

**BOROUGH OF METUCHEN COUNCIL AGENDA REGULAR MEETING**  
**SEPTEMBER 8, 2015 AT 7:30 PM**

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

**AGENDA SESSION**

**REGULAR MEETING**

1. Approve Council Meeting Minutes of August 17, 2015
2. Presentation of Planning Board Report for “Area in Need of Redevelopment Investigation for the Bl. 117, Lots 64 & 65 known as 503 Middlesex Avenue is in Need of Redevelopment.
3. Presentation of Planning Board Report for “Area in Need of Redevelopment Investigation for Block 37, Lots 5.03, 5.05, 5.12, 5.22, 6, 7.01, 7.02, 13, 14, 15.01, 16.02, 16.03, 17.01 and 17.02; Bl. 42, Lots 1-7; and Bl. 66, Lots 1-3 known as Gulton Tract.
4. Green Team Presentation

**PUBLIC COMMENT**

**PROCLAMATION AND RESOLUTIONS HONORING**

**ORDINANCES-PUBLIC HEARING**

2015-10	Ordinance Regulating Vacant and Abandoned Properties and Storefronts in the Borough of Metuchen
---------	---

**COMMUNICATIONS CONSENT AGENDA – ITEMS A - E**

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

OTHER COMMUNICATIONS

REPORTS OF COUNCILMEMBERS

REPORTS OF OFFICERS

REPORT OF THE MAYOR

NEW BUSINESS CONSENT AGENDA – RESOLUTIONS R2015-123, R2015-201,  
R2015-224 through R2015-234

- |           |   |
|-----------|---|
| R2015-123 | Resolution Appointing Municipal Judge   |
| R2015-201 | Resolution Authorizing the Execution and Entry into a Developer's Agreement between the District at Metuchen, LLC And Bluestone 31st Street, L.L.C., the District at Metuchen II, LLC and the Borough of Metuchen   |
| R2015-224 | Resolution Requesting that the Parking Authority Draw Down One Million Dollars (\$1,000,000) from the Proceeds of the Sale of Parking Authority Land and Transfer of Same to the Borough of Metuchen, Per Pilot Agreement.  |
| R2015-225 | Resolution Designating Block 117, Lots 64 & 65, Commonly Referred to as 503 Middlesex Avenue, as an Area in Need of Redevelopment and Authorizing the Preparation of a Redevelopment Plan   |
| R2015-226 | Resolution Designating Block 37, Lots 5.03, 5.05, 5.12, 5.22, 6, 7.01, 7.02, 13, 14, 15.01, 16.02, 16.03, 17.01 and 17.02; Block 42, Lots 1-7 and Block 66, Lots 1-3, Commonly Referred to as the Gulton Tract, as an Area in Need of Redevelopment and Authorizing Redevelopment Plan. |
| R2015-227 | Resolution Appointing C-3 Sanitary Sewer Collection System Operator – Thomas Herits   |

- R2015-228 Resolution Authorizing Interlocal Agreement with Middlesex County Improvement Authority for Recycling of Yard Waste
- R2015-229 Resolution Appointing Firefighter – Henry A. Fischer
- R2015-230 Resolution Appointing Firefighter – Andrew Buchanan
- R2015-231 Resolution to Reapply 2015 Tax Payment for Parcels Subdivided
- R2015-232 Resolution – Refund of Previously Cancelled Taxes
- R2015-233 Resolution – Refund of Previously Cancelled Taxes
- R2015-234 Resolution Authorizing Emergency Appropriations – NJS 40A:4-48 Under 3% Limitation
- R2015-235 Resolution – Refund of 2015 Taxes

OTHER NEW BUSINESS

- R2015-236 Resolution Authorizing the Payment of the Bill List in the amount of \$3,194,196.48

APPOINTMENTS

ORDINANCES – INTRODUCTION

- 2015-11 An Ordinance Amending and Supplementing Ordinance 92-25 Establishing Salary Ranges.

COMMENTS FROM THE PUBLIC ON NEW BUSINESS MATTERS ONLY

ADJOURNMENT

September 8, 2015  
Borough Council Agenda

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.

