

BOROUGH OF METUCHEN COUNCIL MINUTES
OCTOBER 23, 2023
7:30 PM

The Regular Meeting of the Borough Council was held in the Council Chambers of Borough Hall on Monday, October 23, 2023.

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

Adequate Notice of this meeting has been given in accordance with the Open Public Meeting Act, pursuant to Public Law 1975, Chapter 231. Said notice was sent to the Home News Tribune and Star Ledger on December 21, 2022, posted in Borough Hall, and on file in the Clerk's Office. All requirements of the Open Public Meetings Act have been satisfied.

Council President Delia asked all to rise for the Pledge of Allegiance.

Roll Call

Council President Delia asked for a roll call.

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

Agenda Session

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

Councilmember added a proclamation to the agenda, to be read at the end of the meeting.

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

Report

Annashae Davis of the Metuchen EMS gave the following report:

Good evening, I am a Senior at The Hudson School in Hoboken. I am 17 years old and became an EMS cadet in July 2023, and I am currently enrolled in the EMT certification class. I am here tonight to present our EMS report for summer 2023.

It has been a busy year for us, we have taken nearly 300 calls, and we have had 2 of our busiest months since 2017. A high proportion of those calls were in Edison because we are often the closest ambulance. The downside is that if we are in Edison and a 911 call comes in for Metuchen, we can't take it.

Our recruitment has been going well. We have added 6 new adult students from Rutgers, Kean, and Middlesex college and 4 more are on the waiting list. We have 7 high school age cadets from Metuchen. Now our job is to turn these members into EMTs.

Besides 911 calls we also support community events. Since our last report we covered 4 high school football games, National Night Out, the Fuce 5K, and the Sam Liss memorial 5K. We hosted boy scout and girl scout troops and, the highlight of the year, our visit to Moss School.

There are big changes in store for us in the next few months. We are preparing to leave our building on Safety and move into the Fire Department quarters on Route 27. That makes our building ready for demolition in preparation for building the new Emergency Services Building.

Council President Delia thanks the EMS members present, including EMS President Peter Fairclough, for the coming and the important work that they do.

Public Comment

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

Mia Jose, 45 Edith Avenue, a registered nurse at Robert Wood Johnson, spoke about the ongoing nurses strike, where 1700 nurses have been on strike since August 4. Ms. Jose commented that the nurses are striking for safe staffing ratios and asked that Council pass a resolution asking Assemblymen Karabinchak and Stanley to co-sponsor the safe staffing bill, A4536.

Amanda Leger, a Piscataway resident and one of the striking nurses reiterated the request that Council pass a resolution urging support of Bill A4536. Ms. Leger shared other issues facing nurses in addition to unsafe staffing.

Liubov Smirnov, 26 Carpenter Place, stated that she is children's nurse working for the system for fifteen years. Ms. Smirnov explained the many challenges that children's nurses face and asked for Council's support.

Vivian Glueck, 41 Smith Street, a registered nurse at Robert Wood Johnson, stressed the importance of safe staffing to the health of the community and shared statistics to support this. Ms. Glueck asked Council to support the striking nurses by passing a resolution in support of bills S304 and A4536.

Council President thanked those who spoke for sharing information regarding the strike and safe staffing. Councilmembers Kandel and Hyman thanked the nurses as well.

Paul Bradley, 22 Center Street, posed the question "what is the moral goal of the Metuchen Parking Authority?" Mr. Bradley gave examples of this in other organizations and concluded that the Parking Authority has no moral goal.

John Hsu, 219 West Shirley Avenue, Edison, commented that he has attended our Council meeting before to oppose the proposed power plant in Woodbridge, and was pleased to report that plans for the plant had been withdrawn.

Councilmember Giamboi noted that besides the health issues presented by power plants, residents should also consider the ill effects of idling their vehicles, particularly around schools. Councilmember Giamboi reminded everyone that it is against the law in New Jersey to idle a vehicle for more than three minutes.

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

Borough Council Meeting Minutes

Councilmember Giamboi made a motion to approve Borough Council Meeting Minutes of July 10, 2023, second by Councilmember Kandel. Councilmember Branch abstained from voting. With all others in favor, motion carried, 5-0.

