

**** DRAFT - SUBJECT TO CHANGE ****

**BOROUGH COUNCIL AGENDA
REGULAR MEETING JANUARY 24, 2022
7:30 P.M.**

READING OF SUNSHINE NOTICE

FLAG SALUTE

ROLL CALL

AGENDA SESSION

PUBLIC COMMENT

REPORT

MDA Main Street Minute

BOROUGH COUNCIL MEETING MINUTES

Approval of Borough Council Meeting Minutes of October 12, 2021
Approval of Borough Council Meeting Minutes of November 8, 2021

ORDINANCE – INTRODUCTION

ORDINANCE 2022-01

ORDINANCE AMENDING THE CODE OF THE
BOROUGH OF METUCHEN EXPANDING
CHAPTER 2, ENTITLED, “ETHICS CODE OF
CONDUCT” TO ALL MEMBERS AND
APPOINTEES OF BOROUGH BOARDS,
COMMISSIONS, COUNCILS AND
COMMITTEES

COMMUNICATIONS CONSENT AGENDA – ITEMS A-D

- A. Receive and Accept Environmental Commission Meeting Minutes of June 16, 2021 and October 20, 2021
- B. Receive and Accept Historic Preservation Committee Meeting Minutes of September 23, 2021 and October 28, 2021
- C. Receive and Accept Library Board Meeting Minutes of December 14, 2021
- D. Receive and Accept Recreation Commission Meeting Minutes of November 18, 2021

REPORTS OF OFFICERS

Denis Murphy, Borough Attorney
Melissa Perilstein, Borough Administrator

REPORTS OF COUNCIL MEMBERS

Council President Delia
Councilmember Rasmussen
Councilmember Koskoski
Councilmember Kandel
Councilmember Hirsch
Councilmember Branch

REPORT OF THE MAYOR

NEW BUSINESS CONSENT AGENDA – Resolutions 2022-48 to 2022-56

R2022-48	RESOLUTION APPOINTING FIREFIGHTER
R2022-49	RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR CIVIL ENGINEERING WITH SPECIALIZATION IN WASTEWATER ENGINEERING
R2022-50	RESOLUTION AUTHORIZING EXCEL ENVIRONMENTAL RESOURCES, INC. TO CONTINUE THE APPLICATION PROCESS FOR GRANT FUNDING BY THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR SITE ASSESSMENT AND REMEDIATION AT THE 304 MAIN STREET PROPERTY IN THE BOROUGH OF METUCHEN, MIDDLESEX COUNTY, NEW JERSEY
R2022-51	RESOLUTION AUTHORIZING AN ACCEPTANCE WITH NJ TRANSIT TO PARTNER IN A FEASIBILITY STUDY TO CONNECT THE MIDDLESEX GREENWAY TO THE METUCHEN TRAIN STATION
R2022-52	RESOLUTION APPOINTING AND AWARDED CONTRACT TO ACRISURE, LLC AS THE RISK MANAGEMENT CONSULTANT FOR THE BOROUGH OF METUCHEN
R2022-53	RESOLUTION FOR LIEN REDEMPTIONS

R2022-54 RESOLUTION AUTHORIZING THE PURCHASE
OF TIRES THROUGH STATE CONTRACT

R2022-55 RESOLUTION AUTHORIZING PURCHASE
FROM MORTON SALT, INC (PRIMARY
VENDOR) AND RIVERSIDE CONSTRUCTION
MATERIALS, INC. (SECONDARY VENDOR)
FOR TREATED ROCK SALT THROUGH
MIDDLESEX COUNTY COOPERATIVE
CONTRACT PURCHASING SYSTEM
RESOLUTION 21-1458-R

R2022-56 RESOLUTION APPROVING APPOINTMENTS
TO BOARDS, COMMITTEES, AND
COMMISSIONS

ADJOURNMENT

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

ORDINANCE 2022-01

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

**ORDINANCE AMENDING THE CODE OF THE BOROUGH OF METUCHEN
EXPANDING CHAPTER 2, ENTITLED, “ETHICS CODE OF CONDUCT” TO ALL
MEMBERS AND APPOINTEES OF BOROUGH BOARDS, COMMISSIONS,
COUNCILS AND COMMITTEES**

