

BOROUGH OF METUCHEN COUNCIL AGENDA REGULAR MEETING
SEPTEMBER 21, 2015 AT 7:30 PM

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

AGENDA SESSION

REGULAR MEETING

1. Reapprove Borough Council Meeting Minutes of January 20, 2015 and July 20, 2015
2. Chief of Police Presentation – Police Personnel

PUBLIC COMMENT

PROCLAMATION AND RESOLUTIONS HONORING

COMMUNICATIONS CONSENT AGENDA – ITEMS A – D

- A. Receive and Accept Traffic & Transportation Meeting Minutes of June 10, 2015
- B. Receive and Accept Recreation Meeting Minutes of August 4, 2015
- C. Receive and Accept Zoning Board of Adjustment Meeting Minutes of August 13, 2015
- D. Receive and Accept Block Party/Street Closing for Dorian Road on Saturday, September 26, 2015 from 3 – 9 PM.

OTHER COMMUNICATIONS

REPORTS OF COUNCILMEMBERS

REPORTS OF OFFICERS

REPORT OF THE MAYOR

NEW BUSINESS CONSENT AGENDA – RESOLUTIONS R2015-237 through R2015-254

R2015- 237

Resolution Authorizing the Award of a Non-Fair and Open Contract for Specialized Redevelopment Legal Services from

McManimon, Scotland & Baumann, LLC to
the Borough of Metuchen

R2015-238

Resolution Authorizing the Award of a Non-Fair and Open Contract for Area in Need Redevelopment Studies with LRK – Gulton Tract

R2015-239

Resolution Authorizing the Award of a Non-Fair and Open Contract for Area in Need Redevelopment Studies with LRK – Oakite Site

R2015-240

Resolution Authorizing the Award of a Non-Fair and Open Contract for Area in Need Redevelopment Studies with LRK – 503 Middlesex Avenue (Metuchen Firehouse)

R2015-241

Resolution Authorizing an Agreement for Consultant Services for LRK, Inc for Development of a Redevelopment Plan - 212 Durham Avenue (Gulton Tract)

R2015-242

Resolution Authorizing an Agreement for Consultant Services with LRK, Inc for Development of a Redevelopment Plan – 700 Middlesex Avenue (Oakite Site)

R2015-243

Resolution Authorizing an Agreement for Consultant Services with LRK, Inc for Development of a Redevelopment Plan - 503 Middlesex Avenue

R2015-244

Resolution Amending Resolution 2015-169 Authorizing Refund of Other Fees & Permits – Building Permit #14-0985 – Vivint Solar

R2015-245

Resolution Authorizing Release of Performance Bond Guarantee – Fox and Foxx Development LLC – Block 51.08, Lot 37

R2015-246

Resolution Authorizing Release of Performance Bond Guarantee – New Durham Hampton – Block 69, Lot 125.04

- R2015-247 Resolution Authorizing Release of Performance Bond Guarantee – 242 Middlesex Avenue – Block 104, Lot 24 – Metuchen Inn
- R2015-248 Resolution Appointing OEM Coordinator – Robert Donnan
- R2015-249 Resolution to Reduce and Refund 2013 and 2014 Taxes, and to Reduce 2015 Taxes
- R2015-250 Resolution Authorizing Refund of Previously Cancelled Taxes
- R2015-251 Resolution Authorizing Refund of 2015 Taxes
- R2015-252 Resolution to Cancel, and Apply 2015 Taxes
- R2015-253 Resolution Promulgating Personnel Polices, Guides and Regulation Governing Borough Personnel and Their Employment by the Borough
- R2015-254 Resolution Authorizing Indemnity and Trust Agreement for Continued Membership in the Middlesex County Municipal Joint Insurance Fund

OTHER NEW BUSINESS

- R2015-255 Resolution Authorizing the Payment of the Bill List in the amount of \$

APPOINTMENTS

ORDINANCES – INTRODUCTION

- Ordinance 2015-11 An Ordinance Amending and Supplementing Ordinance 92-25 Establishing Salary Ranges
- Ordinance 2015-12 Bond Ordinance to Cancel Funded Appropriation Balance Heretofore Provided for Various Projects Pursuant to Various Bond Ordinances, to Transfer

September 21, 2015
Borough Council Agenda

and Reappropriate Funded Appropriation Balances for Additional Improvements in, by and for the Borough of Metuchen, in the County of Middlesex, State of New Jersey, and to Appropriate the Sum of \$310,000 to Pay the Cost Thereof

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.

BOROUGH OF METUCHEN
ORDINANCE NO. 2014-142015-11

Borough of Metuchen
County of Middlesex
State of New Jersey

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**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:

A. The hourly range of compensation for the public works positions hereinafter named shall be as follows, all payable in bi-weekly installments except as otherwise provided for:

| <u>POSITION</u> | <u>MINIMUM</u> | <u>MAXIMUM</u> |
|------------------------------|-----------------------|-----------------------|
| Pump Operator | \$27.40 | 28.61 |
| Maintenance Repairman | 27.20 | 28.39 |
| Master Mechanic | 26.98 | 28.17 |
| Heavy Equipment Operator | 26.98 | 28.17 |
| Head Forestry | 26.56 | 28.17 |
| Assistant Equipment Operator | 26.05 | 27.20 |
| Forestry | 26.05 | 27.20 |
| Assistant Mechanic | 26.05 | 27.20 |
| Assistant Pump Operator | 26.05 | 27.20 |
| Parks Worker | 26.05 | 27.20 |
| Drivers | 25.21 | 26.32 |
| Custodians | 24.86 | 25.97 |
| Laborer | 24.47 | 25.56 |

The base rate of compensation of each employee as determined by the collective bargaining agreement shall be within the respective hourly rate as set forth in this Ordinance.

