

Council President Grayzel made a motion to reconvene to the Public meeting at 7:54 pm, second by Councilwoman Rasmussen, with all in favor, motion carried, 5-0.

Agenda Session

Council President Grayzel made a motion to open the Agenda Session, second by Councilwoman Rasmussen, with all in favor, motion carried, 5-0.

Councilman Muldoon noted that the presentation by Michael Dannemiller for Complete Streets Implementation/Bike Plan has been postponed and moved to the next meeting on December 19, 2016. Ms. Maier stated that the correct link will be put on the webpage for anyone who would like to review it.

Mayor Cammarano asked that R2016-274 be pulled and moved to the next meeting for consideration. All are in agreement.

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

Councilman Muldoon made a motion to close the Agenda Session, second by Councilwoman Rasmussen, with all in favor, motion carried, 5-0.

Regular Meeting

Metuchen Downtown Alliance – The Main Street Minute – Eric Berger, Chairman of Downtown Alliance, gave the Metuchen Minute:

- Three new businesses opened up this past month;
- MDA has been working with the Garden Club to get holiday plantings put in;
- The holiday lights have been hung up on Main Street;
- and the snowflake lights have been reconditioned.

Small business Saturday was highly successful. Calls for nominations have been made and ballots will be going out shortly for seats for the 2017 MDA Board of Trustees – two business seats, two property seats and one property owner seat open on the Alliance Board.

The following are the four items for this month.

- Strategic Planning survey will be released this week to help guide the MDA over the next five to ten years. He is urging everyone to fill out the survey. The MDA will be providing the link.
- “New Year, New You” promotion to get fit will help the many fitness businesses in town as well as getting your finances fit.
- They will be working with the Borough and the Zoning Officials in developing the guidelines for signage in the Downtown.
- They will have their first merchant meet-up on December 13, 2016 at 8:00 am at Cai’s Café. The MDA January meeting date will be noticed on the ballots. The new trustees and the results from the Strategic Planning will be shared at that meeting.

The proposed budget was presented to the Borough Council. Councilman Muldoon stated that the MDA must present their coming year budget to Mayor and Council to review and then Council must approve it. Mayor Cammarano said that if no one has any concerns then the Council can approve it at the next meeting or in the beginning of 2017.

Councilman Muldoon asked that the link be put on the webpage and Facebook. Ms. Maier stated that we can also put on MEtv.

Councilwoman Inzerro commented that there have been many great comments about the lights along Main Street.

Mayor Cammarano said that there were also many great comments about Small Business Saturday.

Mr. Berger stated that the Holiday Coupon book has been released and can be obtained at any shop that has a sign in the window with the picture of the passport. There are 50 businesses involved and they all have coupon books to give out.

Council President Grayzel made a motion to approve the Borough Council minutes of November 7, 2016 second by Councilwoman Rasmussen, with all in favor, motion carried, 5-0.

Public Comment

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

Suzanne Cea, 58 Robins Place, Metuchen, asked about the status of the property that was purchased last year by the Parking Authority on Inn Place. She restated that the neighborhood would appreciate that there be no parking put on that land as it is zoned residential. Mayor Cammarano stated that there hasn't been any further discussion at this time and when there is any discussion in the future, the residents will be notified.

Jack Morey, 158 Norris Avenue, Metuchen spoke about home alarm system fees and asked why this is still on the books. It is an old code ordinance that has a lot of discrepancies.

Linda Koskoski, 3 Goodwill Place wanted to give her take on Shopsmall Saturday and stated that this was the very best ever in the last five years that she has participated in.

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

Ordinance – Public Hearing

Ordinance 2016-29

Council President Grayzel asked for the presentation of Affidavit of Publication for Ordinance 2016-29.

Borough Clerk presented the affidavit of publication stating that said Ordinance 2016-29 has been published one time in the Home News Tribune according to Law on November 14, 2016.

Council President Grayzel moved that the affidavit of publication be received and filed, second by Councilwoman Rasmussen, with all favor, motion carried, 5-0.

Council President Grayzel asked Borough Clerk to read Ordinance 2016-29 by title.

Borough Clerk read Ordinance 2016-29 by title only

Ordinance 2016-29

Ordinance Amending Sections 59-6 and 59-12(G) of the Code of the Borough of Metuchen Increasing the Dog Licensing Fee and the Late Payment Fees for Dog and Cat Licensing

Mayor Cammarano opened the Public Hearing on Ordinance 2016-29.

