

BOROUGH OF METUCHEN COUNCIL MINUTES

March 14, 2022

7:30 PM

The Regular Meeting of the Borough Council was held in the Council Chambers of Borough Hall on Monday, March 14, 2022.

The Meeting was called to order at 7:30 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 all to rise for the flag salute.

Roll Call

Mayor Busch asked for a roll call.

Present were Councilmembers Branch, Hirsch, Kandel, Koskoski, Rasmussen, Council President Delia, and Mayor Busch. Also present were Denis Murphy, Borough Attorney, Melissa Perilstein, Borough Administrator, and Deborah Zupan, Acting 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, 6-0.

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

Public Comment

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

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

Borough Council Meeting Minutes

Council President Delia made a motion to approve Borough Council Meeting Minutes of January 1, 2022, second by Councilmember Rasmussen, with all in favor, motion carried, 6-0.

Ordinance – Public Hearing

Ordinance 2022-03

Capital Ordinance Providing for the Acquisition of Land for the Site of a Future Emergency Services Center in, by and for the Borough of Metuchen, in the County of Middlesex, New Jersey

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

Ms. Zupan presented the affidavit of publication stating that said Ordinance 2022-03 had been published one time in the Home News Tribune according to law on February 25, 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, 6-0.

Council President Delia asked that Ordinance 2022-03 be read by title only.

Ms. Zupan read Ordinance 2022-03 by title only.

Mayor Busch opened the public hearing on Ordinance 2022-03.

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

Council President Delia made a motion to pass Ordinance 2022-03 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, Hirsch, Kandel, Koskoski, Rasmussen, Delia
 Nays: None

Ordinance 2022-03 was adopted, 6-0.

ORDINANCE 2022-03

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

CAPITAL ORDINANCE PROVIDING FOR THE ACQUISITION OF LAND FOR THE SITE OF A FUTURE EMERGENCY SERVICES CENTER IN, BY AND FOR THE BOROUGH OF METUCHEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

WHEREAS, the Borough Council (the “Council”) of the Borough of Metuchen, in the County of Middlesex, New Jersey (the “Borough”) has adopted a budget for the expenditure of public funds for capital purposes to give effect to general improvement programs, including the acquisition of real property; and

WHEREAS, the capital improvement appropriations have not heretofore been earmarked for specific purposes; and

WHEREAS, the Borough has reserved funds in the capital improvement appropriations for the acquisition of real property and needs to make a capital improvement appropriation for the costs of the acquisition of the real property located at 98 Essex Avenue in the Borough (the “Property”), which Property is anticipated to be used by the Borough as the site for a future Emergency Services Center; and

WHEREAS, there is money available for the costs of the acquisition of the Property in the Capital Fund Reserve for Capital Improvements of the Borough (the “Reserve for Capital Improvements”); and

WHEREAS, the Borough has determined to appropriate reserve for capital improvements funds in the amount of \$545,000 towards the costs of the acquisition of the Property.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Metuchen (not less than two thirds of all the members thereof affirmatively concurring), as follows:

Section 1. The Borough is hereby authorized to acquire the Property.

Section 2. The Borough hereby appropriates the sum of \$545,000.00 from the Reserves for Capital Improvements for the purpose of financing the costs of the acquisition of the Property.

Section 3. The acquisition of the Property described in Section 1 of this capital ordinance is a lawful capital purpose of the Borough, and no part of the cost thereof has been or shall be assessed against property specially benefited thereby. The period of usefulness of said purpose is 40 years.

Section 4. The capital budget of the Borough is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency herewith and the

resolutions promulgated by the Local Finance Board of the Division showing all detail of the amended capital budget and capital program as approved by the Director of the Division, are on file with the Clerk of the Borough and are available for public inspection.

Section 5. This capital ordinance shall take effect after final adoption and publication as required by applicable law.

Ordinance - Introduction

Ordinance 2022-04 Ordinance of the Borough of Metuchen Adopting an Amended Redevelopment Plan for the Gulton Tract Within the Borough of Metuchen, County of Middlesex, State of New Jersey

Council President Delia made a motion that Ordinance 2022-04 be introduced and be taken up on first reading, second by Councilmember Rasmussen, with all in favor, motion carried, 6-0.

Council President Delia asked that Ordinance 2022-04 be read by title only.

Ms. Zupan read Ordinance 2022-04 by title only.

Council President Delia moved that Ordinance 2022-04 be passed on first reading, be published according to law, and a public hearing be set down for Monday, March 28, 2022, second by Councilmember Rasmussen.

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

Ordinance 2022-04 was passed on first reading, 6-0, and will be published according to law.

