

BOROUGH OF METUCHEN COUNCIL MINUTES

July 18, 2022

7:30 PM

The Regular Meeting of the Borough Council was held in the Council Chambers of Borough Hall on Monday, July 18, 2022.

The Meeting was called to order at 7:30 p.m. by Council President Delia.

Adequate Notice of this meeting has been given in accordance with the Open Public Meeting Act, pursuant to Public Law 1975, Chapter 231. Said notice was sent to the Home News Tribune and Star Ledger on January 7, 2022, posted in Borough Hall, and on file in the Clerk's Office. All requirements of the Open Public Meetings Act have been satisfied.

Council President Delia asked all to rise for the flag salute.

Roll Call

Council President Delia asked for a roll call.

Present were Councilmembers Branch, Hirsch, Kandel, Koskoski, Rasmussen, and Council President Delia. Mayor Busch was absent. Also present were Denis Murphy, Borough Attorney, Melissa Perilstein, Borough Administrator, and Deborah Zupan, Borough Clerk.

Agenda Session

Councilmember Rasmussen made a motion to open the Agenda Session, second by Councilmember Kandel, with all in favor, motion carried, 6-0.

With no actions taken, Councilmember Rasmussen made a motion to close the Agenda Session, second by Councilmember Kandel, with all in favor, motion carried, 6-0.

Public Comment

Council President Delia opened Public Comment to any members of the public wishing to speak.

Allison Inserro, 194 Woodbridge Avenue, spoke regarding the proposed power plant in the Keasbey section of Woodbridge. Ms. Inserro noted that, while the Mayor had said that Council is not in favor of passing the kind of resolutions that are public statements of support and have no force of law, there has been some precedent of Council doing so. Ms. Inserro pointed out research regarding the effects of climate change and its effect on health, and asked that Council pass a resolution opposing the proposed power plant.

John Hsu, 219 West Shirley Avenue, Edison, asked about the status of Council passing a resolution opposing the construction of the power plant in the Keasbey section of Woodbridge.

Seeing no one else wishing to speak, Council President Delia closed the Public Comment.

Borough Council Meeting Minutes

Councilmember Rasmussen made a motion to approve Borough Council Meeting Minutes of May 23, 2022, second by Councilmember Kandel. Councilmember Hirsch abstained from voting. With all others in favor, motion carried, 5-0.

Councilmember Rasmussen made a motion to approve Borough Council Meeting Minutes of June 13, 2022, second by Councilmember Kandel. Councilmembers Koskoski and Rasmussen abstained from voting. With all others in favor, motion carried, 4-0.

Communication Consent Agenda – Items A - G

Councilmember Rasmussen made a motion to approve Communication Consent Agenda, Items A - G, second by Councilmember Kandel, with all in favor, motion carried, 6-0.

- A. Receive and Accept Arts Council Meeting Minutes of May 16, 2022
- B. Receive and Accept Historic Preservation Committee Meeting Minutes of January 27, 2022 and March 3, 2022
- C. Receive and Accept Library Board Meeting Minutes of June 14, 2022
- D. Receive and Accept Pool Commission Meeting Minutes of November 23, 2021, December 11, 2021, January 11, 2022
- E. Receive and Accept Zoning Board Meeting Minutes of June 9, 2022
- F. Receive and Accept resignation of Michael Alvarez, Alternate I, from Planning Board
- G. Receive and Approve Block Party/Street Closing for Summit Avenue on July 23, 2022

Ordinance – Introduction

Ordinance 2022-14

ORDINANCE AMENDING §185-14 OF THE
CODE OF THE BOROUGH OF METUCHEN TO
PROHIBIT PARKING UPON A PORTION OF
GREEN STREET IN THE BOROUGH OF
METUCHEN

Councilmember Rasmussen made a motion that Ordinance 2022-14 be introduced and be taken up on first reading, second by Councilmember Kandel, with all in favor, motion carried, 6-0.

Councilmember Rasmussen asked that Ordinance 2022-14 be read by title only.

