

**MEETING MINUTES
BOROUGH OF METUCHEN
COUNCIL MINUTES
May 19, 2014
7:30 PM**

A Regular Meeting of the Borough Council was held in the Council Chambers of Borough Hall on Monday, May 19, 2014.

The Meeting was called to order at 7:35 p.m. by Mayor Vahalla and he read the Open Public Meetings Act statement which stated, "Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act, pursuant to Public Law 1975, Chapter 231. The Mayor advised that adequate notice was provided by an annual notice sent to the Home News Tribune and the Star Ledger and is posted in the Borough Clerk's office and posted in Borough Hall according to law.

The Invocation was given by Council President Muldoon and was followed by the Pledge of Allegiance.

Present were Councilmembers Wallace, Rasmussen, Inserro, Grayzel, Cammarano and Council President Muldoon.

Also present is Mayor Vahalla, William E. Boerth, Borough Administrator, Denis Murphy, Borough Attorney and Borough Clerk Katie Cirulli.

Agenda Session

Council President Muldoon made a motion to open the Agenda Session, second by Councilwoman Rasmussen, with all in favor, the agenda session was opened.

Council President Muldoon stated that the Borough Council will be scheduling a Special Meeting for June 9, 2014 at 6:30 PM. Borough Clerk has been requested to notice the meeting and post the notice in Borough Hall as required by law.

Council President Muldoon asked that Ordinance 2014-03 – Public Hearing be pulled because the publication in the Home News Tribune did not take place. The hearing will be rescheduled for June 23, 2014 at the Regular Meeting and all required to be noticed will receive notice of the new hearing date.

Councilman Cammarano asked that the EMS Presentation be heard after the close of the Agenda Session, with all in favor the EMS Presentation has been moved.

Councilman Grayzel asked since there are representatives from the BIL and the Arts Council who would like to give a report on the Sheep-on-Show Project also be moved to be heard after the EMS Presentation and all are in agreement.

Council President made a motion to close the Agenda Session, second by Councilwoman Rasmussen, with all in favor, the Agenda Session was closed.

The Girl Scout Proclamations have been signed by Mayor Vahalla and will be delivered June 6th at the Silver Award Ceremony.

Councilman Grayzel would like to have Fred Hall come to a meeting to discuss the issue of the backlog of trees that have to be either removed or trimmed. Councilman Grayzel sent a list of categories that can also be discussed at that time to the Borough Administrator. Mayor Vahalla prefers not during it at the Special meeting. He asked to find out if Fred Hall would be available to attend either the June 23rd or the first meeting in July.

Denis Murphy prepared the Smoking Ordinance that was recommended by the Board of Health. He felt that he had the authority to make any substantial changes to the Ordinance. He would like input from the Mayor and Council on some of the objectives. The Council asked that the questions wait until they get to that section of the meeting.

Council President Muldoon made a motion to close the Agenda Session, second by Councilwoman Rasmussen, with all in favor, Agenda Session was closed.

EMS Presentation

Mayor Vahalla asked Elizabeth Binski to come forward to give the EMS Presentation. She invited the residents of Metuchen to come to the First Aid Squad on June 1st at noon to show their appreciation to the volunteer members of the First Aid Squad. Mayor Vahalla asked that the information be posted on the website so that the residents can access the information.

BIL and Arts Council Presentation

Mayor Vahalla asked Tyreen Reuter, 16 Durhan Avenue, and Grace Shackney to give their presentation. She expressed their special thanks, behalf of the Borough Improvement League, to Metuchen Arts Council in support of the Sheep-on-Show Community Arts Event at the Old Franklin School House. She explained what the show encompassed and the results of the day. The event was a wonderful success and fun was had by all that came and participated. Grace stated that the wonderful thing about this event is that it is ongoing and the art will continue to move throughout the Borough for all to enjoy.

Mayor Vahalla asked Grace if there is any update on the Tile Project for the Building next to Tennis Courts. Grace stated that she is unaware of the status right now but knows that Linda has a schedule and she is adhering to it. Grace will have her do a report and get it to the Council.

Resolution 2014-88 – Public Hearing/Adoption of Municipal Budget

Council President Muldoon made a motion to adopt the Municipal Budget R2014-88, second by Councilwoman Rasmussen.