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

B. The salary range of compensation of all officers of the police department

hereinafter named shall be as follows, all payable in equal bi-weekly installments except as otherwise provided for:

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

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

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

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

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

| <u>POSITION</u> | <u>MINIMUM</u> | <u>MAXIMUM</u> | <u>PER</u> |
|---------------------------------|----------------|----------------|------------|
| Video Coordinator | \$ 10.00 | \$ 30.00 | hour |
| Asst. Video Coordinator | \$ 10.00 | \$ 18.00 | hour |
| Bus Drivers | \$ 10.00 | \$ 17.00 | hour |
| Pages and Junior Assistants | \$ 7.25 | \$ 18.00 | hour |
| Library Bookkeeper | \$ 20.00 | \$ 22.00 | hour |
| Library Intern/Child Services | \$ 22.00 | \$ 26.00 | hour |
| Young Adult Librarian | \$ 26.00 | \$ 29.00 | hour |
| Part-Time Clerk and Secretaries | \$ 8.00 | \$ 17.00 | hour |
| Construction Official | \$ 50.00 | \$ 100.00 | day |
| Plumbing Subcode Official | \$ 30.00 | \$ 40.00 | day |

| | | | |
|--------------------------------------|-----------------|-----------------|-------------|
| Plumbing Inspector | \$ 90.00 | \$ 110.00 | day |
| Electrical Subcode Official | \$ 30.00 | \$ 40.00 | day |
| Electrical Inspector | \$ 90.00 | \$ 110.00 | day |
| Fire Subcode Official | \$ 28.00 | \$ 38.00 | day |
| Fire Inspector | \$ 86.00 | \$ 104.00 | day |
| Bulding Subcode Official | \$ 30.00 | \$ 40.00 | day |
| Building Inspector | \$ 90.00 | \$ 110.00 | day |
| Alternate Subcode Officials | \$ 28.00 | \$ 40.00 | day |
| Alternate Inspectors | \$ 86.00 | \$ 110.00 | day |
| Janitors, Firehouse | \$ 1,000 | \$ 4,500 | year |
| Fire Official | \$ 3,000 | \$ 12,000 | year |
| Fire Inspectors | \$ 3,000 | \$ 10,000 | year |
| Office of Emergency Management | | | |
| Director | \$ 6,000 | \$ 9,000 | year |
| Registrar | \$ 3,000 | \$12,000 | year |
| Deputy Registrar | \$ 1,000 | \$ 6,000 | year |
| School Crossing Guards | \$ 10.00 | \$ 16.00 | hour |
| Municipal Alliance Coordinator | \$ 5,000 | \$ 8,000 | year |
| <u>C-3 Sanitary Sewer Collection</u> | | | |
| <u>System Operator</u> | <u>\$ 6,000</u> | <u>\$ 8,000</u> | <u>year</u> |

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

| <u>POSITION</u> | <u>MINIMUM</u> | <u>MAXIMUM</u> | <u>PER</u> |
|----------------------------|----------------|----------------|------------|
| Tennis Instructor | \$9.00 | \$15.00 | hourly |
| Tennis Director | \$75.00 | \$85.00 | hourly |
| Art Director | \$50.00 | \$75.00 | hourly |
| Cooking Director | \$40.00 | \$50.00 | hourly |
| Field Hockey Director | \$30.00 | \$40.00 | hourly |
| Field Hockey Coach | \$20.00 | \$30.00 | hourly |
| Field Hockey Referees | \$10.00 | \$15.00 | per game |
| Drama Director | \$50.00 | \$75.00 | hourly |
| T-ball/Softball Instructor | \$15.00 | \$30.00 | hourly |
| Field Hockey Instructors | \$ 8.00 | \$20.00 | hourly |
| Camp Director | \$10.45 | \$20.00 | hourly |
| Recreation Specialist | \$ 7.25 | \$10.00 | hourly |
| Senior Counselor | \$ 8.25 | \$ 9.25 | hourly |
| Recreation Assistant | \$ 7.25 | \$ 8.25 | hourly |
| Junior Counselor | \$ 7.25 | \$ 8.25 | hourly |
| Camp Director | \$18.00 | \$25.00 | hourly |
| Wrestling Counselor | \$ 200 | \$ 300 | weekly |
| Sports Program Director | \$ 600 | \$ 700 | weekly |
| Wrestling Trainer | \$ 300 | \$ 350 | weekly |
| Soccer Camp Director | \$ 725 | \$ 850 | weekly |
| Soccer Counselor | \$ 150 | \$ 400 | weekly |

| | | | |
|---------------------|---------|----------|--------|
| Soccer Trainer | \$ 350 | \$ 550 | weekly |
| Track Camp Director | \$ 550 | \$ 800 | weekly |
| Track Advisor | \$ 500 | \$ 600 | weekly |
| Track Specialist | \$ 300 | \$ 500 | weekly |
| Basketball Director | \$ 600 | \$ 750 | weekly |
| Umpires | \$30.00 | \$ 50.00 | game |

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

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

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

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

| | | | |
|----|----------|-----------|--|
| 35 | \$58,000 | \$120,000 | Police Captain, Chief Financial Officer/Tax Collector, Public Works Director |
| 36 | \$63,000 | \$123,000 | Borough Engineer |
| 38 | \$68,000 | \$130,000 | Chief of Police |
| 40 | \$73,000 | \$137,000 | Borough Administrator |

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

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

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

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

10. This ordinance shall take effect after its publication according to law and the amendments contained herein shall be retroactive to January 1, 2014.