**ORDINANCE 2015-10**

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

**ORDINANCE REGULATING VACANT AND ABANDONED PROPERTIES AND  
STOREFRONTS IN THE BOROUGH OF METUCHEN**

**WHEREAS**, the Mayor and Council of the Borough of Metuchen finds that vacant and abandoned properties can lead to neighborhood decline and become attractive nuisances causing the Borough to incur significant costs in the form of staff time for code enforcement actions seeking to maintain and ensure the acceptable conditions of these properties; and

**WHEREAS**, the Borough of Metuchen (the “Borough”) contains buildings and storefronts which are vacant; and

**WHEREAS**, in many cases, the owners or responsible parties of these structures and storefronts are neglectful of them, are not maintaining or securing them to an adequate standard or restoring them to productive use; and

**WHEREAS**, it has been established that vacant and abandoned structures and storefronts cause severe harm to the health, safety and general welfare of the community, including diminution of neighboring property values, increased risk of fire and potential increases in criminal activity and public health risks; and

**WHEREAS**, the Borough incurs disproportionate costs in order to deal with the problems of vacant and abandoned buildings and storefronts, including but not limited to, excessive police calls, fire calls and property inspections; and

**WHEREAS**, it is in the public interest for the Borough to establish minimum standards of accountability on the owners or other responsible parties of vacant and abandoned structures and storefronts in order to protect the health, safety and general welfare of the residents of the Borough; and

**WHEREAS**, it is in the public interest for the Borough to impose a fee in conjunction with the registration of vacant and abandoned structures and storefronts in light of the disproportionate costs imposed on the Borough by the presence of these structures; and

**WHEREAS**, it is necessary for the Borough to take adequate steps to monitor such properties and protect Borough residents.

**NOW THEREFORE BE IT ORDAINED** by the Council of the Borough of Metuchen that it hereby creates Chapter \_\_\_ of the Code entitled, “Vacant and Abandoned Properties and Storefronts” to read as follows:

**CHAPTER \_\_\_**

**VACANT AND ABANDONED PROPERTIES AND STOREFRONTS.**

**§ 1 DEFINITIONS.**

**OWNER** - shall include the title holder, any agent of the title holder having authority to act with respect to a vacant property, any foreclosing entity subject to the provisions C.46:10B-51 (P.L. 2008, c.127, Sec. 17 as amended by P.L. 2009, c. 296), or any other entity determined by the Borough of Metuchen to have authority to act with respect to the property.

**PROPERTY** – any portion of improved or unimproved real estate located within the Borough of Metuchen which includes the buildings or structures or portions thereof located on it regardless of condition.

**VACANT PROPERTY** – shall mean any building or structure which is not at present legally occupied or at which all lawful business or construction operations or residential or other occupancy have substantially ceased for a period of six (6) months, including but not limited to, any property meeting the definition of vacant property in *N.J.S.A. 55:19-80, et seq.*

**VACANT STOREFRONT** – any area within a building or structure that may be individually leased or rented for any purpose other than residential use which is not present legally occupied or at which all lawful business or construction operations or other occupancy have substantially ceased for a period of six (6) months.

**§ 2 REGISTRATION REQUIREMENTS.**

The owner of any vacant property or vacant storefront as defined herein shall, within 30 calendar days after the building becomes vacant property or storefront or within 30 calendar days after assuming ownership of the vacant property or vacant storefront, whichever is later; or within 10 calendar days of receipt of notice by the municipality, file a registration statement for such vacant property or storefront with the Zoning Officer on forms provided by the Borough for such purposes. Failure to receive notice by the municipality shall not constitute grounds for failing to register the property.

- a. Each property having a separate block and lot number as designated in official records of the municipality shall be registered separately and only one

statement is required for a property that meets both the definition of Vacant Property and Vacant Storefront.

- b. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of a person 21 years or older, designated by the owner or owners as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceeding on behalf of such owner or owners in connection with the enforcement of any applicable code; and the name, street address, telephone number, and email address (if applicable) of the firm and the actual name(s) of the firm's individual principal(s) responsible for maintaining the property. The individual or representative of the firm responsible for maintaining the property shall be available by telephone or in person on a 24 hour per day, seven-day per week basis. The two entities may be the same or different persons. Both entities shown on the statement must maintain offices in the State of New Jersey or reside within the State of New Jersey.
- c. The registration shall remain valid for one year from the date of registration except for the initial registration time which shall be pro-rated through December 31. The owner shall be required to renew the registration annually as long as the building remains a vacant property or portion thereof remains a vacant storefront and shall pay a registration or renewal fee in the amount prescribed in Section 5 of this ordinance, for each vacant property registered or vacant storefront. The owner shall be required to renew the registration annually as long as the building remains a vacant property or vacant storefront and shall pay a registration or renewal fee in the amount prescribed in Section 5 of this ordinance, for each vacant property or vacant storefront registered.
- d. The annual renewal shall be completed by January 1<sup>st</sup> each year. The initial registration fee shall be pro-rated for registration statements received less than 10 months prior to that date.
- e. The owner shall notify the Clerk within 30 calendar days of any change in the registration information by filing an amended registration statement on a form provided by the Clerk for such purpose.
- f. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Borough against the owner or owners of the property.