Mayor Vahalla opened the Public Hearing for anyone interested in speaking on the Municipal Budget.

Seeing no one wishing to speak, Mayor Vahalla closed the Public Comments.

Mayor Vahalla asked if there are any comments from Councilmembers.

Council President Muldoon stated that there was a discussion at the last meeting about some items in the DPW budget. He stated that the Mayor and Borough Administrator confirmed that those items can be handled and obtained in the budget as proposed.

Councilwoman Rasmussen stated that she heard that the State will probably not be voting on the budget for another few weeks so why does the Borough have to pass the budget before the State? Borough

Borough Council Meeting
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Administrator stated that there is no reason to hold up the budget for when they state does theirs. If the State adjusts the allocations to the Municipalities, then the Borough can amend the budget if need be.

With no further questions, Mayor Vahalla asked for a roll call vote.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
CAMMARANO	X				MULDOON	X			
GRAYZEL	X				RASMUSSEN	X			
INSERRO	X				WALLACE	X			
MOTION	MULDOON				SECOND	RASMUSSEN			
X – INDICATES VOTE		AB- ABSENT			NV- NOT VOTING				

R2014-88, Adoption of 2014 Municipal Budget passed 6-0.

Regular Meeting

Council President Muldoon made a motion to approve Council Meeting Minutes of July 15, 2013 and August 5, 2013, second by Councilwoman Rasmussen, with all in favor, all minutes were approved.

Public Comment

Mayor Vahalla opened the Public Comment to anyone wishing to speak.

Mr. Crane spoke on the rescheduled Ordinance 2014-03 hearing for June 23rd. He will not be available that day to answer any questions on the Ordinance and asked if there is any way to change the date to another meeting. Mayor Vahalla asked that the hearing be moved to a meeting in July. The Borough Clerk will contact Mr. Crane to confirm the date.

35 Pleasantview Road, Lebanon – He read the article in the paper about the house on 19 Center St. He is the new owner of that house and is in the process of getting the appropriate permits from the Zoning Officer but it is going very slow. Mayor Vahalla and Councilman Cammarano stated that they are very happy that he has bought the house about 3 months ago and things are finally moving forward. Most of the permits are ready but there are a few that the Borough has no control over. They asked that he keeps working with the Zoning Officer.

Seeing no one else wishing to speak, Mayor Vahalla closed Public Comment.

Ordinance – Public Hearing

Ordinance 2014-03

Denis Murphy stated that the date for rescheduling the second reading and public hearing will be July 21, 2014. Public notice will be sent for publication and mailed to the property owners within 200’.

Ordinance 2014-05

Council President Muldoon asked the Borough Clerk to present the Affidavit of Publication.

Borough Clerk presented the affidavit of publication stating that said Ordinance has been published one time in the Home News Tribune according to law on May 8, 2014.

Council President Muldoon moved that the affidavit of publication be received and filed, second by Councilwoman Rasmussen, with all favor, the affidavit of publication has been accepted.

Council President Muldoon asked Borough Clerk to read Ordinance 2014-05 by title.

Ordinance 2014-5 An Ordinance to Amend the Code of the Borough of Metuchen, Various Chapters, to Amend Certain Application, License and Permit Fees.

Mayor Vahalla opened the Public Hearing on Ordinance 2014-05.

Seeing no one wishing to speak, Mayor Vahalla closed the Public Hearing.

Council President Muldoon made a motion to pass Ordinance 2014-05 on second reading and published according to law, second by Councilwoman Rasmussen.

Mayor Vahalla asked for a roll call vote.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
CAMMARANO	X				MULDOON	X			
GRAYZEL	X				RASMUSSEN	X			
INSERRO	X				WALLACE	X			
MOTION	MULDOON				SECOND	RASMUSSEN			
X – INDICATES VOTE		AB- ABSENT			NV- NOT VOTING				

Ordinance 2014-05 was passed on second reading and is to be published according to law, 6-0.

ORDINANCE 2014-5

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

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

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

ADD

Family Fun Day	<u>FEE</u> \$12.95 per adult \$6.95 per child
Party Area Reservation	\$50.00 for 3 hours and appropriate guest fee for all non-pool members

Section 9. Section **87-20** of Chapter 87, **Fees, Article 11 – Recreation Program Fees**, of the Code of the

Borough of Metuchen, is hereby amended to add/change the permit fees to read as follows:

§ 87-20 – Fees Established.