Communications Consent Agenda – Items A-E

Councilmember Giamboi made a motion to approve Communications Consent Agenda, Items A-E, second by Councilmember Kandel, with all in favor, motion carried, 6-0.

- A. Receive and Accept Arts Council Meeting Minutes of August 21 and September 18, 2023
- B. Receive and Accept Library Board Meeting Minutes of September 12, 2023
- C. Receive and Accept Pool Commission Meeting Minutes of April 11, May 9, and June 13, 2023
- D. Receive and Accept Traffic and Transportation Committee Meeting Minutes of March 8, April 12, May 10, and June 14, 2023
- E. Receive and Approve Block Party-Street Closing for Midland Avenue, November 3, 2023

Ordinance – Introduction

Ord. 2023-29

ORDINANCE AMENDING CHAPTER 37 OF
THE CODE OF THE BOROUGH OF
METUCHEN, ENTITLED, “POLICE
DEPARTMENT” TO AMEND THE
COMPOSITION OF THE POLICE
DEPARTMENT

Councilmember Giamboi made a motion that Ordinance 2023-29 be introduced and be taken up on first reading, second by Councilmember Kandel, with all in favor, motion carried, 6-0.

Councilmember Giamboi asked that Ordinance 2023-29 be read by title only.

Ms. Zupan read Ordinance 2023-29 by title only.

Councilmember Giamboi moved that Ordinance 2023-29 be passed on first reading, be published according to law, and a public hearing be set down for Monday, November 13, 2023, second by Councilmember Kandel.

Roll Call: Yeas: Branch, Giamboi, Hirsch, Hyman, Kandel, Delia
 Nays: None

Ordinance 2023-29 was passed on first reading, 6-0, and will be published according to law.

Reports of Councilmembers

Council President Delia reported on sidewalk work that will be taking place on New Street thanks to an NJDOT grant. He also addressed changes to parking regulations including the decision to go with coinless meters, explaining the reasons behind this choice. Council President Delia shared upcoming MDA events including the Haunted Downtown and Small Business Saturday

Councilmember Kandel reported that the Historic Preservation would be meeting this week.

Councilmember Hyman reported that the CARES Committee would be meeting with Brandon Uhlig of Metuchen Media to discuss ways to get their message out to the public. She also provided updates for the Winter Festival Parade.

Councilmember Hirsch reported on upcoming Library events including Teen Halloween, Murder Mystery Dinner Party for teens and tweens, an Indian classical music concert, and the Library Gala and art sale. He reminded residents to check the redesigned website, www.metuchenlibrary.org for a complete listing of programs, resources, and services.

Councilmember Giamboi reported that the Environmental Commission was asked to participate in the “Windows of Understanding” project. David LaMorte, the artist assigned to the Commission, attended a meeting to help develop a concept for this project. She also reported that the Weed Warriors met recently to continue their battle against invasive species and detailed the actions the group had taken. She noted that the Shade Tree Commission is taking homeowners’ requests for Spring planting. Finally, Councilmember Giamboi noted that the Senior Center has reopened. She invited the public to visit and see the renovated space.

Councilmember Branch announced the winner of the Halloween house decorating contest, 53 Wistar Avenue, chosen by community votes. He also shared the Recreation Commission’s upcoming Halloween events, including the Pumpkin Float at Tommy’s Pond, and thanked DPW and the volunteers involved.

New Business Consent Agenda – Resolutions 2023-258 to 2023-266

Council President Delia moved to approve New Business Consent Agenda Resolutions 2023-258 to 2023-266, second by Councilmember Kandel with all in favor, motion carried, 6-0.

RESOLUTION 2023-258

RESOLUTION APPOINTING FIREFIGHTER – KARAN CHAUDHRI

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Metuchen that in accordance with Chapter 8 of the Code of the Borough of Metuchen, Karan Chaudhri be and hereby is elected, approved, and confirmed as a permanent member of the Fire Department of the Borough of Metuchen.

RESOLUTION 2023-259

RESOLUTION APPOINTING FIREFIGHTER – MARTIN CHUKWU

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Metuchen that in accordance with Chapter 8 of the Code of the Borough of Metuchen, Martin Chukwu be and hereby is elected, approved, and confirmed as a permanent member of the Fire Department of the Borough of Metuchen.

