

BOROUGH OF METUCHEN COUNCIL MINUTES

June 27, 2022

7:30 PM

The Regular Meeting of the Borough Council was held in the Council Chambers of Borough Hall on Monday, June 27, 2022.

The Meeting was called to order at 7:31 p.m. by Mayor Busch.

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.

Mayor Busch asked for a moment of silence in honor of David Kallman. Mr. Kallman was one of the original members of the Accessibility Committee and was devoted to improving life in the Borough for all.

Mayor Busch asked all to rise for the flag salute.

Roll Call

Mayor Busch asked for a roll call.

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

Agenda Session

Council President Delia made a motion to open the Agenda Session, second by Councilmember Rasmussen, with all in favor, motion carried, 5-0.

With no actions taken, Council President Delia made a motion to close the Agenda Session, second by Councilmember Rasmussen, with all in favor, motion carried, 5-0.

Swearing In of Police

Mayor Busch ceremonially swore in Wayne Karalevich as Lieutenant, Andrew Cupido as Sergeant, and Officers James Markham and John Roesler.

Public Comment

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

Tara Matise, 18 Colonial Court, suggested that the Borough display rainbow flags all Main Street next year during the month of June. Ms. Matise also commended the MDA, the Human Relations Commission, and the Middle and High School groups involved for the fun and meaningful Pride event held a few days earlier.

Dan Heyden, 197 Woodbridge Avenue, asked about the status of a resolution opposing the proposed power plant in the Keasbey section of Woodbridge, as at the last meeting Mayor Busch had remarked that he would soon be speaking with Senator Diegnan regarding the issue.

Mayor Busch responded that he had discussed the issue with Senator Diegnan, as well as with Woodbridge Mayor John McCormac.

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

Communication Consent Agenda – Items A - E

Council President Delia made a motion to approve Communication Consent Agenda, Items A - E, second by Councilmember Rasmussen, with all in favor, motion carried, 5-0.

- A. Receive and Accept Environmental Meeting Minutes of 04.20.2022
- B. Receive and Accept Library Board Meeting Minutes of 05.10.2022
- C. Receive and Accept Pool Commission Meeting Minutes of 08.11.2021, 09.14.2021, and 10.20.2021
- D. Receive and Approve Block Party/Street Closing for McPherson Avenue on 09.10.2022
- E. Receive and Approve Block Party/Street Closing for Rutgers Street on 07.22.2022

Ordinances – Public Hearing

Ordinance 2022-13

ORDINANCE TO AMEND THE CODE OF THE
BOROUGH OF METUCHEN, VARIOUS
CHAPTERS, TO AMEND CERTAIN
APPLICATION, LICENSE AND PERMIT FEES

Council President Delia asked Ms. Zupan, Borough Clerk, to present the affidavit of publication.

Ms. Zupan presented the affidavit of publication stating that said Ordinance 2022-13 had been published one time in the Home News Tribune according to law on June 16, 2022.

Council President Delia moved that the affidavit of publication be received and filed, second by Councilmember Rasmussen, with all in favor, the motion carried, 5-0.

Council President Delia asked that Ordinance 2022-13 be read by title only.

Ms. Zupan read Ordinance 2022-13 by title only.

Mayor Busch opened the public hearing on Ordinance 2022-13.

Seeing no one wishing to speak, Mayor Busch closed the public hearing.

Council President Delia made a motion to pass Ordinance 2022-13 on second reading and be published according to law, second by Councilmember Rasmussen.

Mayor Busch asked for a roll call vote.

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

Ordinance 2022-13 was adopted, 5-0.

ORDINANCE 2022-13

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

**ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF METUCHEN,
VARIOUS CHAPTERS, TO AMEND CERTAIN APPLICATION, LICENSE AND
PERMIT FEES**

BE IT ORDAINED, by the Borough Council of the Borough of Metuchen, as follows:

Section 1. Section 169-3 of Chapter 169, Swimming Pools, of the Code of the Borough of Metuchen, is hereby amended to add/change the following fees to read as follows:

RESIDENT MEMBERSHIPS RATES: (Early Registration Period as set by Pool Commission)

- | | |
|---|----------|
| (1) Resident Family
(Equivalent membership: one) | \$445.00 |
| (2) Resident Family Plus | \$565.00 |
| (3) Resident Individual | \$235.00 |
| (4) Resident Senior | \$ 85.00 |

