BOROUGH OF METUCHEN COUNCIL AGENDA REGULAR MEETING
JUNE 15, 2015 AT 5:00 PM

Announcement of Meeting, Invocation, Pledge of Allegiance and Roll Call.

EXECUTIVE SESSION

R2015-138	Authorizing an Executive Session Which Excludes the Public

PROMOTION OF POLICE OFFICER

R2015-139	Resolution Authorizing Promotion of Sergeant

AGENDA SESSION

REGULAR MEETING

1. Presentation of Planning Board Report for "Area in Need of Redevelopment Investigation for the Oakite Site/Block 71/Lot 37.01" known as 700 Middlesex Avenue.

2. Approve Council Meeting Minutes of June 1, 2015 and Executive Minutes of May 18, 2015 and June 1, 2015

3. Discussion – Ordinance Regulating Vacant and Abandoned Properties and Storefronts in the Borough of Metuchen

BUDGET INTRODUCTION

R2015-122	Municipal Budget for the Borough of Metuchen, County of Middlesex, for the Fiscal Year 2015

Presentation from Public Works Department, Police Department, Library and Fire Department

PUBLIC COMMENT

PROCLAMATION AND RESOLUTIONS HONORING

ORDINANCES-PUBLIC HEARING

Ordinance 2015-09	An Ordinance Amending the Land Development Ordinances of the Borough of

Metuchen, Specifically, Chapter 110, Sections 4, Entitled "Definitions", 7, Entitled "Exemptions", 14, Entitled "Fees", 48, Entitled "Applicability"

COMMUNICATIONS CONSENT AGENDA – ITEMS A – B

A. Receive and Accept Shade Tree Commission Meeting Minutes of March 11, 2015 and April 8, 2015.

B. Receive and Accept Block Party/Street Closing –Willow Road between House Numbers 65 and 77.

OTHER COMMUNICATIONS

REPORTS OF COUNCILMEMBERS

REPORTS OF OFFICERS

REPORT OF THE MAYOR

NEW BUSINESS CONSENT AGENDA – RESOLUTIONS R2015-140 through R2015-148

R2015-140	Resolution Accepting PBA Local 60 Contract
R2015-141	Resolution Authorizing Release of Performance Bond for Fox and Foxx Development, LLC.-Block 154.01 Lot 44 - 14 Sylvan Avenue
R2015-142	Resolution Authorizing Release of Surety Performance Bond – Fox and Foxx Development LLC – Block 56, Lots 47-51 – 54 Martin Street
R2015-143	Resolution Amending Temporary Appropriations
R2015-144	Resolution Authorizing Release of Street Opening Bond #14-045, 30 Kelly Street, La Porta Builders, Inc.
R2015-145	Resolution Recognizing Companion Animals in the Community Pledge

R2015-146	Resolution Authorizing State Contract Purchase for Police Vehicle
R2015-147	Resolution Authorizing Oakite Property Redevelopment Plan, Block 71, Lot 37.01, 700 Middlesex Avenue
R2015-148	Resolution Authorizing the Cancellation of Tax Sale Lien

OTHER NEW BUSINESS

R2015-149	Resolution Authorizing the Payment of the Bill List in the amount of $

APPOINTMENTS

Jon Horowitz - TV & Technology Committee – Term 12/31/15

Robin Brown – Accessibility – Term 12/31/2017

Tyler Kandel – Zoning Board of Adjustment – Alternate II – Term 12/31/15

ORDINANCES – INTRODUCTION

COMMENTS FROM THE PUBLIC ON NEW BUSINESS MATTERS ONLY

ADJOURNMENT

The Borough of Metuchen does not discriminate against persons with disabilities. Those individuals requiring auxiliary aids and services were necessary must notify the ADA Coordinator of the Borough of Metuchen at least seventy-two (72) hours in advance of the meeting or scheduled activity.