ORDINANCE 2022-04

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

ORDINANCE OF THE BOROUGH OF METUCHEN ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR THE GULTON TRACT WITHIN THE BOROUGH OF METUCHEN, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “LRHL”), via Resolution No. 2015-226 adopted on September 8, 2015, the Borough Council of the Borough of Metuchen (the “Borough Council”) designated Block 37, Lots 5.03, 5.05, 5.12, 5.22, 6, 7.01, 7.02, 13, 14, 15.01, 16.02, 16.03, 17.01 & 17.02; Block 42, Lots 1-7; and, Block 66, Lots 1-3 as a “Non-Condensation Redevelopment Area” (the “Gulton Tract”); and

WHEREAS, the Borough Council, pursuant to Resolution #2020-50, designated the entire Borough of Metuchen, County of Middlesex, including the Gulton Tract an “Area in Need of Rehabilitation” pursuant to N.J.S.A. 40A:12A-1 et seq. (the “Rehabilitation Area”); and

WHEREAS, in order to facilitate the redevelopment of the Rehabilitation Area, the Council adopted Ordinance 2020-10 on May 26, 2020, adopting a redevelopment plan entitled “Redevelopment Plan for Rehabilitation in the Borough of Metuchen, dated March 2020, (“Original Redevelopment Plan”) after review by the Borough Planning Board (the “Planning Board”), pursuant to N.J.S.A. 40A:12A-7; and

WHEREAS, by way of Ordinance No. 2021-19, adopted on September 27, 2021, the Borough Council adopted the “Gulton Tract Redevelopment Plan” prepared by LRK, Inc., dated September 10, 2021, which superseded the 2020 Redevelopment Plan in its entirety, as it relates to the Gulton Tract only (“Gulton Tract Redevelopment Plan”), and which set forth, inter alia, the plans for the planning, development, redevelopment, and rehabilitation of the Gulton Tract; and

WHEREAS, the Borough has determined it is necessary to create more specific design standards for the redevelopment and rehabilitation of the Gulton Tract to ensure high-quality site development and building design that is appropriate and necessary given its highly visible gateway location as well as adjacent open spaces and residential areas; and

WHEREAS, the Borough has determined that adoption of an amended redevelopment plan for the Gulton Tract is necessary to incorporate these more specific design standards and has prepared an amended redevelopment plan entitled, “Amended Gulton Tract Redevelopment Plan,” prepared by LRK, Inc. (the “Amended Gulton Tract Redevelopment Plan”); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, a governing body may adopt, revise or amend a redevelopment plan; and

WHEREAS, in order to facilitate the rehabilitation and redevelopment of the Gulton Tract, the Planning Board, pursuant to N.J.S.A. 40A:12A-7, reviewed the Amended Gulton Tract Redevelopment Plan which will support and promote the adaptive reuse, rehabilitation and redevelopment of the Gulton Tract; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, the Planning Board recommended to the Borough Council that the Amended Gulton Tract Redevelopment Plan, which is on file with the Borough Clerk’s office, be adopted, as it provides for improved planning, development, redevelopment, and rehabilitation of the Gulton Tract and is consistent with the Borough Master Plan; and

WHEREAS, the Amended Gulton Tract Redevelopment Plan shall supersede the development regulations of the Borough’s Zoning Ordinance, to the extent set forth therein, and the Borough Zoning Map is hereby amended to conform with the provisions of the Amended Gulton Tract Redevelopment Plan; and

WHEREAS, the Borough Council has determined that it is in the best interest of the Borough to adopt the Amended Gulton Tract Redevelopment Plan, as recommended by the Board, to effectuate the rehabilitation and redevelopment of the Borough.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Metuchen, Middlesex County, State of New Jersey, as follows:

Section 1. The Borough hereby adopts the “Amended Gulton Tract Redevelopment Plan” to facilitate the rehabilitation and redevelopment of the Borough of Metuchen.

Section 2. The Borough Council declares and determines that said Amended Gulton Tract Redevelopment Plan meets the criteria, guidelines, and conditions set forth in N.J.S.A. 40A:12A-7, provides realistic opportunities for the rehabilitation and redevelopment of the Borough, and is otherwise in conformance with N.J.S.A. 40A:12A-1, et seq.

Section 3. The Borough Council shall have, be entitled to, and is hereby vested all power and authority granted by the aforementioned statutory provisions to effectuate the Amended Gulton Tract Redevelopment Plan.

Section 4. The Amended Gulton Tract Redevelopment Plan shall supersede the development regulations of the Borough’s Zoning Ordinance, to the extent set forth therein, and the Borough Zoning Map is hereby amended to conform with the provisions of the Amended Gulton Tract Redevelopment Plan.

Section 5. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 6. In the event any clause, section or paragraph of this Ordinance is deemed invalid or unenforceable for any reason, it is the intent of the Borough Council that the balance of the Ordinance remains in full force and effect to the extent it allows the Borough to meet the goals of the Ordinance.

Section 7. This Ordinance shall take effect after final adoption and publication according to law.

Communication Consent Agenda – Items A - F

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

- A. Receive and Accept Accessibility Committee Meeting Minutes of February 23, 2022
- B. Receive and Accept Arts Council Meeting Minutes of January 31, 2022
- C. Receive and Accept Human Relations Commission Meeting Minutes of July 6, 2021, September 7, 2021, October 5, 2021, and November 2, 2021
- D. Receive and Accept Traffic and Transportation Meeting Minutes of November 10, 2021, December 8, 2021, and January 12, 2022
- E. Receive and Accept TV and Technology Committee Meeting Minutes of December 2, 2021
- F. Receive and Accept Resignation of Amy Dees from the Shade Tree Commission

Report of Borough Administrator

- There is a resolution on tonight's agenda that deals with addressing Library heating issues. Work will begin after the resolution is passed.
- A policy decision has been made that, moving forward, only banners advertising events happening downtown or at the Plaza will be hung downtown. There is an application on our website for banner requests.
- DPW is in the process of replacing street markers and will continue throughout the Spring.

