

BOROUGH OF METUCHEN COUNCIL MINUTES
December 19, 2016
7:30 PM

The Regular Meeting of the Borough Council was held in the Council Chambers of Borough Hall on Monday, December 19, 2016.

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

Adequate notice of this meeting has been given in accordance with the Open Public Meeting Act, pursuant to Public Law 1975, Chapter 231. Said notice was sent to the Home News Tribune and Star Ledger on January 4, 2016, posted in Borough Hall and on file in the Clerk's Office. All requirements of the "Open Public Meetings Act" have been satisfied.

Mayor Cammarano asked that all stand for the Invocation and Pledge of Allegiance.

Present were Councilmembers Inserro, Leibfried, Rasmussen, Council President Grayzel and Mayor Cammarano. Councilman Muldoon was absent. Also present were Jennifer Maier, Borough Administrator, Denis Murphy, Esq. and Susan Jackson, Borough Clerk.

Agenda Session

Council President Grayzel made a motion to open the Agenda Session, second by Councilman Leibfried, with all in favor, motion carried, 4-0.

Councilman Leibfried stated that R2016-274 will be to authorize the installation of pedestrian solar blinking lights at various points throughout the Borough. He stated that the current lights are inoperable at the corners of Main and Highland and Main and High Street. He is wondering if this resolution will cover these crossings or will the Borough have to go out for another grant to upgrade to a better system at these intersections.

Ms. Maier stated that they will be addressed in two separate grants. The one at Main and High Street is part of the Safe Routes to School Grant that was awarded in 2014. The firm Parson Brinckerhoff will be starting their engineering designs in the spring. Once the drawings have been completed, the Borough will go out to bid for the construction. Main and Highland Avenue is covered under a grant through NJTPA and is to be awarded sometime in January.

There was further discussion about the time of construction and completion of the project. There was also a discussion as to the type of system to be installed

Council President Grayzel requested removing R2016-291 from the Consent Agenda. With all in favor, the resolution has been removed.

With no further actions taken Mayor Cammarano asked for a motion to close the agenda session.

Council President Grayzel made a motion to close the Agenda Session, second by Councilman Leibfried, with all in favor, motion carried, 4-0.

Regular Meeting

Mayor Cammarano stated that the Borough has made an effort to make the streets safer for pedestrians

and bicyclists starting in 2013 by adopting a Complete Streets Program. In 2014, the Borough received a grant for Safe Routes to School and in 2015, the Borough passed an Ordinance reducing the speed limit on Grove Avenue to 25 mph. In 2016, a Street Smart Education Campaign was implemented with New Jersey Transportation Planning Authority and Metuchen was selected to participate in the local Bicycle and Pedestrian Planning Assistance Program administered by the NJ Department of Transportation. The purpose of the program is to foster the development of active transportation by providing technical assistance and professional services to the municipality. The Borough is fortunate to have RBA to undertake the program. Michael Dannemiller from RBA is here tonight to talk about the program. The purpose of the program is to make recommendations and identify opportunities that the Borough may have. There will be no action taken tonight, this is only the presentation. Any adoption will come with further public comments and interaction. Tonight's presentation is the ending of one process and the beginning of another process.

Mr. Dannamiller from RBA Group, the Consultants for NJDOT, one of three on-call consultants that do bicycle/pedestrian/traffic calming enhancements. He went over the recommendations that have been compiled through the numerous public meetings. He talked about the best options that will give the most to the Borough. This plan is not cast in stone and can be adjusted until the Borough and its residents are satisfied with the plan.

Mayor Cammarano stated that the plans are available through a link that is provided on the Borough website.

There was further discussion between the Borough Councilmembers and Mr. Dannamiller.

Mayor Cammarano opened up to the public for questions.

Guy Mastroianni, Myrtle Avenue, Metuchen asked how the Steering Committee determined difficult intersections and what criteria was used to develop those points. There is one intersection, New Brunswick Avenue and Myrtle Avenue at the intersection of Main Street that is not marked as difficult and is proposed to have a bike path. It is a complicated intersection, having a gas station on one corner, which has two access drives, the back way to get to Walmart and Costco and the dead end street that ends at the park. Mayor Cammarano addressed the crosswalk lights for that intersection. Mr. Dannamiller addressed the criteria to determine difficult intersections. Mr. Mastroianni asked how he can be more involved with the process.

Ms. Maier asked Mr. Dannamiller if the public comment link is still available to the public on the website.

Robin Brown, 412 W. Chestnut, Metuchen, walks and rides her bike a lot. She applauds this plan and will get more involved in the future. She feels that the corner of Center and Route 27 is extremely dangerous.

Jack Mori, 158 Norris Avenue, Metuchen, complimented the group on an excellent proposed plan. He stated that the extended curbs in a city environment are very effective but he is concerned about the shared lanes which aren't effective.

Ranjit Walia, McCoy Avenue, Metuchen clarified that this isn't about a safety analysis but more of a mobility study. This report is about connecting people and giving them more opportunity to circulate in the community. These are recommended routes and this is to give people the opportunity to review the report and give their opinions on either adding or taking away potential routes. There are cross sections and suggestions to routes and there opportunities to apply recommendations to other sections within the

community.

Betsy Schwartz, 79 Myrtle Avenue, Metuchen, asked if the results of any surveys are available to the public and if so, how can they be accessed. Ms. Maier stated that all results are in the report and can be accessed on the website link. Ms. Schwartz has concerns with potential parking and/or bike lanes along Myrtle, Brunswick and Main, especially along Myrtle as this can cause undue hardship on the residents that live on Myrtle. Mayor Cammarano addressed her concerns. She said that she would rather have the sidewalks repaired instead of having a bike lane.