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

Council President Grayzel made a motion to pass Ordinance 2016-29 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, Muldoon, Rasmussen and Grayzel voted yes.

Ordinance 2016-29 was adopted, 5-0

ORDINANCE 2016-29

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

ORDINANCE AMENDING SECTIONS 59-6 AND 59-12(G) OF THE CODE OF THE BOROUGH OF METUCHEN INCREASING THE DOG LICENSING FEE AND THE LATE PAYMENT FEES FOR DOG AND CAT LICENSING

WHEREAS, the Board of Health of the Borough of Metuchen has reviewed the fees for the licensing of dogs and cats within the Borough as well as the late payment fees associated with the same; and

WHEREAS, the Board of Health has recommended and requested the Mayor and Borough Council increase the current dog license fees from \$7.00 to \$10.00, and to increase the late payment fees for both dog and cat licensing from \$2.00 to \$5.00; 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 increase the aforementioned fees.

NOW THEREFORE BE IT ORDAINED by the Council of the Borough of Metuchen that it hereby amends Chapter 59 of the Code of the Borough of Metuchen, entitled, "Animals", specifically § 59-6, shall be hereby amended to state as follows:

§ 59-6 Fees; expiration dates.

A. The person applying for the license and registration tag of a dog shall pay an annual fee of \$10.00 plus such additional fees as established by the state and forwarded to the Department of Health. A fee of \$3 shall be added for unneutered dogs. For each annual renewal the fee for the license for the registration tag shall be the same as for the original license tag. The licenses,

Mayor Cammarano asked for a roll call vote.

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

Ordinance 2016-30 was adopted, 5-0

ORDINANCE 2016-30

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

**AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE NO. 92-25
ESTABLISHING SALARY RANGES**

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

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

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

The salary range of compensation for the administrative employees hereinafter named shall be amended 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	\$42,000	Clerk Typist, Secretary, Deputy Court Administrator, Office Assistant
6	\$20,000	\$50,000	Accounting/Tax Clerk

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

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>	<u>PER</u>
Part-Time Clerk and Secretaries	\$ 8.00	\$ 20.00	hour

3. 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.

4. 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.

5. 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.

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

7. This ordinance shall take effect after its publication according to law and the amendments contained herein shall be retroactive to January 1, 2016.

Ordinance 2016-31

Council President Grayzel asked for the presentation of Affidavit of Publication for Ordinance 2016-31.

Borough Clerk presented the affidavit of publication stating that said Ordinance 2016-31 has been published one time in the Home News Tribune according to law on November 14, 2016.

Council President Grayzel moved that the affidavit of publication be received and filed, second by Councilwoman Rasmussen, with all favor, motion carried, 5-0.

Council President Grayzel asked Borough Clerk to read Ordinance 2016-31 by title.

Borough Clerk read Ordinance 2016-31 by title only

Ordinance 2016-31	An Ordinance Amending and Supplementing Chapter 87-23, Article 14 - Senior Citizen Program Fees
-------------------	--

Mayor Cammarano opened the Public Hearing on Ordinance 2016-31.

A resident asked what the fees are going up to. Ms. Maier explained that this fee is only imposed on Senior Citizens that are from out of town and want to be members. This is a per person fee of \$30.00 and will help off-set the use of the programs at the Senior Center.

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

Council President Grayzel made a motion to pass Ordinance 2016-31 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, Muldoon, Rasmussen and Grayzel voted yes.

Ordinance 2016-31 was adopted, 5-0

ORDINANCE 2016-31

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

ORDINANCE OF THE BOROUGH OF METUCHEN ESTABLISHING A NON-RESIDENT SENIOR FEE TO PARTICIPATE IN METUCHEN SENIOR CITIZEN CENTER ACTIVITIES AND INCREASING THE PROGRAM FEES FOR THE SENIOR HOLIDAY LUNCH.