WHEREAS, the Chapter 2 of the Code of the Borough of Metuchen establishes an Ethics Code of Conduct for “Local Finance Board Officers and Employees” as defined by the New Jersey Local Government Ethics Law; and

WHEREAS, the Mayor and Council wish to expand the Ethics Code of Conduct to include all members and appointees of Boards, Committees and Commissions and Councils established by the Borough of Metuchen.

NOW THEREFORE, BE IT ORDAINED that the Council of the Borough of Metuchen, County of Middlesex, State of New Jersey, hereby amends and supplements the Code of the Borough of Metuchen specifically Chapter 2, entitled “Ethics Code of Conduct” to state as follows:

CHAPTER 2

ETHICS CODE OF CONDUCT

§ 2-1 Restrictions for Local Finance Board Officers and Employees

Local government officers or employees under the jurisdiction of the Local Finance Board shall comply with the following provisions:

A. No local government officer or employee or member of his or her immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity which is in substantial conflict with the proper discharge of his or her duties in the public interest;

B. Conflict with former employment.

(1) No independent local authority shall, for a period of one year next subsequent to the termination of office of a member of that authority:

(a) Award any contract which is not publicly bid to a former member of that authority;

(b) Allow a former member of that authority to represent, appear for or negotiate on behalf of any other party before that authority; or

(c) Employ for compensation, except pursuant to open competitive examination in accordance with Title 11A of the New Jersey Statutes and the rules and regulations promulgated pursuant thereto, any former member of that authority.

(2) The restrictions contained in this subsection shall also apply to any business organization in which the former authority member holds an interest.

C. No local government officer or employee shall use or attempt to use his or her official position to secure unwarranted privileges or advantages for himself or herself or others;

D. No local government officer or employee shall act in his or her official capacity in any matter where he or she, a member of his or her immediate family, or a business organization in which he or she has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his or her objectivity or independence of judgment;

E. No local government officer or employee shall undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his or her independence of judgment in the exercise of his or her official duties;

F. No local government officer or employee, member of his or her immediate family, or business organization in which he or she has an interest shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing him or her, directly or indirectly, in the discharge of his or her official duties. This provision shall not apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective public office, if the local government officer has no knowledge or reason to believe that the campaign contribution, if accepted, was given with the intent to influence the local government officer in the discharge of his or her official duties;

G. No local government officer or employee shall use, or allow to be used, his or her public office or employment, or any information, not generally available to the members of the public, which he or she receives or acquires in the course of and by reason of his or her office or employment, for the purpose of securing financial gain for himself or herself, any member of his or her immediate family, or any business organization with which he or she is associated;

H. No local government officer or employee or business organization in which he or she has an interest shall represent any person or party other than the local government in connection with any cause, proceeding, application or other matter pending before any agency in the local government in which he or she serves. This provision shall not be deemed to prohibit one local government employee from representing another local government employee where the local government agency is the employer and the representation is within the context of official labor union or similar representational responsibilities;

I. No local government officer shall be deemed in conflict with these provisions if, by reason of his or her participation in the enactment of any ordinance, resolution or other matter required to be voted upon or which is subject to executive approval or veto, no material or monetary gain accrues to him or her as a member of any business, profession, occupation or group, to any greater extent than any gain could reasonably be expected to accrue to any other member of such business, profession, occupation or group;

J. No elected local government officer shall be prohibited from making an inquiry for information on behalf of a constituent, if no fee, reward or other thing of value is promised to, given to or accepted by the officer or a member of his or her immediate family, whether directly or indirectly, in return therefor; and

K. Nothing shall prohibit any local government officer or employee, or members of his or her immediate family from representing himself or herself, or themselves, in negotiations or proceedings concerning his or her, or their own interests.