Peter Fairclough, 3 Goodwill Place, Metuchen, has a question about the high visibility crosswalks. In Metuchen they have always been orange and the color for stop is red, not orange. Is there anything in the law that can make the crosswalk lights red instead of orange? Mayor Cammarano addressed his question.

Ms. Maier thanked Mr. Dannamiller for the insight and enthusiasm that was brought into this project.

Mayor Cammarano closed the presentation.

Council President Grayzel made a motion to approve the Borough Council minutes of December 5, 2016 second by Councilwoman Rasmussen, with all in favor, motion carried, 4-0.

Public Comment

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

Sean Massey, 93 Highland Avenue, Metuchen, thanked Mr. Dannamiller for the great job on the report. He spoke about the different options that can be available to help subsidize the cost to pay for these projects. He also spoke that this isn't only about parking and bike lanes, this is about public safety and public health.

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

Ordinance – Public Hearing

Ordinance 2016-32

Council President Grayzel asked for the presentation of Affidavit of Publication for Ordinance 2016-32.

Borough Clerk presented the affidavit of publication stating that said Ordinance 2016-32 has been published one time in the Home News Tribune according to Law on December 8, 2016.

Council President Grayzel moved that the affidavit of publication be received and filed, second by Councilwoman Rasmussen, with all favor, motion carried, 4-0.

Council President Grayzel asked Borough Clerk to read Ordinance 2016-32 by title.

Borough Clerk read Ordinance 2016-32 by title only

Ordinance 2016-32

An Ordinance to Amend Chapter 210 of the Code of the
Borough of Metuchen Changing the Expiration Date of the
Term of the Retail Food-Handling Establishment Licenses

Mayor Cammarano opened the Public Hearing on Ordinance 2016-32.

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

Council President Grayzel made a motion to pass Ordinance 2016-32 on second reading and be published according to law, second by Councilwoman Rasmussen.

Mayor Cammarano asked for a roll call vote.

Roll Call: Inserro, Leibfried, Rasmussen and Grayzel voted yes.

Ordinance 2016-32 was adopted, 4-0

ORDINANCE 2016-32

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

**AN ORDINANCE TO AMEND CHAPTER 210 OF THE CODE OF THE BOROUGH OF
METUCHEN CHANGING THE EXPIRATION DATE OF THE TERM OF THE RETAIL FOOD-
HANDLING ESTABLISHMENT LICENSES**

WHEREAS, the Board of Health of the Borough of Metuchen has reviewed the expiration date of the term of the licenses for Retail Food-Handling Establishments within the Borough; and

WHEREAS, the Board of Health has recommended and requested the Mayor and Borough Council amend the expiration of the term of the Retail Food-Handling Establishment Licenses from November 30th to December 31st; and

WHEREAS, the Council of the Borough of Metuchen deems it in the best interest of the Borough to accept the Board of Health's recommendation and request to amend the expiration of the term for Retail Food-Handling Establishments within the Borough from November 30th to December 31st.

NOW THEREFORE BE IT ORDAINED by the Council of the Borough of Metuchen that it hereby amends Chapter 210 of the Code of the Borough of Metuchen, entitled, "Food-Handling Establishments", specifically § 210-2, entitled "Fees" and § 210-6, entitled, "Expiration; renewal" to state as follows:

§ 210-2 Fees.

A. There shall be a charge as set forth in Chapter 87, Fees, for the license, as required by § 210-1.

B. If there is any change in ownership of a food establishment during the licensing period, immediate application must be made for a new food license. Anyone applying for a food

license during the last six months of the licensing period, i.e., July 1 through December 31st, due to a change of ownership or new establishment, except seasonal trucks and seasonal establishments, the food license fee will be prorated to the nearest month.

§ 210-6 Expiration; renewal.

Licenses issued or approved under the provisions of this chapter shall expire annually on December 31st of each year, and applications for renewal thereof shall be submitted, together with the required fee, prior to December 1 of each year. In the event that the Board of Health shall sponsor a food-handlers education program during any year, notice of the same shall be given to each retail food establishment licensee or itinerant retail food establishment licensee. No license shall be renewed unless the licensee, proprietor, manager, assistant manager or other persons in charge of a retail food establishment or itinerant retail food establishment shall attend such program or a comparable program approved by the Board of Health. In the event that the food establishment employs 20 or more persons, then at least two supervisory personnel of such food establishment shall be required to attend the aforesaid programs. Based on inspection records made by the Board of Health, the Board shall have the right to waive the above attendance requirement for not more than two successive years.

BE IT FURTHER ORDAINED that the remaining sections and subparts of Chapter 210 not referenced above shall remain in full force and effect; and

BE IT FURTHER ORDAINED that if any part of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance; and

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed or amended to the extent of such inconsistency; and

BE IT FURTHER ORDAINED by the Council of the Borough of Metuchen that this ordinance shall take effect after passage and publication as required by law.

Ordinance 2016-33

Council President Grayzel asked for the presentation of Affidavit of Publication for Ordinance 2016-33.

Borough Clerk presented the affidavit of publication stating that said Ordinance 2016-33 has been published one time in the Home News Tribune according to Law on December 8, 2016.

Council President Grayzel moved that the affidavit of publication be received and filed, second by Councilman Leibfried, with all favor, motion carried, 4-0.

Council President Grayzel asked Borough Clerk to read Ordinance 2016-33 by title.

Borough Clerk read Ordinance 2016-33 by title only

Ordinance 2016-33

An Ordinance Amending Chapter 185 Entitled "Vehicles and Traffic", Article 185-35 Entitled "Control for Movement and Parking of Traffic on Public and Private Property", of the Revised Ordinances of the Borough of Metuchen

Mayor Cammarano opened the Public Hearing on Ordinance 2016-33.