Reports of Councilmembers

Council President Delia

- The Traffic and Transportation Committee met last week. There are plans to restart the 'Slow Down in Our Town' campaign around April.
- The Accessibility Committee also met. They are planning to host more community talks, as these have been successful in the past.
- The TV and Technology Committee will be meeting later this month.

Councilmember Rasmussen

- The Environmental Commission will be meeting this week. We will be making plans for Earth Day and discussing a possible DEP grant for an electric vehicle charging station. We'd also like to remind residents to consider incorporating native plants when doing their Spring plantings to help pollinators.
- The Shade Tree Commission met earlier this month and discussed the Spring tree planting. Homeowner requests will be filled, and some trees will be planted to replace those taken down last year. Arbor Day celebration ideas were also discussed.
- The Senior Commission will meet April 13 at the Senior Center.

Councilmember Koskoski

- Councilmember Branch and I will be hosting 'Coffee with a Councilmember' this Saturday at Cai's from 10 a.m. to 12 p.m.

Councilmember Kandel

- The Historic Preservation Committee met a couple of weeks ago and discussed historic preservation issues facing the Borough, as well as the parameters of a potential historic preservation ordinance that we hope to propose for adoption in the coming year. The next meeting will be held on March 24.

Councilmember Hirsch

- No report.

Councilmember Branch

- The Recreation Commission will be meeting this Wednesday.
- The Arts Council and Human Relations Commission and presented the 'Windows of Understanding' Virtual Community Conversation last Thursday and the event was very successful. Thank you to all who participated.

Report of the Mayor

With Saint Patrick’s Day approaching, congratulations to Hailey’s Harp and Pub for being ranked the 9th best Irish Pub in New Jersey by NJ.com. Thank you to Congressman Frank Pallone, Jr. for his help with issues affecting the Borough. The passing of a recent aid bill will allow for, among other things, repaving of the Edgar School and Municipal Pool parking lot. Congressman Pallone also helped a Ukrainian resident’s sister and niece with their efforts to obtain a visa to come to the US. They will be able to come to Metuchen to live with their family, and the child will be enrolled in the Metuchen Schools.

New Business Consent Agenda – Resolutions 2022-76 to 2022-91

Council President Delia moved to approve New Business Consent Agenda Resolutions 2022-76 to 2022-91, second by Councilmember Rasmussen, with all in favor, motion carried, 6-0.

RESOLUTION 2022-76

RESOLUTION TO AMEND THE 2022 TEMPORARY BUDGET

WHEREAS, N.J.S.A. 40A:4-19 of the Local Budget Act provides that temporary appropriations shall be made for the purposes and amounts required in the manner and time therein provided.

NOW THEREFORE BE IT RESOLVED, those the following additional temporary emergency appropriations shall be made for the year 2022, effective March 14, 2022:

| | | |
|------------------------------|--------------|-------------------|
| Mayor & Council | S&W | 6,000.00 |
| METV | OE | 5,000.00 |
| Planning | S&W | 12,000.00 |
| Fire | OE | 27,000.00 |
| FICA | | 20,000.00 |
| Solid Waste Collection | | 30,000.00 |
| Celebration of Public Events | | 5,000.00 |
| Joint Insurance Fund | | 30,000.00 |
| Public Defender | S&9W | 8,000.00 |
| Solid Waste Disposal | | 2,000.00 |
| Buildings & Grounds | OE | 60,000.00 |
| | TOTAL | 205,000.00 |
| | | |
| Pool | OE | 70,000.00 |

RESOLUTION 2022-77

RESOLUTION AUTHORIZING RESERVE TRANSFERS

WHEREAS, there are unexpended balances in various 2021 appropriation reserve accounts not required for the balance of 2021; and

WHEREAS, additional sums are required for the operating expenses of other Borough accounts.

NOW THEREFORE BE IT RESOLVED, that the following transfers be approved:

| APPROPRIATION | | TRANSFER IN | TRANSFER OUT |
|----------------------------|---------------|--------------------|---------------------|
| Streets & Roads | OE | 20,000.00 | |
| Sewers | OE | 1,000.00 | |
| Administrative & Executive | OE | | 21,000.00 |
| | TOTALS | 21,000.00 | 21,000.00 |

RESOLUTION 2022-78

RESOLUTION AUTHORIZING THE BOROUGH OF METUCHEN PLANNING BOARD TO REVIEW A PROPOSED AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE GULTON TRACT WITHIN THE BOROUGH OF METUCHEN, MIDDLESEX COUNTY, STATE OF NEW JERSEY

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “LRHL”), via Resolution No. 2015-226 adopted on September 8, 2015, the Borough Council of the Borough of Metuchen (the “Borough Council”) designated Block 37, Lots 5.03, 5.05, 5.12, 5.22, 6, 7.01, 7.02, 13, 14, 15.01, 16.02, 16.03, 17.01 & 17.02; Block 42, Lots 1-7; and, Block 66, Lots 1-3 as a “Non-Condensation Redevelopment Area” (the “Gulton Tract”); and

WHEREAS, the Borough Council, pursuant to Resolution #2020-50, designated the entire Borough of Metuchen, County of Middlesex, including the Gulton Tract an “Area in Need of Rehabilitation” pursuant to N.J.S.A. 40A:12A-1 et seq. (the “Rehabilitation Area”); and