Ms. Zupan read Ordinance 2022-14 by title only.

Councilmember Rasmussen moved that Ordinance 2022-14 be passed on first reading, be published according to law, and a public hearing be set down for Monday, August 22, 2022, second by Councilmember Kandel.

Roll Call: Yeas: Branch, Hirsch, Kandel, Koskoski, Rasmussen, Delia
 Nays: None

Ordinance 2022-14 was passed on first reading, 6-0, and will be published according to law.

ORDINANCE 2022-14

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

**ORDINANCE AMENDING § 185-14 OF THE CODE OF THE BOROUGH OF
METUCHEN TO PROHIBIT PARKING UPON A PORTION OF GREEN STREET IN
THE BOROUGH OF METUCHEN**

WHEREAS, Chapter 185 of the Code of the Borough of Metuchen regulates vehicles, traffic and parking within the Borough of Metuchen; and

WHEREAS, § 185-14 of the Code of the Borough of Metuchen specifically designates the locations wherein parking is prohibited at any time within the Borough; and

WHEREAS, the Chief of Police and the Borough Engineer have investigated, determined and recommends to the Mayor and Borough Council that it is in the best interest of the safety and welfare of its residents, and the community in general, to prohibit parking on both sides of Green Street from the Middlesex Greenway proceeding twenty-five (25) feet north up to the driveway of the Green Street Apartment Complex; and

WHEREAS, the Council of the Borough of Metuchen have determined to accept the recommendation of the Chief of Police and Borough Engineer finding that that it is in the best

interest of the safety and welfare of its residents and the community in general to prohibit parking on both sides of Green Street from the Middlesex Greenway proceeding twenty-five (25) feet north up to the driveway of the Green Street Apartment Complex and to amend the Borough Code accordingly.

NOW THEREFORE BE IT ORDAINED by the Council of the Borough of Metuchen, County of Middlesex that it hereby amends § 185-14 of the Code of the Borough of Metuchen to include the following location:

§ 185-14 Parking prohibited at all times on certain streets.

No person shall park a vehicle at any time upon any streets or parts thereof described.

| Name of Street | Side | Location |
|----------------|------|--|
| Green Street | Both | From the Middlesex Greenway proceeding twenty-five (25) feet north up to the driveway entrance to the Green Street Apartment Complex |

BE IT FURTHER ORDAINED by the Mayor and Council that all remaining locations contained in the Table in §185-14 shall remain locations wherein parking is prohibited and shall not be affected by the within amendments and shall remain in full force and effect.

BE IT FURTHER ORDAINED that should any section, paragraph, sentence, clause, or phase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portion 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 that all ordinances or parts of ordinances inconsistent with this amending ordinance are hereby repealed to the extent of their inconsistencies only; and

BE IT FURTHER ORDAINED that this ordinance shall be in full force and take effect after final passage and publication, as required by law.

BE IT FURTHER ORDAINED by the Mayor and Borough Council of the Borough of Metuchen that all Borough officials and employees shall take all necessary actions to in order to effectuate and enforce the within Ordinance, including but not limited to the installation of sign/s in the above designated area.

Report of Borough Administrator

Congratulations to Metuchen Media Director Brandon Uhlig, who was nominated for an Emmy for his video welcoming the holidays, produced last December.

Thank you to Borough employee Jodi Kopac, who facilitated a successful partnership between special needs high school students and the Borough. The students, accompanied by their coaches, were able to obtain work experience, and we look forward to continuing this partnership.

Tonight's agenda includes a resolution awarding a contract for the Pump Station, a joint project with Edison. Thank you to Special Projects Director Jay Muldoon for working on this since its inception.

Reports of Councilmembers

Council President Delia

- The Accessibility Committee will be holding the AccessibiliTEA Story Hour at the Library on August 6 at 1:00 p.m.
- The Traffic and Transportation Committee moved the ‘Slow Down in Our Town’ signs to Hillside Avenue this past weekend. Thank you to County for providing us with more signs.
- It’s Restaurant Week in Metuchen, a great opportunity to support our Downtown restaurants.
- The internet provider survey, to gauge interest in a potential new internet provider, is still up on the Borough website. Please respond if you haven’t already.
- Thank you to the volunteers that make all these things happen.