### **§ 3 ACCESS TO VACANT PROPERTIES AND STOREFRONTS.**

The owner of any vacant property or vacant storefront registered under this Article shall provide access to the Borough to conduct exterior and interior inspections of the building to determine compliance with municipal codes, upon reasonable notice to the property owner or the designated agent. Such inspections shall be carried out on weekdays during the hours of 9:00 a.m. and 4:00 p.m., or such other time as may be mutually agreed upon between the owner and the Borough.

**§ 4 RESPONSIBLE OWNER OR AGENT.**

- a. An owner who meets the requirements of this Article with respect to the location of his or her residence or workplace in the State of New Jersey may designate him or herself as agent or as the individual responsible for maintaining the property.
- b. By designating an authorized agent under the provisions of this section the owner consents to receive any and all notices of code violations concerning the registered vacant property or storefront and all process in any court proceeding or administrative enforcement proceeding brought to enforce code provisions concerning the registered property by service of the notice or process on the authorized agent. Any owner who has designated an authorized agent under the provisions of this section shall be deemed to consent to the continuation of the agent’s designation for the purposes of this section until the owner notifies the Borough of Metuchen in writing of a change of authorized agent or until the owner files a new annual registration statement.
- c. Any owner who fails to register a vacant property or vacant storefront under the provisions of this Article shall further be deemed to consent to receive, by posting on the building, in plain view, and by service of notice at the last known address of the owner of the property on record within the Borough of Metuchen by regular and certified mail, any and all notices of code violations and all process in an administrative proceeding brought to enforce code provisions concerning the building.

**§ 5 FEE SCHEDULE.**

The initial registration fee for each building or portion thereof shall be five-hundred dollars (\$500.00). The fee for the first renewal is one-thousand five hundred dollars (\$1,500.00), and the fee for the second renewal is three-thousand dollars (\$3,000.00). The fee for any subsequent renewal beyond the second renewal is five-thousand dollars (\$5,000.00). In the event that a property meets the definition of both a Vacant Property and Vacant Storefront, and they contain the same block and lot number as designated in official records of the municipality, there shall only be one registration fee applied.

Vacant Property/Vacant Storefront Registration Fee Schedule

Initial Registration	\$ 500.00
First Renewal	\$1,500.00
Second Renewal	\$3,000.00
Subsequent Renewal	\$5,000.00

**§ 6 REQUIREMENTS OF OWNERS OF A VACANT PROPERTY AND/OR STOREFRONT.**

The owner of any building or storefront that has become vacant and any person maintaining or operating or collecting rent for any such building that has become vacant shall, within thirty (30) days thereof:

- (1) Enclose and secure the building and/or storefront against unauthorized entry as provided in the applicable provisions of the Borough Code, or as set forth in the rules and regulations supplementing those codes; and
- (2) Post a sign affixed to the building and/or storefront indicating the name, address and telephone number of the owner, the owner's authorized agent for the purpose of service of process (if designated pursuant to this Article), and the person responsible for the day-to-day supervision and management of the building, if such person is different from the owner holding title or authorized agent. The sign shall be of a size and placed in such a location so as to be legible from the nearest public street or sidewalk, whichever is nearer, but shall be no smaller than eight (8) inches by ten (10) inches; and
- (3) Secure the building and/or storefront from unauthorized entry and maintain the sign until the building is again legally occupied or demolished or until repair or rehabilitation of the building and/r storefront is complete; and
- (4) Ensure that the exterior grounds of the structure or storefront, including yards, fences, sidewalks, walkways, right-of-ways, alleys, retaining walls, attached or unattached accessory structures and driveways, are well-maintained and free from trash, debris, loose litter, and grass and weed growth; and
- (5) Continue to maintain the structure in a secure and closed condition, keep the grounds in a clean and well-maintained condition, and ensure that the sign is visible and intact until the building is again occupied, demolished, or until repair and/or rehabilitation of the building is complete.
- (6) Continue to maintain the property consistent with the requirements of the Borough Code, including but not limited to Chapter 140, entitled "Property Maintenance".
- (7) All areas of vacant storefronts visible by the public from the public street or sidewalk must be maintained in broom-clean condition and free of litter and debris.

