

BOROUGH OF METUCHEN COUNCIL MINUTES
September 8, 2015
7:30 PM

The Regular Meeting of the Borough Council was held in the Council Chambers of Borough Hall on Monday, September 8, 2015.

The Meeting was called to order at 7:30 p.m. by Mayor Vahalla.

Adequate Notice of this meeting has been given in accordance with the Open Public Meetings Act, pursuant to Public Law 1975, Chapter 231. Said notice was sent to the Home News Tribune and Star Ledger on January 8, 2015, posted in Borough Hall and filed with the Borough Clerk. All Requirements of the "Open Public Meeting Act" have been satisfied.

The Invocation was given by Mayor Vahalla and followed by the Pledge of Allegiance.

Present were Councilmembers Inserro, Leibfried, Muldoon, Rasmussen, Wallace, Council President Grayzel and Mayor Vahalla. Also present were Jennifer Maier, Borough Administrator, Syrian Jack, Esq. and Susan Jackson, Borough Clerk.

Agenda Session

Council President Grayzel made a motion to open the Agenda Session, second by Councilwoman Rasmussen, with all in favor, motion carries, 6-0.

Council President Grayzel asked that the Green Team presentation be moved next on the agenda. All are in favor.

Councilwoman Rasmussen spoke about the noise issue with the Brown Stone. She reached out to the County and through their conversation she found out the current Borough's Noise Ordinance doesn't meet the state standard. As a result the County will not come and do any testing. Councilwoman Rasmussen reached out to Ms. Maier to help with this. Ms. Maier stated that she spoke with the County and has received a boiler plate ordinance which she sent to Mr. Murphy. They will be working on updating the Borough's Noise Control Ordinance. Councilman Muldoon asked if there was a specific part of the ordinance that didn't meet the standards and Ms. Maier stated that the entire ordinance doesn't meet the standard requirements.

Councilman Leibfried stated that he was on Main Street on Sunday and has a great concern with the amount of garbage left on the street waiting for garbage pick-up by the businesses and residents. He has spoken with Fred Hall a number of times in the past. He would like to have Ms. Maier look into different ways to help with the amount of trash. He has also spoken with Mr. Cosenza to brainstorm different ideas to help with this issue. Ms. Maier responded that the current code states that each residential and non-residential user currently has garbage pick-up once-a-week with "*no solid waste collections or pickup of recyclable materials on Sundays or scheduled holidays that fall upon any collection day.*" It also states that "*No containers or their contents shall be placed along the sidewalk for collection prior to 6:00 p.m. of the day before such materials are to be collected in any particular district.*" There will be a discussion about the schedule and what the businesses are required to provide in terms of dumpsters. There was further discussion between the Councilmembers and Ms. Maier.

With no further actions, Mayor Vahalla asked for a motion to close the agenda session.

Council President Grayzel made a motion to close the Agenda Session, second by Councilwoman Rasmussen, with all in favor, motion carries, 6-0.

Green Team Presentation

Councilwoman Rasmussen introduced the following members of the Green Team which is made up of members from Environmental Commission, Shade Tree Commission, the Borough Administrator, the liaison and members of the community and asked each member present to speak on the different project initiatives that are being promoted in the Borough.

Allison Dutemple is working on a program called "Walk to School Wednesday". It is a new initiative to allow students to get more fresh air and exercise before school through the "Walking School Bus program". Walking School Bus is a group of students that walk together with one or more adult chaperones. Neighborhood families take turns coordinating walking with the students. The program has two well established routes to Campbell School and they are looking to expand it to Moss and Edgar Schools. There are six smaller routes that are in the process of organizing themselves. There are many health and other benefits in participating in this program. These two programs earn points toward Sustainable Jersey accreditation and for Sustainable School's accreditation.

Angela Sohl is working on the Sustainable Jersey Certification for Brown Field. She spoke on the three steps that are required for certification. The first is an inventory and prioritization of the sites which is a prerequisite for the following two. The other two are the reuse planning and marketing of Brown Field sites. She explained how the State determines a Brown Field site and how sites are put on the Brown Field list. For Sustainable Jersey points, Metuchen must develop an inventory and prioritize the sites as to what sites are the most pressing.

Jennifer Kelly is working on the Anti-Idling Campaign with Allison Dutemple. In order to get certification, the Green Team must identify map priority locations throughout the Borough and pass a resolution (which has already been approved at a prior meeting). They are producing and distributing literature to target locations, mainly the schools and train station. They are also working on getting signs posted at the district schools as well as every preschools and private schools in town. Literature has been sent home asking parents to encourage them to turn off their cars especially during drop-off and pick-up times. Through many studies it has been found that the idle fumes are very harmful to people.

Mark Herzberg spoke about public electric vehicle charging infrastructure. He is looking at all the different electric vehicle charging machinery to determine what can be put into place in town in various locations and trying to identify what locations in town would make sense to house the charging station. They have also been looking at the reusable bag education program to try to encourage the public to use reusable bags.

Susan Levinson spoke about finding alternative items to recycle. One of the items is carpet and foam recycling. There is a company in Newark that would put a trailer at a location within the Borough. They also recycle ceiling tiles, glass and all types of demo from construction sites. These items are reclaimable and recyclable.

Jennifer Maier spoke about community outreach. She will be doing a seminar with the Green Team in regards to climate changes. She will also be working with a high school intern who is very interested in

environmental issues. Ms. Maier already spoke with the Book Club. If there is any other group that is interested in having her speak please contact Ms. Maier.

Councilwoman Rasmussen spoke on a few other actions that the Green Team is working on. One is the fleet inventory. This inventory will document all the vehicles that the municipality owns. It has information pertaining to the age, type of fuel the vehicles use, how much fuel it uses and how efficient the vehicle is. This will help with better vehicle replacements that will ultimately help save the Borough money with vehicles identified within the fleet. The Green Team is also working on creative place making. It is all the arts and cultural programs that is being done in Metuchen already. They are gathering all that information which applies to Sustainable Jersey points.

Mayor Vahalla thanked Councilwoman Rasmussen and the Committee members for coming out to the meeting and presenting all their valuable ideas and program initiatives.

Council Minute Approval

Council President Grayzel made a motion to approve Council Meeting Minutes of August 17, 2015, second by Councilwoman Rasmussen, with all in favor and one abstention from Councilman Leibfried, motion carried, 5-0, 1 abstention.

Mayor Vahalla asked James Constantine, Borough Planner to come forward to present the Area in Need of Redevelopment Investigation for Block 117, Lots 64 & 65 known as 503 Middlesex Avenue and Block 37, Lots 5.03, 5.05, 5.12, 5.22, 6, 7.01, 7.02, 13, 14, 15.01, 16.02, 16.03, 17.01 and 17.02; Bl. 42, Lots 1-7; and Bl. 66, Lots 1-3 known as Gulton Tract.

Mr. Constantine went over his investigation report dated July 31, 2015, which he presented to the Planning Board during a public hearing on August 20, 2015 and the Planning Board approved the investigation report on August 20, 2015. Mr. Constantine went over the criteria for the property and the permitted uses for 503 Middlesex Avenue.

