSE OF MATTERS OF ON GOING LITIGATION.**

**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 discuss: matters of on going litigation;

**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 discussing matters of on going litigation; 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: April 1, 2013

**RE-ENTER PUBLIC SESSION**

On a motion by Council President Muldoon, seconded by Councilwoman Rasmussen, with all in favor the Borough Council reconvened in open session at 7:25pm.

**AGENDA SESSION**

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

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

### **BUDGET DISCUSSIONS**

A discussion with the Chief of Police, Rob Rentenberg, was held regarding the Police Departments budget and Capital budget for the year.

A discussion with the Fire Chief, Rob Donnan, was held regarding the Fire Departments budget and Capital budget for the year.

### **PUBLIC COMMENT**

Mayor Vahalla opened the meeting to the public for comment.

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

### **DISCUSSION ON INSURANCE RENEWAL**

A discussion with the Borough Administrator and Mike Atkinson the Borough's Health Insurance Broker regarding the Borough's Health Insurance Renewal was reviewed.

The Borough Council discussed the possible Health Care reform changes coming in the future.

The concensus of the Council was to pull R2013-90 from the agenda for further review and discussion at the next Borough Council meeting on April 15, 2013.

### **INTRODUCTION OF MUNICIPAL BUDGET**

A discussion with the Borough Administrator regarding the Borough's budget ensued.

On a motion by Council President Muldoon, seconded by Councilwoman Rasmussen, with all in favor R2013-74 was approved on introduction.

Resolution No.2013-74 has been appended to the minutes.

ROLL CALL VOTE:

AYES: Cammarano, Grayzel, Inserro, Rasmussen, Wallace, and Council President Muldoon

NAYS: None

ABSTENTIONS: None

### **PUBLIC COMMENT**

Mayor Vahalla opened the meeting to the public for comment.

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

### **COMMUNICATIONS CONSENT AGENDA**

On a motion by Council President Muldoon, seconded by Councilwoman Rasmussen, with all in favor the Communications Consent Agenda, Item #'s 9 and 10 were approved.

9. Receive and Accept Planning Board Minutes For October 4, 2012.

10. Receive and Accept TV/Technology Minutes For September 27, 2012, November 29, 2012 and January 24, 2013.

## **COUNCIL REPORTS**

Council President Muldoon had no report.

## **RECREATION**

Councilman Wallace discussed the Easter Egg Hunt that occurred.

## **TRAFFIC AND TRANSPORTATION**

Councilman Wallace stated that the stop sign at Rose Street was installed.

Councilman Wallace also stated that the Complete Streets presentation is tentatively scheduled for the May 20, 2013 Borough Council Meeting.

## **ENVIRONMENTAL**

Councilwoman Rasmussen discussed grant possibilities for a project to ascertain the meets and bounds of the Dismal Swamp.

## **TV AND TECHNOLOGY**

Councilman Grayzel stated that broadband capacity in Metuchen will be discussed with the next Cable Franchise Agreement.

## **LIBRARY**

Councilman Cammarano stated that as of today the Childrens Library is closed during its renovations. The Library will tentatively reopen on June 1, 2013.

## **REPORT OF BOROUGH ATTORNEY**

Borough Attorney Murphy had no report.

## **REPORT OF BOROUGH ADMINISTRATOR**

Borough Administrator Boerth had no report.

## **MAYOR'S REPORT**

Mayor Vahalla stated that on April 13<sup>th</sup> the Borough will be observing Earth Day. The Earth Day events will be held at the Senior Citizens Center.

Mayor Vahalla reminded everyone that the stated that the route for the Memorial Day Parade will change.

Mayor Vahalla reminded the public that the County Shred Program will also be on Saturday, April 13<sup>th</sup>.

## **CONSENT AGENDA**

On a motion by Council President Muldoon, seconded by Councilwoman Rasmussen, with all in favor the New Business Consent Agenda item number 30, R2013-90 was removed from the agenda for further discussion at the April 15, 2013 Council Meeting was approved.

On a motion by Council President Muldoon, seconded by Councilwoman Rasmussen, with all in favor the New Business Consent Agenda item numbers 15 through 29 and 31 and 32

encompassing resolutions R2013-75 through R2013-89 and R2013-91 and 92 were approved.

