

**BOROUGH COUNCIL AGENDA
REGULAR MEETING JANUARY 17, 2024
7:30 P.M.**

Reading Of Sunshine Notice

Flag Salute

Roll Call

Agenda Session

Swearing In of Police Officers

R2024-61 RESOLUTION APPOINTING BRANDON C. AUDET TO THE
BOROUGH OF METUCHEN POLICE DEPARTMENT

R2024-62 RESOLUTION APPOINTING DIANA ROLAND TO THE
BOROUGH OF METUCHEN POLICE DEPARTMENT

Public Comment

Borough Council Meeting Minutes

Approval of Borough Council Meeting Minutes of November 13, 2023

Communications Consent Agenda – Items A - C

- A. Receive and Accept Arts Council Meeting Minutes of October 16, 2023
- B. Receive and Accept Human Relations Commission Meeting Minutes of May 2, June 6, and July 11, 2023
- C. Receive and Accept Pool Commission Meeting Minutes of November 21, 2023
- D. Receive and Accept Shade Tree Commission Meeting Minutes of October 4 and November 7, 2023.

Ordinances – Public Hearing

Ord. 2024-01 ORDINANCE TO AMEND § 110-201 (ESTABLISHMENT;
MEMBERSHIP) IN ARTICLE 51 (ZONING BOARD OF
ADJUSTMENT), IN PART V (ORGANIZATION, POWERS AND
PROCEDURE) IN CHAPTER 110 (LAND DEVELOPMENT) OF
THE CODE OF THE BOROUGH OF METUCHEN TO
INCREASE THE NUMBER OF ALTERNATE MEMBERS OF
THE BOARD TO FOUR ALTERNATE MEMBERS

Ord. 2024-02 BOND ORDINANCE AMENDING A BOND ORDINANCE FINALLY ADOPTED APRIL 10, 2023 BY THE BOROUGH COUNCIL OF THE BOROUGH OF METUCHEN, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, IN ORDER TO PROVIDE FOR CHANGES THEREIN

Ordinances - Introduction

Ord. 2024-03 ORDINANCE AMENDING § 185-23 OF THE CODE OF THE BOROUGH OF METUCHEN ESTABLISHING A MULTIWAY STOP INTERSECTION (THREE WAY) AT CENTER STREET AND DURHAM AVENUE

Ord. 2024-04 ORDINANCE AMENDING THE CODE OF THE BOROUGH OF METUCHEN AND THE COMPOSITION OF THE SENIOR CITIZENS COMMISSION DECREASING ITS MEMBERSHIP FROM ELEVEN (11) MEMBERS TO NINE (9) MEMBERS

Ord. 2024-05 ORDINANCE AMENDING § 124-28(B)(1) OF THE CODE OF THE BOROUGH OF METUCHEN CHANGING THE DESIGNATED OFFICAL TO OBTAIN AND SUBMIT APPLICATIONS FOR PERMITS FOR THE USE OF BOROUGH FIELDS FROM THE BOROUGH CLERK TO THE RECREATION DIRECTOR

Report of the Borough Administrator

Reports Of Council Members

Report of the Mayor

New Business Consent Agenda – Resolutions 2024-63 to 2024-71

R2024-63 RESOLUTION AUTHORIZING BID AWARD FOR 2023 ROAD PROGRAM

R2024-64 RESOLUTION AMENDING CERTAIN POSITIONS AND SALARIES FOR CALENDAR YEAR 2024

R2024-65 RESOLUTION GRANTING AUTHORIZATION TO CONTINUE PARTICIPATION IN A COOPERATIVE PURCHASING PROGRAM WITH OMNIA PARTNERS

R2024-66 RESOLUTION AUTHORIZING CHANGE ORDER #1 AND FINAL CONTRACT DECREASE FOR P & A CONSTRUCTION, INC. – 2022 ROAD PROGRAM