§ 2-2 Enforcement

Enforcement of **§ 2-1** ~~this chapter~~ shall be in accordance with the state statute, and not under the Metuchen Borough Code.

§ 2-4 Restrictions for Members of a Board, Commission, Council and/or Committee Established by the Borough of Metuchen

Members of Boards, Commissions, Councils and Committees established by the Borough of Metuchen, not included in those set forth in § 2-2 above, and which are advisory in nature, shall comply with the following provisions:

A. No member of a Board, Commission, Council and/or Committee established by the Borough of Metuchen, or member of his or her immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity which is in substantial conflict with the proper discharge of his or her duties in the public interest;

B. No member of a Board, Commission, Council and/or Committee established by the Borough of Metuchen, shall use or attempt to use his or her official position to secure unwarranted privileges or advantages for himself or herself or others;

C. No member of a Board, Commission, Council and/or Committee established by the Borough of Metuchen, shall act in his or her official capacity in any matter where he or she, a member of his or her immediate family, or a business organization in which he or she has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his or her objectivity or independence of judgment;

D. No member of a Board, Commission and/or Committee established by the Borough of Metuchen shall undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his or her independence of judgment in the exercise of his or her official duties;

E. No member of a Board, Commission, Council and/or Committee established by the Borough of Metuchen, member of his or her immediate family, or business organization in which he or she has an interest shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing him or her, directly or indirectly, in the discharge of his or her official duties. This provision shall not apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective public office, if the local government officer has no knowledge or reason to believe that the campaign contribution, if accepted, was given with the intent to influence the local government officer in the discharge of his or her official duties;

F. No member of a Board, Commission, Council and/or Committee established by the Borough of Metuchen shall use, or allow to be used, his or her public office or appointment, or any information, not generally available to the members of the public, which he or she receives or acquires in the course of and by reason of his or her office or appointment, for the purpose of securing financial gain for himself or herself, any member of his or her immediate family, or any business organization with which he or she is associated;

G. No member of a Board, Commission, Council and/or Committee established by the Borough of Metuchen or business organization in which he or she has an interest shall represent any person or party other than the local government in connection with any cause, proceeding, application or other matter pending before any agency in the local government in which he or she serves. This provision shall not be deemed to prohibit one local government employee from representing another local government employee where the local government agency is the employer and the representation is within the context of official labor union or similar representational responsibilities;

H. No member of a Board, Commission, Council and/or Committee established by the Borough of Metuchen shall be deemed in conflict with these provisions if, by reason of his or her participation in a matter required to be voted upon, recommended or which is subject to executive or council approval or veto, no material or monetary gain accrues to him or her as a member of any business, profession, occupation or group, to any greater extent than any gain could reasonably be expected to accrue to any other member of such business, profession, occupation or group;

I. No member of a Board, Commission, Council and/or Committee established by the Borough of Metuchen shall be prohibited from making an inquiry for information on behalf of a constituent, if no fee, reward or other thing of value is promised to, given to or accepted by the officer or a member of his or her immediate family, whether directly or indirectly, in return therefor; and

J. Nothing shall prohibit any member of a Board, Commission, Council and/or Committee established by the Borough of Metuchen, or members of his or her immediate family

from representing himself or herself, or themselves, in negotiations or proceedings concerning his or her, or their own interests.

K. Whenever the performance of his or her official duties shall require any member of a Board, Commission, Council and/or Committee to take action on any matter involving his/her financial or personal interest, he/she shall publicly disclose the nature and extent of such interest and disqualify himself/herself from participating in the deliberation as well as in the voting, unless otherwise permitted by law so to act.

L. All Boards, Commissions, Councils and/or Committees established by the Borough of Metuchen shall act as a whole by way of a vote of a majority pursuant to their bylaws. No member of a Board, Commission, Council and/or Committee established by the Borough of Metuchen shall act in any manner whatsoever on behalf of the Boards, Commissions, Councils and/or Committees without the express authorization of the Boards, Commissions, Councils and/or Committees to do so.