Mayor Cammarano stated that this ordinance is dealing with the Borough Hall Parking lot and designating it as a parking lot for Borough Hall Business only.

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

Council President Grayzel made a motion to pass Ordinance 2016-33 on second reading and be published according to law, second by Councilman Leibfried.

Mayor Cammarano asked for a roll call vote.

Roll Call: Inserro, Leibfried, Rasmussen and Grayzel voted yes.

Ordinance 2016-33 was adopted, 4-0

ORDINANCE 2016-33

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

**AN ORDINANCE AMENDING CHAPTER 185 ENTITLED "VEHICLES AND TRAFFIC",
ARTICLE 185-35 ENTITLED "CONTROL FOR MOVEMENT AND PARKING OF TRAFFIC
ON PUBLIC AND PRIVATE PROPERTY", OF THE REVISED ORDINANCES OF THE
BOROUGH OF METUCHEN**

STATEMENT OF PURPOSE: TO REGULATE METUCHEN BOROUGH HALL PARKING LOT.

BE IT ORDAINED by the Mayor and Council of the Borough of Metuchen that Ordinance No. 185-35 A. (1) Properties, as amended and supplemented be further amended as follows:

Section 1.

Section 185-35 A. (1) of the Code of the Borough of Metuchen is hereby amended by adding the following:

Metuchen Borough Hall Parking Lot, 500 Main Street. Regulations:

- (a) Metuchen Borough Hall Parking Lot shall be for Borough Hall employees and Metuchen Borough Hall Business during regular business hours and any after hour activities associated with Borough Hall.
- (b) the east side of Main Street beginning from a point 81 feet 7 inches north of State Hwy 27 continuing for a distance of 76 feet north will be for Metuchen Borough Hall Business.
- (c) All vehicles must park in designated marked spaces and between the lines provided as indicated on attached Sketch SK-1.

- (d) Violators shall be fined \$250.00 and be subject to having their car towed at the expense of the vehicle owner.

BE IT FURTHER ORDAINED by the Mayor and Council of the Borough of Metuchen that the within Ordinance and amendments made herein shall become effective immediately upon publication following final adoption and pursuant to law.

Communications Consent Agenda – Items A - C

Council President Grayzel made a motion to move Communication Consent Agenda, Items A - C, second by Councilwoman Rasmussen, with all in favor, motion carried, 4-0

- A. Receive and Accept Environmental Commission Meeting Minutes of February 17, 2016 and March 16, 2016
- B. Receive and Accept Traffic and Transportation Meeting Minutes of September 14, 2016, October 12, 2016 and November 9, 2016
- C. Receive and Accept Resignation of Linda Koskoski from Library Board of Trustees

Reports of Councilmembers

Mayor Cammarano opened Reports of Councilmembers.

Council President Grayzel –

- Has no report at this time.

Councilwoman Inserro –

- Thanked the Metuchen Municipal Alliance for all their hard work putting together the presentation on Underage Drinking on Wednesday, December 7th. There was great interaction with all that attended.

Councilman Leibfried –

- Library Board of Trustees met last Tuesday. He thanked Suzanna Chan, Library Director, for all her hard work over her three year tenure as the Library Director. She will be leaving at the end of the month and relocating in California. All the best to her and her family.
- Mr. John Arthur, former Fairfield Library Director, has been hired as the new Library Director.
- He congratulated Council-elect Linda Koskoski for receiving the Middlesex County Library Board Trustee of the Year Award at the Pines Manor earlier this month.

Councilwoman Rasmussen –

- Has no report at this time.

Reports of Officers

Denis Murphy, Esq. –

- Has no report at this time.

Jennifer Maier, Administrator –

- Has no report at this time.

Report of the Mayor

- Has no report at this time.

New Business Consent Agenda – Resolutions R2016-274, R2016-288 through R2016-290 and R2016-292 through R2016-310

Council President Grayzel moved New Business Consent Agenda – Resolution 2016-274, R2016-288 through R2016-290 and R2016-292 through R2016-310, second by Councilwoman Rasmussen, with all in favor, motion carried, 4-0

RESOLUTION 2016-274

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

RESOLUTION AUTHORIZING THE ENTRY AND THE EXECUTION OF THE AGREEMENTS BETWEEN THE BOROUGH OF METUCHEN AND THE COUNTY OF MIDDLESEX FOR THE INSTALLATION OF PEDESTRIAN SOLAR BLINKING LIGHTS

WHEREAS, pursuant to the Borough of Metuchen’s Safe Routes to School Project, the Borough has determined that it would be in the best interest of the residents of the Borough of Metuchen to install Pedestrian Solar Blinking Lights at the intersections of Main Street and Brunswick Avenue, Main Street and High Street and Central Avenue and Liberty Street in the Borough; and

WHEREAS, the proposed locations of Main Street and Brunswick Avenue, Main Street and High Street and Central Avenue and Liberty Street in the Borough intersect with Middlesex County Roads and pursuant to *N.J.S.A. 39:4-120.1* requires County of Middlesex approval of same; and

WHEREAS, the Borough has contacted the representatives of County of Middlesex and requested approval of the Pedestrian Solar Blinking Lights at the intersections of Main Street and Brunswick Avenue, Main Street and High Street and Central Avenue and Liberty Street in the Borough; and

WHEREAS, for approval Middlesex County requires the Borough to enter into Agreements with the County relating to, among other things, the installation, maintenance, upkeep of the Pedestrian Solar Blinking Lights to be installed in the form of the proposed Agreements attached hereto; and

WHEREAS, the Borough Council has determined that it is in the best interest of the Borough of Metuchen to authorize the entry into the Agreements for permission to install Pedestrian Solar Blinking Lights at the intersections of Main Street and Brunswick Avenue, Main Street and High Street and Central Avenue and Liberty Street in the Borough.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Metuchen that it hereby authorizes the entry into Agreements with the County of Middlesex for permission to install Pedestrian Solar Blinking Lights at the intersections of Main Street and Brunswick Avenue, Main Street and High Street and Central Avenue and Liberty Street in the Borough consistent in the form attached hereto; and

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 including but not limited to the execution of the Agreements with County of Middlesex consistent with the form attached hereto, and any further action necessary to effectuate the final executed Agreements.