WHEREAS, in order to facilitate the redevelopment of the Rehabilitation Area, the Council adopted Ordinance 2020-10 on May 26, 2020, adopting a redevelopment plan entitled “Redevelopment Plan for Rehabilitation in the Borough of Metuchen, dated March 2020, (“Original Redevelopment Plan”) after review by the Borough Planning Board (the “Planning Board”), pursuant to N.J.S.A. 40A:12A-7; and

WHEREAS, by way of Ordinance No. 2021-19, adopted on September 27, 2021, the Borough Council adopted the “Gulton Tract Redevelopment Plan” prepared by LRK, Inc., dated September 10, 2021, which superseded the 2020 Redevelopment Plan in its entirety, as it relates to the Gulton Tract only (“Gulton Tract Redevelopment Plan”), and which set forth, inter alia, the plans for the planning, development, redevelopment, and rehabilitation of the Gulton Tract; and

WHEREAS, the Borough has determined it is necessary to create more specific design standards for the redevelopment and rehabilitation of the Gulton Tract to ensure high-quality site development and building design that is appropriate and necessary given its highly visible gateway location as well as adjacent open spaces and residential areas; and

WHEREAS, the Borough has determined that adoption of an amended redevelopment plan for the Gulton Tract is necessary to incorporate these more specific design standards and has prepared an amended redevelopment plan entitled, “Amended Gulton Tract Redevelopment Plan,” prepared by LRK, Inc. (the “Amended Gulton Tract Redevelopment Plan”); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, a governing body may adopt, revise or amend a redevelopment plan; and

WHEREAS, prior to adopting a redevelopment plan, or any amendment thereto, the proposed redevelopment plan or amendment must be referred to the Planning Board, pursuant to N.J.S.A. 40A:12A-7, for review and a determination regarding the redevelopment plan or the amendment’s consistency with the Borough’s Master Plan; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, the Borough Council hereby refers the Amended Gulton Tract Redevelopment Plan to the Planning Board for review and a determination of the Amended Gulton Tract Redevelopment Plan’s consistency with the Borough’s Master Plan.

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

1. That, pursuant to N.J.S.A. 40A:12A-7, the Borough Council does hereby authorize the Planning Board to review the “Amended Gulton Tract Redevelopment Plan” in accordance with N.J.S.A. 40A:12A-7 and to report its findings to the Governing Body within forty-five (45) days hereof.

2. This Resolution shall take effect immediately.

RESOLUTION 2022-79

**RESOLUTION AUTHORIZING AWARD OF IT AND 911 SHARED SERVICES
PROJECT MANAGEMENT**

WHEREAS, the Borough of Metuchen has entered into a shared services agreement Rutgers, The State University of New Jersey for the provision of E9-1-1- emergency communication services and radio dispatching services by way of Resolution 2022-70, on February 22, 2022; and

WHEREAS, the Borough is in need of IT and project management services to facilitate the transitioning of E-9-1-1 emergency communication services and radio dispatching services from Borough provided services to these services as provided for in the Interlocal Services Agreement for E9-1-1 Emergency Services to commence on August 1, 2022.; and

WHEREAS, TK1 Services has previously been awarded a competitive contract to provide IT and consulting services for the Borough of Metuchen, with the second one-year extension of the contract by way of Resolution 2022-46 and has provided a written quote for 911 data shared services project management, technical and data migration review, VPN setup and configurations in the amount of \$20,250.00, and

WHEREAS, the Chief Financial Officer's certification of funds is made authorizing the award for E9-1-1 and radio dispatching project management services as a result of entering into the interlocal agreement with Rutgers, The State University for E9-1-1-Emergency Communications an amount not to exceed \$20,250.00 from the 2022 Temporary Budget and 2022 Adopted Budget appropriation line Administrative & Executive Professional Services 2-01-20-702-028.

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 TK1 Solutions, LLC, PO Box 845, 298 Main Street, Suite 2A., Woodbridge, NJ 07095 in the amount of \$20,250.00.

RESOLUTION 2022-80

**RESOLUTION AUTHORIZING AWARD OF A REQUIRED DISCLOSURE WINDOW
CONTRACT FOR LIBRARY HVAC CONTROLS AND VALVE REPLACEMENTS**

WHEREAS there exists a need for repairs and upgrades to the Metuchen Library VAV controllers and replated sensors, router, air handler unit controller and heating control valves in the Borough of Metuchen, in the County of Middlesex, State of New Jersey; and

WHEREAS, the Borough of Metuchen has solicited a quote from the existing, software licensed HVAC vendor for the Metuchen Library HVAC controls and valve replacement work, using a non-fair and open, now known as required disclosure process; and

WHEREAS the amount to complete the repair and upgrades to the Library HVAC system is under the bid threshold as set by New Jersey Local Public Contracts Law N.J.S.A. 40A:11-1 et seq, but above \$17,500.00 and is subject to vendor compliance with the New Jersey Prevailing Wage Act (N.J.S.A. 34:11-56.25 et seq.), N.J.A.C. 10:5-31 et seq and N.J.A.C. 17-27; and

WHEREAS, the Chief Financial Officer's Certification of Funds is made authorizing the award for the Metuchen Library VAV controllers and replated sensors, router, air handler unit controller and heating control valves in the amount not to exceed \$42,678.90 from the 2022 Temporary and 2022 Adopted Budget appropriation line Buildings & Grounds, Building & Maintenance 2-01-26-772-024; and

WHEREAS this procurement is awarded under N.J.S.A. 19:44A20.4 et seq. using a non- fair and open (now known as required disclosure) process to Innovative Controls Group. who submitted a written quote for the Metuchen Library VAV controllers and replated sensors, router, air handler

unit controller and heating control valves for the Borough of Metuchen.