Ms. Maier went over the process for a redevelopment plan. There are two resolutions on tonight's agenda that if the Council chooses to approve, it would recommend to the Planning Board to prepare a Redevelopment Plan. The Redevelopment plan spells out what you want for development of the site which is similar to a zoning overlay for the site. After the Planning Board prepares the plan it comes back to Council for their review. Council has options at that point on how to proceed. The Council can choose to edit, change directions or approve the plan as presented. The Firehouse property, which is owned by the Borough, means the Council can decide to approve the plan or not but does not require the Council to take any further action on the property if they choose to approve the plan. The Gulton Site property isn't owned by the Borough so the adoption of a Redevelopment plan would become the new zoning ordinance for that property.

Council President Grayzel clarified what these Redevelopment Plans would and wouldn't do for the Borough and the impact it would have on any decisions of the Borough Council. He also stated that these Plans will give the Borough more control on what can and can't be done on the properties for future developments.

There was further discussion about control on the Firehouse property. Mr. Constantine stated that if the Fire Station is no longer on this property and the Borough decides to sell the property to an outside bidder, the Redevelopment Plan should be in place prior to the sale. Further discussion ensued as to pursuing the Redevelopment Plans.

Councilman Muldoon asked that Resolutions 2015-225 and R2015-226 be removed off the Consent Agenda for discussion and vote. It was decided to continue with the presentation and then deal with each resolution individually later in the meeting.

Mr. Constantine continued with his investigation report on the Gulton Tract which was presented at a public meeting of the Planning Board meeting on August 20, 2015. This property is located at 212 Durham Avenue and all lots are contiguous except for the parking lot. He went over the history and development of the properties including the wet land and open space areas. He went over the criteria in determining whether the area is in need of redevelopment. A discussion ensued between the Council and Planner.

Mayor Vahalla thanked Mr. Constantine for his presentations.

Public Comment

Mayor Vahalla opened Public Comment to any members of the public wishing to speak.

Daniel Lebar –581 Middlesex Avenue, Metuchen - spoke on the issue of the overflowing trash cans on Main Street. He made some suggestions on possibly purchasing trash receptacles. He also spoke about fliers on service poles. He spoke about the potential of purchasing “gently used” vehicles for department heads. Mayor Vahalla clarified that department heads do not get Borough vehicles; they use their own cars except for the Public Works Director and Supervisor use Borough vehicles during work hours only.

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

Resolutions 2015-225 and 2015-226

Council President Grayzel made a motion to move Resolution 2015-225, second by Councilwoman Rasmussen. Mayor Vahalla asked if any Council members had any comments on this resolution. Councilman Leibfried asked Mr. Constantine to clarify the differences between the two properties as to why there is a need to have this resolution if the Borough owns the property. Mr. Constantine stated that 503 Middlesex Avenue is zoned as an R-1 and the location isn’t really conducive to residential housing. Ms. Maier expanded on Mr. Constantine’s comment stating that only single-family homes are the only permitted use for this location currently and that that the current zoning isn’t what the Planning Board wants to see on this site. She stated that there isn’t any reason not to put this in place at this time instead of waiting until a developer asks for a change. Legally you cannot spot zone but through a Redevelopment Plan process you can. A conversation ensued between the Councilmembers.

Mayor Vahalla asked for a roll call vote.

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

Motion carries, 3-3, Mayor Vahalla voted yes to break the tie vote.

RESOLUTION 2015-225

*Borough of Metuchen
County of Middlesex
State of New Jersey*

**RESOLUTION DESIGNATING BLOCK 117, LOTS 64 & 65, COMMONLY REFERRED TO AS
503 MIDDLESEX AVENUE, AS AN AREA IN NEED OF REDEVELOPMENT AND
AUTHORIZING THE PREPARATION OF REDEVELOPMENT PLAN**

WHEREAS, by Resolution 2015-107, adopted May 4, 2015, the Borough Council of the Borough of Metuchen authorized the Planning Board of the Borough of Metuchen to undertake a preliminary investigation to determine whether the area in the Borough of Metuchen, known and designated as Block 115, Lots 64 & 65, on the Tax Map of the Borough of Metuchen, commonly known as 503 Middlesex Avenue, is an area in need of redevelopment and a non-condemnation redevelopment area according to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, by resolution dated May 21, 2015, the Planning Board authorized James Constantine, Board Planner, of Looney Rick Kiss to review the designated criteria and prepare a report to the Planning Board as to whether the area commonly known as 503 Middlesex Avenue, in the Borough of Metuchen, County of Middlesex and State of New Jersey, known and designated as Block 117, Lots 64 & 65 as shown on the official Tax Map of the Borough of Metuchen, is an area in need of redevelopment as a non-condemnation redevelopment area, in accordance with N.J.S.A. 40A:12A-1, et seq.; and

WHEREAS, the said Planner prepared a report entitled "Area in Need of Redevelopment Investigation for the 503 Middlesex Avenue/Block 117/Lots 64 & 65" prepared by LRK, Inc., dated July 31, 2015; and

WHEREAS, the Planning Board received and reviewed the said report and conducted a public hearing on August 20, 2015, in accordance with N.J.S.A. 40A:12A-6; and

WHEREAS, after completing its hearing on this matter, the Planning Board recommended, by resolution adopted August 20, 2015, that the aforementioned area be determined by the Borough Council to be a redevelopment area, in accordance with said report; and

WHEREAS, the Borough Council of the Borough of Metuchen has determined, based on the following findings, that the delineated area is an area in need of redevelopment as a non-condemnation redevelopment area; and

WHEREAS, the Borough Council of the Borough of Metuchen hereby finds that:

(1) The Study Area meets the criteria under N.J.S.A. 40A:12A-5(a) by containing a building which is substandard, dilapidated and obsolescent for both its existing use and for other potential future uses. The existing building was originally built in 1914 and used as a garage for automotive service and repair. The building was already in disrepair when the Borough of Metuchen took ownership in 1953 to reuse the building as a firehouse. Subsequently, an addition was constructed to the building to help accommodate expanding needs for the firehouse. Unfortunately, this addition created a valley in the middle of the road which has allowed water and snow to collect without sufficient drainage, resulting in water intrusion to the structure.

(2) The use of the subject property as a firehouse, both the site and building are undersized and substandard in terms of vehicular maneuverability, equipment parking and maintenance, fire fighter parking, storage and basic interior circulation.

(3) The existing building has surpassed its lifespan for the purpose for which it was originally constructed as well as its reuse as a firehouse. The building is challenged by a range of structural deficiencies related to the foundation, walls and roof which has resulted in dilapidation and obsolescence. The obsolescence of the building is further impacted by substandard conditions related to its plumbing (kitchen and bathrooms), heating, cooling and electrical systems (including back-up generator), doors and windows, accommodations under the American with Disabilities Act (ADA) and physical improvements related to its functions as a firehouse.

(4) Preliminary cost estimates for the rehabilitation of the building as a firehouse make sure improvement cost-prohibitive. The reuse of the building for other potential future uses would face similar physical and cost challenges as well as site constraints related to parking.

