

**MEETING MINUTES  
BOROUGH OF METUCHEN  
COUNCIL MINUTES  
May 5, 2014  
7:00 PM**

A Regular Meeting of the Borough Council was held in the Council Chambers of Borough Hall on Monday, May 5, 2014.

The Meeting was called to order at 7:01 p.m. by Mayor Vahalla and 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.

Councilwoman Rasmussen asked the Mayor and Council to consider Applicant Jennifer Adams Krumins. She is qualified to be on the Shade Tree Commission and hopes that the Council appoints her tonight.

Mayor Vahalla asked the Council if anyone has any issues with the appointment. Hearing no objections, the Mayor and Council will make the appointment.

Councilman Cammarano wanted to note that the members of Council were not informed of the meeting time change. It was agreed that Councilmembers will be polled before any changes are made to meeting times or dates.

Councilman Cammarano also asked for an update on the Little League fence. Mayor Vahalla informed the Council of the status. Councilman Cammarano asked that the neighbors be kept informed as to the status of the fencing and any work that is to be done at the field. The information is still be gathered at this time.

Councilman Cammarano asked that R2014-93 be removed from the Consent Agenda for discussion.

Councilman Grayzel asked that the Public Works Director come in to discuss the tree backlog. The Councilmembers agreed to give the Public Works Director a list of questions they want him to answer and if there is still a need for questions that cannot be answered, they will have him come back to another meeting.

Councilwoman Rasmussen stated that she has been talking with the Public Works Director and informed him that \$10,000.00 from the Shade Tree Commission is being given to his department for overtime to help offset the overtime of the tree backlog.

Council President Muldoon gave an update on the Pearl Street Development. It is anticipated that Woodmont and Nexus will be at the next June Planning Board meeting to present the site plan. There will be two meetings for Planning Board to address the application. The tentative dates are July 16<sup>th</sup> and 17<sup>th</sup>.

Council President Muldoon stated that there is a change on the meeting agenda. The Introduction for Ordinance 2014-03 will be moved up in the agenda following Public Comment.

Councilwoman Inserro asked for clarification on the Planning Board meeting in July as to whether the same information is presented both nights or if different information is presented each night. Mayor Vahalla stated that it is a continuation of the application with different testimony presented. The Council members had a discussion on whether the meeting can be broadcasted on MEtv.

Council President Muldoon stated that the Council would like to go into Closed Session to discuss Contract Matters, which will follow the Introduction of Ordinance 2014-03.

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

2014 Municipal Budget Discussion for Police, Public Works and Library

Mayor Vahalla asked Chief Rentenberg to come forward to discuss the budget and capital requests for the Police Department.

A discussion ensued with Chief Rentenberg regarding the Police Department's budget and Capital budget for the year.

A discussion ensued with the Public Works Director Fred Hall regarding the Public Works Department's budget and Capital budget for the year.

A discussion ensued with the Librarian Susanna Chan regarding the Library's budget and Capital budget for the year.

### **Public Comment**

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

Jill Goldy, 80 Main Street, Metuchen spoke about the lack of notification for the work that was being done in front of her home. There is now damage to her property as a result of the work and would like to get the information of the company that was hired to do the work. A discussion ensued with the Council.

Ms. Goldy also spoke about the issue with the trees. She has been to numerous Council meetings in the past to discuss the danger of the trees at the intersection of Main Street and Hickory and is asking that something be done to make the intersection safer.



**Communications Consent Agenda – Items A through D**

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

- A. Receive and Approve Block Party Request for Milton Street Saturday May 31, 2014.
- B. Receive and Accept Shade Tree Commission Minutes of February 25, 2014 and March 25, 2014.
- C. Receive and Accept Parking Authority Minutes of November 19, 2013 and December 17, 2013 and March 18, 2014.
- D. Receive and Accept Zoning Board Minutes of September 12, 2013.

**Reports of Councilmembers**

Council President Muldoon – has no reports at this time.

Councilman Wallace – has no reports at this time.

Councilwoman Rasmussen –

- Reminded the residents of Metuchen to recycle.
- Please shop at the stores in town.

Councilwoman Inserro –

- Senior Citizen Commission is holding a Reversed Mortgage Seminar, presented by Metuchen Savings Bank, at the Senior Center on Friday, May 16<sup>th</sup> at 10:30 AM. If people are interested in attending please call (732) 549-4452.
- The Parkinson's Support Group has been meeting monthly. Their next meeting is Wednesday, May 14<sup>th</sup> at 1:00 PM.
- The Board of Health met on April 23<sup>rd</sup>. They reviewed a draft Ordinance on Smoke-Free policy. The Board of Health voted to recommend that the Council pass a similar Smoke-Free policy which would ban smoking in public parks, public recreation areas, and Municipal vehicles as well as set-back zones for public buildings.
- Rabies Clinic is scheduled for this coming Saturday at Metuchen High School from 9 AM to 12 noon. Bring the pet license and no cash will be accepted.
- Metuchen Municipal Alliance meets this Thursday. They will be tying up some loose ends for their fiscal year end and will be setting up plans for the following year where the focus will be on Heroin use.
- The Youth Services Board raised over \$1,200 from the Magic Show at Campbell's School last month.