- R2024-67 RESOLUTION REPEALING RESOLUTION 2024-48
- R2024-68 RESOLUTION AUTHORIZING SOMERSET COUNTY
COOPERATIVE CONTRACT FOR RECAPPING TIRES
- R2024-69 RESOLUTION AUTHORIZING SOMERSET COUNTY
COOPERATIVE CONTRACT FOR EQUIPMENT AND TOOL
RENTAL
- R2024-70 RESOLUTION AUTHORIZING RELEASE OF
LANDSCAPING/ENGINEERING BOND - 62 PELTIER
- R2024-71 RESOLUTION AUTHORIZING RELEASE OF STREET
OPENING BONDS

Appointments

Beverley Wilson to Senior Citizen Commission for the unexpired term ending 12/31/2025
Alice Lemire to Senior Citizen Commission for the unexpired term ending 12/31/2025

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.

RESOLUTION 2024-61

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

**RESOLUTION APPOINTING BRANDON C. AUDET TO THE BOROUGH OF
METUCHEN POLICE DEPARTMENT**

WHEREAS, at the request of the Chief of Police, the Mayor and Council of the Borough of Metuchen deem it in the best interest of the health, safety, and welfare of the residents of Metuchen to hire a full-time officer to the Borough of Metuchen Police Department; and

WHEREAS, Brandon C. Audet has expressed an interest in an appointment to the Borough of Metuchen Police Department as a full-time police officer; and

WHEREAS, the Chief of Police, Police Command Staff, and Administrator have reviewed the credentials of, interviewed, and the Chief has conducted the necessary background investigation of Brandon C. Audet; and

WHEREAS, the Mayor and Council of the Borough of Metuchen deem it in the best interest of the health, safety, and welfare of the residents of Metuchen Borough of Metuchen to appoint Brandon C. Audet as a full-time police officer of the Borough of Metuchen effective January 17, 2024.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen that Brandon C. Audet is hereby appointed to the Borough of Metuchen Police Department as a full-time police officer effective January 17, 2024 at the starting rate of Police Officer 2nd Step.

RESOLUTION 2024-62

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

**RESOLUTION APPOINTING DIANA ROLAND TO THE BOROUGH OF
METUCHEN POLICE DEPARTMENT**

WHEREAS, at the request of the Chief of Police, the Mayor and Council of the Borough of Metuchen deem it in the best interest of the health, safety, and welfare of the residents of Metuchen to hire a full-time officer to the Borough of Metuchen Police Department; and

WHEREAS, Diana Roland has expressed an interest in an appointment to the Borough of Metuchen Police Department as a full-time police officer; and

WHEREAS, the Chief of Police, Police Command Staff, and Administrator have reviewed the credentials of, interviewed, and the Chief has conducted the necessary background investigation of Diana Roland; and

WHEREAS, the Mayor and Council of the Borough of Metuchen deem it in the best interest of the health, safety, and welfare of the residents of Metuchen Borough of Metuchen to appoint Diana Roland as a full-time police officer of the Borough of Metuchen effective January 17, 2024.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen that Diana Roland is hereby appointed to the Borough of Metuchen Police Department as a full-time police officer effective January 17, 2024 at the starting rate of Police Officer 1st Step.

ORDINANCE 2024-01

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

ORDINANCE TO AMEND § 110-201 (ESTABLISHMENT; MEMBERSHIP) IN ARTICLE 51 (ZONING BOARD OF ADJUSTMENT), IN PART V (ORGANIZATION, POWERS AND PROCEDURE) IN CHAPTER 110 (LAND DEVELOPMENT) OF THE CODE OF THE BOROUGH OF METUCHEN TO INCREASE THE NUMBER OF ALTERNATE MEMBERS OF THE BOARD TO FOUR ALTERNATE MEMBERS

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF METCUHEN:

SECTION 1. § 110-201 (Establishment; Membership) in Article 51 (Zoning Board of Adjustment), in Part V (Organization, Powers and Procedure) in Chapter 110 (Land Development) of the Code of the Borough of Metuchen is hereby amended to read as follows:

§ 110-201. Establishment; membership

There is hereby established, pursuant to N.J.S.A. 40:55-69, a Zoning Board of Adjustment consisting of seven regular members and ~~two~~four alternate members as hereinafter provided.