## **§ 7 WAIVER OF FEES.**

A waiver of the registration fee set forth herein may be granted, upon application, by the Borough Administrator for the current year if the following conditions are met:

1. All local municipal fees are paid in full; and
2. A consistent good faith effort is shown to market, rent, sell, or lease the vacant property or storefront. Good faith efforts include but are not limited to contracts with realtors, newspaper, electronic advertisements or other methods provided that the effort is actually likely to generate interest in the property and the owner is actually willing to rent, sell or lease and the pricing is consistent with other similar properties or portions thereof as attested by a [real estate licensee as licensed by the NJ Real Estate Commission](#). The mere

placement of a “for sale” or “for rent or lease” sign on or in the building in and of itself does not meet the requirements of this subsection; and

3. The Vacant Property or Storefront is in compliance with all Borough of Metuchen codes and ordinances.

**§ 8 VIOLATIONS.**

- a. Any person who violates any provision of this Article or of the rules and regulations issued hereunder shall be fined not less than \$100.00 and not more than \$2,000.00 for each offense. Every day that a violation continues shall constitute a separate and distinct offense. Fines assessed under this chapter shall be recoverable from the owner and shall be a lien on the property.
- b. For purposes of this section, failure to file a registration statement within 30 calendar days after a building or portion thereof becomes vacant property or vacant storefront or within 30 calendar days after assuming ownership of a vacant property or storefront, whichever is later, or within 10 calendar days of receipt of notice by the municipality, and failure to provide correct information on the registration statement, or failure to comply with the provisions of such provisions contained herein shall be deemed to be violations of this ordinance.
- c. The Zoning Officer of the Borough Metuchen shall be the enforcement agent of the within Ordinance. Violations of the within Sections of the Code shall be heard in Municipal Court.

**§ 9 SEVERABILITY.**

Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect, and to that end the provisions of this ordinance are hereby declared to be severable.

**BE IT FURTHER ORDAINED** by the Council of the Borough of Metuchen that all ordinances or parts of ordinances inconsistent with this amending ordinance are hereby repealed to the extent of their inconsistencies only.

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

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		

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:

**RESOLUTION 2015-123**

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

**RESOLUTION APPOINTING MUNICIPAL JUDGE**

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

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 8, 2015

---

Susan D. Jackson  
Borough Clerk

## **RESOLUTION 2015-201**

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

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

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

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

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

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

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

**WHEREAS**, the Mayor and Council of the Borough of Metuchen deem it in the best interest of the Borough to enter into the proposed Developer’s Agreement with the District at Metuchen, LLC and Bluestone 31<sup>st</sup> Street, L.L.C., as Tenants in Common, and

the District at Metuchen II, LLC reflecting the approvals and conditions and requirements thereof in the form attached hereto and incorporated herein.

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

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

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 8, 2015

---

Susan D. Jackson, RMC  
 Borough Clerk

**RESOLUTION 2015-224**

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

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

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

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

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

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

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 8, 2015

\_\_\_\_\_  
Susan D. Jackson, RMC/CMR  
Borough Clerk

**RESOLUTION 2015-XXX**

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

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

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

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

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

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

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

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

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

(1) The Study Area meets the criteria under N.J.S.A. 40A:12A-5(a) by containing a building which is substandard, dilapidated and obsolescent for both its existing use and for other

potential future uses. The existing building was originally built in 1914 and used as a garage for automotive service and repair. The building was already in disrepair when the Borough of Metuchen took ownership in 1953 to reuse the building as a firehouse. Subsequently, an addition was constructed to the building to help accommodate expanding needs for the firehouse. Unfortunately, this addition created a valley in the middle of the road which has allowed water and snow to collect without sufficient drainage, resulting in water intrusion to the structure.