WHEREAS, the Borough of Metuchen has established a Metuchen Senior Center, which is a drop-in facility for citizens aged sixty (60) and over; and

WHEREAS, a full range of services are offered, including recreation, information and referral, health screening, counseling and income tax preparation for Metuchen Seniors; and

WHEREAS, the services offered by the Metuchen Senior Center have not been limited to Borough Senior residents, and Borough has allowed participation to surrounding community senior residents, based upon availability of space and demand; and

WHEREAS, the increasing costs of operation of the Metuchen Senior Center is borne by, among other things, the residents of the Borough of Metuchen; and

WHEREAS, pursuant to § 10-20 of the Code of the Borough of Metuchen, the Borough of Metuchen has established a Senior Citizens Commission who shall make recommendations to the Mayor and Council related to the activities, policies and programs to assist seniors; and

WHEREAS, the Metuchen Senior Citizens Commission has recommended to the Mayor and Council the implementation of a non-resident senior annual fee of \$30.00 in order to utilize the Metuchen Senior Center facility in order to assist with the increase of the costs of operations; and

WHEREAS, the Council of the Borough of Metuchen deems it in the best interest of the residents of the Borough of Metuchen to accept the recommendation of the Metuchen Seniors Commission and implement a non-resident senior annual fee of \$30.00 for the eligibility for the use of the Metuchen Senior Center facility during normal operating hours and the recommendation of the Borough Administrator and Metuchen Senior Center Director to establish a range of fees to be charged for the Senior Center Sponsored lunches.

NOW THEREFORE BE IT ORDAINED by the Council of the Borough of Metuchen that it hereby amends Chapter 87, Article 14 of the Code of the Borough of Metuchen, entitled "Senior Citizen Program Fees, specifically § 87-23, to state as follows:

§ 87-23 Fees established.

- A. There shall be an annual registration fee for non-resident senior citizens (age sixty (60) and over) in the amount of \$30.00 per person. The payment of the annual registration fee shall be required prior to the participation and/or use by any non-resident senior citizen of the Metuchen Senior Center or participation in any program, event and/or service offered at the Metuchen Senior Center. The payment of such registration fee shall be in addition to any costs or fee established by the Borough for the participation in an event, service or program.
- B. The payment of the annual registration fee shall not provide a non-resident senior any right or entitlement to any or all of the benefits, programs, assistance and services offered by the Borough of Metuchen to the Borough of Metuchen Senior Citizens. The payment of the above annual registration fee set forth above shall be solely for the eligibility to participate in events, programs

and services offered at the Metuchen Senior Citizen Center and shall not be a guarantee, license or entitlement to any services offered by the Borough of Metuchen.

- C. Senior Citizen Program Fees. In addition to those fees established above, fees are established for participation in the following programs:

Program	Fee
Senior Center sponsored luncheons	\$5.00 to 10.00 (dependent upon the costs of luncheon)
Atlantic City chartered bus trips	\$20.00 to \$40.00 (dependent upon cost of bus rental)

BE IT FURTHER ORDAINED, by the Council of the Borough of Metuchen that it hereby authorizes and directs the Metuchen Seniors Commission in coordination with the Borough Administrator and the Director of the Metuchen Senior Center to establish practices and procedures relating to the collection, enforcement and monitoring of the annual registration fee for non-resident seniors, including but not limited to providing notice to the seniors, the creation of an application for non-resident seniors, and the pro-ration of the annual registration fee, when applicable, and the fees to be charged for the programs, services and events in accordance with the aforementioned guidelines; 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, except that the annual registration fee for non-resident seniors shall become effective January 1, 2017.

Communications Consent Agenda – Items A - C

Council President Grayzel made a motion to move Communication Consent Agenda, Items A - C, second by Councilman Leibfried, with all in favor, motion carried, 5-0

- A. Receive and Accept Fuce 5K Run
- B. Receive and Accept Metuchen Environmental Commission Meeting Minutes of May 18, 2016, July 20, 2016, September 21, 2016 and October 19, 2016
- C. Receive and Accept Metuchen Arts Council Meeting Minutes of October 24, 2016

Reports of Councilmembers

Mayor Cammarano opened Reports of Councilmembers.

Council President Grayzel –

- On behalf of the Mayor and Council, Council President congratulated and saluted Metuchen lifelong resident Kristen Edmonds for being called up to the US Women's National Soccer Team.

- The TV & Technology survey has been updated and is on the website and Facebook. Please go onto the social media pages and take the survey.
- He would like to congratulate the Traffic and Transportation Commission for receiving recognition in a letter addressed to Mayor Cammarano on November 28, 2016 for their participation in making pedestrian safety a priority in the community from NJTPA.