A. Regular members: Seven residents of the Borough who shall be nominated by the Mayor subject to confirmation, following advice and consent, by the Borough Council in the manner provided for other appointments under the Borough Act, as set forth at N.J.S.A. 40A:60-5(g) and N.J.S.A. 40A:60-6(d). Regular members shall serve for a term of four years

B. Alternate members: Not more than ~~two~~ four alternate members to be appointed by the Mayor. Such alternate members shall be designated by the Mayor as "Alternate No. 1," ~~and~~ "Alternate No. 2," Alternate No. 3, and Alternate No. 4. Alternate members may participate in discussions of the proceedings, but may not vote except in the absence or disqualification of a regular member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote, then Alternate No. 2, etc. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. Alternate members shall meet the qualifications pertaining to regular members of the Zoning Board of Adjustment. Alternate members shall serve for a term of two years, except that the terms of no more than two alternate members shall expire in any one year.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 3. If any portion of this ordinance shall be determined to be invalid, such determination shall not affect the validity of the remaining portions of said ordinance.

SECTION 4. This ordinance shall take effect upon final passage and publication in accordance with law and upon filing with the Middlesex County Planning Board.

ORDINANCE 2024-02

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

**BOND ORDINANCE AMENDING A BOND ORDINANCE
FINALLY ADOPTED APRIL 10, 2023 BY THE BOROUGH
COUNCIL OF THE BOROUGH OF METUCHEN, IN THE
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, IN ORDER
TO PROVIDE FOR CHANGES THEREIN**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF METUCHEN, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (the “Borough) (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The bond ordinance of the Borough, finally adopted April 10, 2023 and entitled, “Bond Ordinance Appropriating \$2,913,615 and Authorizing \$2,355,000 Bonds or Notes of the Borough for Various Improvements and Purposes Authorized to be Undertaken by the Borough of Metuchen, in the County of Middlesex, New Jersey” (the “Original Ordinance”), is hereby amended as follows:

(i) all references in the Original Ordinance to the appropriation or cost of “\$2,913,655” are hereby deleted and “\$3,383,892” is substituted in lieu thereof.

(ii) all references in the Original Ordinance to the down payment of “\$125,000” are hereby deleted and “\$595,277” is substituted in lieu thereof.

Section 2. All other details of the Original Ordinance shall remain the same.

Section 3. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law, constituting Chapter 2 of Title 40A of the New Jersey Revised Statutes.

ORDINANCE 2024-03

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

**ORDINANCE AMENDING § 185-23 OF THE CODE OF THE BOROUGH OF
METUCHEN ESTABLISHING A MULTIWAY STOP INTERSECTION (THREE WAY)
AT CENTER STREET AND DURHAM AVENUE**

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

WHEREAS, § 185-23 of the Code of the Borough of Metuchen specifically designates the locations of “Multiway stop intersections” within the Borough; and

WHEREAS, the Chief of Police and the Borough Engineer have investigated, determined and recommend to the Mayor and Borough Council that it is in the best interest of the safety and welfare of its residents, and the community, in general, to establish a three-way, “Multiway stop intersection” at the Center Street and Durham Avenue intersection; and

WHEREAS, the Council of the Borough of Metuchen has determined to accept the recommendation of the Chief of Police and Borough Engineer finding that that it is in the best interest of the safety and welfare of its residents and the community, in general, to establish a three-way “Multiway Stop Intersection” at Center Street and Durham Avenue and to amend the Borough Code accordingly.

NOW THEREFORE BE IT ORDAINED by the Council of the Borough of Metuchen, County of Middlesex that it hereby amends § 185-23 of the Code of the Borough of Metuchen to include the following location:

§ 185-23 Multiway stop intersections.