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 Innovative Controls Group, 11 Smoke Rise Lane, Annandale, NJ 08801.

RESOLUTION 2022-81

RESOLUTION AUTHORIZING THE ENTRY INTO AND THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF METUCHEN AND THE COUNTY OF MIDDLESEX FOR USE OF THE MIDDLESEX COUNTY RADIO NETWORK

WHEREAS, the County of Middlesex constructed a new p25 Phase II, 700/800 Megahertz radio network with microwave redundancy for the purpose of improving public safety and public service communications; and

WHEREAS, the Borough of Metuchen believes that the use of the Middlesex County Radio Network (“MCRN”) would be beneficial to the Borough of Metuchen; and

WHEREAS, pursuant to the Uniform Shared Services and Consolidation Act, *N.J.S.A.* 40A:65-1, et seq. (the “Act”), any local unit may, by the adoption of a resolution of its governing body, enter into an agreement with any other local unit or units to provide or receive any service that each unit participating in the agreement is empowered to provide or receive within its own jurisdiction and that such agreement between the local units for the provision of shared services shall be entered pursuant to the Act; and

WHEREAS, Middlesex County has offered to provide the Borough of Metuchen the use of the MCRN; and

WHEREAS, the Borough of Metuchen has determined that it is in the best interest of the Borough and to utilize the MCRN by way of a shared services agreement with the County of Middlesex; and

WHEREAS, Metuchen and the County of Middlesex have negotiated the terms and conditions of a shared services agreement, entitled “Middlesex County Shared Radio Network Agreement” wherein the County of Middlesex would provide the Borough of Metuchen with the ability to use the MCRN for a period of seven (7) years at no cost to the Borough under the terms and conditions of the Middlesex County Shared Radio Network Agreement; and

WHEREAS, the Borough of Metuchen has determined that it is in the best interest of the Borough for the Borough to use the Middlesex County Radio Network and to enter into the Middlesex County Shared Radio Network Agreement to memorialize the provision and receipt of shared services between the Borough and County.

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Metuchen that it hereby authorizes the entry into and the execution of the Middlesex County Shared Radio Network Agreement for the shared service of the use of the Middlesex County Radio Network in general conformity with the terms and conditions set out in the proposed Middlesex County Shared Radio Network Agreement; and

BE IT FURTHER RESOLVED, by the Council of the Borough of Metuchen that it hereby authorizes all Borough officials to take all necessary actions in order to effectuate the within resolution and the Middlesex County Shared Radio Network Agreement, including but not limited to the Mayor and Acting Clerk are hereby authorized to execute the Middlesex County Shared Radio Network Agreement on behalf of the Borough of Metuchen in a final form acceptable to the Mayor and Borough Administrator.

RESOLUTION 2022-82

**RESOLUTION AUTHORIZING THE EXTENSION OF
COMPETITIVE CONTRACT FOR A POOL CONCESSION CONTRACT
FOR A TERM OF ONE YEAR**

WHEREAS, the Borough of Metuchen issued a competitive contract bid notice for the granting of a concession for the Borough of Metuchen Pool Snack Bar utilizing a fair and open process wherein sealed bids were received on March 17, 2021; and

WHEREAS, by way of Resolution No. 2021-103, the Borough of Metuchen authorized an award of a concession for the Metuchen pool snack bar to FBJ Investments dba Fresco by Jimmy for the calendar year 2021); and

WHEREAS the contract between the Borough and FBJ Investments dba Fresco by Jimmy contained a term of one year and the Borough reserved the option to extend the term for one (1) year periods pursuant to *N.J.S.A. 40A:11-15*; and

WHEREAS, the Borough of Metuchen had determined that the Metuchen pool snack bar concession services for the Borough were being performed in an effective and efficient manner and that the Borough extended the term of contract between the Borough of Metuchen and FBJ Investments dba Fresco by Jimmy for the calendar year 2022.

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Metuchen that it hereby authorizes the extension of competitive contract concession for Metuchen Pool snack bar Services with FBJ Investments dba Fresco by Jimmy for the calendar year 2022; and

BE IT FURTHER RESOLVED, by the Council of the Borough of Metuchen that the Mayor and Borough Clerk are hereby authorized and directed to execute an agreement or amendment to the existing agreement, if necessary, with FBJ Investments dba Fresco by Jimmy, 456 Main Street, Metuchen, NJ 08840 consistent with the terms of the within Resolution, the current agreement and the proposal submitted to the Borough; and

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

RESOLUTION 2022-83

**RESOLUTION AUTHORIZING THE EXTENSION OF AWARDED CONTRACT FOR
FIRE APPARATUS SERVICE AND REPAIR FOR A TERM OF ONE YEAR**

WHEREAS, the Borough of Metuchen issued a bid notice for the retention of Fire Apparatus Service and Repair for 2021 utilizing a fair and open process wherein sealed bids were received on March 11, 2021; and