Councilmember Rasmussen

- The Shade Tree Commission will meet August 2. If you have recently received a tree, please remember to water them during the hot weather.

Councilmember Koskoski

- No report.

Councilmember Kandel

- No report.

Councilmember Hirsch

- The Municipal Alliance Committee has been working on the First Annual Overdose Awareness Day in Metuchen, to be held on Wednesday, August 31 at 7:00 p.m. on the steps of Metuchen Borough Hall. There will be a speaker, a candlelight vigil in honor of loved ones who have died from an overdose, and counselors who will have up to date resources available. We have been gathering co-sponsors for the event and as of today they include the Metuchen YMCA, the Metuchen Library, Metuchen PBA Local #60, New Hope Baptist Church, Temple Emanu-El, Saint Luke’s Episcopal Church, the First Presbyterian Church, and more. This is an international day of remembrance and hope. We would like all who have lost a loved one, or know someone who has lost a loved one, to come out in solidarity and support.

Councilmember Branch

- The Arts Council and the Westerhoff School will present a chamber music concert at the Library on July 28 at 7:00 p.m.
- The Fishing Derby returns to Tommy’s Pond on October 27.
- The Senior Center is open full time and actively seeking members. Metuchen residents can join for free, others from surrounding towns can join for a small fee.

New Business Consent Agenda – Resolutions 2022-166 to 2022-176

Councilmember Rasmussen moved to approve New Business Consent Agenda Resolutions 2022-166 to 2022-176, second by Councilmember Kandel, with all in favor, motion carried, 6-0.

RESOLUTION 2022-166

RESOLUTION AUTHORIZING BID AWARD FOR JERSEY AVENUE PUMP STATION REPLACEMENT

WHEREAS five (5) bids were received by the Borough Civil Engineer – With Specialization in Wastewater Engineering, Qualified Purchasing Agent, Director of Special Projects, and Borough Administrator on or before June 22, 2022, for the Jersey Avenue Pump Station Replacement for the Borough of Metuchen – Shared Services Project with the Township of Edison: and

WHEREAS, the Borough Council has reviewed the letter of recommendation made by the Borough Engineer on said bid, dated June 29, 2022; and

WHEREAS the maximum amount of award for the Jersey Avenue Pump Station Replacement is \$6,989,835.00. Funds are available in the 2020-04/2021-06/2022-06 Capital Bond Ordinance as certified by the Chief Finance Officer. Sufficient funds are designated from Capital Bond Ordinance 2020-04/2021-06/2022-06, Account C-04-55-935-001 in the amount of \$6,989,835.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Metuchen, County of Middlesex, State of New Jersey that the contract for the Jersey Avenue Pump Station Replacement be and the same is hereby awarded to lowest responsible bidder, Underground Utilities, Corp., 711 Commerce Road, Linden, NJ 07036; and

BE IT FURTHER RESOLVED that the Mayor and the Borough Clerk are hereby authorized and directed to execute the contract for the same, and

BE IT FURTHER RESOLVED that the certified check or bid bond of the successful bidder and the next lowest bidders be returned upon the receipt of a fully executed contract and other required documents to:

1. Rencor, Inc., 24 Tannery Road, Somerville, NJ 08876
- 2 Carbro Constructors Corp., 67A Mountain Boulevard, Suite 100, Warren, NJ 07069
3. Pillari Bros Construction Corp., 65 Squankum Yellowbrook Road, Farmingdale, NJ 07727