<u>Programs</u>	<u>FEE</u>
ADD	
Art Attack	\$145.00 for one session \$275.00 for two sessions
Stage Sword	\$160.00
Mural Project-Small Tile	\$10.00
Cooking Clinic	\$22.00 per session \$80.00 per four sessions
<u>TO</u>	
Summer Tennis Lessons	\$45.00 per ½ hour \$60.00 per hour
Fall Field Hockey	\$65.00

Communications Consent Agenda

Council President Muldoon asked that Item E be removed from the Consent Agenda for discussion, all are in agreement.

Council President Muldoon made a motion to receive and accept the Communications Consent Agenda Items A – D and F, second by Councilwoman Rasmussen, with all in favor, Consent Agenda Items A – D and F were accepted.

- A. Receive and Approve Block Party Request for Bounty Street for Sunday, May 25, 2014.
- B. Receive and Approve Block Party Request for Bissett Place for Saturday, June 21, 2014.
- C. Receive and Approve Metuchen Little League Picnic on Saturday, June 14, 2014
- D. Receive and Accept The Reformed Church of Metuchen Picnic and Road Closure Request on Sunday, June 8, 2014.
- F. Receive and Approve Metuchen Lions Club Annual Charity Fundraising Flea Market at New Street Parking Lot on Saturday June, 14, 2014-permission required by Parking Authority.

Discussion – Item E –

- E. Receive and Discuss Extension of Hours For Brown Stone For May 26, 2014, July 4, 2014 and September 1, 2014.

Council President Muldoon stated that the Council would be in support of the July 4, 2014 date but not the other two dates.

Councilman Grayzel asked if this would be extended to all Retail Consumption liquor license holders. Council President stated that this request was only for the Brown Stone. Mayor Vahalla stated that any request has always been extended to all Retail Consumption license holders in the past.

Denis Murphy stated that this should be done by Resolution and should be for all Retail Consumption License Holders.

There was a discussion on the procedure on whether there should be a Resolution and if one is required what is the best way to handle that.

Mayor Vahalla feels that the Council should receive the letter and do a vote for the May date and then have a Resolution for the other dates at a different meeting.

Council President Muldoon made a motion to receive the request from the Brown Stone for the extension of hours for May 26, 2014, July 4, 2014 and September 1, 2014, second by Councilwoman Rasmussen, with all in favor, the request has been received.

Mayor Vahalla asked the owners of the Brown Stone to come forward and explain what they are requesting.

Dino Katsianos, 9 Poet Drive, Matawan, he explained that the Sunday night is more like a Friday and Saturday since everyone is off on Monday and want to stay out later than normal. He would extend the hours for food service also.

Councilman Cammarana stated that he is fine with the extension of hours for the dates requested. He feels that the Council can give the approval for the May date and see how that goes before coming back to do a Resolution for the other two dates. Mayor Vahalla is in agreement but believes that it should be extended to all the Retail Consumption Liquor License Holders. Councilwoman Rasmussen stated that she thinks that it is a good idea and if it promotes the businesses of Metuchen, the Council should approve the request.

Mr. Murphy recommends that if the Council wants to extend the hours to all owners in the Borough, a motion should be made to, a second to vote and then he would prepare a Resolution ratifying the Council's decision for the next Council meeting and can also prepare the Resolution for the other two dates, if that is the Council's wish.

Council President Muldoon made a motion to approve the request to extend the hours for the Brown Stone and all Retail Consumption license holders on May 26, 2014, for one additional hour of 1 AM to 2 AM, second by Councilman Wallace, with all favor, the motion passes.

Mayor Vahalla stated that the other two dates would be taken care of at the June 21, 2014 meeting. Mr. Murphy asked that someone notify the Police Department of the Council's decision.

