

**BOROUGH COUNCIL AGENDA  
REGULAR MEETING DECEMBER 11, 2023  
7:30 P.M.**

Reading Of Sunshine Notice

Flag Salute

Roll Call

Agenda Session

Public Comment

Borough Council Meeting Minutes

Approval of Borough Council Meeting Minutes of October 2, 2023

Approval of Borough Council Meeting Minutes of October 26, 2023

Communications Consent Agenda – Item A

A. Receive and Accept Library Board Meeting Minutes of November 14, 2023

Ordinance – Public Hearing

Ord. 2023-31

ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN PROPERTY IDENTIFIED AS BLOCK 183.2, LOT 5.2 (304 MAIN STREET) IN THE BOROUGH OF METUCHEN, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY FOR PUBLIC PURPOSE PURSUANT TO N.J.S.A. 40A:12A-8 and N.J.S.A. 20:3-1, ET SEQ.

Report of the Borough Administrator

Reports Of Council Members

Report of the Mayor

New Business Consent Agenda – Resolutions 2023-287 to 2023-302

- R2023-287 RESOLUTION FOR 2023 BUDGET TRANSFERS
- R2023-288 RESOLUTION TO CANCEL 2023 BUDGET APPROPRIATIONS
- R2023-289 RESOLUTION AUTHORIZING CANCELLATION OF FUNDED CAPITAL ORDINANCE BALANCES
- R2023-290 RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR DEVELOPERS' FEES - HOUSING TRUST FUNDS PL 1985 C.222 AND NJS 52:27D-320
- R2023-291 RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR OLDER AMERICANS ACT - PROGRAM CONTRIBUTIONS NJSA 40A:5-29
- R2023-292 RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR OUTSIDE EMPLOYMENT OF OFF-DUTY MUNICIPAL OFFICERS LFN 2000-14
- R2023-293 RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87 – DRIVE SOBER
- R2023-294 RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87 – NATIONAL OPIOID SETTLEMENT
- R2023-295 RESOLUTION AUTHORIZING CHANGE ORDER #1 AND FINAL PRICE INCREASE FOR CLASS 5-8 CHASSIS WITH RELATED EQUIPMENT
- R2023-296 RESOLUTION TO CANCEL STATE DATED CHECKS
- R2023-297 RESOLUTION AUTHORIZING THE INTERLOCAL AGREEMENT WITH MIDDLESEX COUNTY FOR PUBLIC HEALTH SERVICES

- R2023-298 RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR BOILER REPLACEMENT SERVICES AT BOROUGH HALL THROUGH HUNTERDON COUNTY EDUCATIONAL SERVICE COMMISSION COOPERATIVE PURCHASING PROGRAM
- R2023-299 RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR PAINTING SERVICES AT BOROUGH HALL THROUGH HUNTERDON COUNTY EDUCATIONAL SERVICE COMMISSION COOPERATIVE PURCHASING PROGRAM
- R2023-300 RESOLUTION AUTHORIZING SOMERSET COUNTY COOPERATIVE CONTRACT FOR EQUIPMENT AND TOOL RENTAL
- R2023-301 RESOLUTION AUTHORIZING STATE CONTRACT FOR BODY WORN CAMERAS
- R2023-302 RESOLUTION AUTHORIZING RELEASE OF LANDSCAPING/ENGINEERING BOND 62 CHARLES STREET, LANDSCAPING/ ENGINEERING ONLY KATHERINE MILLER - PGL2112811

Other New Business

- R2023-303 RESOLUTION AUTHORIZING THE PAYMENT OF THE BILL LIST IN THE AMOUNT OF \$5,015,097.30

Adjournment

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

**ORDINANCE 2023-31**

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

**ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN PROPERTY IDENTIFIED AS BLOCK 183.2, LOT 5.2 (304 MAIN STREET) IN THE BOROUGH OF METUCHEN, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY FOR PUBLIC PURPOSE PURSUANT TO N.J.S.A. 40A:12A-8 and N.J.S.A. 20:3-1, ET SEQ.**

**WHEREAS**, the Borough of Metuchen (the “Borough”) wishes to acquire a certain property along Main Street for public purpose; and