RESOLUTION 2016-288

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

RESOLUTION AUTHORIZING REFUND OF 2016 TAXES

WHEREAS, the following have made an overpayment of taxes,

| Name | Block/Lot | Address | Amount | | Year |
|-------------------------------------|-----------|--------------------|----------|--|--------------------------|
| Peter & Christina Seceusa | 188/8 | 29 Peltier Ave | 432.75 | Duplicate payment | 4 th qtr 2016 |
| CoreLogic for Deborah White-Trustee | 82.01/1 | 12 Park Square | 3,173.62 | Duplicate payment | 2 nd qtr 2016 |
| ZM Management LLC | 54/30 | 136-140 Durham Ave | 2,397.85 | Overpayment- parcel renumbered by Assessor | 1 st qtr 2016 |
| ZM Management LLC | 54/30 | 136-140 Durham Ave | 2,397.85 | Overpayment- parcel renumbered by Assessor | 2 nd qtr 2016 |

NOW, THEREFORE, BE IT RESOLVED, that the above listed property owner or agent be refunded property taxes as described in the amount of \$8,402.07.

RESOLUTION 2016-289

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

RESOLUTION AUTHORIZING THE ENTRY INTO AND THE EXECUTION OF THE GRANT AGREEMENT BETWEEN THE BOROUGH OF METUCHEN AND THE COUNTY OF MIDDLESEX FOR THE OAKLAND PARK IMPROVEMENTS

WHEREAS, the County of Middlesex by Resolution #96-1478, established Open Space and Farmland Preservation Trust Fund pursuant to N.J.S.A. 40:12-10 et seq. and N.J.S.A. 40:12-16 et seq. and adopted operating procedures therefor; and

WHEREAS, subsequent thereto, the statute governing the aforesaid trust fund was amended, which amendment, *inter alia*, changed the name of the fund to the Open Space

Recreation and Farmland and Historic Preservation Trust Fund (the "Trust Fund") and set forth the permissible use of Trust Fund monies; and

WHEREAS, by resolution 97-1891, the County established the Trust Fund pursuant to N.J.S.A. 40:12-16 et seq., as amended by P.L. 1997, c.24 (N.J.S.A. 40:12-15.1 et seq.); and

WHEREAS, pursuant to N.J.S.A. 40:12-15.6, the governing body of any County which has established an "Open Space, Recreation and Farmland and Historic Preservation Trust Fund" may, by resolution, distribute monies deposited therein to municipalities within the County to be used for purposes for which the Fund was established; and

WHEREAS, the Borough of Metuchen submitted a proposal to the County in connection with the improvement and/or development of Green Acres Recreation Area known as Oakland Park, which included: Removal of old and installation of new, fully accessible/ADA playground equipment, exercise equipment, benches and landscaping ("Project"); and

WHEREAS, the County evaluated said proposal and found that it met the purposes for which monies deposited in the "Open Space, Recreation and Farmland and Historic Preservation Trust Fund" may be utilized and forwarded a proposed Grant Agreement to be entered into with the Borough for the amount of Two Hundred Twenty-Five, Four Hundred Ninety-Three and 00/100 Dollars (\$225,493.00) in funds for the Project; and

WHEREAS, the Borough has determined it to be in the best interest of the Borough to authorize the entry into and the execution of the Grant Agreement with the County of Middlesex.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Metuchen that it hereby authorizes the entry into the Grant Agreement with the County of Middlesex for the amount of Two Hundred Twenty-Five, Four Hundred Ninety-Three and 00/100 Dollars (\$225,493.00) in funds for the Oakland Park Improvement Project consistent in the form attached hereto; and

BE IT FURTHER RESOLVED that the Mayor, Borough officials and employees are hereby authorized to take all necessary actions in order to effectuate the terms and provisions of this Resolution including but not limited to the execution of the Grant Agreement with County of Middlesex consistent with the form attached hereto, and any further action necessary to effectuate the final executed Agreements.

RESOLUTION 2016-290

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

RESOLUTION SUPPORTING SUBMISSION OF APPLICATION FOR SUSTAINABLE JERSEY GRANT FOR PREPARATION OF A NATURAL INVENTORY RESOURCE

WHEREAS, Metuchen is applying for funding for a Sustainable Jersey Grant for preparation of a natural inventory resource; and

WHEREAS, the project will help to continue and improve the promotion to sustain Metuchen Borough's Natural Inventory Resources.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Metuchen, that it hereby supports the submission of a grant application for the "Sustainable Jersey Grant for Preparation of a Natural Inventory Resource" and authorizes the Mayor, Borough Administrator and the Borough Clerk to execute any and all documents necessary and related to the submission of said grant application or grant agreement.