(5) Therefore, the Study Area meets Criteria "a" by containing a building which is substandard, dilapidated and obsolescent for both its existing use and other potential future uses;

WHEREAS, this Resolution incorporates by reference the report prepared by James Constantine, and all exhibits, testimony, discussion, taken and considered at the Board's public hearing in this matter as though same were contained herein and set forth at length.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Metuchen that, pursuant to N.J.S.A. 40A:12A-1 et seq., the area known and designated as Block 117, Lots 64 & 65, on the Tax Map of the Borough of Metuchen, commonly known as 503 Middlesex Avenue, be and same is hereby determined to be a non-condemnation area in need of redevelopment; and

BE IT FURTHER RESOLVED that the Borough Clerk be and is hereby authorized and directed to, forthwith, transmit a copy of this resolution to the Commissioner of the Department of Community Affairs for review, in accordance with N.J.S.A. 40A: 12A-6(b)(5)(c) and that this resolution shall take effect 30 days after submission unless sooner approved by the Commissioner, in which case it shall take effect upon approval, or unless disapproved by the Commissioner, in which case it shall not be effective; and

BE IT FURTHER RESOLVED that the Borough Clerk be and is hereby authorized and directed to serve all record owners of property located within the delineated area, and to those whose names are listed on the tax assessor's records, and upon each person who filed a written objection, if any, within 10 days of the date of this resolution; and

BE IT FURTHER RESOLVED that upon the effectiveness of this resolution, the Planning Board of the Borough of Metuchen be and is hereby authorized and directed to prepare a proposed redevelopment plan for the aforementioned designated non-condemnation redevelopment area; and

BE IT FURTHER RESOLVED that the Planning Board be and is hereby authorized and directed to transmit the proposed plan, after completion, to the Borough Council for adoption of the proposed plan, by ordinance; and

BE IT FURTHER RESOLVED that on receipt of the proposed plan, the Borough Council may amend or revise any portion of the proposed redevelopment plan by an affirmative vote of the majority of

its full authorized membership, and shall record in its minutes the reasons for each amendment or revision; and

Council President Grayzel made a motion to move Resolution 2015-226, second by Councilwoman Rasmussen.

Mayor Vahalla opened up for discussion on this Resolution. There was a discussion between the Councilmembers and attorney on the process for a Redevelopment Plan. Mayor Vahalla asked for a roll call vote.

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

Motion carries, 6-0

RESOLUTION 2015-226

*Borough of Metuchen
County of Middlesex
State of New Jersey*

RESOLUTION DESIGNATING BLOCK 37, LOTS 5.03, 5.05, 5.12, 5.22, 6, 7.01, 7.02, 13, 14, 15.01, 6.02, 16.03, 17.01 AND 17.02; BLOCK 42, LOTS 1-7 AND BLOCK 66, LOTS 1-3, COMMONLY REFERRED TO AS THE GULTON TRACT, AS AN AREA IN NEED OF REDEVELOPMENT AND AUTHORIZING REDEVELOPMENT PLAN.

WHEREAS, by Resolution 2015-131, adopted June 1, 2015, the Borough Council of the Borough of Metuchen authorized the Planning Board of the Borough of Metuchen to undertake a preliminary investigation to determine whether the area in the Borough of Metuchen, known and designated as Block 37, Lots 5.03, 5.05, 5.12, 5.22, 6, 7.01, 7.02, 13, 14, 15.01, 16.02, 16.03, 17.01 And 17.02; Block 42, Lots 1-7 And Block 66, Lots 1-3, on the Tax Map of the Borough of Metuchen, commonly known as Gulton Tract, is an area in need of redevelopment and a non-condemnation redevelopment area according to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, by resolution dated June 4, 2015, the Planning Board authorized James Constantine, Board Planner, of Looney Rick Kiss to review the designated criteria and prepare a report to the Planning Board as to whether the area commonly known as Gulton Tract, in the Borough of Metuchen, County of Middlesex and State of New Jersey, known and designated as Block 37, Lots 5.03, 5.05, 5.12, 5.22, 6, 7.01, 7.02, 13, 14, 15.01, 16.02, 16.03, 17.01 And 17.02; Block 42, Lots 1-7 And Block 66, Lots 1-3 as shown on the official Tax Map of the Borough of Metuchen, is an area in need of redevelopment as a non-condemnation redevelopment area, in accordance with N.J.S.A. 40A:12A-1, et seq.; and

WHEREAS, the said Planner prepared a report entitled “Area in Need of Redevelopment Investigation for the Gulton Tract/ Block 37, Lots 5.03, 5.05, 5.12, 5.22, 6, 7.01, 7.02, 13, 14, 15.01,

16.02, 16.03, 17.01 And 17.02; Block 42, Lots 1-7 And Block 66, Lots 1-3” prepared by LRK, Inc., dated July 30, 2015; and

WHEREAS, the Planning Board received and reviewed the said report and conducted a public hearing on August 20, 2015, in accordance with N.J.S.A. 40A:12A-6; and

WHEREAS, after completing its hearing on this matter, the Planning Board recommended, by resolution adopted August 20, 2015, that the aforementioned area be determined by the Borough Council to be a redevelopment area, in accordance with said report; and

WHEREAS, the Borough Council of the Borough of Metuchen has determined, based on the following findings, that the delineated area is an area in need of redevelopment as a non-condemnation redevelopment area; and

WHEREAS, the Borough Council of the Borough of Metuchen hereby finds that:

- (6) The portions of the Study Area located north of the Dismal Brook (Block 37, Lots 5.05, 13, 14 and a portion of 15.01) as well as the two parcels south of the Dismal Brook west of the telecommunications tower containing wetlands(Block 37, Lots 5.22, 16.03 and 17.02) have remained unimproved vacant land for a period of 10 years prior to adoption of Resolution 2015-131 by the Borough Council on June 1, 2015;
- (7) The portion of the Study Area located north of the Dismal Brook (Block 37, Lots 5.05, 13, 14 and a portion of 15.01) has no frontage on or accessibility from a public street or other public right-of-way and, therefore, is landlocked. The location, remoteness, lack of means of access to developed sections or portions of the municipality, make these properties not likely to be developed through instrumentality of private capital.
- (8) The topography of the former rail spur owned by the Borough (Block 37, Lot 5.03), which is raised approximately five to eight feet above the surrounding grade on both sides, is a further constraint to the development of both this parcel and the abutting parcels cited above, thus making them not likely to be developed through the instrumentality of private capital.
- (9) The nature of the soil in portions of the Study Area is additionally constrained by wetlands (see Exhibits L & M) and environmental contamination that is currently undergoing clean-up and remediation under a plan being monitored by the NJDEP. These constraints have created a host of long-term complications that have played a significant role in the property remaining unimproved for more than a decade. Costs associated with the long-term clean-up of the environmental contaminants has been a significant challenge in the site being developed through the instrumentality of private capital.
- (10) All of the above conditions cause the Planning Board to conclude that said parcels meet the criteria under N.J.S.A. 40A:12A-5(c) in that the area constitutes unimproved, vacant land that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, it is not likely to be developed through the instrumentality of private capital.
- (11) The portion of the Study Area previously developed for industrial purposes (Block 37, Lots 6, 7.01, 7.02, a portion of 15.01, 15.12, 16.02 and 17.01, and Block 42, Lots 1-7) and the non-contiguous parking lot located across Durham Avenue (Block 66, Lots 1-3) contain

buildings and improvements that are constrained by a combination of obsolescence, obsolete layout and excessive land coverage.