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

ATTEST: BOROUGH OF METUCHEN

By:
Susan D. Jackson, RMC Thomas Vahalla
Borough Clerk Mayor

Introduced:
Date of Publication of Introduction:
Final Adoption:

Date of Publication of Adoption:

~~VOTE ON INTRODUCTION~~

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

~~Certified copy of an ordinance adopted at a regular meeting of the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey on September 15, 2014~~

~~Kathryn Cirulli, RMC
Municipal Clerk~~

~~Introduced: September 15, 2014~~

~~Published on Introduction: September 18, 2014~~

ORDINANCE 2015-12

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

BOND ORDINANCE TO CANCEL FUNDED APPROPRIATION BALANCE HERETOFORE PROVIDED FOR VARIOUS PROJECTS PURSUANT TO VARIOUS BOND ORDINANCES, TO TRANSFER AND REAPPROPRIATE FUNDED APPROPRIATION BALANCES FOR ADDITIONAL IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF METUCHEN, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AND TO APPROPRIATE THE SUM OF \$310,000 TO PAY THE COST THEREOF

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF METUCHEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The following appropriations remaining as balances in the bond ordinances, as amended, referred to below (collectively, the “Ordinances”) and heretofore adopted by the Borough of Metuchen, in the County of Middlesex (the “Borough”) are hereby canceled from the projects referenced below (collectively, the “Original Projects”) and reappropriated to the new projects referenced below (collectively, the “New Projects”):

| <u>Ordinance Name, Number And Date Of Adoption</u> | <u>Description of Original Project</u> | <u>Amount of Appropriation to be Canceled and Reappropriated</u> | <u>Description of New Project</u> |
|---|--|--|--|
| BOND ORDINANCE APPROPRIATING \$7,220,000 AND AUTHORIZING \$7,220,000 BONDS OR NOTES OF THE BOROUGH FOR THE CONSTRUCTION OF A NEW BOROUGH HALL AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF METUCHEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY | Construction of new Borough Hall | \$150,000 | Overlay, drainage improvement and reconstruction of the following streets: Bridge Street, Carlton Road, Norris Avenue, Division Street, Oakland Avenue and Middlesex Avenue and curb and sidewalk repair and replacement, all materials, appurtenances and other infrastructure |

| Ordinance Name, Number And Date Of Adoption | Description of Original Project | Amount of Appropriation to be Canceled and Reappropriated | Description of New Project |
|---|---------------------------------------|---|--|
| Adopted on February 19, 2002, as amended (2002-1/2004-11) | | | improvements necessary therefor or related thereto, and New Durham Road sidewalks, including all materials and appurtenances necessary therefor or related thereto |
| BOND ORDINANCE APPROPRIATING \$1,757,000 AND AUTHORIZING \$1,233,100 BONDS OR NOTES OF THE BOROUGH FOR VARIOUS IMPROVEMENTS AND PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF METUCHEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY Adopted on April 4, 2005(2005-4) | Various Improvements | \$45,000 | Overlay, drainage improvement and reconstruction of the following streets: Bridge Street, Carlton Road, Norris Avenue, Division Street, Oakland Avenue and Middlesex Avenue and curb and sidewalk repair and replacement, including all materials, appurtenances and other infrastructure improvements necessary therefor or related thereto, and New Durham Road sidewalks, including all materials and appurtenances necessary therefor or related thereto |
| BOND ORDINANCE APPROPRIATING \$1,677,100 AND AUTHORIZING \$1,377,500 BONDS OR NOTES OF THE BOROUGH FOR VARIOUS IMPROVEMENTS AND PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF METUCHEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY Adopted on April 16, 2007, as amended (2007-3/2013-10) | Various Improvements | \$36,000 | Overlay, drainage improvement and reconstruction of the following streets: Bridge Street, Carlton Road, Norris Avenue, Division Street, Oakland Avenue and Middlesex Avenue and curb and sidewalk repair and replacement, including all materials, appurtenances and other infrastructure improvements necessary therefor or related thereto, |

| Ordinance Name, Number And Date Of Adoption | Description of Original Project | Amount of Appropriation to be Canceled and Reappropriated | <u>Description of New Project</u> |
|--|---------------------------------------|---|---|
| <p>BOND ORDINANCE APPROPRIATING \$1,970,100 AND AUTHORIZING \$944,760 BONDS OR NOTES OF THE BOROUGH FOR VARIOUS IMPROVEMENTS AND PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF METUCHEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY Adopted on May 16, 2011, as amended (2011-7/2011-9)</p> | <p>Various Improvements</p> | <p>\$25,000</p> | <p>and New Durham Road sidewalks, including all materials and appurtenances necessary therefor or related thereto</p> <p>Acquisition of senior bus with lift for handicapped access</p> |
| <p>BOND ORDINANCE APPROPRIATING \$1,088,700 AND AUTHORIZING \$770,070 BONDS OR NOTES OF THE BOROUGH FOR VARIOUS IMPROVEMENTS AND PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF METUCHEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY Adopted on May 21, 2012(2012-4)</p> | <p>Various Improvements</p> | <p>\$24,000</p> | <p>Acquisition of senior bus with lift for handicapped access</p> |
| <p>BOND ORDINANCE APPROPRIATING \$854,064 AND AUTHORIZING \$552,550 BONDS OR NOTES OF THE BOROUGH FOR VARIOUS IMPROVEMENTS AND PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF METUCHEN, IN</p> | <p>Various Improvements</p> | <p>\$30,000</p> | <p>Acquisition of police radar equipment</p> |

| Ordinance Name, Number And Date <u>Of Adoption</u> | Description of Original <u>Project</u> | Amount of Appropriation to be Canceled and <u>Reappropriated</u> | <u>Description of New Project</u> |
|--|--|--|-----------------------------------|
|--|--|--|-----------------------------------|

THE COUNTY OF
MIDDLESEX, NEW JERSEY
Adopted on December 2,
2013(2013-9)

Section 2. All other details of the Ordinances shall remain the same.

