

**BOROUGH OF METUCHEN COUNCIL MINUTES**

**October 5, 2015**

**7:00 PM**

The Regular Meeting of the Borough Council was held in the Council Chambers of Borough Hall on Monday, October 5, 2015.

The Meeting was called to order at 7:00 p.m. by Mayor Vahalla.

Adequate notice of this meeting has been given in accordance with the Open Public Meeting Act, pursuant to Public Law 1975, Chapter 231. Annual notice was published in the Home News Tribune on January 8, 2015, and posted In Borough Hall.

Notice was sent on Wednesday, September 30, 2015 stating that the Borough Council meeting will be held on October 5, 2015 at 7:00 pm in Borough Hall. Said notice has been sent to the local newspapers and has been posted on the Borough Hall bulletin board and filed in the clerk's office. All requirements of the "Open Public Meetings Act" have been satisfied.

The Invocation was given by Council President Grayzel and followed by the Pledge of Allegiance.

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

**Executive Session**

Council President Grayzel made a motion to move R2015-256, Resolution Authorizing an Executive Session which excludes the Public to discuss Police Personnel Matters, Second by Councilman Leibfried, with all in favor, motion carries, 5-0

**RESOLUTION 2015-256**

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

**AUTHORIZING AN EXECUTIVE SESSION WHICH EXCLUDES THE PUBLIC – POLICE PERSONNEL MATTER**

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

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

Police Personnel Matter

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

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

Councilwoman Inzerro arrived at 7:08 pm.

Council President Grayzel made a motion to close the executive session and reconvene to the open session of the meeting at 8:03pm, second by Councilwoman Rasmussen, with all in favor, motion carries, 6-0

### **Agenda Session**

Council President Grayzel made a motion to open the Agenda Session, second by Councilwoman Rasmussen, with all in favor, motion carries, 6-0.

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

Council President Grayzel made a motion to close the Agenda Session, second by Councilwoman Rasmussen, with all in favor, motion carries, 6-0.

### **Regular Meeting**

Council President Grayzel made a motion to move R2015-257, Resolution to Hire the Twenty-Eighth Police Officer and Fund Attendance at the Police Academy for the Metuchen Borough Police Department, second by Councilwoman Rasmussen.

Mayor Vahalla opened the floor to any Council Member who wishes to comment. Mayor Vahalla stated that he believes having the Chief of Police present the advantages for having a twenty-eighth officer at last meeting was a good idea. He is pleased that the Resolution is being presented tonight.

With no further comments, Mayor Vahalla asked for a voice vote, with all in favor, motion carries 6-0.

### **RESOLUTION 2015-257**

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

### **RESOLUTION TO HIRE THE TWENTY-EIGHTH POLICE OFFICER AND FUND ATTENDANCE AT THE POLICE ACADEMY FOR THE METUCHEN BOROUGH POLICE DEPARTMENT**

**WHEREAS**, there is a need for the Metuchen Borough Police Department to have twenty-eight full-time Police Officers on staff in order to maintain a full-time Police Traffic Safety Officer; and

**WHEREAS**, it is mandatory that all new Police Officers either be PTC certified or be hired, attend, and graduate from the Police Academy in order to become a full-time Police Officer in the Borough of Metuchen.

**BE IT RESOLVED**, the Mayor and Borough Council of the Borough of Metuchen has given permission to the Chief of Police to interview new candidates for recommendation to hire as a Police Officer for the Metuchen Police Department of the Borough of Metuchen, County of Middlesex, State of New Jersey and for the Borough of Metuchen to fund attendance at the Police Academy through the Police Department budget in accordance with law being effective October 5, 2015.