Reports of Councilmembers

Council President Muldoon –

- Parking Authority meets tomorrow night at 7:30 PM at the Parking Authority building.
- He wants to remind everyone of the Senior Walkability Workshop in Metuchen on June 4th at the Senior Center from 9:30 AM to noon. This is one of the Pedestrian Safety programs and is funded by the Department of Transportation. After the Workshop there will be an observation walk that will give a better understanding of what issues and obstacles seniors encounter as they

walk through the Borough. There will be some brainstorming sessions afterwards to find ways to improve the walkability of the Borough. The Accessibility Committee will also be present to take part of the day and have input.

- Historic Preservation Committee will be sponsoring the Historic Preservation Scavenger Hunt taking place during the month of June. This is a self-paced scavenger hunt where the participants have to identify 10 different structures that are either historical or has a significant value to the Borough. Prizes will be awarded to four different age groups. The participation form can be downloaded from the Borough's website and will also be available each night of Junebug.

Councilman Wallace –

- Recreation Commission meeting was cancelled earlier in the month and will meet tomorrow night.
- Bridge Street bridge work is finally completed and wants to thank the Borough Engineer very much for getting the DOT to do the work. The repairs are being done through a grant from the State and Bridge Street will be completed soon.

Councilwoman Rasmussen –

- Thanked all those that worked on getting the bridge complete.
- Shade Tree Commission met and the spring planting has been completed. There were about 12 trees planted. They will be making a decision on a consultant who will be helping on the Community Forestry Plan and the \$3,000.00 grant that was received last month.
- She wants residents to know that she still has some free trees available for any resident who is interested on planting them, email her at her Borough e-mail, drasmussen@metuchen.com. She has Northern Red Oak, Willow Oak and Douglas Firs available.
- The Chamber of Commerce met. Junebug event will be here soon and there will be many great activities during the event. Volunteers are still needed. Check on the Chamber website or on the Junebug site for more information.
- She would encourage all families to join the Chamber of Commerce for \$75.00. \$20.00 will be given back in the form of a Chamber gift certificate.
- The Environmental Commission is meeting next week and reminded residents to continue to recycle their glass, aluminum and paper
- The Development Commission had a special guest speaker, Mayor Vahalla, who spoke about the Whole Food announcement and how it will fit into the Renaissance Project known as the District of Metuchen. There was a presentation by Nelson Lee on the progress of Metuchen's Business Inventory
- She asked the residents who are walking during the evenings to please utilize the sidewalks if they are available.

Councilwoman Inzerro –

- The Metuchen Municipal Alliance met May 8th. They discussed looking to hire an outside provider for next year's grant requirements for the 2014-2015 year. The focus will be on heroin and drug use prevention and are looking to the National Council on Alcoholism and Drug Abuse Alliance of Middlesex County to provide some of the programming for the Borough.
- The National Night Out is on August 5th. They have starting discussing details for the evening.
- The seniors are looking forward to a Strawberry Festival on June 21st at the Senior Center.
- There is no report on the Board of Health but they will be discussing the Anti-Smoking Ordinance.

Councilman Grayzel –

- The 2nd Annual Arts Garden Stroll through Metuchen's residential gardens is scheduled on June 14th at 1:00 AM to 4:00 PM. Advanced tickets are \$20.00 and the day of the event, tickets are

\$25.00. Tickets can be purchased by calling Nancy Goldberg at (732) 632-8502. Check-in is at the Old Franklin School House where you will receive a packet which will have a map of the locations of the gardens for viewing. In addition to the gardens, there is art viewings and music.

- On Wednesday, June 25, 2014, there is a bus trip to Philadelphia. It will feature the Cézanne Art exhibit at the Barnes Foundation, a gourmet lunch and a drive through of the Magic Garden for \$95.00 per person. The bus leaves from Metuchen High School at 8 AM and returns around 5:00 PM. If interested, call Nancy Goldberg at the Recreation Office at (732) 632-8502.

Councilwoman Inzerro-

- The Middlesex Greenway Access Plan Project is wrapping up so on Monday, June 9th from 5:00 PM to 8:00 PM is the last public outreach session at the Herbert Hoover Middle School in Edison. They are hosting this for residents, business owners and other interested parties who would like to provide feedback on some draft strategies.