**WHEREAS**, the property known as Block 183.2, Lots 5.2, 6, 7 and 8 (304 Main Street) (the “Property”) on the Tax Map of the Borough of Metuchen is desired by the Borough to be used for the Expanded Metuchen Art District; and

**WHEREAS**, if the Borough is unable to acquire the property for fair market value through good faith negotiations, the Borough wishes to exercise its rights pursuant to N.J.S.A. 20:3-1 et seq. and N.J.S.A. 40A:12A-8; and

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

- A. The Borough is authorized to engage in good faith negotiations with the owner of the Property for the acquisition of the Property at fair market value; and
- B. If the parties can agree to a fair market value acquisition of the Property, the Mayor of the Borough is authorized to execute all necessary documentation to effectuate same; and
- C. If the parties cannot agree to a fair market purchase price, the Borough is authorized to commence eminent domain and/or condemnation proceedings to acquire the Property using the processes approved in N.J.S.A. 20:3-1 et seq. and N.J.S.A. 40A:12A-8; and
- D. The Mayor of the Borough is duly authorized to execute any and all documents and affidavits related to the legal proceedings involved in acquiring the Property; and
- E. The Borough Attorney or special counsel and such other appropriate officials as necessary be and are hereby authorized to acquire said land interests, either by negotiation or by instituting action by exercising the Borough's right of eminent domain (condemnation); and
- F. The Borough Attorney and other appropriate officials be and are hereby authorized to hire and employ such appraisers, consultants and experts as may be appropriate to effectuate said acquisitions, whether by negotiation or eminent domain proceedings, and to pay said consultants and experts a reasonable fee for their services; and

G. The Borough Council of the Borough of Metuchen authorizes the filing of a Declaration of Taking in relation to acquiring the Property as required under the applicable statute; and

If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared severable.

All other ordinances in conflict or in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereby shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

This Ordinance shall take effect immediately upon second reading, final passage and publication as required by law.

Introduction: November 27, 2023

Date of Publication: December 1, 2023

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

I hereby certify the foregoing to be a true copy of an ordinance introduced by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on November 27, 2023.

\_\_\_\_\_  
Deborah Zupan, RMC  
Borough Clerk

Adopted:

Date of Publication:

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

I hereby certify the foregoing to be a true copy of an ordinance introduced by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on December 11, 2023.

\_\_\_\_\_  
Deborah Zupan, RMC  
Borough Clerk

ATTEST:

BOROUGH OF METUCHEN

\_\_\_\_\_  
Deborah Zupan, RMC  
Borough Clerk

By: \_\_\_\_\_  
Jonathan M. Busch  
Mayor

**RESOLUTION 2023-287**

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

**RESOLUTION FOR 2023 BUDGET TRANSFERS**

**WHEREAS**, there are unexpended balances in various 2023 appropriation accounts not required for the balance of 2023; 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:

<b>Appropriation</b>		<b>From</b>	<b>To</b>
Police	OE		5,000.00
Office of Emergency Management	S&W		4,500.00
Police	S&W	9,500.00	
Buildings & Grounds	OE		6,000.00
Sewers	S&W		6,000.00
FICA			5,000.00
Parks & Playgrounds	S&W		2,000.00
Planning	S&W	10,000.00	
Financial Administration	S&W	9,000.00	
Forestry	OE	6,000.00	
Buildings & Grounds	OE		6,000.00
<b>TOTALS</b>		<b>\$34,500.00</b>	<b>\$34,500.00</b>

**RESOLUTION 2023-288**

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

**RESOLUTION TO CANCEL 2023 BUDGET APPROPRIATIONS**

**WHEREAS**, the following Current Fund budget appropriation balances remain unexpended; and

Interest on Bonds	\$283.99
Interest on Notes	\$23,315.74

**WHEREAS**, it is necessary to formally cancel said balances so that the unexpended balances may be credited to Surplus.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Metuchen that the above listed unexpended balances totaling \$23,599.73 be cancelled to the Current Fund.