Councilman Grayzel –

- The Accessibility Council had their first meeting on April 22<sup>nd</sup>. They discussed their goals and missions.
- The Arts Council met. There are two main events coming up. Wednesday, June 25<sup>th</sup> 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. On May 18th at the BIL from 1 PM to 5 PM, wooden sheep will be provided to those that would like to participate to decorate and have displayed all over the Borough. The cost is \$20.00.

- Cable Technology Committee met and is continuing with the negotiation process for cable renewal with Cablevision.

Councilman Cammarano-

- Met with a class from Edgar School and discussed smoking and the issue of cigarette butts on Main Street. As a result of this discussion, he would like the Council to look at getting receptacles for cigarette butts in the Downtown areas.
- He would like to know if there is any update on the house on Center Street. Mayor Vahalla reported that the owners picked up the water and sewer permits today. There is still other verifications that they are waiting for. There is a process.
- Approximately 18 field lights out at Mrytle-Charles Park and he would like to know if the lights are going to be fixed. Mr. Boerth responded that the lights are going to be fixed as soon as possible but they have to wait until there is money in the budget.

**Reports of Officers**

Denis Murphy, Borough Attorney –

- The Shade Tree appointment is by the Mayor

Bill Boerth, Borough Administrator –

- The Professionals listed on the Complete Street Ordinance, the Administrator, Zoning Officer, the Planner, Engineer and DPW, met last Thursday to work on preparing a report to give to the Council with regards to the recommendations concerning the implementation of Complete Streets. It should be completed, if not the next meeting then the one afterwards.

**Report of the Mayor**

Mayor Vahalla –

- The new Pumper fire truck is in. Training needs to be completed before the Pumper can be used.
- At the next meeting there will be a representative from EMS. There will be an Appreciation and Family Fun Day on Sunday, June 1<sup>st</sup> from noon to 3 PM at the First Aid Squad

**New Business Consent Agenda**

Council President Muldoon moved that New Business Consent Agenda, Item D, R2014-93, be amended with the following changes – First paragraph is to read...*January 1, 2014 to December 31, 2016*, second by Councilwoman Rasmussen, with all in favor, R2014-93 has been amended.

Council President Muldoon made a motion to approve R2014-93 as amended, second by Councilwoman Rasmussen, with all in favor; R2014-93 was approved as amended, 6-0.

**RESOLUTION 2014-93**

**WHEREAS**, the Borough Administrator representing the Governing Body of the Borough of Metuchen, County of Middlesex, State of New Jersey, has negotiated with the Teamsters Local No. 11 for the union's collective bargaining agreement for the period of January 1, 2014 through December 31, 2016; and

**WHEREAS**, a memorandum of agreement was signed between representatives of the Teamsters Local No. 11 and the Borough of Metuchen; and

**WHEREAS**, the terms of the memorandum have been ratified by the membership of the Teamsters Local No. 11; and

**WHEREAS**, the Governing Body of the Borough of Metuchen has reviewed same and is desirous of ratifying said memorandum of agreement.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Metuchen, County of Middlesex, State of New Jersey that the terms and conditions of the memorandum of agreement are hereby adopted;

**BE IT FURTHER RESOLVED**, that the Borough Administrator and Borough Clerk be and the same are hereby authorized to execute a contract incorporating the terms of the memorandum of agreement with the Teamsters Local No. 11.

Council President Muldoon moved to approve the New Business Consent Agenda R2014-91, R2014-92, R2014-94 through R2014-97 be approved, second by Councilwoman Rasmussen, with all in favor, R2014-91, R2014-92, R2014-94 through R2014-97 were approved, 6-0.

**RESOLUTION 2014-91**

**RESOLUTION AUTHORIZING RELEASE OF STREET OPENING BOND 206 HIGHLAND AVENUE-MATTCO PLUMBING AND HEATING, LLC. #13-024**

**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 #13-024-206 HIGHLAND 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, PO Box 288, Metuchen, NJ 08840, as recommended by the Director of Public Works.

**RESOLUTION 2014-92**

**RESOLUTION AUTHORIZING RELEASE OF STREET OPENING BOND 71 NEW YORK AVENUE-MATTCO PLUMBING AND HEATING, LLC. #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, PO Box 288, Metuchen, NJ 08840, as recommended by the Director of Public Works.