Main Street Update –

Councilman Muldoon presented an update on Main Street Metuchen Improvement effort. Metuchen Stakeholder group has been working over the last several months to gain insight and best practices from successful downtowns throughout New Jersey. They have been investigation potential funding sources to support operations of a downtown management organization and looking into organizational designs and by-laws of other Main Street NJ organization. The stakeholder group was formed in March 2015 and under the recommendations of Jef Buehler, the group is made up of members representing landlords and property owners, business owners, residents, members of the Chamber of Commerce, Metuchen Farmer's Market, Arts Council, Development Commission, Historic Preservation Commission and Metuchen Borough Council. Members of the stakeholder group are Eric Berger, Grace Shackney, Allison Inserro, Chris Crane, Ruchir Mewawala, Nancy Zerbe, Deborah Zupan, Joe Cascio, Jan Margolis, Jay Muldoon, Richard Topping, Nelson Li, Bobbie Theivakumaran and Peg Inglese. Councilman Muldoon discussed the following topics: Towns and Areas Studied using Cranford, Highland Park, Maplewood, Montclair, Red Bank, Somerville and South Orange as towns studied; Common Elements of Successful NJ Downtowns; Typical Budget Expenses Items; Funding Sources; Discussion Areas and Moving the process forward.

**Council Minute Approval**

Council President Grayzel made a motion to reapprove the Regular Borough Council minutes of September 8, 2015 and September 21, 2015, second by Councilwoman Rasmussen, with all in favor, minutes were approved, 6-0.

**Public Comment**

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

Daniel Lebar, 581 Middlesex Ave, Metuchen, spoke about the open issue of the flyers on street poles. He gave some information about the potential permission from NJ Transit to utilize boards at the bus stations and the current structures that are already in place at these sites.

He spoke about a nationwide network using the letters same call letters as MeTV and the potential of suing this channel since Metuchen's MeTV was in existence prior to the nationwide network.

He spoke about signs in the downtown area. He is questioning the sign of a new business coming into town.

Ms. Maier responded that a few months ago they met with the Chamber of Commerce about the sign ordinance. Mr. Cosenza and Ms. Maier will be meeting with the Chamber again this month to continue discussions on the sign ordinance for the downtown area at an open public meeting.

Ms. Maier stated that she already did research on the MeTV logo and found that it is permissible for the nationwide network to use the same logo. There is no recourse on infringement rights.

Mayor Vahalla addressed the structures at the bus stations. DPW did build the shelters which were through a grant from DOT. It did not give the Borough ownership, it only allowed the Borough to design and construct the shelters.

Beatrice Moskowitz, 279 Middlesex Ave, Metuchen thanked Councilman Muldoon for his presentation. She questioned whether the work the stakeholders group is doing is concurrent with the Chamber of Commerce.

Councilman Muldoon asked Richard Topping, President of the Chamber of Commerce and a member of the group to respond.

Richard Topping, 33 Williams Road, Edison stated that the Chamber is working with the stakeholders on the Main Street organization.

Sharon Jelleme, 27 Aldrich Avenue, Metuchen presented a petition from 198 residents around the Grove and Mason Avenues intersection. They would like to see pedestrian lights installed in this intersection. It is a very dangerous intersection. Drivers are unable to see people standing there waiting to cross. That intersection is extremely busy with the school activities during school hours and functions that are going on all weekend long.

Ms. Maier stated she is working with the Borough Engineer about that intersection. She explained the history of why the pedestrian lights weren't considered for that intersection. She has looked into the cost associated with installing lights which is \$25,000 but doesn't include the engineering expense. She is working on getting that cost from the Engineer. She will get all the information and present it to the Borough Council but this year's budget is already set for 2015 so it would have to be considered for the 2016 budget year.

Mayor Vahalla spoke about the four pedestrian lights that are to be installed through a federal grant.

Council President Grayzel asked that the petition be given to the Borough Clerk and asked that the residents come to the next Traffic and Transportation meeting. The petition will be forwarded to the chair of the committee. The committee will be able to have a more detailed discussion on this intersection and they should be able to deliberate on it before the next capital budget put together.