RESIDENT RATES: (Upon Expiration of Early Registration Period)

- | | |
|---|----------|
| (1) Resident Family
(Equivalent membership: one) | \$510.00 |
| (2) Resident Family Plus | \$625.00 |
| (3) Resident Individual | \$265.00 |
| (4) Resident Senior | \$ 95.00 |

NON-RESIDENT RATES: (Early Registration Period as set by Pool Commission)

- | | |
|-----------------------------|----------|
| (1) Nonresident Family | \$655.00 |
| (2) Nonresident Family Plus | \$755.00 |
| (3) Nonresident Individual | \$375.00 |
| (4) Nonresident Senior | \$210.00 |

NON-RESIDENT RATES: (Upon Expiration of Early Registration Period)

- | | |
|-----------------------------|--------------------|
| (1) Nonresident Family | \$725.00 |
| (2) Nonresident Family Plus | \$825.00 |
| (3) Nonresident Individual | \$420.00 |
| (4) Nonresident Senior | \$230.00 |
| Guest Fees | \$10.00 per person |

MISCELLANEOUS FEE SCHEDULE -MEMBERSHIP REQUIRED:

General Event \$ 5.00

Swim Lessons \$ 30.00 per 6 Lessons

Swim Clinic \$ 75.00

Masters Swim \$ 25.00 per Season

Camp Rentals \$175.00 per hour

Long Course Rentals \$165.00 per hour

Pool Adult Fitness \$25.00 per Season

Party Reservation \$50.00 for 3 hours and guest fee for each
and every non-pool member

Report of Borough Administrator

Ms. Perilstein congratulated Ms. Zupan for passing the State Clerk Exam and becoming the licensed Municipal Clerk for the Borough. Ms. Perilstein also acknowledged Director of Recreation and Senior Services Rick Perrine for jumping right into the job and accomplishing several things, including getting Myrtle Field up and running and overseeing a successful Daddy Daughter Dance.

Additionally, Ms. Perilstein requested that residents put only residential trash in their bins. Our automated garbage trucks are not designed to deal with materials like construction debris which damage the trucks.

Reports of Councilmembers

Council President Delia

- The Traffic and Transportation Committee was at the Farmers Market this past weekend and will be there again on August 20.
- The Metuchen Downtown Alliance's Restaurant Week will be July 18 through July 24.
- At last week's TV and Technology Committee meeting it was announced that there is a possibility of internet provider Planet Network coming to Metuchen. There is a survey on the Borough website and on the Committee's social media pages to gauge interest in this internet alternative.

Councilmember Rasmussen

- The Shade Tree Commission will meet on July 2. There will be a report regarding the recent Earth Day celebration at the next meeting.

Councilmember Koskoski

- No report.

Councilmember Kandel

- No report.

Councilmember Branch

- The Juneteenth event hosted by the MDA, Human Relations Commission, and local NAACP was extremely successful, thank you to all who made this possible.
- The Human Relations Commission just named their first William H. and Mary Fenton Williams Equality and Inclusion Scholarship award winner, Sayuri Govender.
- On July 2 at 7:30 p.m. the New Jersey Symphony will perform a free concert on the Plaza. Metuchen High School Band Director John Messenger will be a guest conductor.
- Mother-Son Bowling Night has been rescheduled for July 15. Recreation Department Summer Camps have begun and there are still some openings, please check the registration portal.
- The Senior Center is open and free to Metuchen residents. Summer hours are 9:00 a.m. to 3:30 p.m. and Friday 9:00 a.m. to 1:00 p.m.

Report of the Mayor

The New Jersey Symphony concert mentioned by Councilmember Branch is going to be a spectacular event for our community. This is the only time they have ever done a free outdoor concert in a downtown setting like ours. In the event of rain the concert will be moved to the Metuchen High School auditorium.

There have been huge amounts of trash left behind the Plaza and at Myrtle Field. We are happy that children are using our community facilities, but please remind them to clean up after themselves.

New Business Consent Agenda – Resolutions 2022-156 to 2022-164

Council President Delia moved to approve New Business Consent Agenda Resolutions 2022-156 to 2022-164, second by Councilmember Rasmussen, with all in favor, motion carried, 5-0.