Pursuant to the provisions of N.J.S.A. 39:4-140, the intersections herein described are designated as multiway stop intersections. Stop signs shall be installed as provided therein.

Intersection	Stop Sign(s) On
Center Street and Durham Avenue	All approaches (Three-way) - Northbound and Southbound on Center Street and Westbound on Durham Avenue at the intersection of Center Street and Durham Avenue

BE IT FURTHER ORDAINED by the Mayor and Council that all remaining locations contained in the Table in §185-23 shall remain “Multiway Stop Intersections” and shall not be affected by the within amendments and shall remain in full force and effect.

BE IT FURTHER ORDAINED that should any section, paragraph, sentence, clause, or phase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portion of this ordinance shall not be affected thereby and shall remain in full force and effect, and to that end the provisions of this ordinance are hereby declared to be severable; and

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent with this amending ordinance are hereby repealed to the extent of their inconsistencies only; and

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

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

Introduction:

Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH					HYMAN				
DELIA					JETHWANI				
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 _____, 2024.

Deborah Zupan, RMC
Borough Clerk

Adopted:
Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH					HYMAN				
DELIA					JETHWANI				
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 adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on _____, 2024.

Deborah Zupan, RMC
Borough Clerk

ATTEST:

BOROUGH OF METUCHEN

Deborah Zupan, RMC
Borough Clerk

By: _____
Jonathan M. Busch
Mayor

ORDINANCE 2024-04

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

ORDINANCE AMENDING THE CODE OF THE BOROUGH OF METUCHEN AND THE COMPOSITION OF THE SENIOR CITIZENS COMMISSION DECREASING ITS MEMBERSHIP FROM ELEVEN (11) MEMBERS TO NINE (9) MEMBERS

WHEREAS, the Mayor and Council of the Borough of Metuchen have determined that it is in the best interest of the Borough to amend the composition of the Senior Citizens Commission of the Borough of Metuchen decreasing its membership from eleven (11) members to nine (9) members.

NOW THEREFORE BE IT ORDAINED, by the Council of the Borough of Metuchen that it hereby amends Chapter 10, Article 4 of the Code of the Borough of Metuchen, specifically § 10-20, entitled “Establishment; composition; term of office; vacancies” to state as follows:

Article 4. Senior Citizens Commission

§ 10-20. Establishment; composition; term of office; vacancies.

A. There is hereby established a Senior Citizens Commission for the Borough of Metuchen which shall consist of ~~11~~ 9 members who shall be appointed by the Mayor with the advice and consent of the Borough Council. No person shall be appointed to the Senior Citizens Commission unless he or she is a resident of the Borough of Metuchen.

B. Each member shall be appointed for a term of three years; however, at the time of the creation of the Commission, three shall be appointed for three years, three shall be appointed for two years and three shall be appointed for one year. Thereafter, each appointment shall be for three years. Members shall serve after the expiration of their terms until the respective successors shall have been appointed and have qualified.

C. Vacancies occurring other than by the expiration of the term shall be filled in like manner but for the balance of the unexpired term only.

D. The Commission shall designate one of its members as Chairperson, and he or she shall serve as such until the first day of January next following the appointment and until his or her successor shall be appointed and qualify. All members shall serve without compensation.

BE IT FURTHER ORDAINED, by the Mayor and Council that all prior ordinances, or sections of ordinances, inconsistent with the within ordinance are hereby repealed.

BE IT FURTHER ORDAINED, by the Mayor and Council that all remaining sections of Chapter 10, not amended herein, including but not limited to Section 21 shall not be affected hereby and shall remain in full force and effect.

BE IT FURTHER ORDAINED, by the Mayor and Council that if any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for

any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall continue in full force and effect, and to this end, the provisions of this Ordinance are hereby declared to be severable.

BE IT FURTHER ORDAINED, by the Mayor and Council that this ordinance shall become effective immediately upon final passage and publication as provided by law.