There was further discussion between the Council Members on the pedestrian crosswalks.

Jason Redwood, 148 Mason Drive, Metuchen is supporting the need of pedestrian lights and signs at this intersection of Mason and Grove Avenues.

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

### **Ordinances-Public Hearing**

Ordinance 2015-11

Council President asked for the presentation of Affidavit of Publication for Ordinance 2015-11.

Borough Clerk presented the affidavit of publication stating that said Ordinance 2015-11 has been published one time in the Home News Tribune according to Law on September 24, 2015.



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
4	\$19,000	\$41,000	Court Administrator, Office Assistant,
6	\$20,000	\$45,000	Telecommunications Operator
7	\$21,000	\$51,000	Accounting/Tax Clerk, Library Assistant II
8	\$26,000	\$54,000	Head Telecommunications Operator, Library Assistant I
9	\$33,000	\$58,000	Children's Librarian, Adult Services Librarian
11	\$41,000	\$80,000	Assistant Administrator, Reference Librarian 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
C-3 Sanitary Sewer Collection System Operator	\$ 6,000	\$ 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
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, 2015.

Ordinance 2015-12

Council President asked for the presentation of Affidavit of Publication for Ordinance 2015-12.

Borough Clerk presented the affidavit of publication stating that said Ordinance 2015-12 has been published one time in the Home News Tribune according to Law on September 24, 2015.

Council President Grayzel moved that the affidavit of publication be received and filed, second by Councilwoman Rasmussen, with all favor, the affidavit of publication has been accepted, 6-0.

Council President Grayzel asked Borough Clerk to read Ordinance 2015-12 by title.

Borough Clerk read Ordinance 2015-12 by title only

Ordinance 2015-12

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

Mayor Vahalla opened the Public Hearing on Ordinance 2015-12.

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

Council President Grayzel made a motion to pass Ordinance 2015-12 on second reading and be published according to law, second by Councilwoman Rasmussen.

Mayor Vahalla asked for a roll call vote.

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

Ordinance 2015-12 has passed on second reading and is to be published according to law, 6-0

**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 Adopted on February 19, 2002, as	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 improvements necessary

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>
amended (2002-1/2004-11)			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, and New Durham Road sidewalks, including all materials and

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>
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)	Various Improvements	\$25,000	appurtenances necessary therefor or related thereto  Acquisition of senior bus with lift for handicapped access
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)	Various Improvements	\$24,000	Acquisition of senior bus with lift for handicapped access
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 THE COUNTY OF MIDDLESEX, NEW JERSEY Adopted on December 2, 2013(2013-9)	Various Improvements	\$30,000	Acquisition of police radar equipment

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.

### **Proclamation and Resolutions Honoring**

Council President Grayzel noted that the Borough is by presenting a proclamation honoring "Put the on Fatalities Day on October 10<sup>th</sup>. Mayor Vahalla has signed it and it will be forwarded to the Police Department.

#### **PUT THE BRAKES ON FATALITIES DAY – OCTOBER 10, 2015**

**WHEREAS**, across the nation, traffic crashes caused approximately 32,675 (estimate) fatalities in 2014 and are the leading cause of death for young people ages 15 to 34; and

**WHEREAS**, in New Jersey, 556 individuals lost their lives in traffic crashes in 2015; and

**WHEREAS**, alcohol-related crashes accounted for 27.0 percent of the State's traffic fatalities, while 26 percent of all fatal crashes involved traveling at unsafe speeds; and

**WHEREAS**, Motorcyclists, bicycle riders and pedestrians face increased risks on New Jersey's roadways, as people opt for alternative modes of transportation; and

**WHEREAS**, 60 motorcyclists, 11 bicyclists and 170 pedestrians were killed in New Jersey in traffic-related crashes in 2015; and

**WHEREAS**, safer driving behaviors such as buckling up, every ride; obeying posted speed limits; stopping for pedestrians in crosswalks and using crosswalks when walking; avoiding aggressive driving behaviors; never driving impaired; wearing proper safety gear while riding a motorcycle or bicycle; and, focusing solely on driving by avoiding distractions, can dramatically reduce the number of traffic-related injuries and deaths.