RESOLUTION 2015-138

Borough of Metuchen
County of Middlesex
State of New Jersey

AUTHORIZING AN EXECUTIVE SESSION WHICH EXCLUDES THE PUBLIC

BE IT RESOLVED that the Council of the Borough of Metuchen hereby moves to go into Executive Session on June 15, 2015 at 5:00 PM preceding the general meeting in Borough Hall located at 500 Main St., Metuchen that will be limited only to consideration of an item or items with respect to which the public may be excluded pursuant to section 7b of the Open Public Meetings Act.

The general nature of the subject or subjects to be discussed:

Personnel

Stated as precisely as presently possible the matter discussed in and minutes of the closed session shall be disclosed to the public when the reason for confidentiality no longer exists.

The public is excluded from said meeting, and further notice is dispensed with, all in accordance with sections 8 and 4a of the Open Public Meetings Act.

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on June 15, 2015

Susan D. Jackson
Borough Clerk

RESOLUTION 2015-139

Borough of Metuchen
County of Middlesex
State of New Jersey

RESOLUTION AUTHORIZING PROMOTION TO SERGEANT

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Metuchen that ***Wayne Kavalevich,*** be and he is hereby promoted to Sergeant in the Metuchen Police Department for the Borough of Metuchen, Middlesex County, State of New Jersey in accordance with law and said appointment being effective July 1, 2015.

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on June 15, 2015

Susan D. Jackson
Borough Clerk

Revised 6.4.2015

ORDINANCE 2015-09

Borough of Metuchen
County of Middlesex
State of New Jersey

AN ORDINANCE AMENDING THE LAND DEVELOPMENT ORDINANCES OF THE BOROUGH OF METUCHEN, SPECIFICALLY, CHAPTER 110, SECTIONS 4, ENTITLED "DEFINITIONS", 7, ENTITLED "EXEMPTIONS", 14, ENTITLED "FEES", 48, ENTITLED "APPLICABILITY"

BE IT ORDAINED by the Mayor and Council of the Borough of Metuchen that the Code of the Borough of Metuchen be amended as follows:

SECTION 1. Chapter 110 of the Code of the Borough of Metuchen, specifically §110-4, entitled, "Definitions" is hereby amended as follows:

RENAME:

RETAIL BUSINESS to RETAIL SHOP AND STORE

ADD:

POP-UP BUSINESS - Also known as "temporary retail", "flash retailing", "pop-up store" or "pop-up shop", a retail shop and store or a personal service business that is permitted pursuant to Article 17 of this Chapter and is intended to be open to the public for a period no greater than 30 calendar days after it is opened to the public.

SECTION 2. Chapter 110 of the Code of the Borough of Metuchen is hereby amended by deleting and repealing §110-7, entitled, "Exemptions" and replacing with the following:

§ 110-7. Exemption from Site Plan Review.

A. Applications which involve minor alterations to the site, inclusive of the addition or removal of parking areas no greater than two (2) parking spaces or 500 square feet, to one (1) or more of the building elevations, structural changes, inclusive of awnings, canopies, and dormers to buildings without adding additional usable floor area for which parking is required under the provisions of §110-154, or the construction of an accessory structure consisting of no greater than 100 square feet in floor area may be exempt from obtaining site plan approval at the determination of the Zoning Officer. The Zoning Officer may issue a zoning permit after consultation with the Chairperson of the Planning Board and after the application has been reviewed by the Borough Planner and Borough Engineer to verify and confirm that no variances are required and that the site improvements and/or façade changes conform to applicable Borough design standards.

B. An applicant may request an exemption upon application for a zoning permit by submitting four (4) copies of an Application for Development, a statement setting forth reasons for the exemption and providing sufficient plan information as determined by the Zoning Officer to verify that an exemption may be granted.

C. Pop-up businesses shall be exempt from obtaining site plan approval.

SECTION 3. Chapter 110 of the Code of the Borough of Metuchen is hereby amended as follows:

§ 110-14. Fees.