**RESOLUTION NO.2013-75**  
**RESOLUTION AUTHORIZING AMENDMENT TO TEMPORARY BUDGET**

**WHEREAS**, N.J.S.A. 40A:4-19 of the Local Budget Act provides that temporary appropriations shall be made for the purposes and amounts required in the manner and time therein provided;

**NOW, THEREFORE BE IT RESOLVED** that the following additional temporary emergency appropriations shall be made for the year 2013, effective April 1, 2013:

ADMINISTRATIVE AND EXECUTIVE	S&W	12,000	PARKS & PLAYGROUNDS	S&W	9,000
	OE	10,000		OE	1,000
MAYOR	S&W	600	RECREATION	S&W	2,500
	OE	1,000		OE	1,000
CLERK	S&W	4,000	SENIOR CITIZEN CENTER	S&W	3,200
	OE	200		OE	700
FINANCIAL ADMINISTRATION	S&W	13,000	METV	S&W	6,000
ASSESSMENT OF TAXES	S&W	4,600		OE	10,000
COLLECTION OF TAXES	OE	1,000	CONSTRUCTION CODE OFFICIAL	S&W	10,000
			SHADE TREE COMMISSION		1,000
PUBLIC WORKS ADMINISTRATION	S&W	16,000	FICA		30,000
	OE	2,000	METUCHEN PUBLIC LIBRARY		20,000
PUBLIC BUILDINGS & GROUNDS	S&W	9,000	MUNICIPAL COURT	S&W	9,000
	OE	10,000		OE	200
PLANNING BOARD	S&W	500	SEWERAGE DISPOSAL		235,000
			OFFICE OF EMERGENCY MGMT	S&W	500
BOARD OF ADJUSTMENT	S&W	4,000	MIDDLESEX COUNTY JOINT INSURANCE FUND		99,000
			LIBRARY CONSORTIUM		6,000
GROUP INSURANCE	OE	200,000	INTERLOCAL - ANIMAL CONTROL		6,000
FIRE DEPARTMENT	S&	1,000	INTERLOCAL - HEALTH		12,000



authorized and directed to approve and forward a Purchase Order to **Rachles Michele Oil Company, 116 Kuller Road, Clifton, NJ 07011.**

Dated: April 1, 2013

**RESOLUTION NO.2013-77**

**RESOLUTION SUPPORTING LOCAL DEMONSTRATION PROJECT PROGRAM APPLICATION TO TOGETHER NORTH JERSEY BY THE EDISON GREENWAYS GROUP AND BOROUGH OF METUCHEN**

**WHEREAS**, the Middlesex Greenway runs through Edison, from Crows Mill Road in Woodbridge to Middlesex Avenue in Metuchen; and

**WHEREAS**, the Middlesex Greenway from Dudash Park to Pierson Ave. has been designated by the NJDOT as part of the East Coast Greenway, which runs from Maine to Florida, and links communities along the route; and

**WHEREAS**, there are future plans to extend the Middlesex Greenway to the Dismal Swamp in Edison and Metuchen, aiding in the development of "green" tourism in this area, which will also help support local businesses; and

**WHEREAS**, the Greenway runs through Edison's historic Clara Barton downtown section, which includes shopping and the Edison Farmers market, used by many walkers, joggers, and bikers seeking both recreational opportunities and safe pedestrian access to and from points in Edison and Metuchen; and

**WHEREAS**, the Greenway is a viable transportation alternative, a unique educational resource and a living classroom; and

**WHEREAS**, the Township of Edison has long-standing successful partnerships with the Edison Greenways Group on developing and preserving the Greenway; and

**WHEREAS**, the Edison Greenways Group is collaborating with the Borough of Metuchen on a grant application to Together North Jersey (TNJ) for a Local Demonstration Project Program (LDPP) addressing how local governments and non-governmental agencies can work together to address key sustainability issues in an array of policy areas such as, Land Use and Urban Design, Transportation, Natural Systems, Asset-Based Economic Development, Business Environment and Entrepreneurial Support, Health and Safety, Education, and Arts and Culture; and

**WHEREAS**, the grant application is for technical assistance in an amount up to \$90,000 to address continued planning and implementation of the next phase of issues related to the Greenway;

**NOW THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Metuchen, New Jersey, that the Together New Jersey grant application has the full support of the Council.