**NOW, THEREFORE I, THOMAS VAHALLA, MAYOR** of the Borough of Metuchen, County of Middlesex do proclaim October 10, 2015 as:

#### **PUT THE BRAKES ON FATALITIES DAY**

and call upon everyone to put these lifesaving behaviors into practice to improve safety on the roadways in our community and throughout the State.

### **Communications Consent Agenda – Items A –B**

Council President Grayzel made a motion to move Communication Consent Agenda, Items A through B, second by Councilwoman Rasmussen, with all in favor, motion carries, 6-0

- A. Receive and Accept Pool Commission Meeting Minutes of March 2, 2015, May, 11, 2015 and June 8, 2015
- B. Receive and Accept Block Party/Street Closing for Lynn Court – October 17, 2014 (Rain date: October 24, 2015) from 12:00 to 6:00

**Reports of Councilmembers**

Mayor Vahalla opened Reports of Councilmembers.

Council President Grayzel – Has nothing to report at this time.

Councilwoman Inserro –

Senior Citizen Commission –

- Will be meeting this month

Municipal Alliance –

- Will be meeting this month.

The Metuchen Senior Inc. will be hosting their annual luncheon at the High School on November 1<sup>st</sup> at 1 PM. She thanked the Principal for his continued support and help from him and his volunteer staff and students.

Councilman Leibfried –

Pool Commission

- The next Pool Commission meeting will take place on October 19<sup>th</sup> at 7:30 PM at Borough Hall.

Library Board

- The Building and Facilities Committee met this Sunday to discuss a short term and long term plan to address some facility issues.
- Please view the Metuchen Public Library Events on the calendar on the website. The Math Club will be meeting October 10<sup>th</sup> and 17<sup>th</sup> at 2:00 PM. The Coderdojo Club will be meeting on October 31<sup>st</sup> at 2:00 PM.

Councilman Muldoon –

Parking Authority –

- The Pearl Street Construction will have a delivery of the pre-cast concrete components sometime this week. This should go on for several weeks.

Councilwoman Rasmussen –

Chamber of Commerce –

- Due to the weather last weekend the Country Fair has been moved to this upcoming weekend, October 10<sup>th</sup>.

Councilwoman Rasmussen attended a documentary film at the Metuchen Library titled “True Cost”. This documentary focused on the true cost of the human suffering working in horrific conditions in the making of clothing and manufacturing products and also the environmental impact of the pollution from the factories. She would like to bring it to the public because the Green Team is having an environmental film festival.

Councilman Wallace –

- He reminded the public of the public meeting being held on October 14 at 7:00pm at Metuchen High School for the Grove Street speed reduction.

This week is Fire Prevention Week. The Firehouse will have an open house on Friday night for two hours. Please attend.

### **Reports of Officers**

Denis Murphy, Esq. –

- No report at this time.