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

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

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

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

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

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

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

**BE IT FURTHER RESOLVED** that the Borough Clerk be and is hereby authorized and directed to serve all record owners of property located within the delineated area, and to those

whose names are listed on the tax assessor’s records, and upon each person who filed a written objection, if any, within 10 days of the date of this resolution; and

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

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

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

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 8, 2015

---

Susan D. Jackson, RMC  
 Borough Clerk

**RESOLUTION 2015-226**

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

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

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

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

**WHEREAS**, the said Planner prepared a report entitled “Area in Need of Redevelopment Investigation for the Gulton Tract/ Block 37, Lots 5.03, 5.05, 5.12, 5.22, 6, 7.01, 7.02, 13, 14, 15.01, 16.02, 16.03, 17.01 And 17.02; Block 42, Lots 1-7 And Block 66, Lots 1-3” prepared by LRK, Inc., dated July 30, 2015; and

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

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

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

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

(1) The portions of the Study Area located north of the Dismal Brook (Block 37, Lots 5.05, 13, 14 and a portion of 15.01) as well as the two parcels south of the Dismal Brook west of the telecommunications tower containing wetlands (Block 37, Lots 5.22, 16.03 and 17.02) have remained unimproved vacant land for a period of 10 years prior to adoption of Resolution 2015-131 by the Borough Council on June 1, 2015;

(2) The portion of the Study Area located north of the Dismal Brook (Block 37, Lots 5.05, 13, 14 and a portion of 15.01) has no frontage on or accessibility from a public street or other public right-of-way and, therefore, is landlocked. The location, remoteness, lack of means of access to developed sections or portions of the municipality, make these properties not likely to be developed through instrumentality of private capital.

(3) The topography of the former rail spur owned by the Borough (Block 37, Lot 5.03), which is raised approximately five to eight feet above the surrounding grade on both sides, is a further constraint to the development of both this parcel and the abutting parcels cited above, thus making them not likely to be developed through the instrumentality of private capital.

(4) The nature of the soil in portions of the Study Area is additionally constrained by wetlands (see Exhibits L & M) and environmental contamination that is currently undergoing clean-up and remediation under a plan being monitored by the NJDEP. These constraints have created a host of long-term complications that have played a significant role in the property remaining unimproved for more than a decade. Costs associated with the long-term clean-up of the environmental contaminates has been a significant challenge in the site being developed through the instrumentality of private capital.

(5) All of the above conditions cause the Planning Board to conclude that said parcels meet the criteria under N.J.S.A. 40A:12A-5(c) in that the area constitutes unimproved, vacant land that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, it is not likely to be developed through the instrumentality of private capital.

(6) The portion of the Study Area previously developed for industrial purposes (Block 37, Lots 6, 7.01, 7.02, a portion of 15.01, 15.12, 16.02 and 17.01, and Block 42, Lots 1-7) and the non-contiguous parking lot located across Durham Avenue (Block 66, Lots 1-3) contain buildings and improvements that are constrained by a combination of obsolescence, obsolete layout and excessive land coverage.

(7) The buildings, including numerous wings and expansions, were built incrementally over numerous decades as the industrial operations on the site expanded. The result is a complex that suffers from obsolescence particularly due to an obsolete layout both in terms of the site, the exteriors of the buildings and the interiors of the buildings. A hodge-podge of various perimeter entries and loading bays results in limited and constrained accessibility that does not adequately meet the needs of tenants. The incremental addition and expansion of the buildings results in odd-sized and odd-dimensioned interior spaces as well as maze-like

circulation places. The original building has a freight elevator, but no passenger elevator for employees and none of the buildings compliant with the American with Disabilities Act (ADA).

(8) The study area suffers from excessive land coverage in the disturbed and developed portions of the site. The land area extending from and surrounding the buildings is either predominately paved or consists of disturbed, compacted ground that was previously used for parking, loading, staging, outdoor storage and other operations. The excessive paved and disturbed areas behind the buildings extend into the wetlands transition area, the condition that is detrimental to the ecological health of the Dismal Brook and Dismal Swamp and, therefore, the health and welfare of the community.

(9) The majority of the building frontage along Durham Avenue, a heavily travelled roadway, has no or minimal front yard setback and a small, shallow front lawn area along the street is the only portion of the site devoted to landscaping. This stands in stark contract with the ample front yards improved with lawns and landscaping that line the Durham Avenue corridor directly across the street from the Study Area and extending throughout the residential neighborhood to the west that includes the dead end stub streets that connect to the Study Area. The non-contiguous parking lot located across Durham Avenue (Block 66, Lots 1-3) is almost entirely paved without any screening or landscaping on a highly visible corner lot located in residential district and abutting single family residences. The above described conditions resulting from excessive coverage create physical conditions, visual appearance and aesthetic character that is detrimental to the welfare of the adjacent residential neighbors, surrounding residential neighborhood and the entire community.

