

**BOROUGH COUNCIL AGENDA
REGULAR MEETING MARCH 4, 2024
7:30 P.M.**

Reading Of Sunshine Notice

Flag Salute

Roll Call

Agenda Session

Presentation of MDA 2024 Budget

Public Comment

Borough Council Meeting Minutes

Approval of Borough Council Meeting Minutes of January 17, 2024

Communications Consent Agenda – Items A -

- A. Receive and Accept Historic Preservation Committee Meeting Minutes of September 28, 2023 and November 30, 2023
- B. Receive and Accept Library Board Meeting Minutes of January 9, 2024
- C. Receive and Accept Parade Commission Meeting Minutes of September 12, 2023, October 18, 2023, and November 14, 2023
- D. Receive and Accept Recreation Commission Meeting Minutes January 18, 2023 and February 6, 2023
- E. Receive and Accept Shade Tree Commission Meeting Minutes of January 2, 2024

Ordinance – Public Hearing

Ord. 2024-06

ORDINANCE AUTHORIZING THE ACQUISITION OF REAL PROPERTY WITHIN THE BOROUGH OF METUCHEN SPECIFICALLY BLOCK 132, LOTS 10 THROUGH 27, AND LOTS 49 THROUGH 51, COMMONLY KNOWN AS 1 SAFETY PLACE FROM METUCHEN SAFETY COUNCIL, INC. (“METUCHEN EMS”) FOR THE CONSTRUCTION OF A NEW EMERGENCY SERVICES BUILDING AND OUTBUILDING PROJECT

Ordinances – Introduction

- Ord. 2024-07 ORDINANCE AMENDING CHAPTER 185 OF THE CODE OF THE BOROUGH OF METUCHEN, ENTITLED, “VEHICLES AND TRAFFIC” AND TO UPDATE AND AMEND THE PARKING REGULATIONS FOR FIFTEEN (15) MINUTE PARKING AND FOR THE USE OF A MOBILE PAYMENT APPLICATION
- Ord. 2024-08 ORDINANCE AMENDING THE CODE OF THE BOROUGH OF METUCHEN AND THE COMPOSITION OF THE HUMAN RELATIONS COMMISSION
- Ord. 2024-09 ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF METUCHEN, VARIOUS CHAPTERS, TO AMEND CERTAIN APPLICATION, LICENSE AND PERMIT FEES – POOL FEES
- Ord. 2024-10 ORDINANCE TO SET THE MINIMUM AND MAXIMUM WAGE RANGES FOR CERTAIN BOROUGH EMPLOYEES, AMENDING ORDINANCE 2023-25

Report of the Borough Administrator

Reports Of Council Members

Report of the Mayor

New Business Consent Agenda – Resolutions 2024-94 to 2024-106

- R2024-94 RESOLUTION TO AMEND THE 2024 TEMPORARY BUDGET
- R2024-95 RESOLUTION ACCEPTING NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS DESIGN AND DEVELOPMENT OF ARTS DISTRICT GRANT
- R2024-96 RESOLUTION ACCEPTING NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS EMERGENCY SERVICES BUILDING GRANT
- R2024-97 RESOLUTION ACCEPTING NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS POCKET PARK DEVELOPMENT GRANT
- R2024-98 RESOLUTION AUTHORIZING THE AWARD FOR MAINTENANCE AND REPAIR FOR HEAVY DUTY VEHICLES THROUGH STATE CONTRACT
- R2024-99 RESOLUTION AUTHORIZING SOMERSET COUNTY COOPERATIVE PRICING FOR ORIGINAL EQUIPMENT

MANUFACTURED PARTS AND REPAIRS, HEAVY DUTY
VEHICLES OVER 14,500 GVW-AIR BRAKE AND EQUIPMENT

R2024-100

REFUND OF OVERPAYMENT OF 2024 TAXES

R2024-101

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

R2024-102

RESOLUTION DECLARING AN EMERGENCY AND
AUTHORIZING EMERGENCY CONTRACT PROCEDURES
FOR THE REPAIR AND/OR REPLACEMENT OF A SECTION
OF SANITARY SEWER LINE

R2024-103

RESOLUTION AUTHORIZING THE REFUND 2024 OF
RECREATION TRUST PROGRAM FEES

R2024-104

RESOLUTION SUPPORTING THE TEMPORARY CLOSURE
OF A PORTION OF ORCHARD STREET AND
IMPLEMENTATION OF A VEHICULAR DETOUR FOR THE
COUNTY OF MIDDLESEX PROJECT TO REPLACE CULVERT
1C124 CARRYING ORCHARD STREET OVER THE
TRIBUTARY TO MILL BROOK AT THE BORDER BETWEEN
THE BOROUGH OF METUCHEN AND THE TOWNSHIP OF
EDISON

R2024-105

RESOLUTION AUTHORIZING REFUND OF OTHER FEES &
PERMITS – BUILDING PERMIT #23-0356 SUNRUN
INSTALLATION SERVICES, INC.