RESOLUTION 2022-156

**RESOLUTION APPOINTING THE MUNICIPAL CLERK
OF THE BOROUGH OF METUCHEN**

WHEREAS, *N.J.S.A* 40A:9-133 requires all municipalities to appoint an individual to serve as municipal clerk or in the alternative arrange for the services of a municipal clerk; and

WHEREAS, pursuant to *N.J.S.A.* 40:9-133(c), the Borough may, within ninety (90) days of the occurrence of a vacancy in the office of municipal clerk by reason of the departure of a registered municipal clerk, appoint a person who does not hold a registered municipal clerk certificate to serve as acting municipal clerk for a period not to exceed one (1) year and commencing on the date of the vacancy; and

WHEREAS, the Borough determined that it was in the best interest of the Borough to appoint Deborah Zupan to serve as Acting Municipal Clerk while she enrolled in the necessary training to obtain municipal clerk certificate and become a registered municipal clerk; and

WHEREAS, Deborah Zupan has completed all of her necessary training, obtained a municipal clerk certificate and became a registered municipal clerk; and

WHEREAS, the Mayor and Council have determined it to be in the best interest of the Borough to appoint Deborah Zupan as Municipal Clerk for the Borough of Metuchen effective April 6, 2022 for a term of three (3) years.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Metuchen hereby appoints Deborah Zupan to serve as Municipal Clerk of the Borough of Metuchen effective April 6, 2022, for a term of three (3) years commencing April 6, 2022 through April 6 2025 pursuant to *N.J.S.A.* 40A:9-133 at an annual salary consistent with the salary ordinance of the Borough.

RESOLUTION 2022-157

**RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL
SERVICES CONTRACT TO COLLIERS ENGINEERING & DESIGN, TO
PERFORM ENGINEERING SERVICES FOR 2022
ROAD PROJECTS – NJDOT TRUST FUND AND
MUNICIPALLY FUNDED PROJECTS**

WHEREAS, the Borough of Metuchen has a need to acquire the services of a *Borough Engineer* as a fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4*; and

WHEREAS, Requests for Qualifications for Professional Engineering services for the Borough of Metuchen were received by the Borough on December 17, 2021; and

WHEREAS, by way of Resolution No. 2022-21, the Borough of Metuchen awarded a contract for Borough Engineer and professional engineering services to Colliers Engineering & Design for the calendar year 2022 at a cost not to exceed thirty-five thousand dollars (\$35,000.00); and

WHEREAS, the Borough of Metuchen is in need of professional engineering services for the NJDOT Trust Fund Projects and Municipal Funded Project; and

WHEREAS, Colliers Engineering & Design, submitted a proposal dated May 10, 2022, to the Borough to render engineering services for the NJDOT Trust Fund Projects – FY 2022 Municipal Aid and Municipally funded Road Projects for a cost not to exceed two hundred seventy-two thousand dollars and no cents (\$272,000.00); and

WHEREAS, the proposal was reviewed and evaluated, and it is the recommendation of the Borough Administrator that a contract for engineering services for the 2022 NJDOT Trust and Municipally funded Road Project be awarded to Colliers Engineering & Design of Red Bank, New Jersey consistent with the proposal submitted; and

WHEREAS, the Council of the Borough of Metuchen have reviewed the proposal and have determined it is in the best interest of Metuchen to award a contract to Colliers Engineering & Design, of Red Bank, New Jersey to render engineering services for the 2022 Road Projects - NJDOT Trust Fund Projects and 2022 Municipal Aid and Municipally funded roads; and

WHEREAS, the cost for the proposed services shall not exceed two hundred seventy-two thousand dollars and no cents (\$272,000.00) without further approval by the Mayor and Borough Council; and

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

WHEREAS, the Chief Financial Officer's Certification of Funds has certified that there are sufficient funds for such contract and is available and is designated from the Capital Fund, 2022 Bond Ordinance C-04-55-938-013 for these services.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Metuchen that it hereby awards a contract to Colliers Engineering & Design, 331 Newman Springs Road, Suite 203, Red Bank, NJ 07701 on the basis of the proposal dated May 10, 2022 to provide professional engineering services to the Borough of Metuchen for the 2022 Road Project - NJDOT Trust Fund Projects – FY 2022 Municipal Aid and Municipally funded in an amount not to exceed two hundred seventy-two thousand dollars and no cents (\$272,000.00).