RESOLUTION 2016-292

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

**RESOLUTION AMENDING RESOLUTION 2016-23
AWARD OF CONTRACT FOR BOROUGH LABOR RELATIONS ATTORNEY**

WHEREAS, the Borough of Metuchen has a need to acquire the services of an Attorney for Borough Labor Relations Attorney as a contract without competitive bidding (non-fair and open) pursuant to the provisions of <N.J.S.A. 19:44A-20.4; and,

WHEREAS, Requests for Qualifications were received and reviewed by the Borough Administrator; and,

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$15,000; and,

WHEREAS, the anticipated term of this contract is the calendar year 2016; and,

WHEREAS, the original agreement stipulated that the maximum amount of the contract shall not exceed \$15,000 and funds shall be available in the 2016 budget as evidenced by the Chief Financial Officer's Certification; and,

WHEREAS, the Borough deemed it necessary to dedicate an additional \$10,000 for continued services; and,

WHEREAS, the new maximum amount of the contract shall not exceed \$25,000 and funds shall be available in the 2016 budget as evidenced by the Chief Financial Officer's Certification.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen as follows:

1. The Chief Financial Officer is hereby authorized and directed to amend the agreement with Apruzzese, McDermott, Mastro and Murphy, 25 Independence Boulevard, Liberty Corner, NJ 07938.

RESOLUTION 2016-293

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

RESOLUTION AUTHORIZING CANCELLATION OF STALE DATED CHECKS – ELECTION ACCOUNT

WHEREAS, the Election bank account has Poll Worker checks written against balances on deposit that are stale as listed below prior to year 2015; and

| Election Account | |
|------------------|----------|
| #3488 | \$200.00 |
| #3575 | \$ 58.00 |
| #3672 | \$125.00 |
| #3766 | \$100.00 |
| #3820 | \$100.00 |
| | |

WHEREAS, it is the recommendation by the Borough Auditors to cancel the stale dated checks in the amount of \$583.00 to be refunded back to Middlesex County Clerk’s Election Account.

NOW, THEREFORE, BE IT RESOLVED that the listed stale dated checks be canceled and refunded to Middlesex County Clerk, 75 Bayard Street, 4th Floor, New Brunswick, NJ 08901.

RESOLUTION 2016-294

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

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #16-020
11 LEXINGTON DRIVE**

WHEREAS, Jessica Riccardi posted \$320.00 for apron and sidewalk escrow fees at 11 Lexington Drive; and

WHEREAS, the permit has expired without the work being done after 90 days of the permit being issued; and

WHEREAS, the Planning Board Secretary has requested that the escrow fees be refunded to Jessica Riccardi,

NOW, THEREFORE, BE IT RESOLVED, that Jessica Riccardi be refunded \$320.00 from the Sidewalk Inspection Escrow account.

RESOLUTION 2016-295

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

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #16-021
52 KEMPSON PLACE**

WHEREAS, Suburban Development LLC posted \$198.00 for curb, apron and sidewalk escrow fees at 52 Kempson Place; and

WHEREAS, the Planning Board Secretary has requested that the escrow fees be refunded to Suburban Development LLC,

NOW, THEREFORE, BE IT RESOLVED, that Suburban Development LLC be refunded \$198.00 from the Sidewalk Inspection Escrow account.

RESOLUTION 2016-296

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

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #16-022
34 ROSS AVENUE**

WHEREAS, Suburban Development LLC posted \$30.00 for curb escrow fees at 34 Ross Avenue; and

WHEREAS, the Planning Board Secretary has requested that the escrow fees be refunded to Suburban Development LLC,

NOW, THEREFORE, BE IT RESOLVED, that Suburban Development LLC be refunded \$30.00 from the Sidewalk Inspection Escrow account.

RESOLUTION 2016-297

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

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #16-034
345 MIDDLESEX AVENUE**

WHEREAS, Ira Schulman posted \$160.00 for sidewalk escrow fees at 345 Middlesex Avenue; and

WHEREAS, the Planning Board Secretary has requested that the escrow fees be refunded to Ira Schulman,

NOW, THEREFORE, BE IT RESOLVED, that Ira Schulman be refunded \$160.00 from the Sidewalk Inspection Escrow account.

RESOLUTION 2016-298

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

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #16-038
201 MIDLAND AVENUE**

WHEREAS, NJ Finest Home Improvements, LLC posted \$480.00 for sidewalk escrow fees at 201 Midland Avenue; and

WHEREAS, the Planning Board Secretary has requested that the escrow fees be refunded to NJ Finest Home Improvements, LLC,

NOW, THEREFORE, BE IT RESOLVED, that NJ Finest Home Improvements, LLC be refunded \$480.00 from the Sidewalk Inspection Escrow account.

RESOLUTION 2016-299

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

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #16-039
215 COLUMBIA AVENUE**

WHEREAS, Robert F. Russo posted \$192.00 for apron and sidewalk escrow fees at 215 Columbia Avenue; and

WHEREAS, the Planning Board Secretary has requested that the escrow fees be refunded to Robert F. Russo,

NOW, THEREFORE, BE IT RESOLVED, that Robert F. Russo be refunded \$192.00 from the Sidewalk Inspection Escrow account.

RESOLUTION 2016-300

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

**RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE BOND GUARANTEE –
SUBURBAN SPORTS LAND LLC – BLOCK 130.01, LOTS 47.01, 47.02 & 48**

WHEREAS, Suburban Sports Land LLC, has requested a refund of the performance bond for site improvements on Block 130.01, Lots 47.01, 47.02 & 48 located at 302 High Street, Metuchen; and

WHEREAS, the Borough Engineer in a letter dated January 8, 2016 and revised on November 10, 2016 and the Borough Zoning Official's letter dated September 29, 2016 has reported that the contract has been completed in an acceptable manner; and

WHEREAS, Maser Consulting recommends the full release of the Performance Guarantee in the amount of \$205,460.28 (Surety Bond) and cash bond in the amount of \$22,828.92 posted on June 10, 2015; 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 in the amount of \$205,460.28 (Surety Bond) and cash bond in the amount of \$ 22,828.92 plus interest as recommended and directed by the Borough Engineer and Borough Zoning Officer to Suburban Sports Land LLC, 228A Pierson Avenue, Edison, NJ 08837 upon final approval of the Borough Administrator and Legal Counsel.