(10) The Study Area contains buildings and improvements that are constrained by a combination of obsolescence, obsolete layout and excessive land coverage that are detrimental to the health and welfare of the community.

(11) The foregoing conditions caused the Planning Board to conclude that the area meets the criteria under N.J.S.A. 40A:12A-5(d) with buildings or improvements, which by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of those or other factors are detrimental to the safety, health, morals, or welfare of the community; and

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

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

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

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

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

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

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

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 8, 2015

---

Susan D. Jackson, RMC  
Borough Clerk

**RESOLUTION 2015-227**

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

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

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

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

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

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

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

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

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 8, 2015

\_\_\_\_\_  
Susan D. Jackson, RMC  
Borough Clerk

**RESOLUTION 2015-228**

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

**RESOLUTION AUTHORIZING INTERLOCAL AGREEMENT WITH  
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY FOR RECYCLING OF  
YARD WASTE**

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

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

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

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

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 8, 2015

\_\_\_\_\_  
Susan D. Jackson, RMC  
Borough Clerk

**RESOLUTION 2015-229**

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

**RESOLUTION APPOINTING FIREFIGHTER – HENRY A. FISCHER**

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

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

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 8, 2015

---

Susan D. Jackson, RMC  
Borough Clerk

**RESOLUTION 2015-230**

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

**RESOLUTION APPOINTING FIREFIGHTER – ANDREW BUCHANAN**

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

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

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 8, 2015

---

Susan D. Jackson, RMC  
Borough Clerk

**RESOLUTION 2015-231**

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

**RESOLUTION TO REAPPLY 2015 TAX PAYMENT FOR PARCELS  
SUBDIVIDED**

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

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

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

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

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

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 8, 2015

\_\_\_\_\_  
Susan D. Jackson, RMC  
Borough Clerk

**RESOLUTION 2015-232**

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

**RESOLUTION – REFUND OF PREVIOUSLY CANCELLED TAXES**

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

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

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

**NOW, THEREFORE, BE IT RESOLVED**, that the above listed property owner or agent be refunded \$2,289.36 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 8, 2015

\_\_\_\_\_  
Susan D. Jackson, RMC  
Borough Clerk

**RESOLUTION 2015-233**

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

**RESOLUTION – REFUND OF 2013 AND 2014 TAXES**

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

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

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

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

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 8, 2015

---

Susan D. Jackson, RMC  
Borough Clerk

**RESOLUTION 2015-234**

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

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

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

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

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

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

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

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 8, 2015

---

Susan D. Jackson, RMC  
 Borough Clerk

**RESOLUTION 2015-235**

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

**RESOLUTION – REFUND OF 2015 TAXES**

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

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

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

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

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

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 8, 2015

\_\_\_\_\_  
Susan D. Jackson, RMC  
Borough Clerk

**RESOLUTION 2015-236**

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

**RESOLUTION AUTHORIZING THE PAYMENT OF THE BILL LIST**

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

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

\_\_\_\_\_  
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 September 8, 2015

\_\_\_\_\_  
Susan D. Jackson, RMC  
Borough Clerk

**BOROUGH OF METUCHEN**  
**ORDINANCE NO. 2014-142015-11**

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

Formatted: Font: Italic

**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:

<b><u>POSITION</u></b>	<b><u>MINIMUM</u></b>	<b><u>MAXIMUM</u></b>
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

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
<del>Head Maintenance</del>	<del>\$ 8.00</del>	<del>\$ 11.00</del>	<del>hour</del>
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



Date of Publication of Adoption:

**VOTE ON INTRODUCTION**

<del>COUNCILMEMBER</del>	<del>YES</del>	<del>NO</del>	<del>NV</del>	<del>AB</del>	<del>COUNCILMEMBER</del>	<del>YES</del>	<del>NO</del>	<del>NV</del>	<del>AB</del>
<del>MULDOON</del>	<del>X</del>				<del>GRAYZEL</del>	<del>X</del>			
<del>CAMMARANO</del>	<del>X</del>				<del>RASMUSSEN</del>	<del>X</del>			
<del>INSERRO</del>	<del>X</del>				<del>WALLACE</del>	<del>X</del>			
<del>MOTION</del>	<del>MULDOON</del>				<del>SECOND</del>				<del>RASMUSSEN</del>
<del>X INDICATES VOTE AB ABSENT NV NOT VOTING</del>									

~~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~~