RESOLUTION 2023-260

RESOLUTION AUTHORIZING BID AWARD FOR FY 2022 SAFE STREETS TO TRANSIT, PEARL AND NEW STREETS

WHEREAS, nine (9) bids were received by the Borough Clerk, Borough Engineer, and Qualified Purchasing Agent on or before October 19, 2023, for the 2022 FY Safe Streets to Transit, Pearl and New Streets for the Borough of Metuchen: and

WHEREAS, the Borough Council has reviewed the letter of recommendation made by the Borough Engineer on said bid, dated October 20, 2023; and

WHEREAS, the maximum amount of award for 2022 FY Safe Streets to Transit, Pearl and New Streets is four hundred sixty seven thousand one hundred twelve dollars and eighty six cents (\$467,112.86). Funds are available in the 2022 Capital Bond Ordinance 2022-08 as certified by the Chief Finance Officer. Sufficient funds are designated from Capital Bond Ordinance 2022-08, Account C-04-55-938-012.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Metuchen, County of Middlesex, State of New Jersey that the contract for the 2022 FY Safe Streets to Transit, Pearl and New Streets be and the same is hereby awarded to lowest responsible bidder, Your Way Construction, Inc., 404 Colt Street, Irvington, NJ 07111.

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

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

1. Reivax Contractors - Engineers, 165 River Road, Flemington, NJ 08822
2. Z Brothers Concrete Contractors, 304 Jernee Mill Road, Sayreville, NJ 08872
3. Seacoast Construction, 15 Addington Court, East Brunswick, NJ 08816

RESOLUTION 2023-261

**RESOLUTION OF SUPPORT FROM THE BOROUGH OF METUCHEN
TO SUBMIT AN APPLICATION TO THE NEW JERSEY DEPARTMENT
OF COMMUNITY AFFAIRS DESIGN AND DEVELOPMENT OF
ARTS DISTRICT GRANT**

WHEREAS, the Borough of Metuchen desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$3,000,000 to carry out a project to design and develop an Arts District.

NOW, THEREFORE, BE IT RESOLVED:

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

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

Melissa Perilstein
Borough Administrator

Jonathan M. Busch
Mayor

RESOLUTION 2023-262

**RESOLUTION OF SUPPORT FROM THE BOROUGH OF METUCHEN
TO SUBMIT AN APPLICATION TO THE NEW JERSEY DEPARTMENT OF
COMMUNITY AFFAIRS EMERGENCY SERVICES CENTER GRANT**

WHEREAS, the Borough of Metuchen desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$2,000,000 to carry out a project of construction of a new emergency services building.

NOW, THEREFORE, BE IT RESOLVED:

- 3) that the Borough of Metuchen does hereby authorize the application for such a grant; and
- 4) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further

authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Metuchen and the New Jersey Department of Community Affairs.

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

Melissa Perilstein
Borough Administrator

Jonathan M. Busch
Mayor

RESOLUTION 2023-263

**RESOLUTION OF SUPPORT FROM THE BOROUGH OF METUCHEN
TO SUBMIT AN APPLICATION TO THE NEW JERSEY DEPARTMENT OF
COMMUNITY AFFAIRS THOMAS MUNDY PETERSON POCKET PARK GRANT**

WHEREAS, the Borough of Metuchen desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$250,000 to carry out a project to create a green space on Main Street.

NOW, THEREFORE, BE IT RESOLVED:

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

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

Melissa Perilstein
Borough Administrator

Jonathan M. Busch
Mayor

RESOLUTION 2023-264

**RESOLUTION TO CANCEL 2023 REAL PROPERTY TAXES BILLS FOR BLOCK 37,
LOTS 5.05, 212 DURHAM AVENUE**

WHEREAS, Block 37, Lot 5.05, was acquired by the County of Middlesex on December 23, 2022, and recorded in the office of the Middlesex County Clerk's Office Book 19229, Page 167; and

WHEREAS, Middlesex County is exempt from paying real property taxes; and

WHEREAS, the Tax Collector is requesting that the taxes levied for 2023 in the amount of \$100,830.00 be cancelled.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Metuchen, that the Tax Collector be and is hereby authorized to cancel the 2023 taxes levied on Block 37, Lot 5.05, additional lots 7.01, 7.02, 14, 15.01, 16.02, 16.03, 17.01, 17 in the amount of \$100,830.00.