- (12) The buildings, including numerous wings and expansions, were built incrementally over numerous decades as the industrial operations on the site expanded. The result is a complex that suffers from obsolescence particularly due to an obsolete layout both in terms of the site, the exteriors of the buildings and the interiors of the buildings. A hodge-podge of various perimeter entries and loading bays results in limited and constrained accessibility that does not adequately meet the needs of tenants. The incremental addition and expansion of the buildings results in odd-sized and odd-dimensioned interior spaces as well as maze-like circulation places. The original building has a freight elevator, but no passenger elevator for employees and none of the buildings compliant with the American with Disabilities Act (ADA).
- (13) The study area suffers from excessive land coverage in the disturbed and developed portions of the site. The land area extending from and surrounding the buildings is either predominately paved or consists of disturbed, compacted ground that was previously used for parking, loading, staging, outdoor storage and other operations. The excessive paved and disturbed areas behind the buildings extend into the wetlands transition area, the condition that is detrimental to the ecological health of the Dismal Brook and Dismal Swamp and, therefore, the health and welfare of the community.
- (14) The majority of the building frontage along Durham Avenue, a heavily travelled roadway, has no or minimal front yard setback and a small, shallow front lawn area along the street is the only portion of the site devoted to landscaping. This stands in stark contract with the ample front yards improved with lawns and landscaping that line the Durham Avenue corridor directly across the street from the Study Area and extending throughout the residential neighborhood to the west that includes the dead end stub streets that connect to the Study Area. The non-contiguous parking lot located across Durham Avenue (Block 66, Lots 1-3) is almost entirely paved without any screening or landscaping on a highly visible corner lot located in residential district and abutting single family residences. The above described conditions resulting from excessive coverage create physical conditions, visual appearance and aesthetic character that is detrimental to the welfare of the adjacent residential neighbors, surrounding residential neighborhood and the entire community.
- (15) The Study Area contains buildings and improvements that are constrained by a combination of obsolescence, obsolete layout and excessive land coverage that are detrimental to the health and welfare of the community.
- (16) The foregoing conditions caused the Planning Board to conclude that the area meets the criteria under N.J.S.A. 40A:12A-5(d) with buildings or improvements, which by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of those or other factors are detrimental to the safety, health, morals, or welfare of the community; and

WHEREAS, this Resolution incorporates by reference the report prepared by James Constantine, and all exhibits, testimony, discussion, taken and considered at the Board's public hearing in this matter as though same were contained herein and set forth at length.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough

of Metuchen that, pursuant to N.J.S.A. 40A:12A-1 et seq., the area known and designated as Block 37, Lots 5.03, 5.05, 5.12, 5.22, 6, 7.01, 7.02, 13, 14, 15.01, 16.02, 16.03, 17.01 And 17.02; Block 42, Lots 1-7 and Block 66, Lots 1-3, on the Tax Map of the Borough of Metuchen, commonly known as Gulton Tract, be and same is hereby determined to be a non-condemnation area in need of redevelopment; and

BE IT FURTHER RESOLVED that the Borough Clerk be and is hereby authorized and directed to, forthwith, transmit a copy of this resolution to the Commissioner of the Department of Community Affairs for review, in accordance with N.J.S.A. 40A: 12A-6(b)(5)(c) and that this resolution shall take effect 30 days after submission unless sooner approved by the Commissioner, in which case it shall take effect upon approval, or unless disapproved by the Commissioner, in which case it shall not be effective; and

BE IT FURTHER RESOLVED that the Borough Clerk be and is hereby authorized and directed to serve all record owners of property located within the delineated area, and to those whose names are listed on the tax assessor's records, and upon each person who filed a written objection, if any, within 10 days of the date of this resolution; and

BE IT FURTHER RESOLVED that upon the effectiveness of this resolution, the Planning Board of the Borough of Metuchen be and is hereby authorized and directed to prepare a proposed redevelopment plan for the aforementioned designated non-condemnation redevelopment area; and

BE IT FURTHER RESOLVED that the Planning Board be and is hereby authorized and directed to transmit the proposed plan, after completion, to the Borough Council for adoption of the proposed plan, by ordinance; and

BE IT FURTHER RESOLVED that on receipt of the proposed plan, the Borough Council may amend or revise any portion of the proposed redevelopment plan by an affirmative vote of the majority of its full authorized membership, and shall record in its minutes the reasons for each amendment or revision; and

Ordinance – Public Hearing

Ordinance 2015-10

Council President Grayzel moved Ordinance 2015-10 for second reading and asked for the presentation of 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 August 20, 2015.

Council President Grayzel 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 Grayzel asked Borough Clerk to read Ordinance 2015-10 by title.

Borough Clerk read the Ordinance by title only

2015-10

Ordinance Regulating Vacant and Abandoned
Properties and Storefronts in the Borough of Metuchen

Mayor Vahalla opened the Public Hearing on Ordinance 2015-10.

Lorraine Calvetto from the Middlesex County Association for Realtors and on behalf of the Associations she thanks the Borough Officials with working with them and they endorse the Ordinance.

Daniel Lebar, 581 Middlesex Avenue, Metuchen does not endorse the Ordinance.

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

Council President Grayzel made a motion to adopt Ordinance 2015-10 on second reading and be published according to law, second by Councilman Leibfried.

Mayor Vahalla asked for a roll call vote.

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

Ordinance 2015-10 has passed on second reading and is to be published according to law, 5-1.

Communications Consent Agenda – Items A – E

Council President Grayzel made a motion to move Communication Consent Agenda, Items A through E, second by Councilwoman Rasmussen, with all in favor, motion carries, 6-0

- A. Receive and Accept Parking Authority Meeting Minutes July 21, 2015
- B. Receive and Accept Parking Authority Income Statement, Expense Report and Chart of Accounts Report
- C. Receive and Accept Planning Board Meeting Minutes of April 16, 2015
- D. Receive and Accept Arts Council Meeting Minutes of July 27, 2015
- E. Receive and Accept Block Party/Street Closing for Lee Court – September 19, 2015 from 3 pm to 9 pm.

Reports of Councilmembers

Mayor Vahalla opened Reports of Councilmembers.

Council President Grayzel –

He thanked the public and fellow Councilmembers for the discussions tonight on these critical issues facing Metuchen’s future.

Dog Park Committee met within the last 10 days with representatives from Edison under the sponsorship and tutelage of the County. Metuchen and Edison are exploring the construction of a public dog park at the former CIC site. Edison is willing to donate its green acres land and the County will build and construct the dog park. At a future meeting there will be a discussion on joint maintenance with Edison Township for the park. The finalized site plan will be finished shortly.

Arts Council -

- On September 19th, 2015, there are number of events that will run throughout the day. The Art Gallery at St. Luke's will be holding an event that starts at 2pm. Then a Jazz Festival, sponsored by the Arts Council, outside Borough Hall, starting at 3pm. Between 3pm to 5 pm at the Old Franklin School there will be an acoustic guitar workshop with John Shane. The fee is \$30.00 to register prior to event, \$35.00 at the door. At 8pm, at the Old Franklin Schoolhouse, Songwriter Series will be held. The fee is \$10.00 for adults and \$5.00 for children under 12.