**RESOLUTION 2014-94**

**RESOLUTION AUTHORIZING AMENDMENT TO RESOLUTION NO.2014-32-STATE  
CONTRACT PURCHASE OF TIRES**

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

**WHEREAS**, this can be purchased through State Contract #A-82528 and; and

**WHEREAS**, the additional maximum amount of the purchase of tires for the Borough of Metuchen is \$7,500.00 for a total not to exceed \$17,500.00 and funds will be available in the 2014 budget as evidenced by the Chief Financial Officer's Certification of which \$17,500.00 is certified from the 2014 budget, subject to adjustment at the time of budget adoption; and

**WHEREAS**, public bids are not required when the purchase is under a state contract in accordance with 40A:11-12 of the Local Public Contracts Law.

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

1. The Chief Financial Officer and Borough Administrator are hereby authorized and directed to approve and forward a Purchase Order to **F&S Tire Corp., 58 Brunswick Avenue, Edison, NJ 08817.**

**RESOLUTION 2014-95**

**WHEREAS**, the Tax Collector received the necessary amount to redeem the following Tax Sale Certificate on the following property:

<u>Cert #</u>	<u>Block/Lot</u>	<u>Address</u>	<u>Lienholder</u>
12-00014	211/64	68 Charles Street	Phoenix Funding Inc.

**BE IT FURTHER RESOLVED** that the Tax Collector be authorized to cancel this lien from the municipal record.

**RESOLUTION 2014-96**

**Resolution – Refund of 2013 and 2014 Taxes**

**WHEREAS**, the following has made an overpayment of taxes,

Name	Block/Lot	Address	Amount		Year
Arbor Title Service for 40-4 Prospect Street	131/4.1 C001B and C004B	40-4 and 40-1 Prospect Street	\$799.87	Payment to incorrect B/L	2013/1 <sup>st</sup> qtr
Wells Fargo for Ma, Zhenbo & Xiaomin	154.1/42.2	18 Sylvan Avenue	\$1,519.70	Duplicate payment	2014/1 <sup>st</sup> qtr

**WHEREAS**, funds can be released once sufficient documentation of proof of overpayment of taxes has been provided to the Tax Collector,

**NOW, THEREFORE, BE IT RESOLVED**, that the above listed property owner or agent be refunded property taxes as described in the amount of \$2,319.57.

**RESOLUTION 2014-97**

**RESOLUTION TO REDUCE AND REFUND 2011 TAXES**

**WHEREAS**, a successful State Tax Court Appeal judgment was awarded to Block 174, Lot 5, 61 Grove Ave for 2010,

**WHEREAS**, the assessed value for this parcel changed for 2010 by a reduction in the assessed value of \$45,216.00 and the assessed value for this parcel changed for 2011 by an additional reduction in the assessed value of \$4,216.00,

**WHEREAS**, the reduction in taxes for the above referenced Block and Lot for 2010 has been resolved,

**WHEREAS**, the further reduction in taxes for the above referenced Block and Lot for 2011 is \$216.83,

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Metuchen, that the Tax Collector be and is hereby authorized to reduce the 2011 taxes on Block 174, Lot 5 in the amount of \$216.83 due to the successful State Tax Court Appeal for the years 2011, including amendments, and refund the resulting tax overpayment in the amount of \$216.83.

**Other New Business**

Council President Muldoon made a motion to approve the Bill Resolution in the amount of **\$5,605,673.65**, second by Councilwoman Rasmussen, with all in favor, the Bill Resolution was passed.

**Appointments**

Mayor Vahalla appointed Jennifer Adams Krumins to the Shade Tree Commission.

**Ordinance 2014-05 – Introduction**

Council President Muldoon made a motion that Ordinance 2014-05 be introduced and taken up on first reading, second by Councilwoman Rasmussen, with all in favor; Ordinance 2014-05 was introduced.

Ordinance 2014-5

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

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

Council President Muldoon made a motion that Ordinance 2014-05 be taken up on first reading, published according to law and a public hearing be set for May 19, 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 2014-05 has passed on introduction, 6-0

Mayor Vahalla opened the public comment on Ordinance 2014-05.

Seeing no one wishing to speak, Mayor Vahalla closed public comment.

**ORDINANCE 2014-05**

**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

**FEE**

\$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.**

**Programs**

**FEE**

**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
Summer Tennis Lessons	\$45.00 per ½ hour \$60.00 per hour
Fall Field Hockey	\$65.00

**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 9:54 PM.

Respectfully Submitted

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Susan D. Jackson,  
Metuchen Borough Clerk