Section 3. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 4. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ATTEST:

BOROUGH OF METUCHEN

Susan D. Jackson, RMC
Borough Clerk

By: _____
Thomas Vahalla
Mayor

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

R2015-237

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

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN
CONTRACT FOR SPECIALIZED REDEVELOPMENT LEGAL SERVICES
FROM McMANIMON, SCOTLAND & BAUMANN, LLC TO THE BOROUGH
OF METUCHEN**

WHEREAS, the Borough of Metuchen has a need to acquire specialized legal services in connection with a Redevelopment Attorney as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500, not to exceed \$50,000; and,

WHEREAS, the anticipated term of this contract is *one* year; and

WHEREAS, Kevin P. McManimon of the firm McManimon, Scotland & Baumann, LLC (MS&B, LLC), 75 Livingston Avenue, Roseland, New Jersey 07068 has submitted a proposal dated August 3, 2015 indicating he will provide services as the Redevelopment Attorney for general ledger services to the Borough at a rate of \$215 per hour for attorneys and \$135 for legal assistants and developers' escrow rate of \$325 per hour for attorneys and \$180 for legal assistants; and

WHEREAS, MS&B, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that MS&B, LLC has not made any reportable contributions to a political or candidate committee in the Borough of Metuchen in the previous one year, and that the contract will prohibit MS&B, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, the maximum amount of the contract is \$50,000 and funds will be available in the adopted budget for year 2015 as evidenced by the Chief Financial Officer's Certification; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen, in the County of Middlesex, to enter into a contract for specialized legal services in connection for Redevelopment with MS&B, LLC as described herein; and:

1. The Mayor and Borough Clerk are hereby authorized and directed to execute an agreement with McManimon, Scotland & Baumann, LLC, 75 Livingston Avenue, Roseland, New Jersey 07068 in amount not to exceed \$50,000.
2. That this contract is awarded without formal competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services required are those of a recognized profession for which bid specifications are not appropriate or required.

3. A copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Borough of Metuchen.
4. A notice of this action shall be printed once in The Home News Tribune.

| 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 September 21, 2015

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2015-238

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

RESOLUTION AUTHORIZING AN AGREEMENT FOR CONSULTANT SERVICES FOR AN AREA IN NEED OF REDEVELOPMENT INVESTIGATION – 212 DURHAM AVENUE (GULTON TRACT) – LRK, INC.

WHEREAS, there exists the need for specialized consultant services for Area in Need of Redevelopment Investigation for 212 Durham Avenue (Gulton Tract) of the Borough of Metuchen during 2015; and

WHEREAS, the proposal was reviewed and evaluated by Borough Administrator; and

WHEREAS, it is the recommendation of the Borough Administrator that a contract for consultant service be awarded to LRK, Inc of Princeton, New Jersey; and

WHEREAS, it is the desire of Borough Council to appoint LRK, Inc of Princeton, New Jersey as the specialized consultant services for Area in Need of Redevelopment Investigation for 212 Durham Avenue (Gulton Tract) effective August 14, 2015; and

WHEREAS, the cost for the proposed services shall not exceed \$9,500.00 without further approval by the Borough Council; and

WHEREAS, funds for this purpose will be made available in the 2015 budget; and

WHEREAS, the anticipated term of this contract is for the balance of 2015, and it may only be renewed upon further action of the Borough Council; and

WHEREAS, this contract is awarded as a “non-fair and open contract” pursuant to and in accordance with the Local Unit Pay-to-Play Law.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Borough Council of the Borough of Metuchen that the Mayor is authorized to execute and the Borough Clerk to attest an agreement between the Borough of Metuchen and LRK, Inc., 182 Nassau Street, Suite 302, Princeton, New Jersey, 08542 for specialized consultant services for the year 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 September 21, 2015

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2015-239

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

RESOLUTION AUTHORIZING AN AGREEMENT FOR SPECIALIZED CONSULTANT SERVICES FOR AN AREA IN NEED OF REDEVELOPMENT INVESTIGATION – 700 MIDDLESEX AVENUE (OAKITE SITE) – LRK, INC.

WHEREAS, there exists the need for specialized consultant services for Area in Need of Redevelopment Investigation for 700 Middlesex Avenue (Oakite Site) of the Borough of Metuchen during 2015; and

WHEREAS, the proposal was reviewed and evaluated by Borough Administrator; and

WHEREAS, it is the recommendation of the Borough Administrator that a contract for consultant service be awarded to LRK, Inc of Princeton, New Jersey; and

WHEREAS, it is the desire of Borough Council to appoint LRK, Inc of Princeton, New Jersey as the specialized consultant services for Area in Need of Redevelopment Investigation for 700 Middlesex Avenue (Oakite Site) effective August 14, 2015; and

WHEREAS, the cost for the proposed services shall not exceed \$10,500.00 without further approval by the Borough Council; and

WHEREAS, funds for this purpose will be made available in the 2015 budget; and

WHEREAS, the anticipated term of this contract is for the balance of 2015, and it may only be renewed upon further action of the Borough Council; and

WHEREAS, this contract is awarded as a “non-fair and open contract” pursuant to and in accordance with the Local Unit Pay-to-Play Law.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Borough Council of the Borough of Metuchen that the Mayor is authorized to execute and the Borough Clerk to attest an agreement between the Borough of Metuchen and LRK, Inc., 182 Nassau Street, Suite 302, Princeton, New Jersey, 08542 for specialized consultant services for the year 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 September 21, 2015

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2015-240

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

**RESOLUTION AUTHORIZING AN AGREEMENT FOR CONSULTANT SERVICES
FOR AN AREA IN NEED OF REDEVELOPMENT INVESTIGATION – 503
MIDDLESEX AVENUE (METUCHEN FIREHOUSE) – LRK, INC.**