Every application for development and informal request for reviews by the Borough Engineer, Board Planner and Board Attorney as to zone change or other questions regarding the implementation, enforcement or application of this Chapter shall not be acted upon unless and until:

A. Accompanied by cash, check or money order made payable to the "Borough of Metuchen" for the application and escrow fees prescribed below; and

B. The party seeking the application for development or informal request executes an agreement to pay for services to be rendered by the Board professionals or the Borough Attorney.

Fee Schedule

Application for Development~~Type~~	**Application ~~Charge/~~Fee**	**Escrow Fee~~Account~~**
Subdivisions		
Minor subdivision	$200~~150~~	$2,000~~1,000~~
Preliminary major subdivision	$300~~250~~	$3,000~~1,500~~
Final major subdivision	$200~~150~~	$2,000~~1,000~~
Informal presentation (1 appearance only)	$50~~100~~	$500
Concept plat for review		
Minor subdivision	$50~~75~~	$500~~1,000~~
Major subdivision	$100~~150~~	$1,000~~1,500~~
Upon approval of minor or major final subdivision for amendment of Borough Tax Map	$500 per new lot created	
Site plans		
Minor site plan	$25~~100~~	$250
Change of use	$50~~150~~	$500
Preliminary site plan	$300~~250~~	$3,000~~1,500~~
Final site plan	$200~~150~~	$2,000~~1,000~~
Informal presentation (1 appearance only)	$50~~100~~	$500
Concept plat for review		
Minor site plan	$25~~100~~	$250~~1,000~~
Major site plan	$500~~200~~	$500~~1,000~~
PURD and PUCD	$750	$1,500 per acre or part thereof plus $50 per dwelling unit

Technical assistance, design review and completeness review at Technical Review Committee		
Residential uses	$25~~50~~	$250
Non-residential uses	$50~~100~~	$500
Variances		
Appeals (N.J.S.A. 40:55D-70a)	$75~~100~~	$750~~500~~
Interpretation (N.J.S.A. 40:55D-70b)	$75~~100~~	$750~~500~~
Bulk (N.J.S.A. 40:55D-70c)		
First variance for principal structures	$75~~100~~	$750~~500~~
First variance for accessory structures	$50	$500~~250~~
Each additional variance	$25~~50~~	$250
Use (N.J.S.A. 40:55D-70d)	~~$250~~	~~$2,000~~
d(1) or d(2) variances	$200	$2,000
d(3) variance	$150	$1,500
d(4), d(5) or d(6) variances	$100	$1,000
Permits (N.J.S.A. 40:55D-34 and 40:55D-35)	$75~~100~~	$750~~1,000~~
Miscellaneous requests for reviews, meetings or consultations involving planning, engineer or other professional review, including request for zoning changes	Hourly rates as set forth on an annual basis by the approving authority's retained professional, which are available in the Borough Clerk's office	As required by applicable Board and/or professional
Certified list of property owners	$0.25 per name or $10, whichever is greater	None
Copy of minutes/transcripts of decisions	$1 per page for first copy, plus $0.25 per page for each additional copy or as required by transcription service	As required by transcription service
Legal reviews		
Guaranty review		
Review of performance guaranty by Borough Attorney	$150 per review	None
Review of maintenance guaranty by Borough Attorney	$150 per review	None
Preparation of Developer's Agreement by Borough Attorney	$400 minimum per agreement, plus $125 per hour after first 3 hours	As required by Borough Attorney
Miscellaneous reviews: master deed, certificate of incorporation, bylaws, unit deeds, etc.	$150 per review	None
Appeal of any determination by Borough Official to applicable Board	$50 per appeal, plus hourly rates as set forth on an annual basis by the approving authority's retained professional, which are available in the Borough Clerk's office	As required by applicable Board and/or professional
Special meeting	$750 per meeting, plus hourly rates as set forth on an annual basis by the approving authority's retained professional, which are available in the Borough Clerk's office	As required by applicable Board and/or professional
Continuation of a hearing	$250 per appeal, plus hourly rates as set forth on an annual basis by the approving authority's retained professional, which are available in the Borough Clerk's office	As required by applicable Board and/or professional