Councilwoman Inserro –

- This Wednesday at the Library at 7:00 PM there is a special Town Talk on underage drinking. It is paid for through a federal grant given to the Metuchen Municipal Alliance. The speakers will be David Sacks, Esq., Joe Conti, Tanisha Reilly, Health Specialist from Rutgers, and one of our Metuchen Police Officers.
- There is a Senior Citizen's Commission meeting next week on Wednesday, December 14th.

Councilman Leibfried –

- Has no report at this time.

Councilman Muldoon –

- Has no report at this time.

Councilwoman Rasmussen –

- The Chamber of Commerce Tree Lighting was a great event on Friday night. There were many families that had participated.

Reports of Officers

Denis Murphy, Esq. –

- Has no report at this time

Jennifer Maier, Administrator –

- There are still 80 Soil Saver Composters that are available to give away. If you are interested please contact Ms. Maier via either email or phone, the Borough will deliver them to your house.
- The sidewalk at Woodmont is being worked on and will be completed by Christmas.
- New play equipment will be installed at the Dog Park soon.

Report of the Mayor

- He would like to thank everyone for participating in the Tree Lighting. It was a great event and he enjoyed being able to light the tree. He thanked the Fire Department for making the event successful along with the Borough Improvement League and the Chamber of Commerce.
- He will be putting together a small Task Force to take a look at the work that has been put together over the last few years for a new fire house. They will look at the needs and the potential viability of some of the recommended sites by the Task Force.
- He would like to recognize the Fire Department, Police and EMS for their hard work last night at a structure fire at a residential property.
- He reminded residents to be more diligent with holiday decorations with the use of electrical cords during this time of year.

New Business – Resolutions R2016-275 through R2016-286

Council President Grayzel moved New Business Consent Agenda – Resolution 2016-275 through R2016-286, second by Councilwoman Rasmussen, with all in favor, motion carried, 5-0

RESOLUTION 2016-275

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

RESOLUTION TO INCREASE 2014 TAXES

WHEREAS, a State Tax Court Appeal judgment was awarded to E & G Realty Inc. for Block 197, Lot 10, 276 Main Street; and

WHEREAS, the assessed value for this parcel changed as shown in the chart below; and

WHEREAS, the increase in taxes for the above referenced parcel for 2014 is shown below.

BLOCK	LOT	ASSESSMENT INCREASE	2014 INCREASE
197	10	4,000	220.04

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Metuchen, that the Tax Collector be and is hereby authorized to increase the 2014 taxes on the above described Block and Lot in the amount of \$220.04 due to the successful State Tax Court Appeals for the year 2014, including amendments.

RESOLUTION 2016-276

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

RESOLUTION TO REDUCE 2014 TAXES

WHEREAS, successful State Tax Court Appeal judgments were awarded to E & G Realty Inc for Block 197, Lot 1, 272 Main Street, Block 197, Lot 15.2, 267 Amboy Avenue and Block 197, Lot 20.1, 265 Amboy Avenue; and

WHEREAS, the improvements assessed value for these parcels changed as shown in the chart below; and

WHEREAS, the reduction in taxes for the above referenced parcels for 2014 is shown below.

BLOCK	LOT	ASSESSMENT REDUCTION	2014 REDUCTION
197	1	19,400	1,067.19
197	15.2	1,300	71.51
197	20.1	5,200	286.05

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Metuchen, that the Tax Collector be and is hereby authorized to reduce the 2014 taxes on the above described Blocks and Lots in the amount of \$1,424.75 due to the successful State Tax Court Appeals for the year 2014, including amendments, and apply the reductions to taxes due in the amount of \$1,424.75 as stipulated by the tax court judgment.

RESOLUTION 2016-277

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

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #16-031
65 HIGH STREET**

WHEREAS, The YMCA of Metuchen posted \$80.00 for sidewalk escrow fees for 65 High Street; and

WHEREAS, the Planning Office has requested that the escrow fees be refunded to The YMCA of Metuchen,

NOW, THEREFORE, BE IT RESOLVED, that The YMCA of Metuchen be refunded \$80.00 from the Sidewalk Inspection Escrow account.