Councilman Cammarano-

- The Library Board met last week and discussed some programing coming up as well as the continued improvements to the Community Room. Check the website for the programs and availability. They will continue to look for ways to improvement the library and have been working on ways to de-clutter many of the areas of the library.
- The Pool opens this weekend. There are some new improvements to the pool with new flooring in the breezeway and the bathrooms have been redone. There were some repairs to the baby/kiddie pool area. There is a new snack bar vendor so hopefully there will be more variety of foods. They are working on extending the season beyond Labor Day. They are hoping to be able to open the pool in June on the days when school is cancelled because of the extreme heat.

Reports of Officers

Denis Murphy, Borough Attorney – has no report at this time.

Bill Boerth, Borough Administrator – has no report at this time.

Report of the Mayor

Mayor Vahalla –

- The Fire Department received a new Pumper. It isn't out yet but he went to a training session. There are still three more sessions to go. It is a very complex machine and is very interesting with the new technology on it.
- Yesterday, Mayor helped start the Mayors' Bike Tour for Edison and Metuchen which is a 26 mile tour of both towns. It was a great day with about 100 participants.
- This Thursday, Council President Muldoon and himself will be attending "Keep Middlesex Moving" program and will be receiving an award for the work toward making Metuchen more pedestrian safe.
- The bridge is done and received a grant for \$200,000.00 for paving the street. Metuchen also received a grant to provide sidewalks for Michael Drive down to the Gateway Park.
- The Farmers Market will be opening on June 14th.
- Metuchen Break the Chain is starting to work on a large fundraiser for "Breaking the Chain" at the High School. They will be receiving the award on May 27th from Cablevision. It is a \$6,000.00 award. This year it will be 40 students bought out of slavery in Ghana along with the school that was built for over 100 students and seven teachers.

New Business Consent Agenda

Council President Muldoon moved to approve the New Business Consent Agenda R2014-98 to R2014-107 be approved, second by Councilwoman Rasmussen, with all in favor, R2014-98 to R2014-107 were approved.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
CAMMARANO	X				MULDOON	X			
GRAYZEL	X				RASMUSSEN	X			
INSERRO	X				WALLACE	X			
MOTION	MULDOON				SECOND	RASMUSSEN			
X – INDICATES VOTE					AB- ABSENT		NV- NOT VOTING		

Consent Agenda approved, 6-0

RESOLUTION 2014-98

RESOLUTION AMENDING RESOLUTION NO.2014-59 AUTHORIZING PURCHASE FROM MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION FOR REGULAR UNLEADED AND DIESEL FUEL

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

WHEREAS, this can be purchased through the Middlesex Regional Educational Services Commission #11/12-32 pursuant to the provisions of NJSA 40A:11-11 (5); and

WHEREAS, said contract is in effect from October 20, 2013 through October 20, 2015; and

WHEREAS, the maximum amount of the purchase of regular unleaded gasoline and diesel fuel for the Borough of Metuchen is not to exceed \$190,000 and funds will be available in the 2014 budget as evidenced by the Chief Financial Officer's Certification of which \$190,000 is certified from the 2014 budget; and

WHEREAS, the Middlesex Regional Educational Services Commission shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes.

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 **National Fuel Oil Inc., 175 Orange Street, Newark, NJ 07103.**

RESOLUTION 2014-99

RESOLUTION REFUNDING SIDEWALK ESCROW FEE #14-004 – 47 EGGERT AVENUE

WHEREAS, Thomas Loffredo posted \$75.00 for sidewalk escrow fees at 47 Eggert Avenue; and

WHEREAS, the Planning Board Secretary has requested that the escrow fees be refunded to Thomas Loffredo,

NOW, THEREFORE, BE IT RESOLVED, that Thomas Loffredo be refunded \$75.00 from the Sidewalk Inspection Escrow account.

RESOLUTION 2014-100

RESOLUTION REFUNDING SIDEWALK ESCROW FEE #14-003– 72 CENTER STREET

WHEREAS, Karen Kossman posted \$156.00 for apron & sidewalk escrow fees at 72 Center Street; and

WHEREAS, the Planning Board Secretary has requested that the escrow fees be refunded to Karen Kossman,

NOW, THEREFORE, BE IT RESOLVED, that Karen Kossman be refunded \$156.00 from the Sidewalk Inspection Escrow account.