Zoning Ppermits Applications	**Application Fee**	**Escrow Fee**
Principal Structures		
New Principal Structures (inclusive of all other improvements associated with its construction)	$250150	$500*
Additions and Alterations		
Greater than 1,000 square feet	$100	
Greater than 500, up to 1,000 square feet	$75100	
500 square feet or less	$5075	
Porches and decks	$50	
Greater than 250 square feet	$25	
250 square feet or less	$10	
Stoops, landings and steps	$10	
Accessory Structures		
Retaining walls four (4) feet or greater in height and in-ground swimming pools	$50	$250*
Detached garages, sheds, driveways, fences, walls, aboveground swimming pools, air conditioning units, generators, and any other structure deemed to be accessory structures greater than 100 square feet	$50	
Retaining walls less than four (4) feet in height, parking lots, driveways, sport courts, fences, walls, sheds and patios greater than 100 square feet, above-ground swimming pools, roof-top solar panels, A/C condenser units, generators, tanks and any other structure deemed to be accessory structures 100 square feet or less	$25	
Sheds and patios 100 square feet or less, patios and private walkways	$1025	
Construction trailers, construction fences and any other Structure deemed to be temporary structures	$10	
Home Occupation	$25	
Change of Occupancy or Use		
Greater than 3,000 square feet	$75100	
Between Greater than 500, up to and 3,000 square feet	$5075	
Greater than 250500, up to 500 square feet or less	$2550	
250 square feet or less	$10	
Pop-up Business	$10	
Alterations to Façade	$25	
Signage		
Primary Business Sign	$2550	
Primary Window Sign	$10	
Outdoor displays of retail merchandise & sidewalk cafes	$0	
Zoning permit with eExemption from site plan review	$250	
Other Zoning Permits	$25	

* Escrow Accounts for new ~~principal structures~~single- and two-family dwellings, retaining walls four (4) feet or greater in height and in-ground swimming pools are for engineering plan review and inspections only.

SECTION 4. Chapter 110 of the Code of the Borough of Metuchen is hereby amended by deleting and repealing §110-48, entitled, "Applicability" and replacing with the following:

§ 110-48. Applicability.

This article is applicable in appropriate cases where minor development is proposed and does not qualify for an exemption from site plan requirements in accordance with Article 2 of this Chapter, as determined by the Zoning Officer. No public notice is required for such application. Approvals, if granted, shall be granted by resolution of the Board having jurisdiction. Minor site plan approval shall be required for development involving any of the following:

A. A change of use of a structure, building or land, to a residential use, nursery school, day-care center, an eating or drinking establishment with greater than 50 seats and any light industrial use, that are permitted pursuant to Article 17 of this Chapter.

B. A change of occupancy or use of a structure, building or land that requires more parking than was required for the previous use pursuant to §110-154 of this Chapter and which parking is not provided on the site. Uses may obtain up to two (2) parking spaces from the Metuchen Parking Authority, for residential or employee use only, in order to meet the parking requirement, provided that such uses are located within one quarter (1/4) of a mile of a municipal or public parking facility.

C. The construction of nonresidential accessory structures, exclusive of A/C condenser units, generators and tanks that are permitted pursuant to Article 23 of this Chapter, consisting of greater than 100 square feet in area and no greater than 250 square feet in floor area.

D. The expansion of a driveway or parking lot greater than two (2) parking spaces or 500 square feet in area and no greater than four (4) parking spaces or 1,000 square feet in area.

E. Minor amendments to an existing site plan or minor subdivision plat that does not result in a substantial alteration of any aspect of the existing approval.

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.