Jennifer Maier, Administrator –

- The Fire House Task Force meeting was held on September 30<sup>th</sup> at 6:00. The Task Force will be reporting to the Council at the October 19<sup>th</sup> meeting.
- Procedure Manual was approved by NJDOT. She sent the Engineer’s time schedule for completion to the Council Members.
- Ms. Cuthbert attended the Edmund seminar. She is gathering information on the On-line payment system for payment of taxes.
- Mr. Cosenza is working on the vacant land inventory for our Fair Share Housing Plan. Shirley Bishop told the Borough that the plan must include the properties that meet the criteria of vacant land over .5 acres but also list all the vacant properties and give an explanation of why these properties have been excluded.
- With the need to do a repurposing bond and the estopple period, the Bridge Street/New Durham Road Project will be awarded at the November 2<sup>nd</sup> meeting. The contractor will not be able to start until the spring but has agreed to hold his bid price.
- The planting bed at Pennsylvania and Main is complete. Ms. Maier commended the DPW staff for doing an excellent job on it. It looks great. The before and after shots will be posted on the website and Facebook.
- Anti-idling signs from the Green Team will be installed at the schools.
- Ms. Maier met with Nick Tiffaro from the County to discuss partnering for work on the trail extension, a bridge over Middlesex Avenue, Trail head park design, Dismal Swamp, Kayak Trail, and day lighting of the current storm water drainage pipe that goes through there and to also look at the possibility of having the Martin Luther King Memorial in that location. They asked that Ms. Maier send a request to Freeholder Tomaro; which has been done. Mayor Vahalla, Councilwoman Rasmussen and Ms. Maier will be meeting with them to discuss that work.
- Nixle alert went out today letting residents know that the Middlesex County Mosquito Control will be spraying would happen between the hours of 7 PM and midnight.
- American Tower is requesting an extension the current lease which expires in 2033. They want to extend an additional forty years. They are sending the lease options and will come before the Council for a decision.

- The Borough closed today on the Public Piazza. The funds were wired from the Borough to the Parking Authority.
- The Temporary Construction Easement is set to be recorded.
- Thursday, Ms. Maier will be meeting with the Business Administrator in Edison with Mr. Hall to discuss the dog park.

### **Report of Mayor**

- The American Legion has received their Certificate of Occupancy.
- On October 1<sup>st</sup>, Woodmont Property had their ground breaking ceremony. It was well attended.
- On October 10<sup>th</sup> the Country Fair will be going on.
- The Metuchen Fire Department is hosting an open house on Friday, October 9<sup>th</sup> from 7-9 PM at the Fire House for Fire Prevention Week. Please come out to see the fire apparatus and a fun time for all.
- The Fire Task Force will give their report at the next Council meeting on October 19<sup>th</sup>.

### **New Business – Resolutions 2015-237, 2015-258 through 2015-270**

Council President Grayzel moved New Business Consent Agenda – Resolutions 2015-237, 2015-258 through 2015-268 for approval, seconded by Councilman Leibfried, with all in favor, motion carries, 6-0.

#### **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.

**RESOLUTION 2015-258**

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

**RESOLUTION AMENDING RESOLUTION 2015-161 AFFORDABLE HOUSING MUNICIPAL SHARED SERVICES DEFENSE AGREEMENT**

**WHEREAS**, the Borough Council of the Borough of the Metuchen entered into the Municipal Shared Services Defense Agreement ("MSSDA") for the purpose as set forth therein, which included retaining a common expert in the Declaratory Judgment action ("Litigation") that was filed in accordance with In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) ("Decision"); and

**WHEREAS**, the MSSDA identified Dr. Robert Burchell, a distinguished professor at Rutgers University, as the expert to be retained; and

**WHEREAS**, Dr. Burchell became ill and has been unable to complete the obligations under the Research Agreement as set forth in the MSSDA; and

**WHEREAS**, as a result, Rutgers University has exercised its right to terminate the Research Agreement as permitted under its terms; and

**WHEREAS**, the MSSDA requires modification to allow the members to retain one or more alternative experts, consultants and/or other professionals for the Litigation; and

**WHEREAS**, an Amendment to the MSSDA (“Amendment”) has been prepared to effectuate the modification; an

**WHEREAS**, the Borough Council of the Borough of Metuchen recognizes that the Litigation requires immediate action and may require further expedited actions by its counsel determined to be necessary and appropriate; and

**WHEREAS**, the Borough Council of the Borough of Metuchen has determined that it is in the best interests of the citizens of the Metuchen to approve the Amendment, and/or to affirm and ratify the Amendment, and to authorize their designated counsel to take actions on behalf of the municipality with regard to the multiplicity of issues raised and associated with the continued implementation of the MSSDA;

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

1. The terms and conditions of the Amendment to MSSDA attached hereto are hereby approved, and/or ratified and confirmed.
2. The Mayor and Borough Clerk, be and are hereby authorized to execute the aforesaid Amendment.
3. The Borough Council of the Borough of Metuchen hereby authorizes Jeffrey R. Surenian, Esq., to execute an agreement on behalf of the Borough of Metuchen with Econsult Solutions, Inc.