RESOLUTION 2016-301

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

RESOLUTION AUTHORIZING THE RELEASE OF THE PERFORMANCE BOND AND GUARANTEE FOR THE SITE IMPROVEMENTS FOR GREENWAY VILLAGE, LLC, BLOCK 134, LOTS 60.011 UPON THE POSTING OF A MAINTENANCE BOND

WHEREAS, Greenway Village, LLC, Block 134, Lot 60.011 posted, pursuant to the requirements of the Borough of Metuchen Land Development Regulations and Zoning Ordinance, Performance Guarantees, guaranteeing the site improvements in conjunction with the improvements at the location; and

WHEREAS, Greenway Village, LLC has complete said improvements and has requested the release of said performance guarantees posted; and

WHEREAS, the Borough Engineer, Planner and Zoning Officer have made an inspection of the improvements and the Borough Engineer by letter dated August 30, 2016, a copy of which is attached hereto, and made part hereof, made a determination that all bonded improvements have been completed and are satisfactory and recommended the release of the performance guarantee upon the posting of a maintenance guarantee in the amount of \$37,717.84 for a period of two years from the date of the within Resolution or the date the appropriate maintenance bond is submitted and accepted, whichever is later, to insure against the defects in the bonded improvements acceptable in form by the Borough Attorney and the posting of inspection fees in the amount of \$500.00; and

WHEREAS, Maser Consulting recommends the full release of the Performance Guarantee in the amount of \$271,568.43 (Surety Bond) and cash bond in the amount of \$30,174.27 plus interest posted on June 6, 2015.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Metuchen that it hereby authorizes the release of the aforementioned performance guarantees in the amount of \$271,568.43 (surety bond) and cash bond in the amount of \$30,174.27 plus interest for Greenway Village, LLC, 228A Pierson Avenue, Edison, NJ 08837, upon satisfaction of the terms and conditions of the Borough Engineer's correspondence dated August 30, 2016, including but not limited to the posting of a two (2) year maintenance guarantee in the amount of \$37,717.84 to insure against defects in the bonded site improvements in the form acceptable by the Borough Attorney; and

BE IT FURTHER RESOLVED that prior to the release of any outstanding escrow funds, Greenway Village, LLC shall reimburse the Borough the costs of any outstanding fees for professional services and ensure sufficient funds are made available for payment; and

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

RESOLUTION 2016-302

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

RESOLUTION AUTHORIZING THE CANCELLATION OF TAX SALE LIEN

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

| <u>Cert #</u> | <u>Block/Lot</u> | <u>Address</u> | <u>Lienholder</u> |
|---------------|------------------|-----------------|--------------------------------------|
| 15-00004 | 127/1.2 C-05 | 5 Bridge Street | US Bank, Cust for BV001 Trust/Crdtrs |
| 15-00005 | 127/1.2 C-06 | 6 Bridge Street | US Bank, Cust for BV001 Trust/Crdtrs |

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

RESOLUTION 2016-303

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

RESOLUTION AUTHORIZING 2016 BUDGET TRANSFERS

WHEREAS, there are unexpended balances in various 2016 appropriation accounts not required for the balance of 2016; and

WHEREAS, additional sums are required for the operating expenses of other Borough accounts,

NOW, THEREFORE, BE IT RESOLVED, that the following transfers be approved:

| Appropriation | From | To |
|--------------------------------|-----------|-----------|
| Administration & Executive S&W | 13,800.00 | |
| Elections | 3,650.00 | |
| Planning S&W | 6,200.00 | |
| Buildings & Grounds OE | 10,400.00 | |
| Parks & Playgrounds OE | 13,900.00 | |
| Gasoline & Diesel | 56,100.00 | |
| Recycling S&W | 10,000.00 | |
| Clerk S&W | | 150.00 |
| Legal OE | | 10,000.00 |

| | | |
|---------------------------------|------------|------------|
| METV OE | | 2,400.00 |
| Zoning S&W | | 6,200.00 |
| Police OE | | 23,000.00 |
| Fire OE | | 22,400.00 |
| Fire Hydrant | | 1,000.00 |
| Public Works Administration S&W | | 14,400.00 |
| Streets & Roads S&W | | 6,000.00 |
| Buildings & Grounds S&W | | 6,000.00 |
| Sewers S&W | | 9,000.00 |
| Forestry S&W | | 1,400.00 |
| Parks & Playgrounds S&W | | 1,800.00 |
| Court S&W | | 5,300.00 |
| Sewers OE | | 5,000.00 |
| | 114,050.00 | 114,050.00 |

RESOLUTION 2016-304

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

RESOLUTION REFUNDING ESCROW BALANCE

WHEREAS, the Planning Office has requested that the following escrow account be closed and the balance be refunded to the depositor,

WHEREAS, the Planning Office has contacted the Board Engineer, Planner and Attorney for authorization to release the funds and determine the project is closed,

WHEREAS, the Planning Office has provided a list to the Chief Finance Officer with a sign-off from the Board Professionals, that the following escrow project is complete and can be closed, and that no further billing from the professionals for this project will be paid.

BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen for the Chief Financial Officer/Tax Collector is instructed to refund, in the amount indicated, the following escrow balance to the depositor, as the project has been determined to be closed:

| ESCROW ACCOUNT | AMOUNT | DEPOSITOR |
|-----------------------|---------------|--|
| 14-10211 E | 989.92 | Porzio Bromberg & Newman PC 319 Lake Avenue |

RESOLUTION 2016-305

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

RESOLUTION AUTHORIZING CANCELLATION OF STALE DATED CHECKS

WHEREAS, Various bank accounts have checks written against balances on deposit that are stale as listed below;

| Current Fund | | Trust Other | |
|--------------|--------|-------------|--------|
| #33316 | 295.00 | #4203 | 166.45 |
| #33615 | 150.22 | | |
| #33636 | 130.00 | | |
| #34077 | 240.00 | | |
| #34307 | 129.19 | | |
| #34333 | 110.00 | | |
| | | | |
| | | | |
| | | | |

| | |
|-------|--------|
| 16513 | 41.93 |
| 17207 | 27.55 |
| 17210 | 5.41 |
| 17226 | 22.94 |
| 18092 | 139.15 |
| 19774 | 65.62 |
| 20005 | 65.67 |
| 20351 | 54.20 |
| 20354 | 91.83 |
| 20471 | 255.77 |
| 20695 | 97.58 |
| 20734 | 30.49 |
| 20784 | 80.44 |
| 20897 | 222.23 |
| 20930 | 102.85 |
| 20945 | 12.20 |
| 20956 | 10.56 |
| | |

WHEREAS, it is the recommendation by the Borough Auditors to cancel the stale dated checks to the named fund, with stale dated payroll checks cancelled to current fund,

NOW, THEREFORE, BE IT RESOLVED that the listed stale dated checks be canceled to the above described funds.

RESOLUTION 2016-306

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

RESOLUTION AUTHORIZING CANCELLATION OF 2012, 2013, 2014 AND 2015 TAX OVERPAYMENTS

WHEREAS, the following parcels have overpayment of taxes,

| Block/Lot | Address | Amount | Year |
|-----------|---------------------|-----------|---------|
| 3/146 | 42 Willow Road | 500.00 | 2012/Q4 |
| 40/14 | 320 Durham Ave | 262.25 | 2012/Q4 |
| 92/26 | 30 Christol Street | 172.36 | 2012/Q3 |
| 108.1/33 | 60 Stoneham Place | 2,098.00 | 2012/Q4 |
| 118/12 | 52 Inn Place | 1,289.12 | 2012/Q3 |
| 150/43.01 | 31 Franklyn Place | 1,835.75 | 2012/Q4 |
| 154.2/4 | 3 Sylvan Place | 2,267.28 | 2012/Q1 |
| 154.2/4 | 3 Sylvan Place | 2,267.28 | 2012/Q2 |
| 68/48 | 36 Smith Street | 3,268.11 | 2013/Q3 |
| 108.1/36 | 42 Stoneham Place | 181.15 | 2013/Q1 |
| 150/7 | 56 High Street | 148.87 | 2013/Q1 |
| 150/7 | 56 High Street | 150.00 | 2013/Q2 |
| 160.1/63 | 39 Herold Place | 250.00 | 2013/Q4 |
| 184/71 | 44 Home Street | 196.69 | 2013/Q1 |
| 3/154 | 8 Willow Road | 250.00 | 2014/Q4 |
| 44.2/36 | 53 Forrest Street | 208.56 | 2014/Q4 |
| 61/9 | 21 Bloomfield Drive | 266.80 | 2014/Q1 |
| 142/1.8 | 98 Spring Street | 266.76 | 2014/Q1 |
| 143.2/8 | 4 Ely Court | 839.42 | 2014/Q2 |
| 153/3.6 | 305 Rose Street | 250.00 | 2014/Q4 |
| 154.11/3 | 9 Ferndale Place | 1,824.18 | 2014/Q2 |
| 181/37 | 36 Hazelwood Avenue | 250.00 | 2014/Q2 |
| 188/6 | 33 Peltier Ave | 336.82 | 2014/Q1 |
| 198/13 | 141 Amboy Ave | 42.36 | 2014/Q4 |
| 3/3 | 168 Plainfield Ave | 70.14 | 2015/Q1 |
| 3/3 | 168 Plainfield Ave | 70.14 | 2015/Q2 |
| 7/1 | 149 Mason Drive | 1,478.20 | 2015/Q4 |
| 67/53 | 41 Smith Street | 3,431.39 | 2015/Q4 |
| 73/54 | 656 New Durham Road | 2,823.06 | 2015/Q4 |
| 82/1.1 | 103 Central Ave | 4,228.90 | 2015/Q1 |
| 82/1.1 | 103 Central Ave | 4,228.89 | 2015/Q2 |
| 82/1.1 | 103 Central Ave | 4,228.90 | 2015/Q3 |
| 83/1 | Central Ave | 1,472.90 | 2015/Q1 |
| 83/1 | Central Ave | 1,472.89 | 2015/Q2 |
| 83/2 | 85 Central Ave | 17,087.49 | 2015/Q1 |
| 83/2 | 85 Central Ave | 17,087.48 | 2015/Q2 |
| 154/40 | 5 Summit Ave | 1,175.54 | 2015/Q4 |
| 168/29 | 55 Henry Street | 3,309.13 | 2015/Q3 |
| 177/17.02 | 24 Grove Ave | 56.39 | 2015/Q1 |
| 203/6 | 63 Amboy Ave | 2,867.73 | 2015/Q4 |
| 216/30 | 38 Orchard Street | 3,438.13 | 2015/Q1 |
| | | | |

NOW, THEREFORE, BE IT RESOLVED, that the above listed tax overpayment balances by canceled, in the amount of

\$87,949.06.

RESOLUTION 2016-307

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

RESOLUTION TO CANCEL 2016 BUDGET BALANCES

WHEREAS, the following Current Fund budget appropriation balances remain unexpended;

Interest on Bonds 1.50

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to Surplus; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Metuchen that the above listed unexpended balance of \$100,044.75 of the Current Fund be canceled.