Dated: April 1, 2013

**RESOLUTION NO.2013-78**

**RESOLUTION AUTHORIZING REDUCTION OF 2010 TAXES-STATE TAX COURT JUDGEMENT**

**WHEREAS**, a successful State Tax Court Appeal judgment was awarded to Block 110, Lot 34, 3 Central Avenue for 2010,

**WHEREAS**, the assessed value for this parcel changed for 2010 by a reduction in the assessed value of \$55,000.00,

**WHEREAS**, the reduction in taxes for the above referenced Block and Lot for 2010 is \$2,720.30,

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Metuchen, that the Tax Collector be and is hereby authorized to reduce the 2010 taxes on Block 110, Lot 34 in the amount of \$2,720.30 due to the successful State Tax Court Appeal for the year 2010, including amendments, and apply the resulting tax overpayment in the amount of \$2,720.30 to 2013 taxes levied as stipulated by the tax court judgment.

Dated: April 1, 2013

**RESOLUTION NO.2013-79**

**RESOLUTION AUTHORIZING REDUCTION TO 2010 TAXES-STATE TAX COURT JUDGEMENT**

**WHEREAS**, a successful State Tax Court Appeal judgment was awarded to Block 110 Lot 38, 5 Central Avenue for 2010,

**WHEREAS**, the assessed value for this parcel changed for 2010 by a reduction in the assessed value of \$62,200.00,

**WHEREAS**, the reduction in taxes for the above referenced Block and Lot for 2010 is \$3,076.41,

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Metuchen, that the Tax Collector be and is hereby authorized to reduce the 2010 taxes on Block 110, Lot 38 in the amount of \$3,076.41 due to the successful State Tax Court Appeal for the year 2010, including amendments, and apply the resulting tax overpayment in the amount of \$3,076.41 to 2013 taxes levied as stipulated by the tax court judgment.

Dated: April 1, 2013

**RESOLUTION NO.2013-80**

**RESOLUTION AUTHORIZING REDUCTION TO 2010 TAXES-STATE TAX COURT JUDGEMENT**

**WHEREAS**, a successful State Tax Court Appeal judgment was awarded to Block 110, Lot 39, 21 Central Avenue for 2010,

**WHEREAS**, the assessed value for this parcel changed for 2010 by a reduction in the assessed value of \$181,200.00,

**WHEREAS**, the reduction in taxes for the above referenced Block and Lot for 2010 is \$8,962.15,

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Metuchen, that the Tax Collector be and is hereby authorized to reduce the 2010 taxes on Block 110, Lot 39 in the amount of \$8,962.15 due to the successful State Tax Court Appeal for the year 2010, including amendments, and apply the resulting tax overpayment in the amount of \$8,962.15 to 2013 taxes levied as stipulated by the tax court judgment.

Dated: April 1, 2013

**RESOLUTION NO. 2013-81**  
**RESOLUTION AWARDING BID FOR 2013 MUNICIPAL POOL MAINTENANCE  
CONTRACT**

**WHEREAS**, bids were received by the Borough Administrator on March 19, 2013 for the 2013 Municipal Pool Maintenance for the Borough of Metuchen; and

**WHEREAS**, the Finance Officer has determined that sufficient funds will be available in the amount of \$36,995.00 as evidenced by the Finance Officer's certification,

**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 2013 Municipal Pool Maintenance be and the same is hereby awarded to most responsive bidder, **Aquatic Service, Inc., 170 Burlington Avenue, Spotswood, NJ 08884.**

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

Dated: April 1, 2013

**RESOLUTION NO. 2013-82**  
**REFUND OF OTHER FEES & PERMITS-BUILDING #13-0025-MIDSTATE  
HEATING AND COOLING**

**WHEREAS**, MidState Heating & Cooling of 413 Oak Glen Road, Howell, NJ 07731 made payment on January 14, 2013 in the amount of \$50.00 for a Building Permit fee for work to be done at 18 Eggert Avenue; and

**WHEREAS**, the Construction Official found that a Building Permit was not required for 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 MidState Heating & Cooling, 413 Oak Glen Road, Howell, NJ 07731 in the amount of \$50.00 for the Building Permit fee.