RESOLUTION 2022-167

RESOLUTION OF THE BOROUGH OF METUCHEN, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, DETERMINING THE FORM AND OTHER DETAILS OF ITS “NOTE RELATING TO THE WATER BANK CONSTRUCTION FINANCING PROGRAM OF THE NEW JERSEY INFRASTRUCTURE BANK”, TO BE ISSUED IN THE PRINCIPAL AMOUNT OF UP TO \$8,600,000, AND PROVIDING FOR THE ISSUANCE AND SALE OF SUCH NOTE TO THE NEW JERSEY INFRASTRUCTURE BANK, AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH NOTE BY THE BOROUGH OF METUCHEN IN FAVOR OF THE NEW JERSEY INFRASTRUCTURE BANK, ALL PURSUANT TO THE WATER BANK CONSTRUCTION FINANCING PROGRAM OF THE NEW JERSEY INFRASTRUCTURE BANK AND CANCELING AND REPEALING RESOLUTION NUMBER 2021-142

WHEREAS, the Borough of Metuchen (the “Local Unit”), in the County of Middlesex, State of New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate or install a project consisting of the construction of a new Pump Station (the “Project”), and it is the desire of the Local Unit to obtain financing for such Project through participation in the environmental infrastructure financing program (the “New Jersey Water Bank”) of the New Jersey Infrastructure Bank (the “I-Bank”);

WHEREAS, the Local Unit has determined to temporarily finance the acquisition, construction, renovation or installation of the Project prior to the closing with respect to the New Jersey Water Bank, and to undertake such temporary financing with the proceeds of a short-term loan to be made by the I-Bank (the “Construction Loan”) to the Local Unit, pursuant to the Water Bank Construction Financing Program of the I-Bank (the “Construction Financing Program”);

WHEREAS, in order to (i) evidence and secure the repayment obligation of the Local Unit to the I-Bank with respect to the Construction Loan and (ii) satisfy the requirements of the Construction Financing Program, it is the desire of the Local Unit to issue and sell to the I-Bank the “Note Relating to the Water Bank Construction Financing Program of the New Jersey Infrastructure Bank” in an aggregate principal amount of up to \$8,600,000 (the “Note”);

WHEREAS, it is the desire of the Local Unit to authorize, execute, attest and deliver the Note to the I-Bank pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the “Local Bond Law”), and other applicable law; and

WHEREAS, Section 28 of the Local Bond Law allows for the sale of the Note to the I-Bank, without any public offering, and N.J.S.A. 58:11B-9 allows for the sale of the Note to the I-Bank without any public offering, all under the terms and conditions set forth therein; and

WHEREAS, it is also the desire of the Local Unit to cancel and repeal Resolution Number 2021-142 duly adopted by the Borough Council of the Local Unit on May 10, 2021.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Local Unit as follows:

Section 1. In accordance with Section 28 of the Local Bond Law and N.J.S.A. 58:11B-9, the Local Unit hereby authorizes the issuance, sale and award of the Note in accordance with the provisions hereof. The obligation represented by the Note has been appropriated and authorized by (i) bond ordinance number 2020-04 of the Local Unit, which bond ordinance is entitled “BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A NEW PUMP STATION, BY AND IN THE BOROUGH OF METUCHEN, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROPRIATING \$4,100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,100,000 BONDS OR NOTES TO FINANCE THE COST THEREOF” finally adopted by the Local Unit at a meeting duly called and held on February 3, 2020, as amended and supplemented by bond ordinance number 2021-06 of the Local Unit, finally adopted by the Local Unit at a meeting duly called and held on March 22, 2021, and as further amended and supplemented by bond ordinance number 2022-06 of the Local Unit, finally adopted by the Local Unit at a meeting duly called and held on May 9, 2022, at which meetings quorums were present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Local Unit (the “Chief Financial Officer”) is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions hereof, (i) the final principal amount of the Note (subject to the maximum limitation set forth in Section 4(a) hereof), and (ii) the dated date of the Note.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Note by the parties authorized pursuant to Section 4(h) hereof.