**RESOLUTION 2023-289**

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

**RESOLUTION AUTHORIZING CANCELLATION OF FUNDED CAPITAL  
ORDINANCE BALANCES**

**WHEREAS**, there existed various funded capital improvement projects with remaining balances available for cancellation, and

**WHEREAS**, it is necessary to formally cancel said balances so that the unexpended balances may be returned to Capital Fund Balance;

**NOW THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of New Jersey, that the following funded capital ordinance balances be cancelled to Fund Balance in the amount of \$470,277.20.

Ordinance		Balance
00-7	Various	2,680.50
02-1/04-11	Construct Munic Bldg	848.72
03-9	Tea-21	1,499.83
04-5	Various	195.52
05-4	Various	251.45
06-05	Various	594.98
07-3	Various	224.97
08-7	Various	1,029.70
10-3	Various	3,816.21
11-7	Various	10,134.49
12-4	Various	1,703.78
13-9	Various	4,973.20
14-9	Various	54,977.37
16-17	Various	34,199.42
17-17	Various	71,991.50
18-12	Various	51,494.53
19-10	Various	229,661.03

**RESOLUTION 2023-290**

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

**RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION  
BY RIDER FOR DEVELOPERS' FEES - HOUSING TRUST FUNDS  
PL 1985 C.222 AND NJS 52:27D-320**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

**WHEREAS**, the Borough of Metuchen provides for receipt of Developers Fees - Housing Trust Funds (PL 1985 c.222 and NJS 52:27D-320) by the municipality to provide for the operating costs to administer this act; and,

**WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Developers Fees - Housing Trust Funds (PL 1985 c.222 and NJS 52:27D-320) are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the future Developers Fees - Housing Trust Funds (P L 1985 c.222 and NJS 52:27D-320) in accordance with NJSA 40A:12A-3
2. The Clerk of the Borough of Metuchen, County of Middlesex name is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

**RESOLUTION 2023-291**

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

**RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION  
BY RIDER FOR OLDER AMERICANS ACT - PROGRAM CONTRIBUTIONS  
NJSA 40A:5-29**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

**WHEREAS**, the Borough of Metuchen provides for receipt of Older Americans Act - Program Contributions (NJSA 40A:5-29) by the municipality to provide for the operating costs to administer this act; and

**WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Older Americans Act - Program Contributions (NJSA 40A:5-29) which said revenue is dedicated by statute or other legal requirement.

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the future Older Americans Act - Program Contributions (NJSA 40A:5-29) in accordance with NJSA 40A:12A-3
2. The Clerk of the Borough of Metuchen, County of Middlesex name is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

**RESOLUTION 2023-292**

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

**RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION  
BY RIDER FOR OUTSIDE EMPLOYMENT OF OFF-DUTY MUNICIPAL OFFICERS  
LFN 2000-14**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

**WHEREAS**, the Borough of Metuchen provides for receipt of Outside Employment of Off-Duty Municipal Officers LFN 2000-14 by the municipality to provide for the operating costs to administer this act; and

**WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Outside Employment of Off-Duty Municipal Officers LFN 2000-14 which said revenue is dedicated by statute or other legal requirement.

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the future Outside Employment of Off-Duty Municipal Officers LFN 2000-14 in accordance with NJSA 40A:12A-3
2. The Clerk of the Borough of Metuchen, County of Middlesex name is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

**RESOLUTION 2023-293**

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

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND  
APPROPRIATION  
NJS 40A:4-87**

**WHEREAS**, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Metuchen in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget in the year 2023 in the sum of \$7,000.00, which is now available from the State of New Jersey Highway Traffic Safety 2023 Drive Sober or Get Pulled Over Year End Holiday Crackdown Grant in the amount of \$7,000.00.

**BE IT FURTHER RESOLVED** that the like sum of \$7,000.00 is hereby appropriated under the caption State of New Jersey Highway Traffic Safety 2023 Drive Sober or Get Pulled Over Year End Holiday Crackdown Grant; and

**BE IT FURTHER RESOLVED** that the above is the result of funds from State of New Jersey Highway Traffic Safety 2023 Drive Sober or Get Pulled Over Year End Holiday Crackdown Grant in the amount of \$7,000.00.