RESOLUTION 2016-278

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

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #16-035
116 DURHAM AVENUE**

WHEREAS, NJ Finest Home Improvements, LLC posted \$360.00 for curb, apron and sidewalk escrow fees at 116 Durham Avenue; and

WHEREAS, the Planning Office 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 \$360.00 from the Sidewalk Inspection Escrow account.

RESOLUTION 2016-279

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

RESOLUTION REFUNDING SIDEWALK ESCROW FEE #15-037

209 HARVARD AVENUE

WHEREAS, Linda Garvey posted \$64.00 for sidewalk escrow fees at 209 Harvard Avenue; and

WHEREAS, the Planning Office has requested that the escrow fees be refunded to Linda Garvey,

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

RESOLUTION 2016-280

*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 MONGELLI, LLC AND CGN ASSOCIATES, LLC GRANTING THE BOROUGH PERMISSION TO INSTALL AND MOUNT OVERHEAD LIGHTING

WHEREAS, the Borough has determined that it would be in the best interest of the residents of the Borough of Metuchen to install overhead lighting in the area in between the buildings located at 445-455 Main Street and 441 Main Street, Metuchen; and

WHEREAS, in order to install the overhead lighting in the above location, the Borough requires to mount and secure the lighting on the two buildings adjacent to the area both of which are privately owned by Mongelli, LLC and CGN Associates, LLC, respectively; and

WHEREAS, the Borough has contacted the representatives of the owners of the properties and buildings located at 445-455 (Mongelli, LLC) and 441 Main Street (CGN Associates, LLC) and requested permission to mount the lighting to the building; and

WHEREAS, the Owners of the property have agreed to permit the Borough to mount and secure the lighting on their buildings under certain terms and conditions contained in 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 and mount overhead light in the area in between the buildings located at 445-455 Main Street and 441 Main Street in the form consistent with the Agreements attached hereto with Mongelli, LLC and CGN Associates, LLC.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Metuchen that it hereby authorizes the entry into Agreements with Mongelli, LLC and CGN Associates, LLC 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 Mongelli, LLC and CGN Associates, LLC consistent with the form attached hereto, and any further action necessary to effectuate the final executed Agreements.

RESOLUTION 2016-281

*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 SUBURBAN SPORTSLAND, LLC,
BLOCK 130.01, LOTS 47.01, 47.02 AND 48 UPON THE POSTING OF A MAINTENANCE
BOND**

WHEREAS, Suburban Sportsland, LLC – Block 130.01, Lots 47.01, 47.02 and 48 has 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, Suburban Sportsland, 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 January 8, 2016 and revised on November 10, 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 \$28,536.15 for a period of two years from the date of the within Resolution 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.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Metuchen that it hereby authorizes the release of the aforementioned performance guarantees for Suburban Sportsland, LLC upon satisfaction of the terms and conditions of the Borough Engineer's correspondence dated January 8, 2016, REVISED-November 10, 2016, including but not limited to the posting of a two (2) year maintenance guarantee in the amount of \$28,536.15 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, Suburban Sportsland, 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 2016-282

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

**RESOLUTION AUTHORIZING THE EXECUTION AND ENTRY INTO A JURISDICTIONAL
AGREEMENT BETWEEN THE STATE OF NEW JERSEY AND THE BOROUGH OF
METUCHEN**

WHEREAS, the Borough proposes to construct sidewalk and streetscape improvements at selected locations along Route 27 from the intersection of Route 27 and Oak Avenue/Rector Street south along Route 27 to the intersection of Route 27 and Amboy Avenue; and

WHEREAS, the Borough proposes to remove and replace sidewalks at select locations, and repair and install sidewalks, handicap ramps, driveways, street trees, trash receptacle, brick pavers and decorative pedestrian lights, including conduit, and benches; and

WHEREAS, in order to prevent future legal or maintenance issues in these areas, the State of New Jersey requested the Borough of Metuchen enter into "Jurisdictional Agreement" to apportion the jurisdiction for highway maintenance and highway control in an equitable manner pursuant to *N.J.S.A. 27:7-1 et seq.*; and

WHEREAS, the Borough has prepared a proposed a form of Agreement consistent with the State of New Jersey's acceptable forms of prior agreements pertaining to the apportionment of jurisdiction.