Section 4. The Local Unit hereby determines that certain terms of the Note shall be as follows:

- (a) the principal amount of the Note to be issued shall be an amount up to \$8,600,000;
- (b) the maturity of the Note shall be as determined by the I-Bank;
- (c) the interest rate of the Note shall be as determined by the I-Bank;
- (d) the purchase price for the Note shall be par;
- (e) the Note shall be subject to prepayment prior to its stated maturity in accordance with the terms and conditions of the Note;
- (f) the Note shall be issued in a single denomination and shall be numbered “NJWB-CFP-2022-01”;
- (g) the Note shall be issued in fully registered form and shall be payable to the registered owner thereof as to both principal and interest in lawful money of the United States of America; and
- (h) the Note shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, imprinted, or reproduced thereon and attested by the manual signature of the Local

Unit Clerk or Acting Clerk.

Section 5. The Note shall be substantially in the form attached hereto as Exhibit A.

Section 6. The law firm of Wilentz, Goldman & Spitzer, P.A. is hereby authorized to arrange for the printing of the Note, which law firm may authorize McCarter & English, LLP, bond counsel to the I-Bank for the Construction Financing Program, to arrange for same.

Section 7. The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk or Acting Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Clerk of the Local Unit, as applicable, in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit and after further consultation with the I-Bank and its representatives, agents, counsel and advisors, to be executed in connection with the issuance and sale of the Note and the participation of the Local Unit in the Construction Financing Program, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery of the Note and the participation of the Local Unit in the Construction Financing Program.

Section 8. Resolution Number 2021-142 is hereby canceled and repealed in its entirety.

Section 9. This resolution shall take effect immediately.

Section 10. Upon the adoption hereof, the Local Unit Clerk or Acting Clerk shall forward certified copies of this resolution to Wilentz, Goldman & Spitzer, P.A., bond counsel to the Local Unit, David E. Zimmer, Executive Director of the I-Bank, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the I-Bank.

RESOLUTION 2022-168

RESOLUTION APPOINTING CONDITIONAL REDEVELOPER AND AUTHORIZING EXECUTION OF A MEMORANDUM OF UNDERSTANDING

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (the "Redevelopment Law"), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of rehabilitation or redevelopment; and

WHEREAS, the Borough, pursuant to the Redevelopment Law, via Resolution #2020-50, adopted on February 3, 2020, by the Mayor and Council of the Borough of Metuchen (the "Borough Council"), designated the entirety of the Borough of Metuchen (the "Borough"), as an "Area in Need of Rehabilitation"; and

WHEREAS, in order to facilitate the rehabilitation and redevelopment of the Borough, including the property known as Block 130.01, Lots 47.01, 47.02, 48 and 60.01 (the "Property"), the Borough Council adopted Ordinance #2020-10 on May 26, 2020, which adopted a redevelopment plan for the entirety of the Borough entitled "Redevelopment Plan for Rehabilitation in the Borough of Metuchen" dated March 2020 (the "Redevelopment Plan"); and

WHEREAS, the Borough has been in discussions with Suburban Sportsland, LLC, (the "Conditional Redeveloper") regarding the rehabilitation and redevelopment of the Property; and

WHEREAS, N.J.S.A. 40A:12A-8(f) authorizes the Borough to arrange or contract with a Redeveloper for the undertaking of any project or redevelopment work in an area designated as in need of rehabilitation or redevelopment; and

WHEREAS, Conditional Redeveloper has presented its redevelopment concepts to the Borough; and

WHEREAS, the Borough and Conditional Redeveloper intend to commence exclusive negotiations toward the formulation of a Redevelopment Agreement to develop the Property in accordance with the requirements of the Redevelopment Plan; and

WHEREAS, in such event, the Borough desires to designate Suburban Sportsland, LLC, as Conditional Redeveloper in order to negotiate with Conditional Redeveloper for a period of one hundred and eighty (180) days in an effort to agree upon a Redevelopment Agreement; and

WHEREAS, the Borough and Conditional Redeveloper desire to memorialize, in writing, their agreement under a non-binding Memorandum of Understanding that evidences the statement of intent of both the Borough and Conditional Redeveloper.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen, County of Middlesex, State of New Jersey that:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. Suburban Sportsland, LLC, is hereby designated as Conditional Redeveloper for the Property and the Mayor and Borough Clerk are hereby authorized to execute a Memorandum of Understanding between the Borough and Conditional Redeveloper evidencing the parties' agreement to conduct exclusive negotiations toward the formulation of a Redevelopment Agreement for the Property.
3. This Resolution shall take effect immediately.