Councilwoman Inzerro –

- On Thursday, September 10th, from 10 am to Noon, Boyd Drugs is sponsoring a flu shot clinic at the Senior Center. It is free for those with a valid Medicare card.
- On Friday, September 18th, at the Senior Center at 10:30 am there will be an Emergency Preparedness Program sponsored by the Bright Star. September is Emergency Preparedness Month.

Municipal Alliance –

- This Thursday, the Municipal Alliance is meeting.

Board of Health –

- The Board of Health meeting is scheduled for tomorrow night.

Councilman Leibfried –

Library –

- The Library Board of Trustees is meeting tonight at the Public Library. The trustees are working on the early stages of the strategic plan. The event calendar for September is located on the Library website.

Pool –

- Yesterday was the final day of the pool season. It was the busiest day of the summer. It was a very successful season.

Councilman Muldoon –

Parking Authority –

- Parking Authority will be meeting next Tuesday at the Parking Authority Building on Pearl Street at 7:30pm.

Historic Preservation Committee

- HPC meeting is rescheduling their meeting for later to month.

Councilwoman Rasmussen –

Chamber of Commerce –

- The Chamber met today. Tomorrow is the last cruise night. Please come out and enjoy the night. The County Fair is October 3rd starting at 10am.

Developmental Commission –

- Is working with the Parking Authority on beautifying the planting area at the Train Station. The Parking Authority has donated \$4,000 for the beautification project. The Public Works Department is coming up with the plan and it will be something that all the residents will be proud of. She thanked Councilman Muldoon for all his support with the Parking Authority. Councilman Muldoon stated that the planting is scheduled to start in September.

Councilman Wallace –

- He wants to remind everyone that the public meeting for the Grove Street speed reduction will be held October 14th at 7:00pm at Metuchen High School.

Reports of Officers

Syrian Jack, Esq. –

- No report at this time.

Jennifer Maier, Administrator –

- The Engineer is speaking with the County about the potential of Metuchen taking over the responsibility of Middlesex Avenue and only being responsible for the surface only, not for the piping underneath.
- Safe Routes to School, Ms. Maier has been contacting DOT constantly, asking for approval of the procedure manual. It appears there is no timeframe that DOT has to approve the manual.
- Two garbage trucks went down. Repairs will cost \$37,000 for one and \$12,000 for the second. The funding is already in the budget and the repairs are being done.
- The Police Contract was amended as per the MOU. The Police have the final contract and anticipate getting it back approved within the next couple of days.
- The Fire Department Task Force will be meeting on Tuesday, Sept. 22nd at 6:00pm.
- Public Works has constructed a block wall at the planting bed at the planting bed by the train station. Ms. Maier commended the Public Works Department for the great work they are doing with the planting bed. Middlesex Water is also installing a water line there so the plants can be water and maintained. Maybe, in the future, a water feature can be installed.
- Councilman Muldoon, Mr. Hall and Ms. Maier met to talk about the maintenance of the Colonial Cemetery. Mr. Hall is following up with some surveys and cost estimates some needed repairs.
- Ms. Maier has been working on various Traffic and Transportation items with Maser Engineering. She will be attending the Wednesday night meeting to respond to the group on various questions they had.
- Mr. Hall and Mr. Herits are going to meet at Edgar Woods to schedule the installation a riprap that will help stop some of the erosion that is currently occurring at the Edgar Woods from the parking lot.
- Ms. Maier will be sending Council a list of the Engineer's proposed street list for NJDOT 2016 State Aid Applications.
- Ms. Cuthbert and Ms. Maier met with the Auditor today to discuss the repurposing of bonds to help fund the Roadway Project for Bridge Street and New Durham. The Ordinance will be introduced at the next meeting. This has to be done as the bids came in more than the Engineer's estimate and currently there are inadequate funds to move forward with the project.

Report of Mayor

- There was a call from Michael Havier, B.A. for Metuchen School District, about the pot holes in Edgar School lot by the pool. Mr. Hall and Mr. Kanaszka used modified materials and milling to fill the pot holes because there aren't funds to pave it at this time.
- Mayor Vahalla was the tour guide for the new teachers' school bus.
- Fire House Task Force meeting is Tuesday, Sept. 22nd.
- Next meeting, there will be information about hiring an attorney to be our Development Attorney to oversee the areas of Redevelopment. Council President Grayzel, Ms. Maier and Mayor Vahalla met with Plainsboro Mayor Cantu and staff members involved in their large development and redevelopment in their municipality. There is going to be a recommendation to hire Kevin McManimon as our overseer of the process for redevelopment.
- On the agenda, Resolution 2015-123, Mayor Vahalla is making the recommendation and appointment of James Graziano as Municipal Judge, with consent and approval of the Council.

New Business – Resolutions R2015-123, R2015-201, R2015-224, R2015-227 through R2015-235

Council President Grayzel moved New Business Consent Agenda Resolutions R2015-123, R2015-201, R2015-224, R2015-227 through R2015-235 for approval, seconded by Councilwoman Rasmussen, with all in favor, motion carries, 6-0.

RESOLUTION 2015-123

*Borough of Metuchen
County of Middlesex
State of New Jersey*

RESOLUTION APPOINTING MUNICIPAL JUDGE

BE IT RESOLVED by the Borough Council of the Borough of Metuchen that James Graziano be appointed as a the Municipal Judge for the Borough of Metuchen with a term to expire August 31, 2018.

RESOLUTION 2015-201

*Borough of Metuchen
County of Middlesex
State of New Jersey*

RESOLUTION AUTHORIZING THE EXECUTION AND ENTRY INTO A DEVELOPER'S AGREEMENT BETWEEN THE DISTRICT AT METUCHEN, LLC AND BLUESTONE 31ST STREET, L.L.C., AS TENANTS IN COMMON, AND THE DISTRICT AT METUCHEN II, LLC AND THE BOROUGH OF METUCHEN

WHEREAS, the District at Metuchen, LLC and Bluestone 31st Street, L.L.C., as Tenants in Common and the District at Metuchen II, LLC are the Developers of property located at Block 110, Lots, 2, 3, 30.01, 30.02, 30.03, 30.04, 31, 33.03, 34, 35, 36, 37, 38, 39 and a portion of Lot 42, Block 111, Lots 2 and 3, Block 83, Lots 24, 26, and 27, and Block 83.01, Lots 34 and 35 shown on the Official Tax Map of the Borough of Metuchen, located in the area of Middlesex Avenue, Lake Avenue and Central Avenue ("the Property"); and

WHEREAS, the Developers filed an application with the Planning Board for conditional use approval, preliminary and final site plan approval with “C” variances and waivers for Phase I of project and concept approval for Phases II and III for the Property (collectively referred to as “the project”); and

WHEREAS, the Metuchen Planning Board granted the Developers preliminary site plan for conditional use approval, preliminary and final major site plan approval, a “C” variance, waivers/exceptions for Phase I, and concept approval for Phase II and III subject to various conditions of approval and such approval was memorialized by way of Resolution of the Planning Board dated January 15, 2015 (attached to the Developer’s Agreement hereto at Exhibit A); and