WHEREAS, there exists the need for specialized consultant services for Area in Need of Redevelopment Investigation for 503 Middlesex Avenue (Metuchen Firehouse) of the Borough of Metuchen during 2015; and

WHEREAS, the proposal was reviewed and evaluated by Borough Administrator; and

WHEREAS, it is the recommendation of the Borough Administrator that a contract for consultant service be awarded to LRK, Inc of Princeton, New Jersey; and

WHEREAS, it is the desire of Borough Council to appoint LRK, Inc of Princeton, New Jersey as the specialized consultant services for Area in Need of Redevelopment Investigation for 503 Middlesex Avenue (Metuchen Firehouse) effective August 14, 2015; and

WHEREAS, the cost for the proposed services shall not exceed \$7,500.00 without further approval by the Borough Council; and

WHEREAS, funds for this purpose will be made available in the 2015 budget; and

WHEREAS, the anticipated term of this contract is for the balance of 2015, and it may only be renewed upon further action of the Borough Council; and

WHEREAS, this contract is awarded as a “non-fair and open contract” pursuant to and in accordance with the Local Unit Pay-to-Play Law.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Borough Council of the Borough of Metuchen that the Mayor is authorized to execute and the Borough Clerk to attest an agreement between the Borough of Metuchen and LRK, Inc., 182 Nassau Street, Suite 302, Princeton, New Jersey, 08542 for specialized consultant services for the year 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 September 21, 2015

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2015-241

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

**RESOLUTION AUTHORIZING AN AGREEMENT FOR CONSULTANT SERVICES
FOR LRK, INC FOR DEVELOPMENT OF A REDEVELOPMENT PLAN - 212
DURHAM AVENUE (GULTON TRACT)**

WHEREAS, there exists the need for consultant services for development of a Redevelopment Plan for 212 Durham Avenue (Gulton Tract) of the Borough of Metuchen during 2015; and

WHEREAS, the proposal was reviewed and evaluated by Borough Administrator; and

WHEREAS, it is the recommendation of the Borough Administrator that a contract for consultant service be awarded to LRK, Inc of Princeton, New Jersey; and

WHEREAS, it is the desire of Borough Council to appoint LRK, Inc of Princeton, New Jersey as the consultant service for development of a Redevelopment Plan for 212 Durham Avenue (Gulton Tract) effective August 14, 2015; and

WHEREAS, the cost for the proposed services is a fixed fee of \$25,000 for developing a Redevelopment Plan and a fee of \$10,000 for attendance at all meetings, materials and cost for preparing and printing exhibits and reports and shall not exceed a total of \$35,000 without further approval by the Borough Council; and

WHEREAS, funds for this purpose will be made available in the 2015 budget; and

WHEREAS, the anticipated term of this contract is for the balance of 2015, and it may only be renewed upon further action of the Borough Council; and

WHEREAS, this contract is awarded as a “non-fair and open contract” pursuant to and in accordance with the Local Unit Pay-to-Play Law.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Borough Council of the Borough of Metuchen that the Mayor is authorized to execute and the Borough Clerk to attest an agreement between the Borough of Metuchen and LRK, Inc., 182 Nassau Street, Suite 302, Princeton, New Jersey, 08542 for specialized consultant services for the year 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 September 21, 2015

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2015-242

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

**RESOLUTION AUTHORIZING AN AGREEMENT FOR CONSULTANT SERVICES
WITH LRK, INC FOR DEVELOPMENT OF A REDEVELOPMENT PLAN – 700
MIDDLESEX AVENUE (OAKITE SITE)**

WHEREAS, there exists the need for specialized consultant services for development of a Redevelopment Plan for 700 Middlesex Avenue (Oakite Site) of the Borough of Metuchen during 2015; and

WHEREAS, the proposal was reviewed and evaluated by Borough Administrator; and

WHEREAS, it is the recommendation of the Borough Administrator that a contract for consultant service be awarded to LRK, Inc of Princeton, New Jersey; and

WHEREAS, it is the desire of Borough Council to appoint LRK, Inc of Princeton, New Jersey as the consultant services for development of a Redevelopment Plan for 700 Middlesex Avenue (Oakite Site) effective August 14, 2015; and

WHEREAS, the cost for the proposed services is a fixed fee of \$25,000 for developing a Redevelopment Plan and a fee of \$10,000 for attendance at all meetings, materials and cost for preparing and printing exhibits and reports and shall not exceed a total of \$35,000 without further approval by the Borough Council; and

WHEREAS, funds for this purpose will be made available in the 2015 budget; and

WHEREAS, the anticipated term of this contract is for the balance of 2015, and it may only be renewed upon further action of the Borough Council; and

WHEREAS, this contract is awarded as a “non-fair and open contract” pursuant to and in accordance with the Local Unit Pay-to-Play Law.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Borough Council of the Borough of Metuchen that the Mayor is authorized to execute and the Borough Clerk to attest an agreement between the Borough of Metuchen and LRK, Inc., 182 Nassau Street, Suite 302, Princeton, New Jersey, 08542 for specialized consultant services for the year 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 September 21, 2015

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2015-243

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

**RESOLUTION AUTHORIZING AN AGREEMENT FOR CONSULTANT SERVICES
WITH LRK, INC FOR DEVELOPMENT OF A REDEVELOPMENT PLAN – 503
MIDDLESEX AVENUE (METUCHEN FIREHOUSE) – LRK, INC.**

WHEREAS, there exists the need for specialized consultant services for development of a Redevelopment Plan for 503 Middlesex Avenue (Metuchen Firehouse) of the Borough of Metuchen during 2015; and