M. No member of a Board, Commission, Council and/or Committee established by the Borough of Metuchen, shall, on behalf of the Board, Commission, Council and/or Committee, grant or make available to any person any consideration, treatment, advantage or favor beyond that which it is the general practice to grant or make available to the public at large.

N. No member of a Board, Commission, Council and/or Committee established by the Borough of Metuchen shall take any action on behalf of the Borough of Metuchen without the authorization of the Mayor and Council to do so.

O. No member of a Board, Commission, Council and/or Committee established by the Borough of Metuchen, shall request or direct a Borough employee, official, agent or consultant to take or refrain from any such action. All Board, Commission, Council and/or Committee communications with Borough employees, officials, agents or consultants shall be through the Borough Administrator or his/her designee.

P. No member of a Board, Commission, Council and/or Committee established by the Borough of Metuchen shall take any action that may bind or be implied to bind the Borough of Metuchen without the express written authorization of the Mayor and Council to do so.

Q. All members of Boards, Commissions, Councils and/or Committees established by the Borough of Metuchen shall be required to review and abide by the Borough of Metuchen Volunteer Handbook adopted by the Mayor and Council of the Borough of Metuchen.

R. All members of Boards, Commissions, Councils and/or Committees established by the Borough of Metuchen shall be required to attend ethics and local government training annually.

S. All meetings of Boards, Commissions, Councils and/or Committees established by the Borough of Metuchen shall be open to the public and conducted in a civil manner.

T. All members of Boards, Commissions, Councils and/or Committees established by the Borough of Metuchen are expected to attend the public meetings of the Boards,

Commissions, Councils and/or Committees for which they have been appointed. Whenever any member of a Board, Commission, Council and/or Committee fails to attend and participate in any meetings of the Board, Commission, Council and/or Committee for a period of 8 consecutive weeks without being excused from attendance by a majority of the members of the Board, Commission, Council and/or Committee, at the conclusion of such period, the membership to the Board, Commission, Council and/or Committee shall be deemed vacant; provided, however, that the Board, Commission, Council and/or Committee may refuse to excuse only with respect to those failure to attend and participate which are not due to legitimate illness. The Presiding member of the Board, Commission, Council and/or Committee shall notify the Mayor and Council of any such vacancies.

§ 2-5 Violations and Enforcement

Violations of § 2-4, by members of a Board, Commission, Council and/or Committee, established by the Borough of Metuchen, which are advisory in nature may result in up to the removal from the Board, Commission, Council and/or Committee by the Mayor and Council after notice and opportunity to be heard.

BE IT FURTHER ORDAINED by the Council of the Borough of Metuchen that 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; and

BE IT FURTHER ORDAINED by the Mayor and Council that this ordinance shall become effective immediately upon final passage and publication as provided by law.

Introduction:
Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH					KANDEL				
DELIA					KOSKOSKI				
HIRSCH					RASMUSSEN				
MOTION					SECOND				
X – INDICATES VOTE					AB- ABSENT		NV- NOT VOTING		

I hereby certify the foregoing to be a true copy of an ordinance introduced by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on January 24, 2022.

Deborah Zupan
Acting Borough Clerk

Adopted:
Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH					KANDEL				
DELIA					KOSKOSKI				
HIRSCH					RASMUSSEN				
MOTION					SECOND				
X – INDICATES VOTE				AB- ABSENT		NV- NOT VOTING			

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on February 7, 2022.

Deborah Zupan
Acting Borough Clerk

ATTEST:

BOROUGH OF METUCHEN

Deborah Zupan
Acting Borough Clerk

By: _____
Jonathan M. Busch
Mayor

RESOLUTION 2022-48

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

RESOLUTION APPOINTING FIREFIGHTER

WHEREAS, the Mayor and Borough Council have been notified by Robert Donnan, Chief of the Metuchen Fire Department, that **Gregory J. Korten** has been approved to be a permanent member of the Metuchen Fire Department.

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, that **Gregory J. Korten** be and hereby is 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
BRANCH					KANDEL				
DELIA					KOSKOSKI				
HIRSCH					RASMUSSEN				
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 January 24, 2022.