ATTEST:

_____
Susan D. Jackson
Borough Clerk

BOROUGH OF METUCHEN

By: _____
Thomas Vahalla
Mayor

Introduced:
Date of Publication of Introduction:
Final Adoption:
Date of Publication of Adoption:

RESOLUTION 2015-140

Borough of Metuchen
County of Middlesex
State of New Jersey

RESOLUTION AUTHORIZING THE EXECUTION OF A COLLECTIVE NEGOTIATION AGREEMENT BETWEEN THE BOROUGH OF METUCHEN AND P.B.A. LOCAL #60

WHEREAS, The Borough Of Metuchen is in need of a new Collective Negotiations Agreement with the Borough of Metuchen and PBA Local #60; and

WHEREAS, The Police Negotiation Committee, representing Mayor and Council, and PBA Local #60 have negotiated a new agreement; and

WHEREAS, a copy of the Borough's Final Offer to PBA Local #60, which outlined the enhancements to the new Collective Negotiations Agreement, has been reviewed by Mayor and Council, and

WHEREAS, PBA Local #60 has ratified said Final Offer.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Governing Body of the Borough of Metuchen, in the County of Middlesex, in the State of New Jersey as follows:

1. The Borough's Final Offer to PBA Local #60, as ratified by PBA Local #60, is hereby approved and that Mayor Vahalla is hereby authorized to execute on behalf of the Borough of Metuchen a new Collective Negotiations Agreement incorporating the terms of the ratified Final Offer.

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on June 15, 2015

Susan D. Jackson
Borough Clerk

RESOLUTION 2015-141

Borough of Metuchen
County of Middlesex
State of New Jersey

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE BOND FOR FOX AND FOXX DEVELOPMENT, LLC. - BLOCK 154.01 LOT 44 – 14 SYLVAN AVENUE

WHEREAS, Fox and Foxx Development, LLC., has requested a refund of the performance bond for site improvements on Block 154.01 Lot 44, 14 Sylvan Avenue; and

WHEREAS, the Borough Engineer in a letter dated February 14 , 2014 and a memo from the Zoning Officer dated May 22, 2014 has reported that the contract has been completed in an acceptable manner; and

WHEREAS, Maser Consulting, P.A. and the Borough of Metuchen Zoning Officer recommended the full release of the performance guarantee in the amount of $3,000.00 (posted in cash) and that no maintenance bond is required; 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 $3,000.00 as directed by the Borough Engineer and Zoning Official to Fox and Foxx Development, LLC., 940 Amboy Avenue., Suite 101, Edison, NJ 08837.

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on June 15, 2015

Susan D. Jackson
Borough Clerk

RESOLUTION 2015-142

Borough of Metuchen
County of Middlesex
State of New Jersey

RESOLUTION AUTHORIZING RELEASE OF SURETY PERFORMANCE BOND – FOX AND FOXX DEVELOPMENT LLC – BLOCK 56, LOTS 47-51 – 54 MARTIN STREET

WHEREAS, Fox and Foxx Development LLC., has requested a refund of the surety performance bond for site improvements on Block 56, Lots 47-51 located at 54 Martin Street; and

WHEREAS, the Borough Engineer in a letter dated June 9, 2014 and a memo from the Zoning Officer dated June 13, 2014 has reported that the contract has been completed in an acceptable manner; and

WHEREAS, Maser Consulting, P.A. and the Borough of Metuchen Zoning Officer recommended the full release of the Surety Performance Guarantee in the amount of $10,065.60 has been posted on March 7, 2013; 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 Bonds in the amount of $10,065.60 as recommended and directed by the Borough Engineer and Zoning Official to Fox and Foxx Development LLC, 940 Amboy Avenue, Edison, NJ 08837 upon final approval of the Borough Administrator and Legal Counsel.

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on June 15, 2015

Susan D. Jackson
Borough Clerk

RESOLUTION 2015-143

Borough of Metuchen
County of Middlesex
State of Metuchen

RESOLUTION AMENDING TEMPORARY APPROPRIATIONS

WHEREAS, N.J.S.A. 40A:4-19 of the Local Budget Act provides that temporary appropriations shall be made for the purposes and amounts required in the manner and time therein provided.