BE IT FURTHER RESOLVED, that the Mayor and Borough officials and employees are hereby authorized to take all necessary actions in order to effectuate the terms and provisions of this Resolution, including but not limited to the execution of an Agreement in the form acceptable in contents by the Mayor and Council President.

RESOLUTION 2022-158

RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO COLLIERS ENGINEERING & DESIGN, TO PERFORM ENGINEERING SERVICES FOR KAHN’S CROSSING BRIDGE CONSTRUCTION PROJECT

WHEREAS, the Borough of Metuchen has a need to acquire the services of a *Borough Engineer* as a fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4*; and

WHEREAS Requests for Qualifications for Professional Engineering services for the Borough of Metuchen were received by the Borough on December 17, 2021; and

WHEREAS, by way of Resolution No. 2022-21, the Borough of Metuchen awarded a contract for Borough Engineer and professional engineering services to Colliers Engineering & Design for the calendar year 2022 at a cost not to exceed thirty-five thousand dollars (\$35,000.00); and

WHEREAS the Borough of Metuchen is in need of professional engineering services for the NJDOT LAIF Project; and

WHEREAS Colliers Engineering & Design, submitted a proposal dated April 5, 2022, to the Borough to render engineering services for the NJDOT LAIF Kahn's Crossing Bridge Construction Project for a cost not to exceed twenty-eight thousand eight hundred dollars and no cents (\$28,800.00); and

WHEREAS, the proposal was reviewed and evaluated, and it is the recommendation of the Borough Administrator that a contract for engineering services for the NJDOT LAIF Kahn's Crossing Bridge Construction Project be awarded to Colliers Engineering & Design of Red Bank, New Jersey consistent with the proposal submitted; and

WHEREAS, the Council of the Borough of Metuchen have reviewed the proposal and have determined it is in the best interest of Metuchen to award a contract to Colliers Engineering & Design, of Red Bank, New Jersey to render engineering services for the NJDOT LAIF Kahn's Crossing Bridge Construction Project; and

WHEREAS the cost for the proposed services shall not exceed twenty-eight thousand eight hundred dollars and no cents (\$28,800.00) without further approval by the Mayor and Borough Council; and

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

WHEREAS, the Chief Financial Officer's Certification of Funds has certified that there are sufficient funds for such contract and is available and is designated from the Capital Fund, 2022 Bond Ordinance C-04-55-938-013 for these services.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Metuchen that it hereby awards a contract to Colliers Engineering & Design, 331 Newman Springs Road, Suite 203, Red Bank, NJ 07701 on the basis of the proposal dated April 5, 2022 to provide professional engineering services to the Borough of Metuchen for the NJDOT LAIF Kahn's Crossing Bridge Construction Project and Municipally funded in an amount not to exceed two hundred seventy-two thousand dollars and no cents (\$28,800.00); and

BE IT FURTHER RESOLVED, that the Mayor and Borough officials and employees are hereby authorized to take all necessary actions in order to effectuate the terms and provisions of this Resolution, including but not limited to the execution of an Agreement in the form acceptable in contents by the Mayor and Council President.

RESOLUTION 2022-159

RESOLUTION APPROVING SUBMISSION OF GRANT APPLICATION AND EXECUTION OF GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE WAKEFIELD DRIVE, LEXINGTON DRIVE, AND CONCORD AVENUE IMPROVEMENTS PROJECT

WHEREAS, the Council of the Borough of Metuchen formally approves the grant application for the above stated project; and

WHEREAS, the Mayor and Clerk and Colliers Engineering & Design are hereby authorized to submit an electronic grant application identified as MA-2023-Wakefield Dr, Lexington Dr, and Conc-00410 to the New Jersey Department of Transportation on behalf of the Borough of Metuchen.