WHEREAS, by way of Resolution No. 2021-101, the Borough of Metuchen authorized an award of contract for fire apparatus service and repair to Fire and Safety Services for the calendar year 2021 in an amount not to exceed Twenty-seven Thousand Dollars (\$27,000.00); and

WHEREAS, the contract between the Borough and Fire and Safety Services. contained a term of one year and the Borough reserved the option to extend the term for one (1) year periods pursuant to *N.J.S.A. 40A:11-15*; and

WHEREAS, the Borough of Metuchen has determined that the fire apparatus service and repair services of Fire and Safety Service. for the Borough are being performed in an effective and efficient manner and that the Borough wishes to extend the term of contract between the Borough of Metuchen and Fire and Safety Service. for a one-year contract extension for the calendar year 2022; and

WHEREAS, the Chief Financial Officer has certified sufficient available funds available for the award of the within contract extension for the calendar year 2022 Temporary Budget and Adopted

2022 Budget, from account Fire Department Vehicle Maintenance and Repair, 2-01-25-752-025 in the amount not to exceed \$ 27,000.00.

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Metuchen that it hereby authorizes the extension of an awarded contract for Fire Apparatus Service and Repair with Fire and Safety Services for the calendar year 2022 for an amount not to exceed Twenty-seven Thousand Dollars (\$27,000.00); and

BE IT FURTHER RESOLVED, by the Council of the Borough of Metuchen that the Mayor and Borough Clerk are hereby authorized and directed to execute an agreement or amendment to the existing agreement, if necessary, with Fire and Safety Services, 200 Ryan Street, South Plainfield, NJ 07080 consistent with the terms of the within Resolution, the current agreement and the proposal submitted to the Borough; and

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

RESOLUTION 2022-84

**RESOLUTION AUTHORIZING THE EXTENSION OF AWARDED
CONTRACT FOR MUNICIPAL POOL MAINTENANCE SERVICES
FOR A TERM OF ONE YEAR**

WHEREAS, the Borough of Metuchen issued a bid notice for the retention of Municipal Pool Maintenance for the Municipal Pool for 2021 Services utilizing a fair and open process wherein sealed bids were received on March 11, 2021; and

WHEREAS, by way of Resolution No. 2021-102, the Borough of Metuchen authorized an award of contract for Municipal Pool Maintenance Contract services to Aquatic Service, Inc. for the calendar year 2021 in an amount not to exceed Thirty-five Thousand Two Hundred Forty-one Dollars and Twenty Cents (\$35,241.20) for work in specification of de-winterizing and winterization of pools, and emergency service with the contract minimum of Eight Thousand Five Hundred Twenty-one Dollars and Seventy-five Cents (\$8,521.75); and

WHEREAS, the contract between the Borough and Aquatic Service, Inc. contained a term of one year and the Borough reserved the option to extend the term for one (1) year periods pursuant to *N.J.S.A. 40A:11-15*; and

WHEREAS, the Borough of Metuchen has determined that the municipal pool maintenance contract services of Aquatic Service, Inc. for the Borough are being performed in an effective and efficient manner and that the Borough wishes to extend the term of contract between the Borough of Metuchen and Aquatic Service, Inc. for a one-year contract extension for the calendar year 2022, with the statutorily permitted Index Rate increase of 5% for the 2022 contract price; and

WHEREAS, the Chief Financial Officer has certified sufficient available funds available for the award of the within contract extension for the calendar year 2022 Temporary Pool Utility Budget and Adopted 2022 Pool Utility Budget, from account Pool Maintenance, 2-09-55-501-508 in the amount of \$ 45,950.90 for municipal pool maintenance service, and \$8,947.84 for emergency services from account Pool Maintenance 2-09-55-501-5082-01-25-745-028.

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Metuchen that it hereby authorizes the extension of an awarded contract for Municipal Pool Maintenance Contract Services with Aquatic Service, Inc. for the calendar year 2022 for an amount not to exceed a grand total of Fifty-four Thousand Eight Hundred Ninety-eight Dollars and Seventy-four Cents (\$54,898.74); and

BE IT FURTHER RESOLVED, by the Council of the Borough of Metuchen that the Mayor and Borough Clerk are hereby authorized and directed to execute an agreement or amendment to the existing agreement, if necessary, with Aquatic Service, Inc., 550 Hartle Street,

Suite F, Sayreville, NJ 08872 consistent with the terms of the within Resolution, the current agreement and the proposal submitted to the Borough; and

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

RESOLUTION 2022-85

RESOLUTION INTRODUCING AND APPROVING THE SPECIAL IMPROVEMENT DISTRICT/METUCHEN DOWNTOWN ALLIANCE BUDGET FOR 2022

WHEREAS, by way of Ordinance No, 2016-10, the Borough of Metuchen created a Special Improvement District and designated the Metuchen Downtown Alliance as the District Management Corporation as defined in N.J.S.A. 40:56-66(c) for the Special Improvement District; and

WHEREAS, the Metuchen Downtown Alliance submitted to the Mayor and Council a proposed budget for the Year 2022 for consideration and approval; and

WHEREAS, the Mayor and Council of the Borough of Metuchen deem it in the best interest of the Borough to introduce and approve the Metuchen Downtown Alliance proposed budget for 2022 for the Special Improvement District, and to fix the time and place for the holding of a public hearing upon the budget.