The Borough Council of the Borough of Metuchen hereby authorizes Jeffrey R. Surenian, Esq., to execute on behalf of the Borough of Metuchen with the approval of the Borough’s designated counsel such other agreement(s) as are advisable to effectuate the purposes of the MSSDA as amended.

4. The Borough Council of the Borough of Metuchen further authorizes its designated counsel to approve such other changes to the MSSDA as may be necessary to effectuate its purposes, and to take action on behalf of the municipality with regard to the multiplicity of issues raised and associated with the implementation of the MSSDA provided that the action will not require the municipality to appropriate and commit any additional funding for the MSSDA.

In the event such changes and actions require the municipality to appropriate and commit any additional funding for the MSSDA, Borough of Metuchen shall only be responsible for such funding if it authorizes same.

5. If additional monies are needed to effectuate the intent and purpose of the MSSDA, no such services shall be authorized by designated counsel without further action from the Borough.
6. This Resolution shall take effect immediately.

**RESOLUTION 2015-259**

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

**RESOLUTION AUTHORIZING THE AMENDMENT TO BOROUGH'S FINAL OFFER TO PBA LOCAL #60. AND EXECUTION OF A COLLECTIVE NEGOTIATION AGREEMENT BETWEEN THE BOROUGH OF METUCHEN AND P.B.A. LOCAL #60**

**WHEREAS**, The Borough Of Metuchen passed Resolution 2015-140 on June 15, 2015 to execute a collective negotiation agreement between the Borough of Metuchen and PBA Local #60; and

**WHEREAS**, The PBA Local #60 ratified the Borough's Final Offer on June 11, 2015, and have now ratified an amendment to the Borough's Final Offer.

**WHEREAS**, a copy of the Borough's Amendments to the Final Offer to PBA Local #60, which is attached hereto, has been reviewed by Mayor and Council, and

**WHEREAS**, PBA Local #60 has ratified the Amendments to the Final Offer.

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

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

**RESOLUTION 2015-260**

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

**RESOLUTION APPROVING PLACE-TO-PLACE TRANSFER OF CLUB LICENSE NO. 1210-31-014-001 –AMERICAN LEGION FUGLE HUMMER POST 65**

**WHEREAS**, application has been made by American Legion Fugle Hummer Post 65, for a place-to-place transfer of Club License #1210-31-014-001, currently located at Corner of Lake Avenue and Holly Street, Metuchen, NJ 08840, now to be located at Calvin Place and Wernik Place, Metuchen, New Jersey 08840; and

**WHEREAS**, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

**WHEREAS**, public notice of this transfer has been published in The Home News Tribune, twice on July 30, 2015 and August 6, 2015; and

**WHEREAS**, no legally valid written objections have been received concerning said transfer; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Metuchen, does hereby approve, effective September 30, 2015, the place-to-place transfer of the aforesaid Club License from its former location at the Corner of Lake Avenue and Holly Street, Metuchen, NJ 08840 to Calvin Place and Wernik Place, Metuchen, New Jersey 08840, and does hereby direct the Municipal Clerk to endorse the license certificate to the new location as follows: "This license, subject to all its terms and conditions, is

hereby transferred to premises located at is hereby granted, effective September 30, 2015.