**RESOLUTION NO.2013-83**  
**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #13-001 – CONDE LLC  
32 SCHOOL STREET**

**WHEREAS**, Conde LLC posted \$510.00 for curb, apron and sidewalk escrow fees at 32 School Street; and

**WHEREAS**, the Planning Board Secretary has requested that the escrow fees be refunded to Conde LLC,

**NOW, THEREFORE, BE IT RESOLVED**, that Conde LLC be refunded \$510.00 from the Sidewalk Inspection Escrow account.

Dated: April 1, 2013

**RESOLUTION NO. 2013-84**  
**REFUND OF OTHER FEES & PERMITS-ELECTRICAL, PLUMBING & FIRE #12-0924-MANDEL PLUMBING**

**WHEREAS**, Mandel Plumbing, 17 Oliver Street, Metuchen, NJ 08840 made payment on December 5, 2012 in the amount of \$50.00 for a Plumbing Permit fee, \$35.00 for a Fire Permit fee and \$75.00 for an Electrical Permit fee for work to be done at 513 Wakefield Drive; 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 Mandel Plumbing, 17 Oliver Street, Metuchen, NJ 08840 in the amount of \$50.00 for a Plumbing Permit fee, \$35.00 for a Fire Permit fee and \$75.00 for an Electrical Permit fee for a total refund in the amount of \$160.00.

Dated: April 1, 2013

**RESOLUTION NO.2013-85**  
**REFUND OF OTHER FEES & PERMITS-ELECTRICAL, PLUMBING & FIRE #13-0091-A.J. PERRI INC.**

**WHEREAS**, A. J. Perri, Inc., 1138 Pine Brook Road, Tinton Falls, NJ 07724 made payment on February 13, 2013 in the amount of \$50.00 for a Plumbing Permit fee, \$35.00 for a Fire Permit fee and \$75.00 for an Electrical Permit fee for work to be done at 15 Hickory Street; 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 A. J. Perri, Inc., 1138 Pine Brook Road, Tinton Falls, NJ 07724 in the amount of \$50.00 for a Plumbing Permit fee, \$35.00 for a Fire Permit fee and \$75.00 for an Electrical Permit fee for a total refund in the amount of \$160.00.

Dated: April 1, 2013

**RESOLUTION NO. 2013-86**  
**REFUND OF OTHER FEES & PERMITS-ELECTRICAL #12-0075-ADT SECURITY SERVICES**

**WHEREAS**, ADT Security Services, 21 Northfield Avenue, Edison, NJ 08837 made payment on February 8, 2012 in the amount of \$100.00 for an Electrical Permit fee for work to be done at 95 Linden 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 ADT Security Services, 21 Northfield Avenue, Edison, NJ 08837 in the amount of \$100.00 for an Electrical Permit fee.

Dated: April 1, 2013

**RESOLUTION NO. 2013-87**  
**REFUND OF OTHER FEES & PERMITS-ELECTRICAL #12-0434-ADT SECURITY SERVICES**

**WHEREAS**, ADT Security Services, 21 Northfield Avenue, Edison, NJ 08837 made payment on June 11, 2012 in the amount of \$100.00 for an Electrical Permit fee for work to be done at 52 Voorhees Place; 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 ADT Security Services, 21 Northfield Avenue, Edison, NJ 08837 in the amount of \$100.00 for an Electrical Permit fee.

Dated: April 1, 2013

**RESOLUTION NO.2013-88**  
**REFUND OF OTHER FEES & PERMITS-ELECTRICAL #12-0839-ADT SECURITY SERVICES**

**WHEREAS**, ADT Security Services, 21 Northfield Avenue, Edison, NJ 08837 made payment on October 24, 2012 in the amount of \$100.00 for an Electrical Permit fee for work to be done at 359 Amboy Avenue; and

**WHEREAS**, the property owner 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 ADT Security Services, 21 Northfield Avenue, Edison, NJ 08837 in the amount of \$100.00 for an Electrical Permit fee.