NOW THEREFORE BE IT RESOLVED that the Borough Council of the Borough of Metuchen hereby authorizes the entry into and the execution of a Jurisdictional Agreement between the Borough of Metuchen and the State of New Jersey, acting through its Commissioner of Transportation, for the purpose aforesaid in the form consistent to the proposed form of Jurisdictional Agreement attached hereto subject to the final approval as to form and contents by the Mayor, Borough Administrator, Council President and legal counsel; 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 final approval and execution of Jurisdictional Agreement in the form acceptable in contents by the Mayor, Borough Administrator, Council President and legal counsel.

RESOLUTION 2016-283

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

RESOLUTION AMENDING CERTAIN SALARIES

BE IT RESOLVED, by the Mayor and Council of the Borough of Metuchen that the pay of each officer and employee whose pay range is established under Ordinance 92-25 and amendments thereto and who is not covered by a collective bargaining agreement is hereby set for the calendar year commencing January 1, 2016 as follows:

ADMINISTRATIVE EMPLOYEES:
(Formally Covered under Collective Bargaining Agreement)

- A.** 2% increase on 2013 base salary for 2014, 2% Additional Increase for 2015 and 2% Additional Increase for 2016:

Clerk Typist

Head Telecommunications Operator

Secretary
Deputy Court Administrator
Office Assistant

Part-time Clerk and Secretaries
Telecommunications Operator
Accounting/Tax Clerk

BE IT FURTHER RESOLVED, that no officer or employee shall be paid at a rate which is above the maximum rate for any salary range in any of the aforementioned groups; and

BE IT FURTHER RESOLVED that 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 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 range.

RESOLUTION 2016-284

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

**RESOLUTION SUPPORTING THE DRIVE SOBER OR GET PULLED OVER 2016 YEAR END
HOLIDAY CRACKDOWN**

WHEREAS, impaired drivers on our nation's roads kill more than 10,000 people each year and cost our society more than \$37 billion annually; and

WHEREAS, 29% of motor vehicle fatalities in New Jersey in 2014 were alcohol-related; and

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the season at the end of the year is traditionally a time of social gatherings which often include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the Drive Sober or Get Pulled Over Year End Holiday Crackdown; and

WHEREAS, the project will involve increased impaired driving enforcement from December 9, 2016 through January 1, 2017; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

NOW, THEREFORE, BE IS RESOLVED, that Borough of Metuchen, County of Middlesex declares its support for the Drive Sober or Get Pulled Over 2016 Year End Holiday Crackdown from December 9, 2016 through January 1, 2017 and pledges to increase awareness of the dangers of drinking and driving.

RESOLUTION 2016-285

*Borough of Metuchen
County of Middlesex*

State of New Jersey

RESOLUTION AUTHORIZING THE EXECUTION AND ENTRY INTO AN AMENDMENT TO THE DEVELOPER'S AGREEMENT BETWEEN WOODMONT METUCHEN, LLC AND THE BOROUGH OF METUCHEN

WHEREAS, the Borough of Metuchen entered into a Developer's Agreement dated August 5, 2015 with Woodmont Metuchen, LLC reflecting the approvals and conditions and requirements, as was authorized by way of Planning Board Resolution dated August 21, 2014; and

WHEREAS, it is the desire of the parties to supplement and clarify paragraph 29 of the Developer's Agreement entitled "Affordable Housing"; and

WHEREAS, it is understood by the parties that this Amendment shall be read in conjunction with the Resolution of Approval, the Professionals Memoranda identified therein, the Purchase and Sales Agreement with the Parking Authority of the Borough of Metuchen, the rules and regulations set forth in the Borough of Metuchen Land Development Ordinances, the requirements of the Municipal Land Use Law, and the Developer's Agreement dated August 5, 2015, and nothing contained in the Amendment shall alter, modify, and/or supersede any term, condition, requirement and/or obligation of Woodmont Metuchen, LLC contained in its Purchase and Sales Agreement with the Parking Authority 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 Amendment to the Developer's Agreement with Woodmont Metuchen, LLC to supplement and clarify the "Affordable Housing" obligations of the Developer 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 Amendment to the Developer's Agreement, dated August 5, 2015, with Woodmont Metuchen, LLC; and

BE IT FURTHER RESOLVED that the Mayor of the Borough of Metuchen is hereby authorized to execute the proposed Amendment to the Developer's Agreement, dated August 5, 2015, between Woodmont Metuchen, 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 Amendment attached hereto.