WHEREAS, pursuant to the requirements of the Resolution of Approval the plans were subsequently revised and approved by the Board Engineer and Board Planner subject to further on-going review and approvals; and

WHEREAS, approvals of the Planning Board were subject to the District at Metuchen, LLC and Bluestone 31st Street, L.L.C., as Tenants in Common and the District at Metuchen II, LLC entering into a Developer’s Agreement with the Borough of Metuchen and pursuant to § 110-254 of the Code of the Borough of Metuchen requires that Developer’s Agreements shall be approved by the Council of the Borough of Metuchen; and

WHEREAS, the Mayor and Council of the Borough of Metuchen deem it in the best interest of the Borough to enter into the proposed Developer’s Agreement with the District at Metuchen, LLC and Bluestone 31st Street, L.L.C., as Tenants in Common, and the District at Metuchen II, LLC reflecting the approvals and conditions and requirements thereof in the form attached hereto and incorporated herein.

NOW THEREFORE BE IT RESOLVED that the Borough of Metuchen hereby authorizes the entry into the proposed Developer’s Agreement with the District at Metuchen, LLC and Bluestone 31st Street, L.L.C., as Tenants in Common, and the District at Metuchen II, LLC

BE IT FURTHER RESOLVED that the Mayor of the Borough of Metuchen is hereby authorized to execute the proposed Developer’s Agreement between the District at Metuchen, LLC and Bluestone 31st Street, L.L.C., as Tenants in Common, and the District at Metuchen II, LLC, and the Borough of Metuchen in the form attached hereto and that Borough officials and employees are authorized to take all necessary actions in order to effectuate the terms and provisions of this Resolution and the Agreement attached hereto.

RESOLUTION 2015-224

*Borough of Metuchen
County of Middlesex
State of New Jersey*

RESOLUTION REQUESTING THAT THE PARKING AUTHORITY DRAW DOWN ONE MILLION DOLLARS (\$1,000,000) FROM THE PROCEEDS OF THE SALE OF PARKING AUTHORITY LAND AND TRANSFER OF SAME TO THE BOROUGH OF METUCHEN, PER PILOT AGREEMENT.

WHEREAS, on August 17, 2015, the Borough of Metuchen authorized Resolution 2015-224 to enter into and the execution of an Agreement between the Borough of Metuchen and the Parking Authority of the Borough of Metuchen for annual payments to the Borough as payment in lieu of taxes in the form consistent to the Agreement attached hereto; and

WHEREAS, the Borough of Metuchen is in need of the annual payment at this time for Fair Share Housing Plan, Redevelopment, Legal Expenses and Operating Budget; and.

THEREFORE BE IT RESOLVED, the Borough is requesting that the Parking Authority draw down one million dollars (\$1,000,000) from the proceeds of the sale of parking authority land to Woodmont Properties, and transfer of same to the Borough of Metuchen, per the PILOT agreement between the Borough of Metuchen and the Parking Authority of the Borough of Metuchen for annual payments to the Borough of Metuchen for payments in lieu of taxes.

BE IT FURTHER RESOLVED that the Mayor and Borough officials and employees are hereby authorized to take all necessary actions in order to effectuate the terms and provisions of this Resolution.

RESOLUTION 2015-227

*Borough of Metuchen
County of Middlesex
State of New Jersey*

**RESOLUTION APPOINTING C-3 SANITARY SEWER COLLECTION SYSTEM OPERATOR –
THOMAS HERITS**

WHEREAS, the Borough of Metuchen has a need to acquire the services of a C-3 Sanitary Sewer Collection System Operator; and

WHEREAS, this contract is awarded without competitive bidding as a "Professional Service" in accordance with *N.J.S.A. 19:44A-20.5* and the Local Public Contracts Law because the contract is for a professional service in the amount not to exceed \$6,000; and

WHEREAS, the term of this contract is for the remainder of 2015, effective July 1, 2015 and prorated in the amount of \$3,000; and

WHEREAS, Thomas Herits, 29 Michael Drive, Metuchen, New Jersey 08840 will be providing the services of C-3 Sanitary Sewer Collection System Operator; and

WHEREAS, the maximum amount of the prorated contract is \$3,000.00 and funds will be available in 2015 Budget as evidenced by the Chief Financial Officer's Certification; and

BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen that *Thomas Herits*, 29 Michael Drive, Metuchen, New Jersey 08840 is hereby appointed the C-3 Sanitary Sewer Collection System Operator for the Borough of Metuchen.

RESOLUTION 2015-228

*Borough of Metuchen
County of Middlesex
State of New Jersey*

RESOLUTION AUTHORIZING INTERLOCAL AGREEMENT WITH MIDDLESEX COUNTY

IMPROVEMENT AUTHORITY FOR RECYCLING OF YARD WASTE

WHEREAS, the Borough of Metuchen requires recycling and marketing services for yard waste materials; and

WHEREAS, municipalities which enter into a two (2) year agreement with the Middlesex County Improvement Authority (MCI) for the recycling of yard waste are guaranteed a rate not to exceed \$28.88 per ton for leaves; \$33.00 per ton for grass clippings; and \$28.88 per ton for brush per ton commencing on September 1, 2015 and shall end on July 31, 2017; and

WHEREAS, the Borough of Metuchen is desirous of entering into an agreement with the Middlesex County Improvement Authority after reviewing other alternatives,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen that the Mayor and Clerk be and are hereby authorized to enter into and execute a Yard Waste Recycling and Marketing Services agreement with the Middlesex County Improvement Authority under the terms and conditions as negotiated in the contract.

RESOLUTION 2015-229

*Borough of Metuchen
County of Middlesex
State of New Jersey*

RESOLUTION APPOINTING FIREFIGHTER – HENRY A. FISCHER

WHEREAS, the Mayor and Borough Council have been notified by Rob Donnan, Chief of the Metuchen Fire Department, that Henry A. Fischer has been approved to be a permanent member of the Metuchen Fire Department; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Metuchen that in accordance with Chapter 8 of the Code of the Borough of Metuchen, **Henry A. Fischer** be and he is hereby elected, approved, and confirmed as a permanent member of the Fire Department of the Borough of Metuchen.

RESOLUTION 2015-230

*Borough of Metuchen
County of Middlesex
State of New Jersey*

RESOLUTION APPOINTING FIREFIGHTER – ANDREW BUCHANAN

WHEREAS, the Mayor and Borough Council have been notified by Rob Donnan, Chief of the Metuchen Fire Department, that Andrew Buchanan has been approved to be a permanent member of the Metuchen Fire Department; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Metuchen that in accordance with Chapter 8 of the Code of the Borough of Metuchen, **Andrew Buchanan** be and he is hereby elected, approved, and confirmed as a permanent member of the Fire Department of the Borough of Metuchen.