Deborah Zupan
Acting Borough Clerk

RESOLUTION 2022-49

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

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR CIVIL ENGINEERING WITH SPECIALIZATION IN WASTEWATER ENGINEERING

WHEREAS, the Borough of Metuchen has a need to acquire the services of a Civil Engineering with Specialization in Wastewater Engineering as a fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, Requests for Qualifications were received on December 17, 2021 and reviewed by the Borough Administrator, Chief Financial Officer, and Borough Clerk; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$5,000; and

WHEREAS, the anticipated term of this contract is the calendar year 2022; and

WHEREAS, the maximum amount of the contract is **\$5,500.00** and the Chief Financial Officer has certified that there is sufficient funds for such contract and is available and is designated from 2022 Administration & Executive Professional Service Account number 2-01-20-701-028 for these services.

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

1. The Mayor and Borough Clerk are hereby authorized and directed to execute an agreement with the firm of CME Associates, 1460 Route 9 South, Howell, NJ 07731.
2. This contract is awarded as a fair and open "Professional Service" in accordance with N.J.S.A. 19:44A-20.4.
3. A notice of this action shall be printed once in The Home News Tribune.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH					KANDEL				
DELIA					KOSKOSKI				
HIRSCH					RASMUSSEN				
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 a regular meeting held on January 24, 2022.

Deborah Zupan
Acting Borough Clerk

RESOLUTION 2022-50

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

**RESOLUTION AUTHORIZING EXCEL ENVIRONMENTAL
RESOURCES, INC. TO CONTINUE THE APPLICATION PROCESS FOR GRANT
FUNDING BY THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL
PROTECTION FOR SITE ASSESSMENT AND REMEDIATION AT THE
304 MAIN STREET PROPERTY IN THE BOROUGH OF METUCHEN,
MIDDLESEX COUNTY, NEW JERSEY**

WHEREAS, the Borough of Metuchen has by way of Resolution 2021-69, authorized Excel Environmental to apply to the State of New Jersey Department of Environmental Protection through the Hazardous Discharge Site Remediation Fund, for available grant funds to municipalities for the purpose of funding preliminary assessments, site investigations, remedial investigations, and/or remedial actions to determine the existence or extent of hazardous substance discharge conditions on properties; and

WHEREAS, said services are of the nature of a professional service pursuant to N.J.S.A. 40A:11-5(1)(a)(i), and, therefore, a contract for the services may be negotiated and awarded by the Board without public advertising for bids and bidding; therefore; and

WHEREAS, the Borough of Metuchen has conducted a preliminary assessment, site investigation, remedial investigation, and/or remedial action with respect to the following parcel:

1. Block 183.2, Lots 5.2, 6, 7, and 8 – 304 Main Street, Metuchen, Middlesex County, New Jersey 08840

WHEREAS, Excel Environmental Resources, Inc. submitted a grant application with the first phase of the preliminary assessment, site investigation, remedial investigation, and/or remedial action on the aforementioned property, and now has submitted a proposal for site work to include a geophysical survey, groundwater sampling and testing, data tabulation and evaluation as well as technical consulting, communications and project management in the amount of seven thousand nine hundred eleven dollars; and

WHEREAS, the Borough has reviewed Excel Environmental Resources, Inc.'s proposal, experience and credentials and believes Excel Environmental Resources, Inc. is qualified to prepare and submit all Applications for such funding, and if approved, to conduct the additional assessment, site investigation, remedial investigation, and/or remedial action on the aforementioned property; and

WHEREAS, the Borough determined it to be in the best interest of the Borough and authorized Excel Environmental Resources to render professional services on behalf of the Borough in an amount not to exceed seven thousand nine hundred and eleven dollars, \$7,911.00; and

WHEREAS, the Chief Financial Officer has certified availability of funds and that there are sufficient funds for such authorization (not to exceed \$ 7,911.00 from) and which are available and designated from the Middlesex County Capital Arts Grant G-02-41-760-310.