R2024-106

RESOLUTION AUTHORIZING STATE CONTRACT
PURCHASE FOR POLICE VEHICLE

Other New Business

R2024-107

RESOLUTION AUTHORIZING PAYMENT OF THE BILL LIST
IN THE AMOUNT OF \$7,133,552.49

Appointments

Lauren Cohn to Planning Board Member (formerly Alt. I) for unexpired term ending 12/31/2025

Shannan Foat-Gelber to Planning Board Alt. I (formerly Alt. II) for unexpired term ending 12/31/2026

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 2024-06

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

ORDINANCE AUTHORIZING THE ACQUISITION OF REAL PROPERTY WITHIN THE BOROUGH OF METUCHEN SPECIFICALLY BLOCK 132, LOTS 10 THROUGH 27, AND LOTS 49 THROUGH 51, COMMONLY KNOWN AS 1 SAFETY PLACE FROM METUCHEN SAFETY COUNCIL, INC. (“METUCHEN EMS”) FOR THE CONSTRUCTION OF A NEW EMERGENCY SERVICES BUILDING AND OUTBUILDING PROJECT

WHEREAS, the Borough is in the process of the design and construction of a new Emergency Services Building and Outbuilding Project to be located at 1 Safety Place, Metuchen, New Jersey for among other things a new location for the Metuchen Fire Department and Metuchen EMS; and

WHEREAS, *N.J.S.A.* 40A:12-5(a) provides that any municipality, by ordinance, may provide for the acquisition of real property by purchase; and

WHEREAS, the Mayor and Council of the Borough of Metuchen, pursuant to *N.J.S.A.* 40A:12-5, have determined to acquire and purchase certain real estate, Block 132, Lot 10 through 27, and Lots 49 through 51, commonly known as 1 Safety Place (“the Property”) to be used for municipal purposes for the site of a future Emergency Services Building and Outbuilding in the Borough of Metuchen; and

WHEREAS, pursuant to *N.J.S.A.* 40A:12-5(a)(1), and the Eminent Domain Act of 1971 *N.J.S.A.* 20:3-1 et seq. (the “Eminent Domain Act”) the Borough is authorized to acquire the Property for a public purpose; and

WHEREAS, Metuchen Safety Council, Inc. (“Metuchen EMS”) is the owner of the real property located at Block 132, Lots 10 through 27, and Lots 49 through 51 as shown on the tax map of the Borough of Metuchen, NJ; and

WHEREAS, the Borough seeks to acquire title to the Property in order to complete the design and construction of the new Emergency Services Building and Outbuilding Project which shall include, among other things, space for the continued operations of the Metuchen Fire Department and the Metuchen EMS; and

WHEREAS, the Metuchen EMS wishes to convey the Property to the Borough of Metuchen in return for, among other things, short-term lease agreements for Metuchen EMS’ continued operations and temporary location/s at the Borough’s costs and expense and a long-term lease agreement between the Metuchen EMS and the Borough of Metuchen that would permit the Metuchen EMS to utilize a portion of the new Emergency Services Building and Outbuilding for its continued operations for a nominal cost to the Metuchen EMS; and

WHEREAS, the Borough of Metuchen has discussed the proposed acquisition with the Metuchen EMS and have negotiated and drafted the general terms and conditions of the sale and the Borough’s acquisition, entitled “Agreement of Sale Between the Metuchen Safety Council, Inc. and the Borough of Metuchen” (“Agreement of Sale”); and

WHEREAS, the Mayor and Council of the Borough of Metuchen have determined that the acquisition under the terms and conditions of the Agreement of Sale of the Property is in the best interest of the Borough of Metuchen for its future public use for among other things, the location of the Metuchen Fire Department and the Metuchen EMS.