RESOLUTION 2014-101

RESOLUTION REFUNDING SIDEWALK ESCROW FEE #13-038– 7 ROOSEVELT COURT

WHEREAS, Randy Bell posted \$64.00 for sidewalk escrow fees at 7 Roosevelt Court; and

WHEREAS, the Planning Board Secretary has requested that the escrow fees be refunded to Randy Bell,

NOW, THEREFORE, BE IT RESOLVED, that Randy Bell be refunded \$64.00 from the Sidewalk Inspection Escrow account.

RESOLUTION 2014-102

**RESOLUTION AUTHORIZING THE BOROUGH OF METUCHEN
TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED
TAX BILLS IN ACCORDANCE WITH P.L. 1994, c.72**

WHEREAS, the Middlesex County Board of Taxation has not adopted the Middlesex County Budget for 2014, and the Borough of Metuchen Tax Collector will be unable to mail the Borough's 2014 tax bills on a timely basis,

WHEREAS, the Borough of Metuchen Tax Collector/Chief Finance Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and has signed a certification showing the tax levies for the previous year, the tax range and the range of permitted estimated tax levies:

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF METUCHEN, IN THE COUNTY OF MIDDLESEX, AND STATE OF NEW JERSEY on the 19th of May, 2014, as follows:

1. The Metuchen Borough Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Borough for the third installment of 2014 taxes. The Tax Collector shall proceed on May 20th, 2014 and take such actions as are permitted and required by P.L. 1994, c.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).

2. The entire estimated tax levy for 2014 is hereby set at \$54,155,229.33.
3. In accordance with law the third installment of 2014 taxes shall not be subject to interest until the later of August 10 or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

RESOLUTION 2014-103

RESOLUTION CERTIFYING THE 2014-2015 BOARD OF EDUCATION BUDGET

WHEREAS, the 2014-2015 school budget for the school district Borough of Metuchen was approved as follows

General Fund	\$32,181,436.00
Debt Service	\$2,302,219.00
Total Approved	\$34,483,655.00

WHEREAS, the balance to be raised for the school district taxes on account of the 2013-2014 school tax levy is \$16,677,017.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen, County of Middlesex, that the school district tax levy for the calendar year 2014 be established as follows:

January 1, 2014 to June 30, 2014 (balance of 2013-2014 levy)	\$16,677,017.00
July 1, 2014 to December 31, 2014 (one-half of 2014-2015 levy)	\$17,241,828.00
Amount to be raised for school district taxes in 2014	\$33,918,845.00

BE IT FURTHER RESOLVED that a certified copy of this resolution be filed with the Middlesex County Board of Taxation.

Borough of Metuchen
Resolution No. 2014-104

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Pedestrian Crosswalk Lighting System Improvements project.

NOW, THEREFORE, BE IT RESOLVED that Council of Borough of Metuchen formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the proposed project consists of the installation of pedestrian cross walk lighting systems, ADA improvements, striping and signage at five (5) locations throughout the Borough; i.e., Main Street (CR 531) and Brunswick Avenue, Main Street (CR 531) and High Street,

Central Avenue (CR 669) and Liberty Street, Middlesex Avenue (SR 27) and Oak Avenue, and Grove Avenue and Christol Street/Norris Avenue; and,

BE IT FURTHER RESOLVED that the proposed project will greatly improve the safety of students who walk and bicycle to school and will therefore encourage additional students to do so; and,

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as SRS-2014-Crosswalk Lighting Improvements-00044 to the New Jersey Department of Transportation on behalf of Borough of Metuchen; and,

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Borough of Metuchen and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION 2014-105

RESOLUTION AUTHORIZING REFUND OF STREET OPENING BOND 71 NEW YORK AVENUE-MATTCO #13-105

WHEREAS, in accordance with the Borough of Metuchen Ordinance, \$500.00 was posted by Mattco Plumbing and Heating, as the required Performance Guarantees for Street Opening #13-105-71 New York Avenue; and

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

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

NOW, THEREFORE, BE IT RESOLVED, by The Borough Council of the Borough of Metuchen that the Chief Financial Officer be and is hereby authorized to release said funds in the amount of \$500.00 to, Mattco Plumbing and Heating, PO Box 288, Metuchen, NJ 08840, as recommended by the Director of Public Works.