**RESOLUTION 2015-261**

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

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #15-006  
68 FORREST STREET**

**WHEREAS**, Matthew Sielski posted \$240.00 for apron and sidewalk escrow fees at 68 Forrest Street; and

**WHEREAS**, the Planning Board Secretary has requested that the escrow fees be refunded to Matthew Sielski,

**NOW, THEREFORE, BE IT RESOLVED**, that Matthew Sielski be refunded \$240.00 from the Sidewalk Inspection Escrow account.

**RESOLUTION 2015-262**

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

**RESOLUTION TO REDUCE 2012, 2013, 2014 AND 2015 TAXES**

**WHEREAS**, successful State Tax Court Appeal judgments were awarded to JP Morgan Chase for Block 114, Lot 1, 475 Main Street,

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

**WHEREAS**, the reduction in taxes for the above referenced parcels for 2012 through 2015 is shown below,

BLOCK	LOT	ASSESSMENT REDUCTION	2012 REFUND	2013 REFUND	2014 REFUND	2015 REDUCTION
114	1	123,300	6,467.08			
114	1	108,600		5,852.45		
114	1	88,200			4,851.88	
114	1	112,500				6,347.25

**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 2012, 2013, 2014 and 2015

taxes on Block 114, Lot 1 in the amount of \$23,518.66 due to the successful State Tax Court Appeals for the years 2012, 2013, 2014 and 2015, including amendments, and refund the resulting tax overpayments in the amount of \$17,171.41 as stipulated by the tax court judgment.

**RESOLUTION 2015-263**

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

**RESOLUTION AMENDING RESOLUTION 2015-247 AUTHORIZING RELEASE OF PERFORMANCE BOND GUARANTEE – 424 MIDDLESEX AVENUE – BLOCK 104, LOT 24**

**WHEREAS**, Victor Schipa, 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 Victor Schipa, 613 Poet Lane, Somerset, NJ 08873 upon final approval of the Borough Administrator and Legal Counsel.

**RESOLUTION 2015-264**

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

**RESOLUTION AMENDING RESOLUTION 2015-190 RELEASE OF STREET OPENING BOND #2015-32 – 22 KENT PLACE - JOHN BURTON PLUMBING & HEATING**

**WHEREAS**, in accordance with the Borough of Metuchen Ordinance, \$500.00 was posted by John Burton Plumbing & Heating as the required Performance Guarantees for Street Opening Bond #2015-32 – 22 Kent Place; and

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

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

**NOW, THEREFORE, BE IT RESOLVED**, by The Borough Council of the Borough of Metuchen that the Chief Financial Officer be and is hereby authorized to release said funds in the amount of \$500.00 to:

John Burton Plumbing & Heating., 400 Amboy Avenue, Metuchen, New Jersey 08840 as recommended by the Director of Public Works.

**RESOLUTION 2015-265**

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

**RESOLUTION AMENDING RESOLUTION 2015-214 RELEASE OF STREET OPENING BOND  
#2015-33 – 209 CENTRAL AVENUE – SHORE SYSTEMS GROUP, LLC**

**WHEREAS**, in accordance with the Borough of Metuchen Ordinance, \$500.00 was posted by Shore Systems Group, LLC as the required Performance Guarantees for Street Opening Bond #2015-33 – 209 Central Avenue; and

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

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

**NOW, THEREFORE, BE IT RESOLVED**, by The Borough Council of the Borough of Metuchen that the Chief Financial Officer be and is hereby authorized to release said funds in the amount of \$500.00 to: Shore Systems Group, LLC, 361 Harper Avenue, Brick, New Jersey 08724 as recommended by the Director of Public Works.

**RESOLUTION 2015-266**

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

**RESOLUTION APPOINTING FIREFIGHTER – LAUREEN L. ANDERSON**

**WHEREAS**, the Mayor and Borough Council have been notified by Rob Donnan, Chief of the Metuchen Fire Department, that Lauren L. Anderson 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, **Laureen L. Anderson** be and he is hereby elected, approved, and confirmed as a permanent member of the Fire Department of the Borough of Metuchen.