NOW THEREFORE BE IT RESOLVED, that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Metuchen and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

RESOLUTION 2022-160

RESOLUTION AUTHORIZING PURCHASE FROM SOMERSET COUNTY COOPERATIVE PRICING UNLEADED GASOLINE, 87 OCTANE

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

WHEREAS, this can be purchased through the Somerset County Cooperative Unleaded Gasoline, 87 Octane, Open-ended Contract #CC-0045-22, Co-operative Pricing Bid #2-SOCCP pursuant to the provisions of NJ.S.A. 40A:11-11 (5); and

WHEREAS, Somerset County Cooperative awarded the first year of a two-year contract #CC-0045-22 awarded on May 31, 2022; and

WHEREAS, this authorization of award ends on December 31, 2022; and,

WHEREAS, the maximum amount of the purchase of Unleaded Gasoline, 87 Octane fuel for the Borough of Metuchen is \$ 50,000.00 and is certified from the 2022 Adopted Budget, designated from Diesel and Gasoline Fuel Account Number 2-01-31-821-074; and

WHEREAS, the vendor chosen for award for purchase of Unleaded Gasoline, 87 Octane Fuel is National Fuel Oil, Inc., for the period of January 1, 2022, through December 31, 2022 ; and

WHEREAS, the County of Somerset, New Jersey shall be responsible for complying with the provisions of the Local Public Contracts Law (NJ.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:

I. 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, in an amount not to exceed \$ 50,000.00.

RESOLUTION 2022-161

RESOLUTION AUTHORIZING RENEWAL OF LIQUOR LICENSE

WHEREAS, the following applicant for a Club License has complied with the provisions of R.S. Title 33, Intoxicating Liquors, C.L., Alcoholic Beverage Law; and

WHEREAS, the applicant will have been investigated by the Chief of Police prior to June 27, 2022; and

WHEREAS, the proper application has been filed with New Jersey State Alcoholic Beverage Control, Tax Clearance Certificate issued, and municipal fees have been received; and

WHEREAS, no legally valid objections have been made as to why the application should not be approved.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Metuchen, that pursuant to the statute in such case made and provided that the following Club License for the period July 1, 2022 to June 30, 2023, be and the same are hereby granted to said applicant.

State License No.	Licensee & Licensed Premises	Municipal Fee Paid
1210-31-017-002	<i>Metuchen Elks Lodge 1914 87 Middlesex Avenue Metuchen, NJ 08840</i>	\$ 150

RESOLUTION 2022-162

RESOLUTION AUTHORIZING LIQUOR LICENSE RENEWAL FOR SK & SK INC. T/A BROWN STONE BAR AND GRILL WITH SPECIAL CONDITIONS

WHEREAS, on June 28, 2021, by way of Resolution No. 2021-173, the Borough of Metuchen approved with special conditions the application for renewal of a Plenary Retail Consumption License filed by SK and SK, Inc. (the Brownstone Bar and Grill), which expires on June 30, 2022; and

WHEREAS, at the request of SK and SK, Inc. (the Brownstone Bar and Grill), on March 28, 2022, by way of Resolution 2022-105, the Borough temporarily relaxed one of the special conditions of approval of the renewal of the Plenary Retail Consumption License relating to the hours of operation and sale of alcoholic beverages; and

WHEREAS, SK and SK, Inc. (the Brownstone Bar and Grill) has filed an application for a Plenary Retail Consumption license renewal: and

WHEREAS, the proper application has been filed with New Jersey State Alcoholic Beverage Control, Tax Clearance Certificate issued and the municipal fees have been received; and

WHEREAS, no formal written objections have been made to the Borough relating to the application for renewal of the liquor license; and

WHEREAS, the Borough of Metuchen Police Department has conducted a review and investigation relating to complaints received and the operations of the establishment and has recommended the continued temporary relaxation of the special condition imposed upon the hours of operation and the sale of alcoholic beverages at the establishment; and

WHEREAS, the Borough of Metuchen has determined it is in the best interest of the health safety and welfare of the Borough of Metuchen and the Community to impose special conditions on the liquor license for the period of July 1, 2022 to June 30, 2023.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Metuchen, that the following application for renewal of the Plenary Retail Consumption License for the period July 1, 2022 to June 30, 2023 be and the same is hereby approved and granted to said applicant subject to compliance with the below Special Conditions.