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

1. Excel Environmental Resources, Inc. is hereby authorized and approved to render professional services to the Borough of Metuchen consistent with its proposal at a cost not to exceed seven thousand nine hundred eleven dollars (\$ 7,911.00).
2. Excel Environmental Resources, Inc. is hereby authorized and directed to continue to pursue grant funding in order to conduct additional assessments, site investigations, remedial investigations, and/or remedial action for the above-described parcel.
3. The Mayor and other appropriate Borough Officials are authorized to execute any and all documents necessary in order to apply for the aforesaid grant and effectuate the terms and conditions of the within Resolution.
4. In the event that funding is approved pursuant to a grant issued in favor of the Borough of Metuchen, Excel Environmental Resources, Inc. shall be authorized and directed to implement additional assessments, site investigations, remedial investigations, and/or remedial actions for the above described parcel in accordance with a contract to be approved by the Borough and the NJDEP, but only to the extent that NJDEP grant funds are available for payment for the aforesaid services and are further authorized by the Mayor and Council.
5. The Borough of Metuchen is committed to the redevelopment of the subject property within a three-year period after the completion of the remediation of this site.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH					KANDEL				
DELIA					KOSKOSKI				
HIRSCH					RASMUSSEN				
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 January 24, 2022.

 Deborah Zupan
 Acting Borough Clerk

RESOLUTION 2022-51

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

**RESOLUTION AUTHORIZING AN ACCEPTANCE WITH NJ TRANSIT TO
PARTNER IN A FEASIBILITY STUDY TO CONNECT THE MIDDLESEX
GREENWAY TO THE METUCHEN TRAIN STATION**

WHEREAS, The New Jersey Transit Corporation, known as NJ TRANSIT, was created by the State Legislature in 1979, and was charged with the responsibility of overseeing most bus and rail service in New Jersey; and

WHEREAS, NJ TRANSIT is in the process of partnering with the Borough of Metuchen and Middlesex County in a conceptual design feasibility study to enhance access from the Middlesex Greenway to the Metuchen Train Station with on-street improvements and wayfinding; and

WHEREAS, NJ TRANSIT and the Borough recognize the tremendous potential benefit of providing a “last mile” connection to and from the Metuchen Train Station; and

WHEREAS, NJ TRANSIT is investigating on behalf of the Borough, conceptual design ideas that may include on-street bicycle, pedestrian, and wayfinding improvements to facilitate safer access to the Metuchen Train Station from the Middlesex Greenway; and

WHEREAS, NJ TRANSIT seeks to improve existing bicycle storage facilities at the Metuchen Train Station to accommodate growth in personal vehicle storage that may be required as the result of the proposed connectivity improvements; and

WHEREAS, The Borough acknowledges NJ TRANSIT’s financial commitment to the project for planning services including internal professional staff and on-call consultants; and

WHEREAS, The Borough agrees that cooperation, coordination, and feedback are essential to the successful undertaking of the study deliverables.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Borough Council of Metuchen, New Jersey, that the Governing Body does hereby accept a partnership with NJ TRANSIT to study the feasibility of on-street enhancements to provide safer access from the Middlesex Greenway to the Metuchen Train Station.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH					KANDEL				
DELIA					KOSKOSKI				
HIRSCH					RASMUSSEN				
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 January 24, 2022.

Deborah Zupan
Acting Borough Clerk

RESOLUTION 2022-52

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

**RESOLUTION APPOINTING AND AWARDING CONTRACT TO
ACRISURE, LLC AS THE RISK MANAGEMENT CONSULTANT FOR THE
BOROUGH OF METUCHEN**

WHEREAS, following a detailed analysis, by way of Resolution, the Borough of Metuchen authorized the application to and also authorized joining the Central Jersey Joint Insurance Fund; and

WHEREAS, the Bylaws of the Central Jersey Joint Insurance Fund require that the governing body of each member appoint a Risk Management Consultant to perform various professional services as detailed in the Bylaws; and