RESOLUTION 2016-286

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

RESOLUTION APPROVING DENTAL INSURANCE THIRD PARTY ADMINISTRATOR

WHEREAS, the Borough Council of Metuchen adopted a self-insurance program with Qualcare, Inc. for the Borough's Group Medical and Dental Coverage which took effect on July 1, 2016; and

WHEREAS, the Borough Council is canceling its contract with Qualcare, Inc. for the Third Party Dental Administrative Services portion of their contract and is contracting with Delta Dental to provide Third Party Dental Administrative Services, which will take effect on **January 1, 2017**; and

WHEREAS, Qualcare, Inc. has agreed to reduce its administrative fee per employee from \$46 to \$41 and Delta Dental has submitted a proposal to provide Third Party Dental Administrative Services for \$5 per employee, thereby resulting in no additional cost to the Borough; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Metuchen do hereby authorizing the canceling of the Borough's contract with Qualcare, Inc. for the Third Party Dental Administrative Services portion and the appointment of Delta Dental for all currently existing dental programs offered for Borough employees and retirees.

Other New Business

Council President Grayzel made a motion to approve R2016-287; authorizing the Payment of the Bill List in the amount of **\$625,628.39**, second by Councilman Leibfried, with all in favor, motion carried, 5-0.

RESOLUTION 2016-287

*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 **\$625,628.39**

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.

Ordinance – Introduction

Ordinance 2016-32

Council President Grayzel made a motion to introduce Ordinance 2016-32 and taken up at first reading, second by Councilwoman Rasmussen, with all in favor, the motion carries, 5-0.

Council President Grayzel asked that the Ordinance be read by title only.

Borough Clerk read the Ordinance 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

Council President Grayzel moved Ordinance 2016-32 be passed on first reading, be published according to law and a public hearing be set down for Monday, December 19, 2016, second by Councilwoman Rasmussen.

Mayor Cammarano asked for a voice call vote.

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

Ordinance 2016-32 was passed on first reading and be published according to law, 5-0.

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 made a motion to introduce Ordinance 2016-33 and be taken up on first reading, second by Councilwoman Rasmussen, with all in favor, motion carries, 5-0.

Council President Grayzel asked that the Ordinance be read by title only.

Borough Clerk read the Ordinance 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

Council President Grayzel moved Ordinance 2016-33 be passed on first reading, be published according to law and a public hearing be set down for Monday, December 19, 2016, second by Councilwoman Rasmussen.

Mayor Cammarano asked for a roll call vote.

Roll Call: Inzerro, Leibfried, Muldoon, Rasmussen and Grayzel voted yes.

Ordinance 2016-33 was passed on first reading and be published according to law, 5-0.

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.

Appointments –

Mayor made the recommendation to appoint Jane Leal to Parking Authority for the unexpired term ending 12/31/2016

Council President made a motion to move the Mayor's recommendation of Jane Leal to the Parking Authority, second by Councilwoman Rasmussen, with all in favor, motion carries, 5-0

Public Session – New Matters

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

Daniel Lebar, 581 Middlesex Avenue, Metuchen, asked for clarification on R2016-282, Jurisdictional Agreement between the State of New Jersey and Metuchen Borough, and is wanting to know if all the areas that have been designated in the past are included in this resolution or does it only deal with curb cuts mostly. Ms. Maier answered that this agreement deals mainly with Woodmont property because they are putting benches, planting, lights, garbage cans and such in the right-of-way and the Borough will be

responsible for maintaining it and any future sidewalks must meet DOT requirements. The specific locations give the Borough the ability in the future to maintain any future work done in those areas.

He also asked for clarification on R2016-285 and what effect does it have on the percentage of the requirements of low housing at Woodmont. Mr. Murphy stated that this resolution is to just clarify the provision of the existing Developer's Agreement, the COAH obligations. Ms. Maier stated that there is a certain percentage that the State's new law required and this resolution makes sure that the Developer's Agreement is in compliance of the requirements.

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

Councilwoman Rasmussen talked about fire safety for a real Christmas tree and how to maintain it.

Adjournment

Council President Grayzel made a motion to adjourn the meeting, second by Councilman Leibfried, with all in favor; the meeting was adjourned at 8:31 pm, 5-0.

Respectfully Submitted,

Susan D. Jackson, RMC
Metuchen Borough Clerk