Dated: April 1, 2013

**RESOLUTION NO. 2013-89**  
**RESOLUTION AUTHORIZING RELEASE OF STREET OPENING BOND -21 AYLIN STREET-MASTROCOLA PLUMBING INC.**

**WHEREAS**, in accordance with the Borough of Metuchen Ordinance, \$500.00 was posted by Michael Mastrocola Plumbing Inc. as the required Performance Guarantees for Street Opening #03-549 21 Aylin Street; and

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

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

**NOW, THEREFORE, BE IT RESOLVED**, by The Borough Council of the Borough of Metuchen that the Chief Financial Officer be and is hereby authorized to release said funds in the amount of \$500.00 to, Mastrocola Plumbing Inc., 708 Dorian Road, Westfield, NJ 07090 as recommended by the Director of Public Works.

Dated: April 1, 2013

**RESOLUTION NO.2013-91**

**RESOLUTION AUTHORIZING REDUCTION FOR 2012 TAXES-STATE TAX COURT JUDGEMENT**

**WHEREAS**, a State Tax Court Appeal judgment was awarded to Block 108.1, Lot 36, 42 Stoneham Place for 2012,

**WHEREAS**, the assessed value for this parcel was reduced for 2012 by \$13,815.00,

**WHEREAS**, the reduction in taxes for the above referenced Block and Lot for 2012 is \$724.60 for 2012,

**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 2012 taxes on Block 108.1, Lot 36 in the amount of \$724.60 due to the successful State Tax Court Appeal for the year 2012, including amendments, and refund the resulting tax overpayment in the amount of 724.60.  
Dated: April 1, 2013

**RESOLUTION NO.2013-92**

**RESOLUTION AUTHORIZING REDUCTION TO 2012 TAXES-STATE COURT TAX JUDGEMENT**

**WHEREAS**, a State Tax Court Appeal judgment was awarded to Block 184, Lot 71, 44 Home Street for 2012,

**WHEREAS**, the assessed value for this parcel was reduced for 2012 by \$57,200.00,

**WHEREAS**, the reduction in taxes for the above referenced Block and Lot for 2012 is \$3,000.14 of which 2,213.39 has been applied to taxes due in 2012,

**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 2012 taxes on Block 184, Lot 71 in the amount of \$3,000.14 due to the successful State Tax Court Appeal for the year 2012, including amendments, of which 2,213.39 has been applied to 2012 taxes and refund the resulting tax overpayment in the amount of \$786.75.

Dated: April 1, 2013

**BILL RESOLUTION**

On a motion by Council President Muldoon, seconded by Councilwoman Inserro, with all in favor the Bill Resolution in the amount of **\$235,985.79** was approved.

**ORDINANCE-INTRODUCTION**

On a motion by Council President Muldoon, seconded by Councilwoman Rasmussen with all in favor Ordinance No. 2013-4 was taken up on first reading.

Borough Clerk Harris read the ordinance by title.

On a motion by Council President Muldoon, seconded by Councilwoman Rasmussen

ABSTENTIONS: None Ordinance No. 2013-1 was passed on first reading, published according to law and a public hearing date set for April 15, 2013

ROLL CALL VOTE:

AYES: Cammarano, Grayzel, Inserro, Rasmussen, Wallace, and Council President Muldoon

NAYS: None

**ORDINANCE 2013-4**  
**CALENDAR YEAR 2013**  
**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS**  
**AND TO ESTABLISH A CAP BANK**  
**(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Mayor and Council of the Borough of Metuchen in the County of Middlesex finds it advisable and necessary to increase its CY 2013 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Mayor and Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$ 383,915.04 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Council of the Borough of Metuchen, in the County of Middlesex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2013 budget year, the final appropriations of the Borough of Metuchen shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 383,915.04, and that the CY 2013 municipal budget for the Borough of Metuchen be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Dated: April 1, 2013

**PUBLIC COMMENT**

Mayor Vahalla opened the meeting to the public for comment.

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

**ADJOURNMENT**

On a motion by Council President Muldoon, seconded by Councilwoman Rasmussen, with all in favor the meeting was adjourned at 9:30 pm.

Respectfully Submitted:

Kathryn Harris  
Municipal Clerk