

**BOROUGH OF METUCHEN**  
**COUNCIL MINUTES –MARCH 18, 2013**

A Regular Meeting of the Borough Council was held in the Council Chambers of Borough Hall on Monday, March 18, 2013. The Meeting was called to order at 7:30 p.m. by Mayor Vahalla. The Invocation given by Council President Muldoon 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, Inserro, Grayzel, Cammarano and Council President Muldoon.

Also present were Mayor Vahalla, Borough Administrator Boerth, Borough Attorney Murphy, Tax Appeal Attorney Mr. Samuels and Borough Clerk Harris.

**AGENDA SESSION**

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

Councilwoman Rasmussen requested that an appointment be made to the Senior Citizens Commission.

Mayor Vahalla nominated Sharon Augusto with the approval of the Council.

Council President Muldoon pulled R2013-70 from the Consent Agenda for a separate vote.

Councilman Cammarano stated that there are still trees that need to be removed from the last pruning done by PSE&G

Councilman Cammarano stated that he would like to address the Appropriate Authority Ordinance at the next meeting.

Councilman Cammarano requested to pull the CAP Bank Ordinance until discussions occur about the budget for the year.

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

**RESOLUTION NO.2013-70**

On a motion by Council President Muldoon, seconded by Councilwoman Rasmussen, with all in favor R2013-70 was requested to be heard at this point of the meeting.

Councilman Cammarano abstained and removed himself from the dais for this matter.

On a motion by Council President Muldoon, seconded by Councilwoman Rasmussen, heard at this point was rescinded.

**CLOSED SESSION-**

On a motion by Council President Muldoon, seconded by Councilwoman Rasmussen, with all in favor the Borough Council entered closed session to discuss matters of Attorney Client Privilege regarding R2013-70 at \_\_\_\_\_.

**RESOLUTION NO.2013-70**

**RESOLUTION AUTHORIZING THE TAX ASSESSOR AND TAX APPEAL ATTORNEY TO FILE COUNTERCLAIMS AND/OR DIRECT CLAIMS AND PETITIONS OF APPEAL**

**WHEREAS**, it is anticipated that certain taxpayers of the Borough of Metuchen will file tax appeals disputing their assessed valuation for the year 2013; and

**WHEREAS**, the Tax Assessor is of the opinion that certain properties, in some cases, are under assessed and that the assessed value of said properties should be increased and not decreased; and

**WHEREAS**, a method exists in the Tax Law for the Municipality to counterclaim against the property owner to seek an increase in the assessed value and to file direct appeals (Petitions and Complaints) with the County Board of Taxation and/or the Tax Court of New Jersey; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Metuchen that the Tax Assessor and Tax Appeal Attorney of the Borough of Metuchen are authorized and directed to take whatever steps necessary and appropriate to file counterclaims and/or direct claims and petitions against the taxpayer in question seeking to raise the assessed value of said properties to the value which the Tax Assessor deems to more property reflect the value of said property for the year 2013.

Dated: March 18, 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.

On a motion by Council President Muldoon, seconded by Councilwoman Rasmussen, with all in favor R2013-70 was approved.

**RESOLUTION NO.2013-70**

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Dated: March 18, 2013

Councilman Cammarano returned to the dais.

### **ORDINANCE-PUBLIC HEARING**

Borough Clerk Harris presented the affidavit of publication regarding Ordinance 2013-3

### **AN ORDINANCE AMENDING § 185-23, ENTITLED “MULTIWAY STOP INTERSECTIONS”**

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

Borough Clerk Harris read Ordinance 2013-3 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 Muldoon, seconded by Councilwoman Rasmussen, with all in favor said Ordinance 2013-3 was approved on second reading and published according to law.

Roll Call Vote:

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

Nays: None

Abstentions: None

Absent: Grayzel

Motion Carried.

### **ORDINANCE NO.2013-3**

### **AN ORDINANCE AMENDING § 185-23, ENTITLED “MULTIWAY STOP INTERSECTIONS”**

**WHEREAS**, pursuant to N.J.S.A. 39:4-140, § 185-23 of the Code of the Borough of Metuchen designates certain streets and intersections within the Borough as “Multiway Stop Intersections: and

**WHEREAS**, the Police Department of the Borough of Metuchen have reviewed and recommended adding the intersection of Memorial Parkway and Rose Street to § 185-23 of the Code; and

**WHEREAS**, the Borough of Metuchen has deemed it in the best interest of the citizens of Metuchen to amend § 185-23, entitled “Multiway Stop Intersections” adding three stop signs located at the intersection of Memorial Parkway and Rose Street, specifically (1) Eastbound on

Memorial Parkway at Rose Street; (2) Westbound on Memorial Parkway at Rose Street and (3) Northbound on Rose Street at Memorial Parkway;

**NOW THEREFORE BE IT ORDAINED** by the Council of the Borough of Metuchen that § 185-23 be amended to include the following intersection and stop signs:

**Intersection**

Memorial Parkway and Rose Street

**Stop Signs On**

Eastbound on Memorial Parkway at Rose Street;  
Westbound on Memorial Parkway at Rose Street  
Northbound on Rose Street at Memorial Parkway

**BE IT FURTHER ORDAINED** that the remaining sections and provisions of § 185-23 not mentioned herein shall remain in full force and effect; and

**BE IT FURTHER ORDAINED** that every section of this ordinance or subdivision or separate part thereof shall be considered a separate provision to the intent that if any portion shall be declared invalid or unconstitutional it shall not affect the remaining parts of this ordinance; and

**BE IT FURTHER ORDAINED** that this ordinance shall take effect immediately upon final passage thereof and publication thereof as provided for by law.