Introduction:

Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH					HYMAN				
DELIA					JETHWANI				
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 _____, 2024.

Deborah Zupan, RMC
Borough Clerk

Adopted:

Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH					HYMAN				
DELIA					JETHWANI				
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 adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on _____, 2024.

Deborah Zupan, RMC
Borough Clerk

ATTEST:

BOROUGH OF METUCHEN

Deborah Zupan, RMC
Borough Clerk

By: _____
Jonathan M. Busch
Mayor

ORDINANCE 2024-05

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

ORDINANCE AMENDING § 124-28(B)(1) OF THE CODE OF THE BOROUGH OF METUCHEN CHANGING THE DESIGNATED OFFICIAL TO OBTAIN AND SUBMIT APPLICATIONS FOR PERMITS FOR THE USE OF BOROUGH FIELDS FROM THE BOROUGH CLERK TO THE RECREATION DIRECTOR

WHEREAS, by way of Ordinance No. 2023-28, the Mayor and Council of the Borough of Metuchen created procedures for the application and permitting process for the use of Borough of Metuchen Fields; and

WHEREAS, upon the recommendation of the Borough Administration, the Borough of Metuchen has determined that it is in the best interest of the Borough and the efficiency of processing applications for the use of the Borough Fields to change the Borough official to obtain the applications for permits from and to whom the applications are to be submitted to from the Borough Clerk to the Recreation Director.

NOW THEREFORE, BE IT ORDAINED that the Council of the Borough of Metuchen, County of Middlesex, State of New Jersey, hereby amends § 124-28(B)(1) of the Code of the Borough of Metuchen to state as follows:

§ 124-28 (B)(1)

A. Miscellaneous requirements.

~~1. Applications can be obtained from and returned to the Recreation Director. the Borough Clerk and also returned to the Borough Clerk. The Borough Clerk will review for completeness (checklist provided). If application is incomplete it will be returned to the applicant and missing information identified. Upon submission of a complete application, the application shall be forwarded to the Recreation Director for consideration.~~

BE IT FURTHER ORDAINED, by the Mayor and Council that all remaining sections of Chapter 124, and § 124-28, not specifically amended herein, including but not limited to § 124-28(A), § 124-28(B)(2) through § 124-28(B)(5), and § 124-28(C) through § 124-28(H) shall not be affected hereby and shall remain in full force and effect.

BE IT FURTHER ORDAINED, by the Mayor and Council that all prior ordinances, or sections of ordinances, inconsistent with the within ordinance are hereby repealed.

BE IT FURTHER ORDAINED, by the Mayor and Council that if any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance,

which shall continue in full force and effect, and to this end, the provisions of this Ordinance are hereby declared to be severable.

BE IT FURTHER ORDAINED, by the Mayor and Council that this ordinance shall become effective immediately upon final passage and publication as provided by law.

Introduction:
Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH					HYMAN				
DELIA					JETHWANI				
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 _____, 2024.

Deborah Zupan, RMC
Borough Clerk

Adopted:
Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH					HYMAN				
DELIA					JETHWANI				
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 adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on _____, 2024.

Deborah Zupan, RMC
Borough Clerk

ATTEST:

BOROUGH OF METUCHEN

Deborah Zupan, RMC
Borough Clerk

By: _____
Jonathan M. Busch
Mayor

RESOLUTION 2024-63

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

RESOLUTION AUTHORIZING BID AWARD FOR 2023 ROAD PROGRAM

WHEREAS, fourteen (14) bids were received by the Borough Clerk, Borough Engineer, Qualified Purchasing Agent, and Borough Administrator on or before November 22, 2023, for the 2023 Road Program 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 November 22, 2023; and

WHEREAS, the maximum amount of award for the 2023 Road Program is \$1,953,033.29 for various roads to include Wakefield Drive, Lexington Drive, Concord Avenue, Prospect Street, Mayfield Place, High Street, Waltham Avenue, Beechwood Avenue, Homestead Road, and Penn Avenue parking lot. Funds are available in the 2023 Capital Bond Ordinance 2023-07 as certified by the Chief Finance Officer. Sufficient funds are designated from Capital Bond Ordinance 2023-07, Account C-04-55-939-012 in the amount of \$433,615.00, C-04-55-939-013 in the amount of \$1,364,418.29 and C-04-939-014 in the amount of \$155,000.00.