RESOLUTION 2014-106

RESOLUTION AUTHORIZING REFUND OF STREET OPENING BOND 206 HIGHLAND DRIVE-MATTCO PLUMBING AND HEATING, LLC. #13-024

WHEREAS, in accordance with the Borough of Metuchen Ordinance, \$500.00 was posted by Mattock Plumbing and Heating as the required Performance Guarantees for Street Opening #13-024-206 Highland Drive; 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, Mattco Plumbing and Heating, PO Box 288, Metuchen, NJ08840, as recommended by the Director of Public

Works.

RESOLUTION 2014-107

**RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE BOND FOR MOM'S
FOOD CONCESSION**

WHEREAS, Mom's Food Concession, has requested a refund of the performance bond for the Municipal Pool Concession services; and

WHEREAS, the Borough Administrator has reported that the contract has been completed in an acceptable manner and new operators will be providing service for the Municipal Pool Concession; and

WHEREAS, the Borough Administrator has recommended the full release of the performance guarantee in the amount of \$465.00 (posted in cash) provided all payments and outstanding fees have been resolved; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen that the Chief Financial Officer and Borough Clerk are hereby authorized and directed to release said performance bond, after payment of any outstanding fees due by Mom's Food Concession as directed by the Borough Administrator to Mom's Food Concession, 1212 Sunnyfield Lane, Scotch Plains, NJ 07076.

Other New Business

Council President Muldoon made a motion to approve the Bill Resolution in the amount of \$2,938,208.73, second by Councilwoman Rasmussen, with all in favor, the Bill Resolution was passed.

Appointments

Mayor Vahalla made a recommendation of Angela Yao to the Youth Service Board and John J. Koskoski to the Library Board.

Council President Muldoon made a motion to approve Angela Yao to the Youth Service Board for the term expiring December 31, 2016 and John J. Koskoski to the Library Board for the term expiring December 31, 2014, second by Councilwoman Rasmussen, with all in favor, the appointments were approved.

Ordinances - Introduction

Council President Muldoon made a motion to introduce Ordinance 2014-06 and taken up on first reading, second by Councilwoman Rasmussen, with all in favor; the motion passes.

Council President Muldoon asked the Borough Clerk to read Ordinance 2014-06 by title only.

Borough Clerk read Ordinance 2014-06 by title only.

Ordinance No.2014-06

An Ordinance Amending and Supplementing Ordinance
92-25 Establishing Salary Ranges for Public Works
Employees.

Council President Muldoon made a motion that Ordinance 2014-06 be taken up on first reading, published according to law and a public hearing to be set for June 23, 2014, second by Councilwoman Rasmussen.

Mayor Vahalla asked for a roll call vote.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
CAMMARANO	X				MULDOON	X			
GRAYZEL	X				RASMUSSEN	X			
INSERRO	X				WALLACE	X			
MOTION	MULDOON				SECOND		RASMUSSEN		
X – INDICATES VOTE		AB- ABSENT			NV- NOT VOTING				

Ordinance 2014-06 has passed on introduction, 6-0

BOROUGH OF METUCHEN

ORDINANCE 2014-6

AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE 92-25 ESTABLISHING SALARY RANGES FOR PUBLIC WORKS EMPLOYEES.

[STATEMENT OF PURPOSE: TO AMEND THE MINIMUM AND MAXIMUM WAGE RANGES FOR CERTAIN BOROUGH EMPLOYEES]

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

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

The hourly range of compensation for the public works positions hereinafter named shall be as follows, all payable in bi-weekly installments except as otherwise provided for:

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Pump Operator	\$27.40	28.61
Maintenance Repairman	27.20	28.39
Master Mechanic	26.98	28.17
Heavy Equipment Operator	26.98	28.17
Head Forestry	26.56	28.16
Assistant Equipment Operator	26.05	27.20
Forestry	26.05	27.20
Assistant Mechanic	26.05	27.20
Assistant Pump Operator	26.05	27.20
Parks Worker	26.05	27.20
Drivers	25.21	26.32
Custodians	24.86	25.97
Laborer	24.47	25.56

The base rate of compensation of each employee as determined by the collective bargaining agreement shall be within the respective hourly rate as set forth in this Ordinance.