WHEREAS, the proposal was reviewed and evaluated by Borough Administrator; and

WHEREAS, it is the recommendation of the Borough Administrator that a contract for consultant service be awarded to LRK, Inc of Princeton, New Jersey; and

WHEREAS, it is the desire of Borough Council to appoint LRK, Inc of Princeton, New Jersey as the consultant services for development of a Redevelopment Plan for 503 Middlesex Avenue (Metuchen Firehouse) effective August 14, 2015; and

WHEREAS, the cost for the proposed services is a fixed fee of \$7,500 for developing a Redevelopment Plan and a fee not to exceed \$2,500 for attendance at all meetings, materials and cost for preparing and printing exhibits and reports and shall not exceed a total of \$10,000 without further approval by the Borough Council; and

WHEREAS, funds for this purpose will be made available in the 2015 budget; and

WHEREAS, the anticipated term of this contract is for the balance of 2015, and it may only be renewed upon further action of the Borough Council; and

WHEREAS, this contract is awarded as a “non-fair and open contract” pursuant to and in accordance with the Local Unit Pay-to-Play Law.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Borough Council of the Borough of Metuchen that the Mayor is authorized to execute and the Borough Clerk to attest an agreement between the Borough of Metuchen and LRK, Inc., 182 Nassau Street, Suite 302, Princeton, New Jersey, 08542 for specialized consultant services for the year 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 September 21, 2015

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2015-244

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

RESOLUTION AMENDING RESOLUTION 2015-169 AUTHORIZING REFUND OF OTHER FEES & PERMITS – BUILDING PERMIT #14-0985 – VIVINT SOLAR

WHEREAS, Vivint Solar, 2400 Main Street Extension, Suite 6 & 7, Sayreville, New Jersey 08872 made payment on November 24, 2014 in the amount of \$344.00 for an Electrical and Building Permit fee for the installation of solar panels to be performed at 138 Christol Street; and

WHEREAS, the homeowner no longer wishes to have the work performed; and

WHEREAS, the DCA (State) fees of \$44.00 are non-refundable; and

WHEREAS, pursuant to Ordinance #2015-07 a 20% plan review fee of \$60.00 shall be deducted from the total permit fee to be returned; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Metuchen, the Chief Financial Officer is hereby authorized and directed to refund Vivint Solar, 2400 Main Street Extension, Suite 6 & 7, Sayreville, New Jersey 08872, in the amount of \$240.00 for an Electrical and Building Permit fee which is minus the 20% for plan review fee that is non-refundable per Ordinance 2015-07.

| 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 September 21, 2015

Susan D. Jackson
Borough Clerk

RESOLUTION 2015-245

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

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE BOND GUARANTEE – FOX AND FOXX DEVELOPMENT LLC – BLOCK 51.08, LOT 37

WHEREAS, Fox and Foxx Development LLC., has requested a refund of the performance bond for site improvements on Block 51.08, Lot 37 located at 124 Harvard Avenue, Metuchen; and

WHEREAS, the Borough Engineer in a letter dated June 9, 2014 and a memo from the Zoning Officer dated June 11, 2015 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 \$258.84 (Cash Bond) has been posted on September 17, 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 \$258.84 (Cash Bond) 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 September 21, 2015

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2015-246

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

**RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE BOND
GUARANTEE – NEW DURHAM HAMPTON – BLOCK 69, LOT 125.04**

WHEREAS, New Durham Hampton, has requested a refund of the performance bond for site improvements on Block 69, Lot 125.04 located at 38A Hampton Street, Metuchen; and

WHEREAS, the Borough Engineer in a letter dated June 9, 2014 and a memo from the Zoning Officer dated June 8, 2015 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 \$998.40 (Cash Bond) has been posted on April 26, 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 \$998.04 (Cash Bond) as recommended and directed by the Borough Engineer and Zoning Official to New Durham Hampton, 9A Wakefield Drive, Edison, New Jersey 08820 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 September 21, 2015

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2015-247

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

**RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE BOND
GUARANTEE – 424 MIDDLESEX AVENUE – BLOCK 104, LOT 24 – METUCHEN
INN**

WHEREAS, Metuchen Inn, has requested a refund of the performance bond for site improvements on Block 104, Lot 24 located at 424 Middlesex Avenue, Metuchen; and

WHEREAS, the Borough Engineer in a letter dated September 23, 2014 and a memo from the Zoning Officer dated March 11, 2015 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 \$3,130.60 (Cash Bond) has been posted on February 8, 2011; 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 \$3,130.60 (Cash Bond) as recommended and directed by the Borough Engineer and Zoning Official to Metuchen Inn, 424 Middlesex Avenue, Metuchen, NJ 08840 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 September 21, 2015

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2015-248

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

**RESOLUTION AUTHORIZING APPOINTMENT OF OFFICE OF
EMERGENCY MANAGEMENT COORDINATOR**

WHEREAS, the Mayor and Borough Council of the Borough of Metuchen has a need to appoint an Emergency Management Coordinator for the Borough of Metuchen for an unexpired term ending December 31, 2015; and

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Metuchen that the Robert Donnan be appointed as Office of Emergency Management Coordinator for the Borough of Metuchen, commencing immediately.