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Metuchen that the following statements of revenues and appropriations shall constitute the Metuchen Downtown Alliance Budget for the Special Improvement District for the Year 2022:

GENERAL REVENUE

| | |
|---|---------------------|
| Special Improvement District Contribution | \$250,000.00 |
| Borough Contribution | \$ 75,000.00 |
| Contributions | \$ 5,000.00 |
| Grants | <u>\$ 25,000.00</u> |
| Total General Revenue | \$355,000.00 |

GENERAL APPROPRIATIONS

| | |
|---|---------------------|
| Total Program Expenses | \$201,084.00 |
| Total General and Administrative Expenses | \$136,166.00 |
| Addition to Reserve | <u>\$ 17,750.00</u> |
| Total Appropriations plus Addition to Reserve | \$355,000.00 |

BE IT FURTHER RESOLVED, that said Budget shall be published in the Home News Tribune prior to the public hearing to be conducted on April 25, 2022 at 7:30 p.m.

BE IT FURTHER RESOLVED, that at the public hearing on said Budget comments and objections to said Budget for the Year 2022 may be presented by Special Improvement District taxpayers, the Metuchen Downtown Alliance Members, or other interested persons or entities.

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Metuchen that upon the final adoption of the Special Improvement District/Metuchen Downtown Alliance Budget set forth above, it shall constitute an appropriation for the purposes stated in the sums thereof as appropriations in the amount thereof.

RESOLUTION 2022-86

RESOLUTION REAPPOINTING ACTING BOROUGH CLERK

BE IT RESOLVED, by the Borough Council of the Borough of Metuchen that Deborah Zupan is hereby reappointed as the Acting Municipal Clerk for the Borough of Metuchen, for a term of one (1) year commencing March 19, 2022 conditioned upon the approval of the Director of the Division of Local Government Services pursuant to *N.J.S.A. 40A:9-133 (c)*.

RESOLUTION 2022-87

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

WHEREAS, the Mayor of Metuchen has recommended that the following individual be appointed to the following Borough of Metuchen Board, Committee, or Commission.

NOW THEREFORE BE IT RESOLVED, that the Borough Council of Metuchen hereby confirms the appointment to the following listed Borough of Metuchen Board, Committee, or Commission.

Ken Sammond, Shade Tree Commission, unexpired term ending 12/31/2024

RESOLUTION 2022-88

**RESOLUTION AUTHORIZING THE AWARD AND EXECUTION OF A CONTRACT
FOR GRANT WRITING SERVICES TO MILLENNIUM STRATEGIES LLC**

WHEREAS, the Borough of Metuchen has determined that it is necessary to retain the services of a Grant Writer for the Borough of Metuchen; and

WHEREAS, the Local Public Contracts Law, *N.J.S.A. 40A:11-4.1 et seq.*, provides for the utilization of a process called competitive contracting in lieu of public bidding for procurement of specific goods and or services, such as Grant Writing services; and

WHEREAS, pursuant to *N.J.S.A.11-4-3(a)*, by way of Resolution No. 2022-47, the Borough Council authorized the use of competitive contracting for the procurement of Grant Writing Services for the Borough of Metuchen; and

WHEREAS, the Borough of Metuchen prepared, issued, and publicly advertised a Notice of a Request for Proposals for the provision of Grant Writing Service for the Borough of Metuchen; and

WHEREAS, the Borough received two (2) proposals to provide Grant Writing Services to Metuchen; and

WHEREAS, Metuchen through a Committee comprised of the Borough Administrator and the Director of Special Projects and the QPA evaluated the proposals submitted based upon the criteria set forth in the RFP and have determined and recommended the award of contract to Millennium Strategies LLC for the provision of Grant Writing Services in the total amount not to exceed Thirty-seven Thousand Two Hundred dollars (\$37,200.00 for grant writing services, with a provision for grant administration at an amount not to exceed Four Thousand Eight Hundred Dollars (\$4,800.00), making the maximum award to Forty-two Thousand Dollars (\$42,000.00); and

WHEREAS, the Mayor and Council of the Borough of Metuchen have determined that it to be in the best interest of Metuchen to authorize the award of contract for Grant Writing Services to Millennium Strategies LLC; and

WHEREAS, the maximum amount for Grant Writing Services for the Borough of Metuchen is \$ 42,000.00 and that the Chief Financial Officer certifies that there are sufficient funds for such award and is available and is designated from 2022 Temporary Budget and 2022

Adopted Budget Current Fund appropriation Administrative & Executive, Professional Services 2-01-20-701-028.

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Metuchen that it hereby authorizes the award of contract for Grant Writing Services to Millennium Strategies LLC for a total amount not to exceed Forty-two Thousand Dollars (\$ 42,000.00) broken down into two categories Grant Writing in the amount not to exceed Thirty-seven Thousand Two Hundred Dollars (\$37,200.00) and Grant Administration in an amount not to exceed Four Thousand Eight Hundred Dollars (\$4,800.00); and

BE IT FURTHER RESOLVED, by the Council of the Borough of Metuchen that the Mayor and Borough Clerk are hereby authorized and directed to execute an agreement, with Millennium Strategies, LLC, 60 Columbia Road, Building B, Suite 230, Morristown, NJ 07960 consistent with the terms of the within Resolution, the RFP and the proposal submitted to the Borough; and

BE IT FURTHER RESOLVED, that the Borough Administrator, and other officials and employees are hereby authorized to take all necessary actions in order to effectuate the terms and provisions of this Resolution and the award and implementation of the contract awarded herein; and

BE IT FURTHER RESOLVED, that the within contract was awarded pursuant to a “Fair and Open Process” pursuant to New Jersey Local Unit Pay-To-Play Law (N.J.S.A. 19:44A-20.4, et. seq.).