WHEREAS, pursuant to *N.J.S.A. 40A:11-5(1)(m)* and *N.J.S.A. 40A:11-5(a)(ii)*, a contract for the insurance services may be negotiated and awarded by the Borough without public advertising for bids and bidding therefore in accordance with requirements for an extraordinary unspecifiable service; and

WHEREAS, the experience, knowledge of public insurance and risk management issues and judgmental nature required of the Risk Management Consultant's duties renders comparative bidding impractical; and

WHEREAS, said services are of the type contemplated by the New Jersey Local Unit Pay-To-Play Law (*N.J.S.A. 19:44A-20.4, et. seq.*), and, therefore, procurement of said services may be awarded pursuant to a "fair and open" or "non-fair and open" process, both of which are defined in the law; and

WHEREAS, the Borough of Metuchen has determined that Acrisure, LLC has the necessary qualifications and experience to be appointed as Risk Management Consultant for the Borough of Metuchen to the Central Jersey Joint Insurance Fund; and

WHEREAS, the Borough has determined that it is both the most time and cost efficient and in the best interest of the Borough to appoint and authorize and agreement with Acrisure, LLC to serve as Risk Management Consultant in a non-fair and open manner, effective January 1, 2022 through December 31, 2022; and

WHEREAS, the Board of Fund Commissioners of the Central Jersey Joint Insurance Fund established a fee equal to six percent (6%) of the municipal assessment which expenditure represents reasonable compensation for the services required and was included in the cost considered by the Mayor and Council of the Borough of Metuchen.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Metuchen that it hereby appoints and awards a contract to Acrisure, LLC, 1460 US 9 North, Suite 210, Woodbridge, NJ 07095 as its Risk Management Consultant in accordance with the Central Jersey Joint Insurance Fund's Bylaws; and

BE IT FURTHER RESOLVED, by the Council of the Borough of Metuchen that the Mayor, Borough Administrator and Municipal Clerk are hereby authorized and directed to execute the Risk Management Consultant's Agreement in a form acceptable to the Borough Administrator and Mayor and to cause a notice of this decision to be published according to N.J.S.A. 40A:11-5(1)(a)(i); and

BE IT FURTHER RESOLVED, that the foregoing is contract is awarded in accordance with the Local Public Contracts Law and as the result of a non-fair and open process.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH					KANDEL				
DELIA					KOSKOSKI				
HIRSCH					RASMUSSEN				
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 January 24, 2022.

Deborah Zupan
Acting Borough Clerk

RESOLUTION 2022-53

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

RESOLUTION FOR LIEN REDEMPTIONS

WHEREAS, the Tax Collector received the necessary amount to redeem the following Tax Sale Certificates on the following properties

<u>Cert #</u>	<u>Block/Lot</u>	<u>Address</u>	<u>Lienholder</u>
18-00008	172/53	34 Jonesdale Avenue	MBS Realty One LLC
19-00002	151/27.1	205, 207, 209 Main Street	Tower DB X Trust 2020-1

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

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH					KANDEL				
DELIA					KOSKOSKI				
HIRSCH					RASMUSSEN				
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 January 24, 2022.

Deborah Zupan
Acting Borough Clerk

RESOLUTION 2022-54

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

RESOLUTION AUTHORIZING THE PURCHASE OF TIRES THROUGH STATE CONTRACT

WHEREAS, there exists a need to purchase tires for the Borough of Metuchen, in the County of Middlesex, State of New Jersey; and

WHEREAS, this can be purchased through State Contract M8000 – Tires, Tubes & Services and 19-FLEET-0708 NATCOOP/NJCOOP Bridgestone Americas Inc. V00043503 through Distributor V00014185, F&S Tire Corp and 20-FLEET-00948 NATCOOP/NJCOOP The Goodyear Tire & Rubber Company V00000828 through Distributor V00014185 F & S Tire Corp.; and

WHEREAS, said contracts are in effect from April 1, 2019 through March 31, 2024; and