RESOLUTION 2022-169

RESOLUTION ACCEPTING THE GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE DMHAS YOUTH LEADERSHIP GRANT

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse (GCADA) established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth, and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey. In coordination with GCADA, the New Jersey Department of Human Services/Division on Mental Health and Addiction Services (DMHAS) has awarded a Youth Leadership Grant to the GCADA Municipal Alliance Program.

WHEREAS, the Borough Council of the Borough of Metuchen, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Borough Council has applied for DMHAS Youth Leadership funding through the Governor's Council on Alcoholism and Drug Abuse through the County of Middlesex.

NOW THEREFORE BE IT RESOLVED, by the Borough of Metuchen, County of Middlesex, State of New Jersey that the Borough recognizes the following:

1. The Borough Council does hereby authorize acceptance of an application for DMHAS Grant funding for the Metuchen Municipal Alliance for Year One Grant Term 7/1/22 – 3/14/23 in the amount of:

DMHAS Grant Funding \$ 5,000

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

RESOLUTION 2022-170

**RESOLUTION OF SUPPORT FROM THE BOROUGH OF METUCHEN
TO SUBMIT AN APPLICATION TO THE NEW JERSEY DEPARTMENT OF
COMMUNITY AFFAIRS AMERICAN RESCUE PLAN FIREFIGHTER GRANT**

WHEREAS, the **Borough of Metuchen** desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately **\$75,000** to carry out a project to **purchase fire protection equipment for the volunteer members of the Metuchen Fire Department.**

NOW THEREFORE BE IT RESOLVED:

- 1) that the **Borough of Metuchen** does hereby authorize the application for such a grant; and
- 2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the **Borough of Metuchen** and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

Melissa Perilstein
Borough Administrator

Jonathan M. Busch
Mayor

RESOLUTION 2022-171

**RESOLUTION APPROVING THE SUBMISSION OF A 2023 NEW JERSEY
DEPARTMENT OF TRANSPORTATION – BIKEWAYS GRANT APPLICATION AND
EXECUTION OF A GRANT AGREEMENT FOR THE HILLSIDE AVENUE BIKEWAY
PROJECT**

WHEREAS, the Borough of Metuchen wishes to apply for and obtain funding through the New Jersey Department of Transportation – Bikeways grant program for the completion of the Hillside Avenue Bikeway Project; and

WHEREAS, the Borough of Metuchen has developed a proposal for a pedestrian bikeway that will comprehensively run throughout the municipality; and

WHEREAS, the Borough of Metuchen believes that the proposed project will greatly benefit the residents the municipality by providing an alternative transportation venue that will increase access to and from various recreational, governmental, educational and economic centers within the municipality; and

WHEREAS, the application being submitted by the Borough of Metuchen titled BIKE-2023-Hillside Avenue Bikeway Project-00031 has been reviewed and is fully endorsed by the Borough of Metuchen.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Metuchen do hereby authorize the submission of such a grant application.

BE IT FURTHER RESOLVED, that upon the receipt of an award the Borough of Metuchen is hereby authorized to manage the execution of any such grant agreement and the expenditure of funds pursuant to the terms of the agreement.

BE IT FURTHER RESOLVED, that upon the receipt of a grant award the Mayor and Clerk are hereby authorized to sign the grant agreement and that their signatures constitute acceptance of the terms and conditions of the grant agreement.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Metuchen do hereby endorse the aforesaid.