RESOLUTION 2015-231

*Borough of Metuchen
County of Middlesex
State of New Jersey*

RESOLUTION TO REAPPLY 2015 TAX PAYMENT FOR PARCELS SUBDIVIDED

WHEREAS, payment of 2015 taxes was made to Block 217 Lot 1 for the first and second quarters totaling \$4,502.57, and

WHEREAS, Block 217 Lot 1 was subdivided to create new parcels Block 217, Lot 1.01 44 Main Street, Block 217, Lot 1.02 21 E. Cedar Street and Block 217 Lot 1.03 25 E Cedar Street, and

WHEREAS, an overpayment of taxes exists on the mother lot Block 217 Lot 1 in the amount of \$4,502.57 which needs to be applied to the created lots of the subdivision, and

WHEREAS, the apportionment of 2015 taxes paid to the mother lot is \$4,000.00 to Block 217 Lot 1.01 and \$502.57 to Block 217 Lot 1.02,

NOW, THEREFORE, BE IT RESOLVED, that the overpayment of property taxes in the amount of \$4,502.57 be applied to Block 217 Lot 1.01 in the amount of \$4,000.00 and \$502.57 to Block 217 Lot 1.02.

RESOLUTION 2015-232

*Borough of Metuchen
County of Middlesex
State of New Jersey*

RESOLUTION – REFUND OF PREVIOUSLY CANCELLED TAXES

WHEREAS, the following has made an overpayment of taxes that has been previously cancelled by the Borough,

WHEREAS, proper documentation has been filed with the Collector of Taxes so that the following amount(s) can be released:

Name	Block/Lot	Address	Amount		Year
William & Kara Kwiatkowski, Jr.	157/55.2	106 Lake Avenue	2,289.36	Duplicate payment previously cancelled	2 nd qtr 2010

NOW, THEREFORE, BE IT RESOLVED, that the above listed property owner or agent be refunded \$2,289.36 in previously cancelled taxes.

RESOLUTION 2015-233

*Borough of Metuchen
County of Middlesex
State of New Jersey*

RESOLUTION – REFUND OF 2013 AND 2014 TAXES

WHEREAS, Robert Weston had been granted a veteran deduction in 2013 for parcel known as Block 4.2, Lot 18, 7 Buchanan Road,

WHEREAS, the adjustment for the veteran deduction was manually entered for 2013 and 2014 causing an overpayment of taxes for 2013 and 2014,

WHEREAS, the Tax Collector is requesting a refund of the tax overpayment for 2013 in the amount of \$250.00 and \$250.00 for the tax overpayment for 2014,

NOW, THEREFORE, BE IT RESOLVED, that the above listed property owner be refunded property taxes as described in the amount of \$500.00.

RESOLUTION 2015-234

*Borough of Metuchen
County of Middlesex
State of New Jersey*

**RESOLUTION AUTHORIZING EMERGENCY APPROPRIATIONS – NJS 40A:4-48
UNDER 3% LIMITATION**

WHEREAS, an emergency has arisen with respect to Redevelopment Plan/Studies/Pilot Agreement, Fair Share Housing Plan and related expenses and Legal Fees related to unanticipated labor counsel for employee disciplinary action, arbitration and related costs and, no adequate provision was made in the 2015 budget for the aforesaid purposes, and NJS 40A:4-46 provides for the creation of an emergency appropriation for the purposes mentioned above, and

WHEREAS, the total amount of the emergency appropriations created, including the appropriations to be created by this resolution is \$350,000.00 and three (3) percent of the total operating appropriations in the budget for 2015 is \$472,291.04 and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2015,

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-48:

1. An emergency appropriation is hereby made for Redevelopment Plan/Studies/Pilot Agreement, Fair Share Housing Plan and related expenses in the amount of \$300,000.00

2. An emergency appropriation is hereby made for Legal Fees related to unanticipated labor counsel for employee disciplinary action, arbitration and related costs in the amount of \$50,000.00
3. That said emergency appropriation shall be provided for in full in the 2016 budget, and \$300,000.00 is requested to be excluded from CAPS, pursuant to NJS 40:4-53.3c(1)
4. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services

RESOLUTION 2015-235

*Borough of Metuchen
County of Middlesex
State of New Jersey*

RESOLUTION – REFUND OF 2015 TAXES

WHEREAS, Neil DeRiggi, was granted an exemption from property taxes in 2014 as a 100% totally disabled veteran for the parcel known as Block 154.6, Lot 71, located at 27 Kelly Street,

WHEREAS, no property taxes will be due on the Block 154.6, Lot 71 unless Neil DeRiggi is determined by the Veteran's Administration as no longer 100% totally disabled,

WHEREAS, property taxes were paid by a mortgage service company for quarters 1 and 2 in 2015 totaling \$4,671.87, causing an overpayment of taxes,

WHEREAS, the Tax Collector is requesting a refund of tax overpayment for 2015 in the amount of \$4,671.87 to Neil & Patricia DeRiggi, owners of Block 154.6, Lot 71, 27 Kelly Street,

NOW, THEREFORE, BE IT RESOLVED, that the above listed property owner be refunded property taxes as described in the amount of \$4,671.87.

Council President Grayzel made a motion to move Resolution 2015-236, second by Councilman Leibfried, with all in favor, motion carries, 6-0.

RESOLUTION 2015-236

*Borough of Metuchen
County of Middlesex
State of New Jersey*

RESOLUTION AUTHORIZING THE PAYMENT OF THE BILL LIST

BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen that the proper warrants be drawn and all bills be paid totaling **\$3,194,196.48**

I, Rebecca Cuthbert, Chief Financial Officer of the Borough of Metuchen do hereby certify that funds are available for the payment of bills for the Borough of Metuchen.

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.

B. The salary range of compensation of all officers of the police department hereinafter named shall be as follows, all payable in equal bi-weekly installments except as otherwise provided for:

<u>Position</u>	<u>Minimum</u>	<u>Maximum</u>
Sergeant	92,691	99,089
Detective	87,537	93,580
Patrolman	41,401	90,713

Additional compensation by way of Corporal assignment, holiday pay, longevity, overtime, sick days, personal days, insurance benefits and other matters related are fully set forth in the collective bargaining agreement and are hereby incorporated in this ordinance.

C. The salary range of compensation for the administrative employees hereinafter named shall be as follows, all payable in bi-weekly installments except as otherwise provided for:

<u>RANGE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>	
3	\$18,000	\$38,000	Clerk Typist, Secretary, Deputy Court Administrator, Office Assistant,
4	\$19,000	\$41,000	Telecommunications Operator
6	\$20,000	\$45,000	Accounting/Tax Clerk, Library Assistant II
7	\$21,000	\$51,000	Head Telecommunications Operator, Library Assistant I
8	\$26,000	\$54,000	Children's Librarian, Adult Services Librarian
9	\$33,000	\$58,000	Assistant Administrator, Reference Librarian
11	\$41,000	\$80,000	Library Director

2. Section I, Group II is hereby amended by deleting the existing salary and titles and replacing them with the following:

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>	<u>PER</u>
Video Coordinator	\$ 10.00	\$ 30.00	hour
Asst. Video Coordinator	\$ 10.00	\$ 18.00	hour