**RESOLUTION 2015-267**

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

**RESOLUTION AUTHORIZING RELEASE OF SITE IMPROVEMENT PERFORMANCE BOND  
GUARANTEE – 177 CENTER STREET – BLOCK 55, LOTS 4, 5, 6, AND 7 – FOX & FOXX  
DEVELOPMENT, LLC**

**WHEREAS**, Fox & Foxx Development, LLC, has requested a refund of the performance bonds for site improvements on Block 55, Lots 4, 5, 6, & 7 located at 177 Center Street, Metuchen; and

**WHEREAS**, the Borough Engineer in a letter dated February 25, 2015 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 Site Improvement Performance Guarantee in the amount of a surety bond of \$7,751.16 and a cash bond of \$861.24 which had been posted on September 6, 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 Site Improvement Performance Bonds of a surety bond in the amount \$7,751.16 and a cash bond of \$861.24 as recommended and directed by the Borough Engineer and Zoning Official to Fox & Foxx Development, LLC, 940 Amboy Avenue, Edison, New Jersey, 08837 upon final approval of the Borough Administrator and Legal Counsel.

**RESOLUTION 2015-268**

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

**RESOLUTION AMENDING RESOLUTION 2015-101 AUTHORIZING PURCHASE FROM  
MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION FOR REGULAR  
UNLEADED AND DIESEL FUEL**

**WHEREAS**, there exists a need to purchase **regular unleaded and diesel gasoline** for the Borough of Metuchen, in the County of Middlesex, State of New Jersey; and

**WHEREAS**, this can be purchased through the Middlesex Regional Educational Services Commission #11/12-32 pursuant to the provisions of NJSA 40A:11-11 (5); and

**WHEREAS**, said contract is in effect from October 20, 2013 through October 20, 2016; and

**WHEREAS**, the maximum amount of the purchase of regular unleaded gasoline and diesel fuel for the Borough of Metuchen is not to exceed \$200,000 and funds will be available in the 2015 budget as evidenced by the Chief Financial Officer's Certification of funds from the 2015 budget; and

**WHEREAS**, the Middlesex Regional Educational Services Commission shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes.

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

1. The Chief Financial Officer and Borough Administrator are hereby authorized and directed to approve and forward a Purchase Order to **National Fuel Oil Inc., 175 Orange Street, Newark, NJ 07103.**

**RESOLUTION 2015-269**

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

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE FOR POLICE VEHICLE**

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

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

**WHEREAS**, the maximum amount of the purchase of a 2016 Ford Police Interceptor Utility, All Wheel Drive in the Borough of Metuchen is \$26267.20 and funds will be available in the 2011-7 Capital Ordinance as evidenced by the Chief Financial Officer's Certification; and

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

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

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

**RESOLUTION 2015-270**

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

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE FOR PW TRUCK**

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

**WHEREAS**, this can be purchased through State Contract #A83012 and T-2007; and

**WHEREAS**, the maximum amount of the purchase of a 2016 Ford Explorer All Wheel Drive in the Borough of Metuchen is \$26,353.00 and funds will be available in the 2010-3 Capital Ordinance as evidenced by the Chief Financial Officer's Certification; and

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

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

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

**Other New Business**

Council President Grayzel made a motion to approve R2015-271; authorizing the Payment of the Bill List in the amount of \$541,988.19, second by Councilwoman Rasmussen, with all in favor, motion carries, 6-0.

**RESOLUTION 2015-271**

*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 **\$541,988.19**

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

**Public Session**

Mayor Vahalla opened Public Session to anyone wishing to speak.

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

**Adjournment**

Council President Grayzel made a motion to adjourn the meeting, seconded by Councilman Leibfried, with all in favor; the meeting was adjourned at 9:00 PM.

Respectfully Submitted,

Susan D. Jackson, RMC  
Metuchen Borough Clerk