RESOLUTION 2016-308

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

RESOLUTION AUTHORIZING FUNDING OF POLICE OUTSIDE OVERTIME ESCROW BALANCES

WHEREAS, the Chief Finance Officer has requested that the following escrow accounts be funded,

WHEREAS, the following are police outside overtime escrow accounts that have deficit balances,

WHEREAS, the amounts listed are subject to reduction based on escrow funds received through the remainder of 2016,

BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen for the Chief Financial Officer/Tax Collector be instructed to fund, in the amounts indicated, subject to reduction by additional receipts received through the end of 2016, the following police outside overtime escrow balances:

| ESCROW NO. | AMOUNT | DEPOSITOR | ESCROW NO. | AMOUNT | DEPOSITOR |
|------------|----------|----------------------|------------|--------|---------------------|
| OT 132 | 1,891.20 | HIGH POINT | OT 204 | 20.00 | DAG HOLDINGS |
| OT 219 | 2,226.00 | ARTHRITIS FOUNDATION | OT 055 | 363.00 | FLYNN & SON |
| OT 231 | 288.00 | SHORE SYSTEMS | OT 198 | 844.00 | METUCHEN SPORTSPLEX |

| | | | | | |
|--------|-----------|------------------------|--------|-----------|---------------------------|
| OT 246 | 624.00 | EPI | OT 202 | 1,074.00 | ADVANCE FIBER WORKS |
| OT 004 | 2,705.50 | MIDDLESEX WATER | OT 232 | 1,131.00 | WP MET WOODMONT |
| OT 007 | 242.00 | METUCHEN HS | OT 250 | 756.00 | HILT BLDG /E&G MECHANICAL |
| OT 008 | 6,599.00 | HENKLES & MCCOY | OT 251 | 384.00 | BJR DEVELOPMENT |
| OT 011 | 2,522.00 | PSEG | OT 253 | 945.00 | WATER AND DRAIN MGMT |
| OT 019 | 2,722.50 | NEVE SHALOM | OT 254 | 808.00 | VALVTEK UTILITY SERVICE |
| OT 021 | 33.00 | ST JOSEPH HS | OT 260 | 11,639.00 | EARLE |
| OT 022 | 1,365.50 | METUCHEN HS SPORTS | OT 261 | 148.00 | LUCAS BROS |
| OT 024 | 364.00 | ST JOSEPH HS ATHLETICS | OT 267 | 1308.50 | KMD EXCAVATING |
| OT 039 | 174.00 | AMTRAK | OT 264 | 10.00 | TOM KRUTIS EXCAVATING |
| OT 057 | 3,868.00 | CABLEVISION | OT 237 | 1842.00 | COMMUNICATION SPECIALISTS |
| OT 040 | 1,102.00 | J FLETCHER CREAMER | OT 150 | 720.00 | MATTCO PLUMBING |
| OT 051 | 1,956.00 | VERIZON | OT 143 | 15,534.00 | DISTRICT AT METUCHEN |
| OT 079 | 13,010.50 | DEFINO | OT 124 | 2,260.00 | METROPTICS |
| OT 093 | 1,126.00 | LOCHIATTO | OT 120 | 100.00 | PENN BOWER |
| OT 109 | 223.91 | ROMAN E&G | OT 185 | 4,072.00 | ASPHUNDT |
| OT 272 | 732.00 | D LANZO | OT 273 | 1,640.00 | JR CONSTRUCTION |
| OT 274 | 1,564.00 | J PASQUALE (GOLDEN) | OT 258 | 1,688.00 | PM CONSTRUCTION |
| | | | TOTAL | 92,625.61 | |

RESOLUTION 2016-309

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

RESOLUTION CANCELLING GRANT RECEIVABLE AND APPROPRIATION BALANCES

WHEREAS, The Borough of Metuchen Current Fund is carrying the following reserve and receivable balances;

| | |
|---|----------|
| Grants Receivable: | |
| 2014 NJ Dept. of Law Distracted Driving | 1,501.00 |
| | |
| Grants Appropriated: | |
| 2014 Distracted Driving | 1,035.00 |

WHEREAS, it is the recommendation of the Borough Auditors to cancel the reserve and receivable balances to fund balance,

NOW, THEREFORE, BE IT RESOLVED that the reserve and receivables be canceled and closed to fund balance – Current Account.

RESOLUTION 2016-310

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

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION
NJS 40A:4-87**

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Metuchen in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget in the year 2016 in the sum of \$5,000.00, which is now available from the State of New Jersey Department of Law and Traffic Safety for a Drive Sober or Get Pulled Over Year End Holiday Crackdown Grant in the amount of \$5,000.00. The incentive grant period is 12/9/16 through 1/1/17.

BE IT FURTHER RESOLVED, that the like sum of \$5,000.00 is hereby appropriated under the caption State of New Jersey Department of Law and Traffic Safety for a Drive Sober or Get Pulled Over Year End Holiday Crackdown Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from State of New Jersey Department of Law and Traffic Safety for a Drive Sober or Get Pulled Over Year End Holiday Crackdown Grant in the amount of \$5,000.00.

Other New Business

Council President Grayzel made a motion to approve R2016-311; authorizing the Payment of the Bill List in the amount of **\$3,386,629.80**, second by Councilwoman Rasmussen, with all in favor, motion carried, 4-0.

RESOLUTION 2016-311

*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 **\$3,386,629.80**

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.

Public Session – New Matters

Mayor Cammarano opened Public Session to anyone wishing to speak on new items only.

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

Adjournment

Council President Grayzel made a motion to adjourn the meeting, second by Councilman Leibfried, with all in favor; the meeting was adjourned at 8:27 pm, 4-0.

Respectfully Submitted,

Susan D. Jackson, RMC
Metuchen Borough Clerk