BE IT FURTHER RESOLVED said appointment shall expire December 31, 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 September 21, 2015

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2015-249

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

**RESOLUTION TO REDUCE AND REFUND 2013 AND 2014 TAXES, AND TO
REDUCE 2015 TAXES**

WHEREAS, a successful State Tax Court Appeal judgment was awarded to Block 48.1, Lot 74, 74 Liberty Street for 2013, 2014 and 2015,

WHEREAS, the assessed value for this parcel changed for 2013, 2014 and 2015 by a reduction in the assessed value of \$25,000,

WHEREAS, the reduction in taxes for the above referenced Block and Lot for 2013 is \$ 1,347.25, \$1,375.25 for 2014 and \$1,410.50 for 2015,

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 2013, 2014 and 2015 taxes on Block 48.1, Lot 74 in the amount of \$4,133.00 due to the successful State Tax Court Appeal for the years 2013, 2014 and 2015, including amendments, and refund the resulting tax overpayment in the amount of \$2,722.50.

| 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 September 21, 2015

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2015-250

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

RESOLUTION AUTHORIZING REFUND OF PREVIOUSLY CANCELLED TAXES

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

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

| Name | Block/Lot | Address | Amount | | Year |
|-----------------------|-----------|--------------------|----------|--|--------------------------|
| Steven & Gerda Stetz | 212/69.01 | 39 Myrtle Street | 3,376.47 | Duplicate payment previously cancelled | 1 st qtr 2010 |
| William & Maria Perez | 51.5/31 | 215 University Ave | 1,290.27 | Duplicate payment previously cancelled | 1 st qtr 2013 |

NOW, THEREFORE, BE IT RESOLVED, that the above listed property owner or agent be refunded \$4,666.74 in previously cancelled taxes.

| 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 September 21, 2015

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2015-251

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

RESOLUTION AUTHORIZING REFUND OF 2015 TAXES

WHEREAS, the following has made an overpayment of taxes,

| Name | Block/Lot | Address | Amount | | Year |
|-------------------------------------|-------------------|--------------------------|--------|-------------------|--------------------------|
| Dunford Refrigeration Heating & Air | 48.4/2.02 C-3D | 160-3D Liberty Street | 776.93 | Duplicate payment | 3 rd qtr 2015 |

NOW, THEREFORE, BE IT RESOLVED, that the above listed property owner or agent be refunded property taxes as described in the amount of \$776.93.

| 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 September 21, 2015

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2015-252

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

RESOLUTION TO CANCEL, AND APPLY 2015 TAXES

WHEREAS, a successful County Tax Appeal judgment was awarded to each of the block and lot parcels described below, changing the assessed values for 2015 as follows, and

WHEREAS, the reduction in taxes can be applied to the open tax balance due for 2015, and

WHEREAS, the reduction in taxes has caused an overpayment of taxes for the parcel identified below,

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 2015 tax billings on the following properties due to the successful County Tax Appeals including amendments, in the amount of \$20,096.80, and apply \$5,832.39 to new Block 51.04, Lot 20.04..

| Block/Lot/Qual | Address | Assessment Reduction | Total Tax Reduction | Reduction to 2015 Levy | Applied |
|----------------|----------------------|----------------------|---------------------|------------------------|-----------------|
| 12/52 | 178 Mason Drive | 2,000 | 112.84 | 112.84 | |
| 37.2/5 | 215 Liberty Street | 59,300 | 3,345.71 | 3,345.71 | |
| 45/30 | 80-82 Forrest Street | 50,000 | 2,821.00 | 2,821.00 | |
| 51.10/12 | 204 Midland Ave | 7,500 | 423.15 | 423.15 | |
| 57/21 | 30 Desser Place | 17,800 | 1,004.28 | 1,004.28 | |
| 98/63 | 181 Christol Street | 38,700 | 2,183.45 | 2,183.45 | |
| 118/26 | 430-438 Main Street | 35,000 | 1,974.70 | 1,974.70 | |
| 204/5 | 39 Amboy Ave | 6,200 | 349.80 | 349.80 | |
| 51.4/20.1 | 292 Central Ave | 139,700 | 7,881.87 | 7,881.87 | |
| 51.04/20.04 | 292 Central Ave | | | | 5,852.39 |
| | | | | | |
| | TOTALS | | 20,096.80 | 20,096.80 | 5,852.39 |

| 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 September 21, 2015

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2015-253

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

**RESOLUTION PROMULGATING PERSONNEL POLICES, GUIDES AND
REGULATION GOVERNING BOROUGH PERSONNEL AND THEIR EMPLOYMENT
BY THE BOROUGH**

BE IT RESOLVED, by the Mayor and Council of the Borough of Metuchen that the Resolution Promulgating Personnel Policies, Guides and Regulations Governing Borough Personnel and their Employment by the Borough, adopted February 22, 1972, and as amended from time to time be and the same is hereby amended as follows:

ARTICLE 6: COMPENSATION AND PAY PERIODS

1. Paragraph 27 of said resolution shall now read as follows:

Pay Periods: Computation of Hourly Rate

- (a) The Borough normally shall pay its employees on a bi-weekly payroll schedule, that is, once every (2) weeks, or a total of twenty-six (26) times annually. Additional pay cycles may be added for payment of adjustments to pay. An adjusting pay may be added for the purpose of aligning all employees pay to the same pay date for purposes of instituting direct deposit of pay.
 - (b) The hourly rate shall be computed by dividing the weekly pay by the number of hours in the employee’s prescribed work week.
2. Except as hereinbefore set forth, all other provisions of the Personnel Resolution of February 22, 1972, with any amendments, shall continue in full force and effect.
 3. This resolution shall take effect October 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 September 21, 2015

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2015-254

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

**RESOLUTION AUTHORIZING INDEMNITY AND TRUST AGREEMENT FOR
CONTINUED MEMBERSHIP IN THE MIDDLESEX COUNTY MUNICIPAL JOINT
INSURANCE FUND**

WHEREAS, the Borough of Metuchen has participated as a member of the Middlesex County Municipal Joint Insurance Fund (hereafter the "Fund") existing pursuant to Chapter 372, Laws of 1983 (N.J.S.A. 40A:10-36 et. seq.); and is desirous of continuing said membership for a term expiring on December 31, 2018; and

WHEREAS, the governing body of the Borough of Metuchen membership in the Fund is in the best interest of the municipality;

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

SECTION 1. The Borough of Metuchen hereby agrees to continue as a member of the Fund for a period commencing January 1, 2016, and terminating on December 31, 2018 for the purpose of securing the following types of insurance coverage:

- a) Workers Compensation and Employer's Liability.
- b) General Liability Coverage (including Public Official, Police Professional).
- c) Motor Vehicle and Equipment Liability Coverage.
- d) Property Damage Coverage (including Building & Contents, Automobile Physical Damage, Contractors Equipment, Boiler & Machinery and Public Employee Blanket Bonds).