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 2023 Road Program be and the same is hereby awarded to lowest responsible bidder, Top Line Construction Group., 22 5th Street, Somerville, NJ 08876; and

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

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

1. P & A Construction, Inc., P.O. Box 28, Colonia, NJ 07067
2. American Asphalt & Trucking LLC, 818 Summer Avenue, Newark, NJ 07104
3. Fischer Contracting Inc., 10 Short Hills Lane, Scotch Plains, NJ 07076

RESOLUTION 2024-64

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

**RESOLUTION AMENDING CERTAIN POSITIONS AND SALARIES FOR
CALENDAR YEAR 2024**

BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen that the pay of each officer and employee whose pay range is established under Ordinance 2023-25 and amendments thereto and who is not covered by a collective bargaining agreement is hereby set for the calendar year commencing January 1, 2024, as follows:

FULL TIME POLICE COMMAND STAFF:

3.0% increase on 2023 base salary:

Police Chief
Police Captain
Police Lieutenant

FULL TIME/PART TIME OFFICERS AND EMPLOYEES:

Adjustment to base salary

Multi-Media & Communication Director

BE IT FURTHER RESOLVED that no officer or employee shall be paid at a rate which is above the maximum rate for any salary range in any of the aforementioned groups; and

BE IT FURTHER RESOLVED, that unless otherwise provided for all new employees or newly promoted employees shall be paid at the minimum rate of the salary range for the position to which they are hired. However, the Borough Administrator may hire a prospective employee who possesses qualifications for the position at a rate above the minimum rate, but in no case shall a new employee be hired at a rate which is greater than that of a current employee in the same range.

RESOLUTION 2024-65

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

**RESOLUTION GRANTING AUTHORIZATION TO CONTINUE
PARTICIPATION IN A COOPERATIVE PURCHASING PROGRAM WITH
OMNIA PARTNERS**

WHEREAS, N.J.S.A. 40A:11-1 et. seq. authorizes contracting units to enter into Cooperative purchasing Agreements; and,

WHEREAS, in July of 2012 the Borough of Metuchen passed a resolution which authorized the Borough of Metuchen to enter into the cooperative purchasing programs of National Intergovernmental Purchasing Alliance Company ("National IPA"); and,

WHEREAS, the Borough has learned that since the adoption of the aforementioned resolutions and the Borough's participation in these National Cooperative Purchasing Programs that National IPA and US Communities have merged to form OMNIA Partners, Public Sector; and,

WHEREAS, the OMNIA Partners, Public Sector (hereinafter the "Lead Agency") has offered voluntary participation in a Cooperative Purchasing System for purchase of goods and services; and,

WHEREAS, the Borough of Metuchen wishes to become a remain members of the OMNIA Partners, Public Sector Cooperative Purchasing program; and,

WHEREAS, Borough Council of the Borough of Metuchen, in the County of Middlesex as follows to participate in the OMNIA Partners, Public Sector Cooperative Purchasing program and authorizes the execution of a Cooperative Pricing Agreement with the Lead Agency upon its approval by the Division of Local Government Services.

WHEREAS, 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.

NOW, THEREFORE, BE IT RESOLVED that OMNIA Partners, Public Sector Cooperative as Lead Agency is expected to comply with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq and all of the provisions of the revised statutes of the State of New Jersey); and

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

Three (3) certified copies of this OMNIA Partners, 5001 Aspen Grove Drive, Franklin, TN 37067.