Dated: March 4, 2013

**OPEN TO PUBLIC**

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.

**COMMUNICATIONS CONSENT AGENDA**

On a motion by Council President Muldoon, seconded by Councilwoman Rasmussen, with all in favor the Communications Consent Agenda, Item #'s 6-8 were approved.

6. Receive and Approve Metuchen Lions Club's Annual Charity Fund Raising Flea Market in the New Street Parking Lot.
7. Receive and Accept TV and Technology Committee Meeting Minutes for January 24, 2013.
8. Receive and Approve Jingle Run/Walk for Arthritis for December 8, 2013(provided permission has been received from the Board of Education and Certificate of Insurance has been received).

**COUNCIL REPORTS**

Council President Muldoon stated that the Parking Authority will be discussing a Parking Management Plan to improve access to the downtown and improve economic development.

Council President Muldoon stated that there will be a Centennial Car tour in recognition of 100 years of the Lincoln Parkway. The Historical Society has purchased 2 official historical markers, 1 for Metuchen and 1 for Edison for the Lincoln Parkway and would like to have them placed on Lincoln Highway in the Borough.

## **RECREATION**

Councilman Wallace discussed the Daddy Daughter Dance sponsored by the Borough and the Easter Egg Hunt will be held this Saturday, March 23<sup>rd</sup>.

## **DEVELOPMENT**

Councilwoman Rasmussen stated that the Development Commission discussed the possibility of Business Improvement District.

## **MUNICIPAL ALLIANCE/YOUTH SERVICES**

Councilwoman Rasmussen stated funding for future events was discussed.

## **CHAMBER OF COMMERCE**

Councilwoman Inserro discussing the events of the Installation Dinner that occurred last Saturday and the upcoming events for the Chamber.

## **POOL**

Councilman Cammarano stated that the Pool Commission reminded all residents to submit their Pool applications prior to the deadline for early registration

## **LIBRARY**

Councilman Cammarano stated that the Childrens Library will be closed during its renovations. The closure dates will be posted as soon as they are available

## **EMS**

Councilman Cammarano stated that the EMS met and named a Chief and Deputy Chief as well as installed new officers.

## **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 the Metuchen Fire Department Ladder Truck was utilized in the recent Edison fire where their salt building caught fire.

Mayor Vahalla stated that the route for the Memorial Day parade will change.

Mayor Vahalla announced the County Shred Program. It will be on Saturday April 13<sup>th</sup> at 9am.

## **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.

## **CONSENT AGENDA**

On a motion by Council President Muldoon, seconded by Councilwoman Rasmussen, with all in favor the New Business Consent Agenda item numbers 14 and 15 through 17 encompassing resolutions R2013-69 and R2013-71 and 72 were approved.

**RESOLUTION NO 2013-69**  
**RESOLUTION AUTHORIZING REDEMPTION OF TAX LIENS**

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

<u>Cert #</u>	<u>Block/Lot</u>	<u>Address</u>	<u>Lienholder</u>
12-00006	113/37.01	22 Center Street	Jaroslav Malinowski
12-00013	197/61 C0312	239L Amboy Ave	US Bank Cust Pro Cap II, LLC

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

Dated: March 18, 2013

**RESOLUTION NO. 2013-71**  
**RESOLUTION AUTHORIZING REFUND OF SEWER SERVICE CHARGE**

**WHEREAS**, Fugle-Hummer Post 65, American Legion made a duplicate payment in 2012 for Block 111.1, Lot 30 sewer use fees in the amount of \$433.59,

**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 Fugle-Hummer Post 65 American Legion in the amount of \$433.59 for a duplicate sewer service charge fee.

Dated: March 18, 2013

**RESOLUTION NO.2013-72**  
**RESOLUTION SUPPORTING THE METUCHEN SCHOOL DISTRICTS FARM TO SCHOOL MONTH**

**WHEREAS**, the Metuchen School District participates in the Farm to School Program and recognizes October 24, 2013 as Food Day as well as the entire month of October as Farm to School Month; and

**WHEREAS**, Farm to School Programs should be recognized as a proven and effective strategy that provides both immediate and long term benefits to children's health, agricultural producer income and community economic development; and

**WHEREAS**, local food is fresher, tastes better and comes from farms nearby and because many fruits and vegetables can lose their nutrients in just 5 days time, buying New Jersey locally grown food is a healthier choice; and

**WHEREAS**, by cultivating the relationship between farmers and New Jersey Schools we encourage healthy meal offerings and new economic opportunities for our growing agriculture sector;

**NOW THEREFORE BE IT RESOLVED**, that the Borough Council of the Borough of Metuchen is hereby in full support of recognizing October 24, 2013 as Food Day as well as the month of October as Farm to School Month; and

**BE IT FURTHER RESOLVED**, that the Borough Council of the Borough of Metuchen does hereby support the Metuchen School District in their efforts to promote Farm to School Month and apply for any grants associated with the program.

Dated: March 18, 2013

**BILL RESOLUTION**

On a motion by Council President Muldoon, seconded by Councilwoman Rasmussen, with all in favor the Bill Resolution in the amount of **\$3,091,531.75** was approved.

**ADJOURNMENT**

On a motion by Council President Muldoon, seconded by Councilwoman Rasmussen, with all in favor the meeting was adjourned at 8:42 pm.

Respectfully Submitted:

Kathryn Cirulli  
Municipal Clerk