NOW, THEREFORE BE IT RESOLVED that the following additional temporary emergency appropriations shall be made for the year 2015, effective June 15, 2015:

Administrative & Executive	S & W	10,000.00
Administrative & Executive	OE	20,000.00
Mayor & Council	S & W	1000.00
Mayor & Council	OE	500.00
Clerk	S & W	10,000.00
Clerk	OE	200.00
Elections	OE	5,000.00
Financial Administration	S & W	20,000.00
Financial Administration	OE	4,000.00
Collection of Taxes	OE	2,000.00
Assessment of Taxes	S & W	10,000.00
Assessment of Taxes	OE	2,000.00
METV	S & W	15,000.00
Planning	S & W	3,000.00
Planning	OE	1,000.00
Zoning	S & W	10,000.00
Zoning	OE	1,000.00
Group Insurance		100,000.00
Police	S & W	500,000.00
Police	OE	20,000.00
Auxiliary Police	OE	1,000.00
Emergency Management	S & W	2,000.00
Uniform Fire Safety	S & W	7,000.00
Fire	S & W	2,000.00
Fire	OE	20,000.00
Fire Hydrant Service		50,000.00
Public Works Administration	S & W	50,000.00
Streets & Roads	S & W	50,000.00
Streets & Roads	OE	20,000.00
Solid Waste Collection		50,000.00
Buildings & Grounds	OE	20,000.00
Sewers	S & W	20,000.00
Sewers	OE	20,000.00
Garbage & Trash	S & W	30,000.00
Recycling	S & W	1,000.00
Forestry	S & W	20,000.00
Board of Health	S & W	2,000.00
Senior Center	S & W	10,000.00
Senior Center	OE	5,000.00

Recreation	S & W	10,000.00
Recreation	OE	4,000.00
Parks & Playgrounds	S & W	20,000.00
Parks & Playgrounds	OE	3,000.00
Library		100,000.00
Edison Animal Control		10,000.00
Library Consortium		4,000.00
Utilities		60,000.00
Gasoline & Diesel		50,000.00
Social Security		50,000.00
Municipal Court	S & W	20,000.00
Municipal Court	OE	3,000.00
	TOTAL	**1,448,700.00**
Pool	S & W	30,000.00
Pool	OE	60,000.00
	TOTAL	**90,000.00**

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on June 15, 2015

Susan D. Jackson
Borough Clerk

RESOLUTION 2015-144

Borough of Metuchen
County of Middlesex
State of New Jersey

RESOLUTION AUTHORIZING RELEASE OF STREET OPENING BOND #14-045, 30 KELLY STREET, LA PORTA BUILDERS, INC.

WHEREAS, in accordance with the Borough of Metuchen Ordinance, $500.00 was posted by La Porta Builders, Inc. as the required Performance Guarantees for Street Opening Bond #14-045, 30 Kelly Street; and

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

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

NOW, THEREFORE, BE IT RESOLVED, by The Borough Council of the Borough of Metuchen that the Chief Financial Officer be and is hereby authorized to release said funds in the amount of $500.00 to, La Porta Builders, Inc., 14 Laureldale Avenue, Metuchen, New Jersey 08840 as recommended by the Director of Public Works.

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on June 15, 2015

Susan D. Jackson
Borough Clerk

RESOLUTION 2015-145

Borough of Metuchen
County of Middlesex
State of New Jersey

RESOLUTION RECOGNIZING COMPANION ANIMALS IN THE COMMUNITY PLEDGE

WHEREAS, recognizing that cats and dogs are an integral and valuable part of all communities, and contribute to the well-being of humans, whether as companions, service animals, or therapy pets; and

WHEREAS, understanding that municipalities have an important role in ensuring the well-being of animals while balancing the needs of pet owners and non-pet owners; and

WHEREAS, legislators and municipal officials report that the number of calls from citizens about animal related issues rival any other issues(s); and