RESOLUTION 2024-66

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

**RESOLUTION AUTHORIZING CHANGE ORDER #1 AND FINAL CONTRACT
DECREASE FOR P & A CONSTRUCTION, INC. – 2022 ROAD PROGRAM**

WHEREAS, a Roads and Improvement project has been approved in a contract between the Mayor and Council and P & A Construction, Inc.; and

WHEREAS, on December 12, 2023, Colliers Engineering & Design submitted an email to the Borough approving Final Net Change Order decrease to the Borough of **\$19,073.29**; and

WHEREAS, the decrease to the Borough for Final Net Change Order is **\$19,073.29**.

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 attached Final Net Change Order.

RESOLUTION 2024-67

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

RESOLUTION REPEALING RESOLUTION 2024-48

WHEREAS, Resolution 2024-48 was enacted on January 1, 2024; and

WHEREAS, the resolution as passed did not contain the correct vendor for the services described.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Metuchen, in the County of Middlesex repeals Resolution 2024-48.

RESOLUTION 2024-68

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

**RESOLUTION AUTHORIZING SOMERSET COUNTY COOPERATIVE CONTRACT FOR
RECAPPING TIRES**

WHEREAS, there exists a need for recapping tires in the Borough of Metuchen, County of Middlesex, State of New Jersey; and

WHEREAS, recapping tires can be purchased through Bid #2-Scoop-Contract #CC-0016-23 year two Recapping Tire & Solid Tire Replacement contract award; and

WHEREAS, the term of the contract is from June 13, 2023 to June 12, 2024, awarded as the first year of a two year contract; and

WHEREAS, the authorization for purchases for recapping of tires only under this award expires on June 12, 2024; and

WHEREAS, the Chief Financial Officer's certification of funds is made authorizing the award for recapping of tires in an amount not to exceed \$13,000.00 for the year 2024 from the 2024 Temporary Budget and 2024 Adopted budget appropriation line item Account number Garbage & Trash, Tires 4-01-26-774-185 in the amount of \$13,000.00; 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 Barnwell House of Tires Inc, 65 Jetson Lane, Central Islip, NY 11722.

RESOLUTION 2024-69

*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 24, 2023 to November 23, 2024, awarded as the second year of a two year contract; and

WHEREAS, the authorization for purchases under this award expires on November 23, 2024; 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 \$16,000.00 from the 2024 Temporary Budget and 2024 Adopted Budget Appropriation Line Sewers, Equipment Maintenance & Repair 4-01-26-773-026 in the amount of \$16,000.00; 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 2024-70

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

**RESOLUTION AUTHORIZING RELEASE OF LANDSCAPING/ENGINEERING
BOND 62 PELTIER AVENUE – LANDSCAPING ONLY
ASHISH MODI**

WHEREAS, Thomas J. DiMartino, Borough Zoning Officer, in an inspection made on September 14th, 2023, has confirmed that the landscaping deficiencies have been rectified; 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 \$7,000.00, back to the Applicant residing at 62 Peltier Avenue.

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 Bonds of a cash bond in the amount \$7,000.00 as recommended and directed by the Borough Zoning Officer to Ashish Modi, 62 Peltier Avenue, Metuchen, NJ 08840.

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

RESOLUTION 2024-71

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

RESOLUTION AUTHORIZING RELEASE OF STREET OPENING BONDS

WHEREAS, in accordance with the Borough of Metuchen Ordinance, \$500.00 was posted as the required Performance Guarantee by the contractors named below, for work done at the addresses 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.

NOW, THEREFORE, BE IT RESOLVED by The Borough Council of the Borough of Metuchen that the Chief Financial Officer be and is hereby authorized to release said funds to the contractors listed below:

Permit Number	Address	Contractor
2022-51	85 Highland Avenue	MJS Excavating, Inc. 131 Madison Ave Rahway NJ 07065
2022-76	8 Ohio Avenue	Halecon, Inc. 136 Billian Street Bridgewater, NJ 08807