RESOLUTION 2023-265

RESOLUTION TO TRANSFER 2023 TAX OVERPAYMENT DUE TO PARCELS AFFECTED BY SUBDIVISION, LAND BOUNDARY CHANGES OR COMBINING PARCELS

WHEREAS, Block 48.01, Lot 2.011 and Block 48.01 Lot 64 were affected by subdivision, boundary changes or combining parcels where parcels are being combined/eliminated; and

WHEREAS, payments for quarters one and two were made, with the parcels subsequently eliminated as billable parcels at the time of certification of the extended tax duplicate for 2023; and

WHEREAS, to properly account for taxes billed and paid, the following transfers of payments is requested from the Tax Collector.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Metuchen, that the Tax Collector be and is hereby authorized to make transfer adjustments for 2023 tax payments on the following properties due to subdivision, boundary changes or combining parcels where parcels are being combined/eliminated, in the amount of \$149,852.03.

Block/Lot/Qual	Address	Owner	Amount to Transfer	Quarter of Transfer
48.01/2.011	70 Leonard Street	BKM Leonard Street LLC	(6,517.00)	1/2023
48.01/2.011	70 Leonard Street	BKM Leonard Street LLC	(6,517.00)	2/2023
48.01/2.011	70 Leonard Street	BKM Leonard Street LLC	(0.13)	3/2023
48.01/64.02	70 Leonard Street	BKM Leonard Street LLC	13,034.13	4/2023
48.01/64	60 Leonard Street	P & V Warehouse & Distributing Co	(68,408.95)	1/2023
48.01/64	60 Leonard Street	P & V Warehouse & Distributing Co	(68,408.95)	2/2023
48.01/64.01	60 Leonard Street	SPG60 Leonard St LLC	136,817.90	4/2023

RESOLUTION 2023-266

RESOLUTION AUTHORIZING RELEASE OF STREET OPENING BOND

WHEREAS, in accordance with the Borough of Metuchen Ordinance, \$500.00 was posted as the required Performance Guarantee by the contractor named below, for work done at the address named below; and

WHEREAS, the Superintendent of Public Works advises that said work has been completed in a manner satisfactory to his department; and

WHEREAS, the Superintendent of Public Works advises the release of the monies previously deposited.

WHEREAS, the 15th day of October is recognized in parts of the United States and in many other jurisdictions around the world, as a day of remembrance and awareness of pregnancy and infant loss; and

WHEREAS, the tragedy of pregnancy and infant loss, which exacts a terrible emotional toll, may be preventable in some instances; and

WHEREAS, increased awareness of the causes and impacts surrounding pregnancy and infant loss may lead to greater understanding, support, and resources in communities across the State; and

WHEREAS, a month of remembrance honors the lives of children taken far too soon and supports grieving parents, grandparents, siblings, and other family members whose lives are forever altered by the heartbreak of losing a child; and

WHEREAS, those parents and families require support and understanding during their time of grief, and promoting awareness of the challenges faced by those parents and families is a positive means of establishing support and understanding; and

WHEREAS, recognizing Pregnancy and Infant Loss Awareness/Remembrance Month would enable the people of Metuchen to consider how, as individuals and communities, they can meet the needs of bereaved mothers, fathers, and family members, and work to prevent the causes of these deaths; and

WHEREAS, the Andreas Foundation invites all residents of the Borough of Metuchen to participate in this month of remembrance.

NOW, THEREFORE I, JONATHAN M. BUSCH, Mayor of Borough of Metuchen, do hereby proclaim October as Pregnancy and Infant Loss Awareness month in Metuchen and encourage parents, caregivers, and all residents to become educated in opportunities to prevent pregnancy and infant loss and support bereaved families when prevention is not possible.

Adjournment

Councilmember Giamboi made a motion to adjourn the meeting, second by Councilmember Kandel, with all in favor, 6-0, the meeting was adjourned at 8:16 p.m.

Respectfully Submitted,

Deborah Zupan, RMC, Borough Clerk