WHEREAS, there are approximately 2.2 million owned dogs and 2.5 million owned cats in New Jersey; and

WHEREAS, New Jersey was the first state in the nation to develop an innovative state-wide spay/neuter program and all proceeds from the sale of Animal Friendly License Plates are used to reimburse participating veterinarians for spaying and neutering surgeries; and

WHEREAS, State responsibility for promoting responsible pet care and ensuring that pets do not suffer due to abuse, neglect, or lack of proper care in kennels, pet shops, shelters, and pounds (animal facilities) is vested in the Office of Animal Welfare within the New Jersey Department of Health and Senior Services; and

WHEREAS, the New Jersey Society to Prevent Cruelty to Animals (NJSPCA) and municipal Animal Cruelty Investigators (ACIs) are responsible for investigating and acting as officers for the detection, apprehension, and arrest of offenders against the animal cruelty laws; and

WHEREAS, New Jersey mandates training requirements for Animal Control Officers and Animal Cruelty Investigators; and

WHEREAS, New Jersey impounds over 100,000 animals per year in animal shelters and impoundment facilities; and

WHEREAS, approximately 37% of the animals that enter New Jersey's impoundment facilities are euthanized, at a rate of around 3,000 per month; and

WHEREAS, free-roaming unvaccinated cats and dogs present a potential health threat to humans through the spread of such zoonotic diseases as rabies, leptospirosis, toxoplasmosis, roundworms, animal bites, and environmental contamination from animal feces; and

WHEREAS, stray and unwanted pets place an enormous financial burden on municipalities and non-profit humane agencies organized to care for these animals; and

WHEREAS, it is more humane and cost-effective to reduce the number of unwanted animals than it is to impound and euthanize unwanted or unclaimed dogs and cats;

WHEREAS, all dogs are required to be licensed in the municipality where they are housed and the majority of municipalities also require licensure of cats. Current vaccination against rabies is a prerequisite to licensure; and

WHEREAS, all municipalities are required to canvass their residents to locate unlicensed dogs.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen, resolve to take the following steps with regard to our municipal responsibilities with the intent of making Metuchen a truly sustainable community; and

BE IT FURTHER RESOLVED, it is our intent to do our utmost, within the bounds of our jurisdiction, to ensure that companion animals are treated humanely, respectfully, and responsibly through public education and through exercise of powers vested within New Jersey municipalities as follows:

1. Pursuant to New Jersey Statues, all municipalities must appoint a certified animal control officer who shall be responsible for animal control within the jurisdiction of the municipality, including providing emergency veterinary care for injured stray animals and coverage outside of normal working hours;

2. The municipality in which an animal facility is located is responsible for issuing the license for that facility to operate;

3. The New Jersey Vicious Dog Law establishes a state-wide standard for municipalities to effectively address situations of vicious or potentially dangerous dogs, regardless of breed;

4. The Animal Population Control Program provides for low-cost spaying and neutering for pet owners adopting dogs and cats from New Jersey shelters, pounds, and animal adoption referral agencies and pet owners participating in one of several Public Assistance Programs.

The Municipality pledges to:

1. Enforce all animal and rabies control statutes and regulations, including the requirement to pick up and impound all stray dogs and cats, excepting stray and feral cats in managed TNR programs.

2. Work to improve the enforcement of animal cruelty statues.

3. Educate our community, including school children, about their responsibilities towards the pet animals they chose to keep.

4. Institute, as appropriate, cat licensing ordinances and increase the percentage of licensed dogs and cats through ease of licensing and licensing enforcement measures.

5. Identify and work to implement best practices to prevent unwanted breeding through effective animal control, availability of low-cost pet spaying and neutering services, public education, and pet-friendly rental and senior housing.

6. Identify alternatives to euthanasia of adoptable companion animals, including utilizing foster homes, adoption networks and providing remedial behavior training services to existing and future owners.

7. Assist in identifying resources to improve the conditions and increase the capacity of animal shelters and impoundment facilities and animal control services.