RESOLUTION 2022-172

RESOLUTION AUTHORIZING THE REFUND OF RECREATION TRUST PROGRAM FEES

WHEREAS the fees collected for attendance at various Borough of Metuchen Recreation Commission events and camps have been collected in 2021 and 2022, and;

WHEREAS the events and camps were rescheduled or cancelled, with one refund being made due to injury, and;

WHEREAS the fees collected are requested by the Recreation Director to be refunded, as detailed in the below schedule.

NOW, THEREFORE, BE IT RESOLVED, that the Chief Finance Officer be authorized to process refunds in the amount of \$3,557.50 as. described, from the Recreation Trust account.

| | | |
|---------------------|-----------------|--------|
| Jennifer Morano | Basketball | 170.00 |
| Lauren Peters | Basketball | 170.00 |
| Peter Hart | Basketball | 170.00 |
| Rosaria Di Leonardo | Basketball | 170.00 |
| Svilena Stoyanova | Basketball | 170.00 |
| Amy Siedenbug | Basketball | 170.00 |
| Mark Fingerman | Basketball | 170.00 |
| Rozina Hudda | Basketball | 170.00 |
| Milady Murillo | BBM Robotics | 290.00 |
| Steven Weissblum | DDDN | 75.00 |
| Adrian Hernandez | DDDN | 75.00 |
| Elizabeth Conte | DDDN | 75.00 |
| Christopher Jung | DDDN | 75.00 |
| Stephanie Kandel | DDDN | 75.00 |
| Jill Guarnieri | DDDN | 75.00 |
| Young Soo Kwon | Field Hockey | 100.00 |
| Catherine Szap | Infielders | 165.00 |
| Supriya Malhotra | Mom/Son Bowling | 45.00 |
| Cindy & John Fedun | Mom/Son Bowling | 45.00 |
| Wanda Engracia | Mom/Son Bowling | 45.00 |
| Marni Yannaccone | Mom/Son Bowling | 45.00 |
| Kate Massey | Mom/Son Bowling | 45.00 |

| | | |
|----------------------|-----------------|-------|
| Kate Mullins | Mom/Son Bowling | 45.00 |
| Christina Kaminski | Mom/Son Bowling | 45.00 |
| Sarah Herrmann | Mom/Son Bowling | 45.00 |
| Kate Manchisi | Mom/Son Bowling | 45.00 |
| Angie Boutureira | Mom/Son Bowling | 45.00 |
| Colleen Marasco | Mom/Son Bowling | 45.00 |
| Michele Cook | Mom/Son Bowling | 45.00 |
| Kavita Shah | Mom/Son Bowling | 45.00 |
| Stacey Morse | Mom/Son Bowling | 67.50 |
| Jessica Weiss | Mom/Son Bowling | 67.50 |
| Elizabeth Coccia | Mom/Son Bowling | 67.50 |
| Jill Bottone-Fedison | Mom/Son Bowling | 67.50 |
| Stacey House | Mom/Son Bowling | 67.50 |
| Colleen Hale | Mom/Son Bowling | 67.50 |
| Janine Haulenbeek | Mom/Son Bowling | 67.50 |
| Joanna Koster | Mom/Son Bowling | 67.50 |
| Jill Guarnieri | Mom/Son Bowling | 67.50 |

RESOLUTION 2022-173

**REFUND OF OTHER FEES & PERMITS – ELECTRICAL & MECHANICAL PERMIT
#22-0439
BILL LEARY A/C & HEATING**

WHEREAS, Bill Leary A/C & Heating, 6 Green Street, Metuchen, NJ 08840, made payment on June 10, 2022, in the amount of \$161.00 for an Electrical and Mechanical Permit fee for the replacement of an air handler at 7 Lawrence Street, Block 211.02/Lot 4, collected as anticipated revenue; and

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

WHEREAS, the DCA (*State*) fees of \$11.00 are non-refundable; and

WHEREAS, pursuant to Ordinance #2019-20 a 20% plan review fee of \$30.00 shall be deducted from the total permit fee to be returned; and

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Metuchen, that the Chief Financial Officer is hereby authorized and directed to refund, from anticipated revenue to Bill Leary A/C & Heating, 6 Green Street, Metuchen, NJ 08840, in the amount of \$120.00 for the Electrical and Mechanical Permit fee.