RESOLUTION 2022-89

**RESOLUTION AUTHORIZING THE BOROUGH OF METUCHEN
TO ENTER INTO THE NEW JERSEY COOPERATIVE PURCHASING ALLIANCE
COOPERATIVE PRICING AGREEMENT**

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the County of Bergen, hereinafter referred to as the “Lead Agency ” has offered voluntary participation in the New Jersey Cooperative Purchasing Alliance # CK04- a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, on March 14, 2022, the governing body of the Borough of Metuchen, County of Middlesex, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services.

NOW THEREFORE BE IT RESOLVED, as follows:

TITLE

This resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Metuchen.

AUTHORITY

Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Qualified Purchasing Agent on behalf of the Borough of Metuchen is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency 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 of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

RESOLUTION 2022-90

RESOLUTION OF THE BOROUGH OF METUCHEN AUTHORIZING THE AWARD OF A PROPRIETARY CONTRACT FOR AN ANNUAL SUPPORT AND LICENSE AGREEMENT FOR THE TAX ASSESSOR'S REPORTING SOFTWARE

WHEREAS, it is the recommendation of the Metuchen Borough Tax Assessor, Borough Administrator, and Qualified Purchasing Agent that the Borough award a proprietary contract for an annual support and license agreement for the tax assessor's reporting software; and

WHEREAS, a proposal was received by the Tax Assessor from BRT Technologies, 22 Birchwood Lane, Mantua, New Jersey 08051 in the amount of \$295.00 per month for an initial 12-month term; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(dd) this purchase can be awarded without competitive bidding; and

WHEREAS, the maximum amount for annual support and licensing agreement for the tax assessor's reporting software for the Borough of Metuchen is \$3,540.00 and that the Chief Financial Officer certifies that there are sufficient funds for such award and is available and is designated from 2022 Temporary Budget and 2022 Adopted Budget Current Fund appropriation Tax Assessment, Professional Services 2-01-20-710-028 in an amount not to exceed \$3,540.00.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of Metuchen, in the County of Middlesex, that the Mayor and the Chief Financial Officer and Borough Administrator are hereby authorized and directed to approve and forward a purchase order to BRT Technologies, 22 Birchwood Lane, Mantua, New Jersey 08051 in the amount of \$295.00 per month for an initial 12-month term for an annual support and license agreement for the Tax Assessor's reporting software.

RESOLUTION 2022-91

RESOLUTION AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, the Borough of Metuchen is the owner of certain surplus property described on Schedule A which is no longer needed for public use; and

WHEREAS, the Borough of Metuchen intends to utilize the online auction services of Municibid located at municibid.com; and

WHEREAS, the sales are being conducted pursuant to NJSA 40A:11—26 and the guidance set forth in the Division of Local Government Services' Local Finance Notice 2021-18.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Metuchen, County of Middlesex, State of New Jersey, that the Borough of Metuchen is hereby authorized to sell the surplus personal property as follows as follows:

- (1) The sale of the surplus property shall be conducted through Municibid pursuant to the New Jersey State Contract 19-GNSV1-00696/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with Municibid is available online at municibid.com and available from the Borough of Metuchen.
- (2) The surplus property as identified shall be sold in an "as-is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (3) The Borough of Metuchen reserves the right to accept or reject any bid submitted.

Schedule A

| <u>YEAR</u> | <u>MAKE</u> | <u>MODEL</u> | <u>VIN#</u> |
|--------------------|--------------------|---------------------|--------------------|
| 1993 | WGM | N/A | 4V2DCFME3PN668130 |
| 1995 | WHI | N/A | 4V2DCFBE4SN691671 |
| 1997 | NAVISTAR | SA49540 | 1HTSDAAR7WH557596 |
| 2000 | FORD | EXPLORER | 1FMZU72EOYZC41394 |
| 2001 | CRANE CARRIER | LET-2 | 1CYCCG4811T045413 |
| 2002 | DODGE | RAM | 3B6MF36502M309699 |
| 2003 | FORD | F313 | 1FTSF31L63ED84178 |
| 2005 | AUTOCAR | WX6 | 5VCDC6MF15H201671 |
| 2005 | AUTOCAR | WX64 | 5VCDC6MFX5H201670 |
| 2006 | FORD | F31 | 1FTWF315X6EA68225 |

Other New Business

Council President Delia made a motion to approve Resolution 2022-92, authorizing the payment of the Bill List in the amount of \$9,023,013.72, second by Councilmember Rasmussen, with all in favor, motion carried, 6-0.

RESOLUTION 2022-92

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 \$9,023,013.72.

Adjournment

Council President Delia made a motion to adjourn the meeting, second by Councilwoman Rasmussen, with all in favor, 6-0, the meeting was adjourned at 8:06 p.m.

Respectfully Submitted,

Deborah Zupan
Acting Borough Clerk