NOW, THEREFORE, BE IT ORDAINED, that the Mayor and Council of the Borough of Metuchen hereby authorize the acquisition and purchase of Block 132, Lots 10 through 27, and Lots 49 through 51 on the tax maps of the Borough of Metuchen, commonly known as 1 Safety Place, Metuchen, New Jersey according to the specific terms and condition of the Agreement of Sale negotiated by the Parties; and

BE IT FURTHER ORDAINED, by the Borough Council that the Mayor, and Borough

Clerk are hereby authorized, directed and empowered to the execute the Agreement of Sale in the form consistent with the Agreement of Sale on file with the Borough Clerk and in a final form acceptable to the Mayor and Borough Administrator; and

BE IT FURTHER ORDAINED, that the Mayor, Borough Clerk, Borough Administrator, and Borough Attorney, and any other Borough officials and employees as directed by the Borough Administrator (“Authorized Persons”) are hereby authorized, directed and empowered to carry out all necessary actions in order to effectuate and comply with the terms and provisions of the Agreement of Sale, and to take all other necessary action and execute any required documents in order to effect the purchase and acquisition and transfer of title of the Property to the Borough of Metuchen; and

BE IT FURTHER ORDAINED, that the Mayor, Borough Clerk, Borough Administrator, and Borough Attorney, and any other Borough officials and employees as directed by the Borough Administrator (“Authorized Persons”) are hereby authorized, directed and empowered to negotiate, enter into such further lease agreements for a nominal amount with the Metuchen EMS for its continued location at 1 Safety Place until such time it is necessary for the Borough to take possession of the Property and for the temporary location/s of the Metuchen EMS’ operations and for the Long Term Lease Agreement with the Metuchen EMS for Metuchen EMS to utilize a portion of the new Emergency Services Building and Outbuilding upon its completion for its continued operations for a nominal cost to the Metuchen EMS; and

BE IT FURTHER ORDAINED, by the Council of the Borough of Metuchen that any and all actions previously taken by the Authorized Persons in connection with the purchase and acquisition of the Property are hereby ratified and confirmed; and

BE IT FURTHER ORDAINED, that all ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies and should any section, clause, sentence or provision of any item in this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon its final passage and publication as provided by law.

Introduction: February 12, 2024

Date of Publication: February 18, 2024

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH				X	HYMAN	X			
DELIA	X				JETHWANI	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 February 12, 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 March 4, 2024.

Deborah Zupan, RMC
Borough Clerk

ATTEST:

BOROUGH OF METUCHEN

Deborah Zupan. RMC
Borough Clerk

By: _____
Jonathan M. Busch
Mayor

RESOLUTION 2024-94

Borough of Metuchen

County of Middlesex

State of New Jersey

RESOLUTION TO AMEND THE

2024 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 that the following additional temporary emergency appropriations shall be made for the year 2024, effective March 4, 2024:

Office of Emergency Management	OE	5,000.00
Solid Waste Collection	OE	50,000.00
Group Insurance	OE	200,000.00
Other Insurance	OE	5,000.00
Streets & Roads	OE	10,000.00
Buildings & Grounds	OE	30,000.00
Recreation	OE	2,000.00
Utilities	OE	20,000.00
Social Security	OE	50,000.00
Interest on Bonds		90,000.00
	TOTAL	462,000.00

RESOLUTION 2024-95

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

RESOLUTION ACCEPTING NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS DESIGN AND DEVELOPMENT OF ARTS DISTRICT GRANT

WHEREAS, the State of New Jersey, Department of Community Affairs has allocated funds for the Design & Development of Arts District Grant; and

WHEREAS, the Borough of Metuchen, received an Award Contract from the New Jersey Department of Community Affairs Design & Development of Arts District Grant in the amount of \$3,000,000.00; and

WHEREAS, Design & Development of Arts District Grant funds will be used for the design and development of Metuchen's Arts District.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Borough Council of Metuchen, New Jersey, that the Governing Body does hereby accept the New Jersey Department of Community Affairs Design & Development of Arts District Grant, executed on February 20, 2024, in the amount of \$3,000,000.00.

BE IT FURTHER RESOLVED that the Mayor and Chief Executive Officer of the Borough of Metuchen, New Jersey be and hereby are authorized to execute a Grant Agreement with the New Jersey Department of Community Affairs on behalf of Metuchen, New Jersey, and the Borough of Metuchen, New Jersey does accept the Terms and Conditions specified in the Agreement in connection to this grant award.