Additional compensation by way of holiday pay, longevity, overtime, sick days, personal days,

insurance benefits and other matter related thereto are fully set forth in the collective bargaining agreement and are hereby incorporated in this ordinance.

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

This ordinance shall take effect after its publication according to law and the amendments contained herein shall be retroactive to January 1, 2014.

Ordinance 2014-07

Denis Murphy stated that he prepared and forwarded the Resolution for recommendation from the Board of Health to the Council. He spoke on some issues in regards to the prohibition and the practicable aspect as well as the notice provisions as it relates to it.

There was a discussion with the Council as to how the Ordinance should read and signage. Council President would like to table the Ordinance to a later date and really think it through and make sure that all the issues are addressed and that the wording of the Ordinance is created correctly.

Councilman Grayzel made a motion to table the first reading of Ordinance 2014-07, second by Councilwoman Inserro, with all in favor; Ordinance 2014-07 was tabled.

Ordinance 2014-08

Council President Muldoon made a motion to introduce Ordinance 2014-08 and taken up on first reading, second by Councilwoman Rasmussen, with all in favor; the motion passes.

Council President Muldoon asked the Borough Clerk to read Ordinance 2014-08 by title only.

Borough Clerk read Ordinance 2014-06 by title only.

Ordinance 2014-08 An Ordinance Amending the Land Development Ordinances of the Borough Of Metuchen.

Council President Muldoon made a motion that Ordinance 2014-08 be taken up on first reading, published according to law and a public hearing to be set for June 9, 2014, second by Councilwoman Rasmussen.

Mayor Vahalla stated that this is being referred to the Planning Board on June 5, 2015.

Mayor Vahalla asked for a roll call vote.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
CAMMARANO	X				MULDOON	X			
GRAYZEL	X				RASMUSSEN	X			
INSERRO	X				WALLACE	X			
MOTION	MULDOON				SECOND	RASMUSSEN			
X – INDICATES VOTE					AB- ABSENT		NV- NOT VOTING		

Ordinance 2014-08 has passed on introduction, 6-0

ORDINANCE 2014 - 8

**AN ORDINANCE AMENDING THE LAND DEVELOPMENT ORDINANCES OF THE
BOROUGH OF METUCHEN**

WHEREAS, by way of Ordinance No. 2013-7, the Borough Council of the Borough of Metuchen, enacted an Ordinance Amending the Land Development Ordinances permitting Planned Unit Commercial Development in the D-1 zone, which allowed commercial and residential development to occur subject to the height limitations on specified tracts fronting on Pearl and New Streets and proximate to the Train Station, in conjunction with the development of a Public Plaza and a parking structure, and

WHEREAS the Ordinance No. 2013-7 amendment contained an Exhibit of the Regulating Plan which is specifically referenced, among other places, in §110-91F (5)(r); and

WHEREAS, it is necessary for the Regulating Plan exhibit to incorporate a small portion of Northeast Corridor railway right-of-way in Parcel C which will allow for a more efficient location of the proposed parking structure, and where this same land area is utilized by the Metuchen Parking Authority, and

WHEREAS this amendment of the Regulating Plan will also reflect other minor adjustments of the other parcel lines within the Regulating Plan,

NOW THEREFORE BE IT ORDAINED by the Council of the Borough of Metuchen that the Land Development Code of the Borough of Metuchen and Ordinance No. 2013-7 be and is hereby amended as follows:

SECTION 1. Chapter 110 of the Code of the Borough of Metuchen is hereby amended as follows:

§110-91F (5) (r) Regulating Plan shall be consistent with the attached exhibit (The Regulating Plan Exhibit shall be replaced with the Regulating Plan attached hereto).

SECTION 2. The remaining sections of Ordinance No. 2013-7 shall remain in full force and effect.

SECTION 3. This ordinance shall become effective immediately upon publication following final adoption, pursuant to law.

Public Comment

Mayor Vahalla opened the meeting to the public for comment.

Seeing no one wishing to comment Mayor Vahalla closed the public comment.

Adjournment

On a motion by Council President Muldoon, seconded by Councilwoman Rasmussen, with all in favor, the meeting was adjourned at 9:00 PM.

Respectfully Submitted

Borough Council Meeting
May 19, 2014

Susan D. Jackson,
Metuchen Borough Clerk