**RESOLUTION 2023-294**

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

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND  
APPROPRIATION  
NJS 40A:4-87**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount.

**NOW, THEREFORE, BE IT RESOLVED.**, that the Mayor and Council of the Borough of Metuchen in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget in the year 2023 in the sum of \$841.75 National Opioid Settlement.

**BE IT FURTHER RESOLVED** that the like sum of \$841.75 is hereby appropriated under the caption National Opioid Settlement; and

**BE IT FURTHER RESOLVED** that the above is the result of funds from National Opioid Settlement Fund in the amount of \$841.75.

**RESOLUTION 2023-295**

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

**RESOLUTION AUTHORIZING CHANGE ORDER #1 AND FINAL PRICE  
INCREASE FOR CLASS 5-8 CHASSIS WITH RELATED EQUIPMENT**

**WHEREAS**, by way of Resolution 2021-267, the Mayor and Council of the Borough approved the award for a Peterbilt 520 Tandem Axel Dual Drive cab and chassis to meet specifications for mounting a Labrie automated side loader; and

**WHEREAS**, the award was made to Hunter Jersey Peterbilt through Sourcewell, formerly known as the National Joint Powers Alliance (NJPA) a National Cooperative Purchasing Program, contract #060920-PMC in an amount not to exceed \$168,480.00; and

**WHEREAS**, on November 8, 2023, Hunter Jersey Peterbilt submitted a revised invoice to the Borough with an increase in the amount of **\$11,296.00** global supply chain surcharge; and

**WHEREAS**, the increase to the Borough for Final Change Order is **\$11,296.00**, changing the total award to \$179,776.00 with funds available in the 2021 Capital Bond Ordinance, Account C-04-55-937-001 as certified by the Chief Finance Officer and that there are sufficient funds for such award in the amount not to exceed one hundred seventy nine thousand seven hundred seventy six dollars and no cents (\$179,776.00).

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Metuchen that the proper officials are hereby authorized to execute the said Final Change Order.

**RESOLUTION 2023-296**

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

**RESOLUTION TO CANCEL STATE DATED CHECKS**

**WHEREAS**, Various bank accounts have checks written against balances on deposit that are stale as listed below:

CURRENT					
40288	3,200.00	2595	17,725.22	45635	250.00
40964	225.07	43778	56.85	45843	552.56
41628	95.00	43942	200.00	45938	902.50
41717	1,500.00	45489	300.00	46162	7,475.75
2596	164.00	45604	549.39	46163	200.00
46244	3,388.55	46495	150.00	47069	253.50
3034	312,825.00	47060	160.00	47248	3,212.30

RECREATION		POOL		ESCROW	
2677	1,008.00	4416	156.18	10089	499.90
2773	65.00			10799	546.50
2776	65.00			10939	200.00
2795	95.00			10943	500.00
2829	65.00			10978	150.00
2850	65.00			11065	125.00
2861	65.00			11232	304.00
2864	125.00			11271	500.00
2882	65.00			11370	892.50
2903	95.00			11372	810.00
2964	65.00			11476	500.00

**WHEREAS**, it is the recommendation by the Borough Auditors to cancel the stale dated checks to the named fund.

**NOW, THEREFORE, BE IT RESOLVED** that the listed stale dated checks be canceled to the above described funds.

**RESOLUTION 2023-297**

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

**RESOLUTION AUTHORIZING THE INTERLOCAL AGREEMENT WITH  
MIDDLESEX COUNTY FOR PUBLIC HEALTH SERVICES**

**WHEREAS**, the County has created the Middlesex County Department of Public Health pursuant to N.J.S.A. 26:3A2-1 *et seq.* to provide an array of public health services; and

**WHEREAS**, the Borough of Metuchen is desirous of contracting with the County for by the County to the Municipality health services of a technical and professional nature as more fully set forth below:

1. The County shall provide properly licensed personnel within the territorial jurisdiction of the Borough of Metuchen, to carry out the following public health activities:
  - a. ADMINISTRATION
  - b. HEALTH EDUCATION
  - c. COUNTY ENVIRONMENTAL HEALTH ACT (CEHA)  
ENVIRONMENTAL PROGRAMS
  - d. PUBLIC HEALTH NURSING
  - e. PUBLIC HEALTH INSPECTION
  - f. EPIDEMIOLOGY AND BIOTERRORISM
2. All of the above-mentioned activities shall be provided in accordance with the Public Health Practice Standards of Performance for Local Boards of Health in New Jersey as set forth in N.J.A.C. Title 8:52-1.1 *et seq.* and the regulations promulgated under the County Environmental Health Act (CEHA) N.J.A.C. 7:1H *et seq.*
3. In addition to the above public health services, the County will continue to provide specialized grant services.
4. The term of this contract shall be for two (2) years commencing on January 1, 2024 and terminating December 31, 2025, unless terminated earlier as provided for hereinafter.
5. The base cost for the provision of the aforesaid health services shall be as follows:  
2024 - \$59,713.90  
2025 - \$60,908.17

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Metuchen that the Mayor and Borough Clerk are hereby authorized and directed to execute an agreement with the County of Middlesex for the provision of public health services as outlined in the said agreement.

**RESOLUTION 2023-298**

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

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR  
BOILER REPLACEMENT SERVICES AT BOROUGH HALL THROUGH HUNTERDON  
COUNTY EDUCATIONAL SERVICE COMMISSION  
COOPERATIVE PURCHASING PROGRAM**

**WHEREAS**, there exists a need to contract for replacement of a boiler at the Borough of Metuchen, in the County of Middlesex, State of New Jersey; and

**WHEREAS**, boiler replacement services can be purchased through Hunterdon County Educational Service Commission Cooperative Purchasing Program contract award HCESC-SER-21C Boiler Services, awarded for the term November 2, 2023 through November 2, 2024; and

**WHEREAS**, purchase of goods and services - boiler services is permitted through cooperative purchasing in accordance with 40A:11-11 of the Local Public Contracts Law and N.J.A.C 5:34-1 et seq and is subject to vendor compliance with N.J.A.C. 10:5-31 et seq, N.J.S.A. 34:11-56.25 et seq. New Jersey State Prevailing Wage Act and N.J.A.C. 17-27; and,

**WHEREAS**, the Chief Financial Officer's certification of funds is made authorizing the award to purchase McCloskey Mechanical Contractors, Inc. from the Capital Bond Ordinance 2020-14, C-04-55-936-007 in an amount not to exceed sixty nine thousand seven hundred nine dollars and no cents (\$69,709.00); and

**WHEREAS**, this procurement is awarded under N.J.S.A. 19:44A20.4 et seq. using a fair and open process to McCloskey Mechanical Contractors, Inc. for boiler replacement services 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:

The Chief Financial Officer and Borough Administrator are hereby authorized and directed to approve and forward a Purchase Order to McCloskey Mechanical Contractors, Inc., 445 Lower Landing Road, Blackwood, NJ 08012.

**RESOLUTION 2023-299**

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

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR PAINTING SERVICES AT BOROUGH HALL THROUGH HUNTERDON COUNTY EDUCATIONAL SERVICE COMMISSION COOPERATIVE PURCHASING PROGRAM**

**WHEREAS**, there exists a need to contract for painting services at the Borough of Metuchen, in the County of Middlesex, State of New Jersey; and

**WHEREAS**, painting services can be purchased through Hunterdon County Educational Service Commission Cooperative Purchasing Program contract award HCESC-SER-20E Painting Services Bid, awarded for the term November 2, 2022 through November 2, 2024; and

**WHEREAS**, purchase of goods and services - painting services is permitted through cooperative purchasing in accordance with 40A:11-11 of the Local Public Contracts Law and N.J.A.C 5:34-1 et seq and is subject to vendor compliance with 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 to purchase GPC, Inc from the Capital Bond Ordinance 2023-07, C-04-55-939-007 in an amount not to exceed sixty one thousand six hundred ten dollars and sixty six cents (\$61,610.66).

**WHEREAS**, this procurement is awarded under N.J.S.A. 19:44A20.4 et seq. using a fair and open process to GPC, Inc. for painting services 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:

The Chief Financial Officer and Borough Administrator are hereby authorized and directed to approve and forward a Purchase Order to GPC, Inc., 20 E. Willow Street, Milburn, NJ 07041.