WHEREAS, the maximum amount of the purchase of tires for the Borough of Metuchen is \$50,000.00 and funds are anticipated to be available in the 2022 Temporary budget and 2022 Adopted budget as certified by the Chief Financial Officer and that there is sufficient funds for such award and is available and is designated from Account number 2-01-26-774-185 in the amount of \$30,000.00 and from Account number 2-01-25-752-025 in the amount of \$20,000.00 for these services; 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:

- The Chief Financial Officer and Borough Administrator are hereby authorized and directed to approve and forward a Purchase Order to the Bridgestone Americas, Inc., and The Goodyear Tire & Rubber company Distributor, **F&S Tire Corp., 58 Brunswick Avenue, Edison, NJ 08817.**

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH					KANDEL				
DELIA					KOSKOSKI				
HIRSCH					RASMUSSEN				
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 January 24, 2022.

Deborah Zupan

Acting Borough Clerk

RESOLUTION 2022-55

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

**RESOLUTION AUTHORIZING PURCHASE FROM MORTON SALT, INC
(PRIMARY VENDOR) AND RIVERSIDE CONSTRUCTION MATERIALS, INC.
(SECONDARY VENDOR) FOR TREATED ROCK SALT THROUGH
MIDDLESEX COUNTY COOPERATIVE CONTRACT PURCHASING SYSTEM
RESOLUTION 21-1458-R**

WHEREAS, there exists a need to purchase treated rock salt for use during inclement weather for the Borough of Metuchen, in the County of Middlesex, State of New Jersey; and

WHEREAS, this can be purchased through Morton Salt, Inc (Primary Vendor) and Riverside Construction Materials, Inc. (Secondary Vendor) #B- 21-560 b"2021 Specifications For The Furnishing And Delivery Of Treated Rock Salt As Required By The County Of Middlesex"; and

WHEREAS, said contract is in effect from December 1, 2021, through November 30, 2022, as detailed in the Middlesex County's Adopted Resolution 21-1458-R for furnishing and delivery of treated rock salt, adopted on November 15, 2021; and

WHEREAS, the Middlesex County award specifies that the awarded vendors have agreed to extend their prices to members of the Middlesex County Cooperative Contract Purchasing System (CK-12 Middlesex); and

WHEREAS, the Borough of Metuchen is a current member of the Middlesex County Cooperative Contract Purchasing System (CK-12 Middlesex); and

WHEREAS, the maximum amount of the purchase of treated rock salt for the Borough of Metuchen is \$ 15,000.00 and that there are sufficient funds for such award of which \$ 15,000.00 as certified by the Chief Financial Officer from the 2022 Temporary Budget and 2022 Adopted Budget, from Current Budget Account, Streets and Roads Snow Control Materials, 2-01-26-765-176; and

WHEREAS, Middlesex County of New Jersey 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 Morton Salt, Inc, 444 West Lake Street Suite 3000, Chicago, IL 60606 and if needed is authorized and directed to approve and forward a purchase to Riverside Construction Materials, Inc., upon receipt of vendor documentation.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH					KANDEL				
DELIA					KOSKOSKI				
HIRSCH					RASMUSSEN				
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 January 24, 2022.

Deborah Zupan
Acting Borough Clerk

RESOLUTION 2022-56

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

**RESOLUTION APPROVING APPOINTMENTS TO
BOARDS, COMMITTEES, AND COMMISSIONS**

WHEREAS, the Mayor of Metuchen has recommended that the following people be appointed to the following Borough of Metuchen Boards, Committees and Commissions.

NOW THEREFORE BE IT RESOLVED, that the Borough Council of Metuchen hereby confirms the appointments to the following listed Borough of Metuchen Boards, Committees, and Commissions.

Jacqueline Ho, Member, Human Relations Commission, unexpired term ending 12/31/2023
Abigail Naqvi, Alternate II, Environmental Commission, term ending 12/31/2024

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH					KANDEL				
DELIA					KOSKOSKI				
HIRSCH					RASMUSSEN				
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 January 24, 2022.

Deborah Zupan
Acting Borough Clerk