RESOLUTION 2022-174

RESOLUTION TO REFUND ESCROW BALANCE – PROJECT 16-1095 E

WHEREAS, the Planning Board Office has requested that the following escrow account to be closed and the balance refunded to the depositor,

WHEREAS, the Planning Board Office has contacted the Board Engineer, Planner and Attorney for authorization to release the funds and determine the project is closed,

WHEREAS, the Planning Board Office has provided a list to the Chief Finance Officer with a sign-off from the Board Professionals, that the following escrow project is complete and can be closed, and that no further billing from the professionals for this project will be paid.

WHEREAS, the payment for release for project 16-1095 E will include interest in addition to the amounts shown in the chart below.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Metuchen for the Chief Financial Officer/Tax Collector is instructed to refund, in the amount indicated, the following escrow balance to the depositor, as the project has been determined to be closed:

| ESCROW ACCOUNT | AMOUNT | DEPOSITOR |
|-----------------------|---------------|--|
| 16-1095 E | 5,153.47 | Hiering, Dupignac, Stanzone 406 Main Street |

RESOLUTION 2022-175

RESOLUTION TO REFUND ESCROW BALANCE – PROJECT 19-1220 E

WHEREAS, the Planning Board Office has requested that the following escrow accounts be closed and the balance be refunded to the depositors; and

WHEREAS, the Planning Board Office has contacted the Board Engineer, Planner and Attorney for authorization to release the funds and determine the projects are closed; and

WHEREAS, the Planning Board Office has provided a list to the Chief Finance Officer with a sign-off from the Board Professionals, that the following escrow projects are complete and can be closed, and that no further billing from the professionals for these projects will be paid; and

WHEREAS, the payment for release for project 19-1220 E will include interest in addition to the amounts shown in the chart below,

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Metuchen for the Chief Financial Officer/Tax Collector is instructed to refund, in the amount indicated, the following escrow balances to the depositors, as the project has been determined to be closed:

| ESCROW ACCOUNT | AMOUNT | DEPOSITOR |
|-----------------------|---------------|---------------------------------------|
| 19-1220 E | 6,500.00 | Ronald Holdings 257 Central Avenue |

RESOLUTION 2022-176

RESOLUTION TO CLOSE ESCROW ACCOUNTS

WHEREAS, the Planning Board Office has requested that the following escrow accounts be closed and the balance be refunded to the depositors; and

WHEREAS, the Planning Board Office has contacted the Board Engineer, Planner and Attorney for authorization to release the funds and determine the projects are closed; and

WHEREAS, the Planning Board Office has provided a list to the Chief Finance Officer with a sign-off from the Board Professionals, that the following escrow projects are complete and can be closed, and that no further billing from the professionals for these projects will be paid.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Metuchen for the Chief Financial Officer/Tax Collector is instructed to refund, in the amount indicated, the following escrow balances to the depositors, as the project has been determined to be closed:

| ESCROW ACCOUNT | AMOUNT | DEPOSITOR |
|-----------------------|---------------|---|
| 08-804 E | 505.03 | Sk & Sk Inc. 932 Middlesex Avenue |
| 14-1038 I/ 14-10381 I | 500.00 | Hary Disano Homes 190 Amboy Avenue 192 Amboy Avenue |

Other New Business

Councilmember Rasmussen made a motion to approve Resolution 2022-177 authorizing the payment of the Bill List in the amount of \$4,366,427.61, second by Councilmember Kandel, with all in favor, motion carried, 6-0.

RESOLUTION 2022-177

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 \$4,366,427.61.

Adjournment

Councilmember Rasmussen made a motion to adjourn the meeting, second by Councilmember Kandel, with all in favor, 6-0, the meeting was adjourned at 7:54 p.m.

Respectfully Submitted,

Deborah Zupan, RMC, Borough Clerk