RESOLUTION 2024-96

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

**RESOLUTION ACCEPTING NEW JERSEY DEPARTMENT OF COMMUNITY
AFFAIRS EMERGENCY SERVICES BUILDING GRANT**

WHEREAS, the State of New Jersey, Department of Community Affairs has allocated funds for the construction of an emergency services building; and

WHEREAS, the Borough of Metuchen, received an Award Contract from the New Jersey Department of Community Affairs Emergency Services Building Project Grant in the amount of \$2,000,000.00; and

WHEREAS, the Emergency Services Building Project Grant funds will be used for the construction of a new emergency services building.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Borough Council of Metuchen, New Jersey, that the Governing Body does hereby accept the New Jersey Department

of Community Affairs Emergency Services Building Project Grant, executed on February 20, 2024, in the amount of \$2,000,000.00.

BE IT FURTHER RESOLVED that the Mayor and Chief Executive Officer of the Borough of Metuchen, New Jersey be and hereby are authorized to execute a Grant Agreement with the New Jersey Department of Community Affairs on behalf of Metuchen, New Jersey, and the Borough of Metuchen, New Jersey does accept the Terms and Conditions specified in the Agreement in connection to this grant award.

RESOLUTION 2024-97

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

**RESOLUTION ACCEPTING NEW JERSEY DEPARTMENT OF COMMUNITY
AFFAIRS POCKET PARK DEVELOPMENT GRANT**

WHEREAS, the State of New Jersey, Department of Community Affairs has allocated funds for Pocket Park Development; and

WHEREAS, the Borough of Metuchen, received an Award Contract from the New Jersey Department of Community Affairs Pocket Park Development Project Grant in the amount of \$250,000.00; and

WHEREAS, the Pocket Park Development Project Grant funds will be used for the development of the Thomas Mundy Peterson Pocket Park.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Borough Council of Metuchen, New Jersey, that the Governing Body does hereby accept the New Jersey Department of Community Affairs Pocket Park Development Project Grant, executed on February 20, 2024, in the amount of \$250,000.00.

BE IT FURTHER RESOLVED that the Mayor and Chief Executive Officer of the Borough of Metuchen, New Jersey be and hereby are authorized to execute a Grant Agreement with the New Jersey Department of Community Affairs on behalf of Metuchen, New Jersey, and the Borough of Metuchen, New Jersey does accept the Terms and Conditions specified in the Agreement in connection to this grant award.

RESOLUTION 2024-98

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

RESOLUTION AUTHORIZING THE AWARD FOR MAINTENANCE AND REPAIR FOR HEAVY DUTY VEHICLES THROUGH STATE CONTRACT

WHEREAS, there exists a need for heavy duty truck maintenance and repair for Public Works fleet vehicles the Borough of Metuchen, in the County of Middlesex, State of New Jersey; and

WHEREAS, this can be purchased through State Contract T2108 –Maintenance & Repair for Heavy Duty Vehicles (Class 5 or higher, over 15,000 LB GVWR) NJ Master Blanket 89290; and

WHEREAS, said contract is in effect from July 21, 2015 through November 20, 2024; and

WHEREAS, the maximum amount for the maintenance and repair for heavy duty trucks for the Borough of Metuchen is \$10,000.00 and funds are anticipated to be available in the 2024 Temporary budget and 2024 Adopted budget as certified by the Chief Financial Officer and that there is sufficient funds for such award and is available and is designated from Appropriation Account Streets & Roads-Vehicle Maintenance & Repair, 4-01-20-765-025 for these services; and

WHEREAS, the authorization to purchase goods and services under this award expires on November 20, 2024; 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 Sanitation Truck Repair, Inc., 2301 Roosevelt Avenue, South Plainfield, NJ, 07080.

RESOLUTION 2024-99

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

RESOLUTION AUTHORIZING SOMERSET COUNTY COOPERATIVE PRICING FOR ORIGINAL EQUIPMENT MANUFACTURED PARTS AND REPAIRS, HEAVY DUTY VEHICLES OVER 14,500 GVW – AIR BRAKE AND EQUIPMENT

WHEREAS, there exists a need to for original equipment manufactured parts and repairs, for Public Works heavy duty fleet vehicles over 14,500 GVW for the Borough of Metuchen, in the County of Middlesex, State of New Jersey; and