State License No.	Licensee & Licensed Premises	Fee Paid
<u>PLENARY RETAIL CONSUMPTION</u>		
1210-33-010-006	SK & SK Inc. T/A Brown Stone Bar and Grill 932 Middlesex Avenue	\$2,200

Special Conditions:

1. Unless the Council adopts a Resolution to permit a subsequent or permanent amendment to the License; the permission to use the outdoor area for service/consumption of alcohol shall expire on June 30, 2023.
2. Any music live or recorded shall cease in the outdoor area at 10:00 p.m., seven days a week. After 10:00 p.m., the Applicant shall keep the doors shut in order to ensure compliance with the Borough's concerns related to the outdoor area's use.
3. The speakers utilized for live or recorded music for the outdoor area shall be re-positioned to face highway 287.
4. The hours of operation and the hours of sale of alcoholic beverages at SK and SK, Inc. (Brown Stone Bar and Grill) shall be limited to and shall not be permitted beyond 12:00 A.M., seven days of the week. This specific special condition is temporarily relaxed and the hours of operation and the hours of sale of alcoholic beverages at SK and SK, Inc. (Brown Stone Bar and Grill) shall continue to be permitted consistent with Section 53-4. However, the Borough reserves the right to rescind the temporary relaxation of this special condition, upon notice and by way of further Resolution of the Council.
5. All of the prior conditions of approval for the use of the outdoor area shall be strictly complied with.

RESOLUTION 2022-163

RESOLUTION AUTHORIZING LIQUOR LICENSE RENEWAL FOR WHOLE FOODS MARKET WITH A SPECIAL CONDITION

WHEREAS, on June 28, 2021, by way of Resolution No. 2021-172, the Borough of Metuchen approved the application for renewal of a Plenary Retail Consumption License filed by Whole Foods Market of State License No. 1210-33-006-008 which expires on June 30, 2022; and

WHEREAS, Whole Foods Market has filed an application for a Plenary Retail Consumption license renewal for State License No. 1210-33-006-008 for the term of July 1, 2022 through June 30, 2023; and

WHEREAS, due to the pandemic, Whole Foods Market is not actively utilizing the liquor license, however has advised the Borough that its will be re-opening the licensed premises and utilizing the license; and

WHEREAS, the proper application has been filed with New Jersey State Alcoholic Beverage Control, Tax Clearance Certificate issued and the municipal fees have been received; and

WHEREAS, the Borough of Metuchen Police Department has conducted a review and investigation prior to June 27, 2022; and

WHEREAS, no formal written objections have been made to the Borough relating to the application for renewal of the liquor license; and

WHEREAS, the Borough of Metuchen has determined it is in the best interest of the Borough of Metuchen and the Community to impose a special condition on the liquor license for the period of July 1, 2022 to June 30, 2023.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Metuchen, that the following application for renewal of the Plenary Retail Consumption License for the period July 1, 2022 to June 30, 2023 be and the same is hereby approved and granted to said applicant subject to compliance with the below Special Condition.

State License No.	Licensee & Licensed Premises	Fee Paid
<u>PLENARY RETAIL CONSUMPTION</u>		
1210-33-006-008	Whole Foods Market 645 Middlesex Avenue Metuchen, New Jersey 08840	\$2,200

Special Condition:

1. The within renewal is subject to Whole Foods Market re-opening the licensed premises and actively utilizing the aforesaid license within sixty (60) days hereof. In the event that Whole Foods Market is unable to re-open during said time frame, it may request additional time from the Council to re-open, which permission shall not be unreasonably withheld. The within Special Condition shall expire upon Whole Foods Market's re-opening of the licensed premises and actively utilizes the license.

RESOLUTION 2022-164

RESOLUTION AUTHORIZING PROMOTION OF LIEUTENANT

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Metuchen, that **Wayne Karalevich** is hereby promoted to Lieutenant in the Metuchen Police Department for the Borough of Metuchen, Middlesex County, State of New Jersey in accordance with law, and said appointment being effective June 1, 2022.

Other New Business

Council President Delia made a motion to approve Resolution 2022-165, authorizing the payment of the Bill List in the amount of \$3,766,300.93, second by Councilmember Rasmussen, with all in favor, motion carried, 5-0.

RESOLUTION 2022-165

RESOLUTION AUTHORIZING THE PAYMENT OF THE BILL LIST

BE IT RESOLVED, by the Mayor and Council of the Borough of Metuchen that the proper warrants be drawn and all bills be paid totaling \$3,766,300.93.

Adjournment

Council President Delia made a motion to adjourn the meeting, second by Councilmember Branch, with all in favor, 5-0, the meeting was adjourned at 8:20 p.m.

Respectfully Submitted,

Deborah Zupan, RMC, Borough Clerk