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on June 15, 2015

Susan D. Jackson
Borough Clerk

RESOLUTION 2015-146

Borough of Metuchen
County of Middlesex
State of New Jersey

RESOL UTION AUTHORIZING STATE CONTRACT PURCHASE FOR POLICE VEHICLE

WHEREAS, there exists a need for vehicle for the Police Department in the Borough of Metuchen, in the County of Middlesex, State of New Jersey; and

WHEREAS, this can be purchased through State Contract #A88728 and T-2776; and

WHEREAS, the maximum amount of the purchase of a 2016 Ford Police Interceptor Utility, All Wheel Drive in the Borough of Metuchen is $24,356.20 and funds will be available in the 2011-7 Capital Ordinance as evidenced by the Chief Financial Officer's Certification; and

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

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

1. The Chief Financial Officer and Borough Administrator are hereby authorized and directed to approve and forward a Purchase Order to Winner Ford, 250 Berlin Road, Cherry Hill, NJ 08034.

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on June 15, 2015

Susan D. Jackson
Borough Clerk

RESOLUTION 2015-147

Borough of Metuchen
County of Middlesex
State of New Jersey

RESOLUTION AUTHORIZING OAKITE PROPERTY REDEVELOPMENT PLAN, BLOCK 71, LOT 37.01, 700 MIDDLESEX AVENUE

WHEREAS, by Resolution No. 2015-48, adopted March 2,2015, the Borough Council of the Borough of Metuchen authorized the Planning Board of the Borough of Metuchen to undertake a preliminary investigation to determine whether the area in the Borough of Metuchen, known and designated as Block 71, Lot 37.01, on the Tax Map of the Borough of Metuchen, commonly known as 700 Middlesex Avenue, is an area in need of redevelopment and a noncondemnation redevelopment area according to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, by resolution dated March 12, 2015, the Planning Board authorized James Constantine, Board Planner, of Looney Rick Kiss to review the designated criteria and prepare a report to the Planning Board as to whether the area commonly known as 700 Middlesex Avenue, in the Borough of Metuchen, County of Middlesex and State of New Jersey, known and designated as Block 71, Lot 37.01 as shown on the official Tax Map of the Borough of Metuchen, is an area in need of redevelopment as a non-condemnation redevelopment area, in accordance with N.J.S.A. 40A:12A-1, *et seq.*; and

WHEREAS, the said Planner prepared a report entitled "Area in Need of Redevelopment Investigation for the Oakite Site/Block 71/Lot 37.01" prepared by LRK, Inc., dated May 14, 2015; and

WHEREAS, the Planning Board received and reviewed the said report and conducted a public hearing on June 4, 2015, in accordance with N.J.S.A. 40A:12A-6; and

WHEREAS, after completing its hearing on this matter, the Planning Board recommended, by resolution adopted June 4, 2015, that the aforementioned area be determined by the Borough Council to be a redevelopment area, in accordance with said report; and

WHEREAS, the Borough Council of the Borough of Metuchen has determined, based on the foregoing, that the delineated area is an area in need of redevelopment as a noncondemation redevelopment area;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Metuchen that, pursuant to N.J.S.A. 40A:12A-1 et seq., the area known and designated as Block 71, Lot 37.01, on the Tax Map of the Borough of Metuchen, commonly known as 700

Middlesex Avenue, be and same is hereby determined to be a noncondemnation area in need of redevelopment; and

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

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

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

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

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

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on June 15, 2015

Susan D. Jackson
Borough Clerk

RESOLUTION 2015-148

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:

Cert #	Block/Lot	Address	Lienholder
12-00001	46/1	25 Liberty Street	MTAG Custodian for Alterna Fund I

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

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on June 15, 2015

Susan D. Jackson
Borough Clerk

RESOLUTION 2015-149

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 **$**

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.

_____
Rebecca Cuthbert, CFO

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on June 15, 2015

_____
Susan D. Jackson
Borough Clerk