WHEREAS, this can be purchased through the Somerset County Cooperative original equipment

manufactured parts and repairs, for heavy duty vehicles over 14,500 GVW , Open-ended Contract #CC-0129-23, Cooperative Pricing Bid #2-SOCCP, First Year of a Two-Year Contract pursuant to the provisions of NJSA 40A:11-11 (5); and

WHEREAS, this award authorization does not include purchase of over the counter parts for heavy duty Public Works fleet vehicles; and

WHEREAS, said contract is the first year of a two-year contract for original equipment manufactured parts and repairs, for heavy duty vehicles over 14,500 GVW , Open-ended Contract #CC-0129-23, Cooperative Pricing Bid #2-SOCCP which was approved on December 12, 2023 by the Somerset County Board of County Commissioners is effective from December 12, 2023, to December 13, 2024; and

WHEREAS, the authorization to purchase under this award expires on December 13, 2024; and

WHEREAS, the maximum amount of the purchase original equipment manufactured parts and repairs, for Public Works heavy duty fleet vehicles over 14,500 GVW for the Borough of Metuchen is \$40,000.00 and that there are sufficient funds for such award as certified from the 2024 Temporary Budget and 2024 Adopted Budget, designated from Streets & Roads-Vehicle Maintenance & Repair, 4-01-26-765-025 for these services; and

WHEREAS, the County of Somerset, New Jersey 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 Air Brake & Equipment, Truck/Auto & Equipment Warehouse, 225 Route 22 West, Hillside, NJ 07205-1832.

RESOLUTION 2024-100

Borough of Metuchen

County of Middlesex

State of New Jersey

REFUND OF OVERPAYMENT OF 2024 TAXES

WHEREAS, the following has made an overpayment of taxes:

Name	Block/Lot	Address	Amount		Year
Taegar, Sydney & Vargas, Maria	185.01/9	12 Bounty Street	\$2,856.85	Duplicate tax payment	2024, 1st qtr

NOW, THEREFORE, BE IT RESOLVED that the above listed property owner or agent be refunded property taxes as described in the amount of \$2,856.85.

RESOLUTION 2024-101

*Borough of Metuchen
County of Middlesex*

State of New Jersey

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

WHEREAS, Block 50, Lot 36 was affected by subdivision, boundary changes or combining parcels where parcels are being combined/eliminated; and

WHEREAS, payments for quarters one and two were made to Block 50, Lot 36, 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 to be applied to Block 50, Lot 36.01.

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 \$8,635.03.

Block/Lot/Qua l	Address	Owner	Amount to Transfer	Quarter of Transfer
50/36	6 Plainfield Ave	Peter Haid	(4,317.52)	3/2023
50/36	6 Plainfield Ave	Peter Haid	(4,317.51)	4/2023
50/36.01	6 Plainfield Ave	Peter Haid	4,453.33	1/2024
50/36.01	6 Plainfield Ave	Peter Haid	4,181.70	2/2024

RESOLUTION 2024-102

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

RESOLUTION DECLARING AN EMERGENCY AND AUTHORIZING EMERGENCY CONTRACT PROCEDURES FOR THE REPAIR AND/OR REPLACEMENT OF A SECTION OF SANITARY SEWER LINE

WHEREAS, on February 25, 2024 a portion of sanitary sewer pipe within the Borough of Metuchen failed causing the need for remediation, repair and/or replacement to a portion of sanitary sewer infrastructure; and

WHEREAS, the Emergency Management Coordinator, as well as the Borough Administrator, have advised that until such time as the appropriate repairs are completed to the sanitary sewer system within the Borough, and is fully functional and is operating, delays in the sanitary sewer infrastructure repairs would cause an immediate health hazard; and

WHEREAS, the Emergency Management Coordinator and the Borough Administrator have recommended to the Mayor and Council and Qualified Purchasing Agent that an emergency declaration be made, with authorization to proceed with an emergent contract for the repair and/or replacement of a portion of sanitary sewer infrastructure and the need for the performance of a contract and delivery of goods and services and the need to invoke N.J.S.A. 40A:11-6.

NOW, THEREFORE, BE IT RESOLVED that due to the failure of a

portion of sanitary sewer infrastructure within the Borough of Metuchen and the immediate health hazard caused thereby and the specific conditions expressed by the Emergency Management Coordinator and Borough Administrator, the Mayor and Council of the Borough of Metuchen hereby declares an emergency and authorizes the use of the emergency contract procedures of N.J.S.A. 40A:11-6 for the repair and/or replacement of the failed sanitary sewer infrastructure.