Bus Drivers	\$ 10.00	\$ 17.00	hour
Pages and Junior Assistants	\$ 7.25	\$ 18.00	hour
Library Bookkeeper	\$ 20.00	\$ 22.00	hour
Library Intern/Child Services	\$ 22.00	\$ 26.00	hour
Young Adult Librarian	\$ 26.00	\$ 29.00	hour
Part-Time Clerk and Secretaries	\$ 8.00	\$ 17.00	hour
Construction Official	\$ 50.00	\$ 100.00	day
Plumbing Subcode Official	\$ 30.00	\$ 40.00	day
Plumbing Inspector	\$ 90.00	\$ 110.00	day
Electrical Subcode Official	\$ 30.00	\$ 40.00	day
Electrical Inspector	\$ 90.00	\$ 110.00	day
Fire Subcode Official	\$ 28.00	\$ 38.00	day
Fire Inspector	\$ 86.00	\$ 104.00	day
Bulding Subcode Official	\$ 30.00	\$ 40.00	day
Building Inspector	\$ 90.00	\$ 110.00	day
Alternate Subcode Officials	\$ 28.00	\$ 40.00	day
Alternate Inspectors	\$ 86.00	\$ 110.00	day
Janitors, Firehouse	\$ 1,000	\$ 4,500	year
Fire Official	\$ 3,000	\$ 12,000	year
Fire Inspectors	\$ 3,000	\$ 10,000	year
Office of Emergency Management			
Director	\$ 6,000	\$ 9,000	year
Registrar	\$ 3,000	\$ 12,000	year
Deputy Registrar	\$ 1,000	\$ 6,000	year
School Crossing Guards	\$ 10.00	\$ 16.00	hour
Municipal Alliance Coordinator	\$ 5,000	\$ 8,000	year
C-3 Sanitary Sewer Collection System Operator	\$ 6,000	\$ 8,000	year

3. Section I, Group III is hereby amended by deleting the existing salary ranges and titles and replacing with the following:

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>	<u>PER</u>
Tennis Instructor	\$9.00	\$15.00	hourly
Tennis Director	\$75.00	\$85.00	hourly
Art Director	\$50.00	\$75.00	hourly
Cooking Director	\$40.00	\$50.00	hourly
Field Hockey Director	\$30.00	\$40.00	hourly
Field Hockey Coach	\$20.00	\$30.00	hourly
Field Hockey Referees	\$10.00	\$15.00	per game
Drama Director	\$50.00	\$75.00	hourly
T-ball/Softball Instructor	\$15.00	\$30.00	hourly
Field Hockey Instructors	\$ 8.00	\$20.00	hourly
Camp Director	\$10.45	\$20.00	hourly
Recreation Specialist	\$ 7.25	\$10.00	hourly
Senior Counselor	\$ 8.25	\$ 9.25	hourly
Recreation Assistant	\$ 7.25	\$ 8.25	hourly
Junior Counselor	\$ 7.25	\$ 8.25	hourly
Camp Director	\$18.00	\$25.00	hourly
Wrestling Counselor	\$ 200	\$ 300	weekly
Sports Program Director	\$ 600	\$ 700	weekly

Wrestling Trainer	\$ 300	\$ 350	weekly
Soccer Camp Director	\$ 725	\$ 850	weekly
Soccer Counselor	\$ 150	\$ 400	weekly
Soccer Trainer	\$ 350	\$ 550	weekly
Track Camp Director	\$ 550	\$ 800	weekly
Track Advisor	\$ 500	\$ 600	weekly
Track Specialist	\$ 300	\$ 500	weekly
Basketball Director	\$ 600	\$ 750	weekly
Umpires	\$30.00	\$ 50.00	game

4. Section I, Group IV is hereby amended by deleting the existing salary ranges and replacing with the following:

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>	<u>PER</u>
Pool Manager	\$6,000	\$10,500	season
Assistant Managers	\$3,500	\$ 8,300	season
Aquatics Director	\$2,000	\$ 4,000	season
Head Swim Team Coach	\$2,000	\$ 3,500	season
Assistant Swim Team Coach	\$2,000	\$ 3,000	season
Swim Team Assistant	\$ 300	\$ 1300	season
Head Diving Coach	\$1,000	\$ 2,500	season
Assistant Diving Coach	\$1,000	\$ 2,000	season
Activities Director	\$1,000	\$ 2,000	season
Lifeguard	\$ 6.75	\$ 9.00	hour
Senior Lifeguard	\$ 7.75	\$ 10.00	hour
Head Lifeguard	\$ 8.50	\$ 11.00	hour
Head Maintenance	\$ 8.00	\$ 11.00	hour
Maintenance	\$ 5.75	\$ 7.50	hour
Photo Staff	\$ 5.15	\$ 7.00	hour
Swim Instructor	\$ 5.15	\$ 7.00	hour
Gate/Game Attendants	\$ 5.15	\$ 7.50	hour
Head Gate/Game Attendants	\$ 8.00	\$ 8.50	hour

5. Section I, Group V is hereby amended by deleting the existing salary ranges and replacing with the following:

<u>RANGE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>	<u>POSITION</u>
19	\$30,000	\$52,000	Administrative Secretary
21	\$32,000	\$63,000	Administrative Officer
25	\$43,000	\$74,000	Borough Clerk, Court Administrator
29	\$48,000	\$84,000	Recreation Director, Tax Assessor, Senior Citizen Director
30	\$50,000	\$90,000	Public Works Supervisor
33	\$53,000	\$115,000	Lieutenant/DPW Supt.
35	\$58,000	\$120,000	Police Captain, Chief Financial Officer/Tax Collector, Public Works Director

36	\$63,000	\$123,000	Borough Engineer
38	\$68,000	\$130,000	Chief of Police
40	\$73,000	\$137,000	Borough Administrator

6. Additional compensation by way of holiday pay, longevity, overtime, sick days, personal days, insurance benefits for full time employees not covered in collective bargaining agreements are fully set forth in the Personnel Resolution and amendments thereto previously adopted by the Borough Council and are hereby incorporated in this Ordinance.

7. No officer or employee shall be paid at a base rate which is above the maximum rate for any salary range in any of the aforementioned groups. Unless otherwise provided for all new employees or newly promoted employees shall be paid at the minimum rate of the salary range for the position to which they are hired. However, the Borough Administrator may hire a prospective employee who possesses qualifications that are greater than the minimum qualifications for the position at a rate above the minimum rate, but in no case shall a new employee be hired at a rate which is greater than that of a current employee in the same group.

8. If any portion of this ordinance is in conflict with any portion of a collective bargaining agreement, then the collective bargaining agreement shall take precedence.

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

10. This ordinance shall take effect after its publication according to law and the amendments contained herein shall be retroactive to January 1, 2015.

Public Session

Mayor Vahalla opened Public Session to anyone wishing to speak.

Daniel Lebar, 581 Middlesex Avenue, Metuchen asked about R2015-224 and the \$1 million drawdown from the Parking Authority. He wants to know if this is replacing the \$650,000 or is it in addition to this amount. Ms. Maier responded that the \$1,000,000 is already included in the Borough Budget.

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

Adjournment

Council President Grayzel made a motion to adjourn the meeting, seconded by Councilman Leibfried, with all in favor; the meeting was adjourned at 9:26 PM.

Respectfully Submitted,

Susan D. Jackson, RMC
Metuchen Borough Clerk