**RESOLUTION 2023-300**

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

**RESOLUTION AUTHORIZING SOMERSET COUNTY COOPERATIVE CONTRACT  
FOR EQUIPMENT AND TOOL RENTAL**

**WHEREAS**, there exists a need to rent equipment for the operation of sewer pump station(s) in the Borough of Metuchen, County of Middlesex, State of New Jersey; and

**WHEREAS**, equipment and tool rental can be purchased through Bid #2-Scoop-Contract #CC-0028-22 year two Equipment & Tool Rental; and

**WHEREAS**, the term of the contract is from October 25, 2023 to November 24, 2023, awarded as the first year of a two year contract; and

**WHEREAS**, the authorization for purchases under this award expires on November 8, 2024; and

**WHEREAS**, this award authorization expires on December 31, 2023; and

**WHEREAS**, the Chief Financial Officer's certification of funds is made authorizing the award to rent equipment and tools for the operation of Borough pump station(s) in an amount not to exceed \$10,584.00 for the remainder of the year 2023 from the 2023 Adopted Budget Appropriation line item Sewers, Equipment Maintenance & Repair 3-01-26-773-026 in the amount of \$10,584.00; and

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

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

The Chief Financial Officer and Borough Administrator are hereby authorized and directed to approve and forward a purchase order to Pumping Services, Inc., 201 Lincoln Boulevard, Middlesex, NJ 08846.

**RESOLUTION 2023-301**

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

**RESOLUTION AUTHORIZING STATE CONTRACT FOR BODY WORN CAMERAS**

**WHEREAS**, there exists a need to purchase body worn cameras, related data storage and related equipment for the Borough of Metuchen, County of Middlesex, State of New Jersey; and

**WHEREAS**, this can be purchased through State Contract 17-FLEET-000738, T0106-Law Enforcement Firearms Equipment and Supplies, which is in effect from April 16, 2019 through May 13, 2024, awarded to Axon Enterprise, Inc.; and

**WHEREAS**, the Chief Financial Officer's certification of funds is made authorizing the award to purchase body worn cameras, related data storage and related equipment in an amount not to exceed two hundred eight thousand five hundred seventy five dollars and seventy cents (\$208,575.70) from a Department of Law & Public Safety Grant-Body Cameras G-02-41-713-304 in the amount of \$9,707.50 and Capital Bond Ordinance 2021-11, C-04-55-937-006 in the amount of \$198,868.20; and

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

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

The Chief Financial Officer and Borough Administrator are hereby authorized and directed to approve and forward a purchase order to Axon Enterprise, Inc, 17800 N. 85<sup>th</sup> Street, Scottsdale, AZ 85255.

**RESOLUTION 2023-XX**

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

**RESOLUTION AUTHORIZING RELEASE OF LANDSCAPING/ENGINEERING  
BOND 62 CHARLES STREET, LANDSCAPING/ENGINEERING ONLY  
KATHERINE MILLER - PGL2112811**

**WHEREAS**, the Borough Zoning Officer, in an email dated November 29<sup>th</sup>, 2023, has received confirmation from the Borough Engineer, Robert M. Mannix that the engineering conditions have been satisfied; and

**WHEREAS**, Thomas J. DiMartino, Zoning Officer, has confirmed the compliance of all landscaping conditions and has recommended the full release of the Landscaping and Engineering Performance Guarantee in the amount of a cash bond of \$4,000.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Metuchen that the Borough Clerk is hereby authorized and directed to release said Landscaping and Engineering Performance Bonds of a cash bond in the amount \$4,000.00 as recommended and directed by the Borough Zoning Officer to Katherine Miller, 62 Charles Street, Metuchen, NJ 08840.

**BE IT FURTHER RESOLVED** that no maintenance bond is required to be posted.

**RESOLUTION 2023-303**

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

**RESOLUTION AUTHORIZING THE PAYMENT OF THE BILL LIST**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Metuchen that the proper warrants be drawn, and all bills be paid totaling \$5,015,097.30.

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

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Rebecca Cuthbert, CFO