After the expiration of the said three (3) year period of membership, participation may be canceled or extended in accordance with the By-Laws of the Fund.

SECTION 2. For the purposes of contribution of sums into the Fund to be designated for administrative costs and claims, the Borough of Metuchen hereby agrees to obtain the types of coverage from the Fund as are set forth in Section 1 of this Resolution and the Indemnity and Trust Agreement to be signed by it.

SECTION 3. The By-Laws of the Middlesex County Municipal Joint Insurance Fund,

attached hereto, have been adopted and accepted.

SECTION 4. The Governing Body is hereby authorized and directed to execute an Indemnity and Trust Agreement signifying continued membership.

| 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, 2015

Susan D. Jackson, RMC
Borough Clerk

DATED:

INDEMNITY AND TRUST AGREEMENT

AGREEMENT made this day of , 2012, between the Middlesex County Municipal Joint Insurance Fund, hereinafter referred to as the "Fund", with an address c/o William M. Kurtz, 1 Jocama Blvd, Suite 2B, Old Bridge, New Jersey 08857, and hereinafter referred to as "Member", located at , NJ

WHEREAS, the Member has adopted a Resolution dated , 2012 , agreeing to become a participant in the "Fund" and approving of the ByLaws, as approved by the Commissioner of the Department of Banking and Insurance and the Commissioner of the Department of Community Affairs of the State of New Jersey;

WHEREAS, N.J.S.A. 40A:10-36 et. seq. and the regulations implemented thereunder in N.J.A.C. 11:15-2.1 et. seq. require a written agreement between the individual members and the "Fund".

NOW, THEREFORE, in consideration of the mutual promises and covenants of the parties, they agree as follows:

1. "Member" agrees to participate as a member of the "Fund" and contribute such sums and pay such assessments into the "Fund" that are required for the administrative costs and claims for the following types of coverage:

- a) Workers Compensation and Employers Liability;
- b) General Liability Coverage (including Public Official, Police Professional);
- c) Motor Vehicle and Equipment Liability Coverage;
- d) Property Damage (including Building & Contents, Automobile Physical Damage, Contractors Equipment, Boiler and Machinery and Public Employee Blanket Bonds).

2. "Member" affirms that it has not been in default on any insurance premium due any insurance carrier in the preceding two (2) years, or on any claim due under any self insurance.

3. "Member" hereby accepts the ByLaws of the "Fund" as approved by the Commissioner of the Department of Banking and Insurance and the Commissioner of the Department of Community Affairs of the State of New Jersey and agrees to be bound by same.

4. "Member" agrees to participate in the "Fund" to the extent designated in Paragraph 1 above for an initial period from until and including . After the expiration of the initial period, participation may be cancelled or extended in accordance with the ByLaws.

5. "Fund" agrees to operate the insurance pool established by the parties and administer all monies contributed to the "Fund" in compliance with the provisions of the Local Fiscal Affairs Law (N.J.S.A. 40A:5-1 et. seq.), the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq.), the enabling legislation authorizing the "Fund", (N.J.S.A. 40A:10-36 et. seq.), the ByLaws of the "Fund", and such other rules and regulations as govern the custody, investment and expenditures of public funds by local units. In furtherance thereof, "Fund" agrees to employ an individual duly certified as a Municipal Finance Officer to administer the funds of the "Fund".

6. Subject to the policy limits set forth in the Risk Management Plan adopted by the Fund, the "Member" agrees to be jointly and severally liable for the assumption and discharge of the liabilities of each and every other member of the Fund, arising from each and every members' participation in the Fund, including its participation in the coverage designated in Paragraph 1 above.

7. To further the intent and purposes of Paragraph 5 above, "Fund" agrees that all assessment payments made by "Member" shall be held in trust for the Benefit of Member. Separate trust accounts must be established by the "Fund" pursuant to N.J.S.A. 11:15-2.13. The monies from said "Fund" shall be disbursed solely for the payment of claims, allocated claim expenses and excess insurance or reinsurance premiums for the risk or liability coverage category which "Member" has agreed to participate in pursuant to Paragraph 1 above. The funds on deposit in one trust account for a specific type of coverage may not be expended, assessed or attached for use by the "Fund" for that municipality or any other municipality's obligations or liabilities for any other type of coverage it may be participating in the "Fund".

8. "Member" acknowledges that upon payment of its assessment into the trust account, it shall not have any further right to said funds except as deemed surplus and returnable by the "Fund" in accordance with the "Fund's" ByLaws and regulations or in the event of termination of the "Fund" and then only to the extent authorized by its ByLaws and regulations of the "Fund" and the laws and regulations of the State of New Jersey.

9. "Member" agrees that if it fails to promptly pay any such assessment charged to it or to comply with the ByLaws and regulations of the "Fund", that it shall indemnify the "Fund", its officers, commissioners and agencies for any loss or damage resulting from such failure.

10. This agreement shall be governed by the laws of the State of New Jersey.

IN WITNESS WHEREOF, the parties have executed this Agreement.

ATTEST:

By: _____
Member

ATTEST:

By: _____
MCMJIF

RESOLUTION 2015-255

*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 | | | |

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Susan D. Jackson, RMC
Borough Clerk