BE IT FURTHER RESOLVED by the Council of the Borough of Metuchen that it hereby authorizes the Mayor, Borough Clerk, Borough Administrator, Chief Financial Officer/Qualified Purchasing Agent, the Emergency Management Coordinator, Borough Engineer and all other Borough officials and employees to take all action necessary to procure an emergency contract/s for the repair and/or replacement of the affected sanitary sewer infrastructure in an expeditious fashion.

RESOLUTION 2024-103

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

**RESOLUTION AUTHORIZING THE REFUND 2024 OF
RECREATION TRUST PROGRAM FEES**

WHEREAS, the fees collected for attendance at various Borough of Metuchen Recreation Commission events and camps have been collected in 2024; and

WHEREAS, the 2024 Recreation Family Skate program was cancelled due to low registration; and

WHEREAS, the fees collected are requested by the Recreation Director to be refunded, as detailed in the below schedule.

NOW, THEREFORE, BE IT RESOLVED that the Chief Finance Officer be authorized to process refunds in the amount of \$84.00 as described, from the Recreation Trust account.

A Paul Stofa	168 Plainfield Ave, Metuchen	34.00
Efrat Shapira	111 Hollywood Ave, Metuchen	22.00
Marlyn Lazala	28 E Cedar St, Metuchen	14.00
David Sahib	9 W. Walnut St, Metuchen	14.00

RESOLUTION 2024-104

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

RESOLUTION SUPPORTING THE TEMPORARY CLOSURE OF A PORTION OF ORCHARD STREET AND IMPLEMENTATION OF A VEHICULAR DETOUR FOR THE COUNTY OF MIDDLESEX PROJECT TO REPLACE CULVERT 1C124 CARRYING ORCHARD STREET OVER THE TRIBUTARY TO MILL BROOK AT THE BORDER BETWEEN THE BOROUGH OF METUCHEN AND THE TOWNSHIP OF EDISON

WHEREAS, the Middlesex County Engineer's Office has elected to replace the existing culvert to meet current loading standards and to better accommodate pedestrians within the corridor; and

WHEREAS, temporarily closing a portion of Orchard Street while implementing a vehicular detour route to facilitate the replacement of the existing culvert structure will result in a shorter construction duration; and

WHEREAS, the temporary closure of a portion of Orchard Street and implementation of a vehicular detour route is proposed for an anticipated duration of 6 months; and

WHEREAS, the vehicular detour will require motorists heading to destinations west of the temporary closure of Orchard Street to remain on U.S. Route 1 southbound to the ramp for Main Street (CR 531) North and then continue north to Orchard Avenue; and

WHEREAS, the temporary closure of a portion of Orchard Street will require motorists to follow Main Street (CR 531) southbound for accessing U.S. Route 1 South and Interstate 287 North; and

WHEREAS, the temporary closure of a portion of Orchard Street and the vehicular detour route has been coordinated with the Borough of Metuchen Police Department and borough engineer.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Metuchen in the County of Middlesex, New Jersey supports the County of Middlesex Project and the temporary closure of a portion of Orchard Street and implementation of a vehicular detour to replace Culvert 1C124 carrying Orchard Street over the tributary to Mill Brook.

RESOLUTION 2024-104

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

RESOLUTION SUPPORTING THE TEMPORARY CLOSURE OF A PORTION OF ORCHARD STREET AND IMPLEMENTATION OF A VEHICULAR DETOUR FOR THE COUNTY OF MIDDLESEX PROJECT TO REPLACE CULVERT 1C124 CARRYING ORCHARD STREET OVER THE TRIBUTARY TO MILL BROOK AT THE BORDER BETWEEN THE BOROUGH OF METUCHEN AND THE TOWNSHIP

OF EDISON

WHEREAS, the Middlesex County Engineer's Office has elected to replace the existing culvert to meet current loading standards and to better accommodate pedestrians within the corridor; and

WHEREAS, temporarily closing a portion of Orchard Street while implementing a vehicular detour route to facilitate the replacement of the existing culvert structure will result in a shorter construction duration; and

WHEREAS, the temporary closure of a portion of Orchard Street and implementation of a vehicular detour route is proposed for an anticipated duration of 6 months; and

WHEREAS, the vehicular detour will require motorists heading to destinations west of the temporary closure of Orchard Street to remain on U.S. Route 1 southbound to the ramp for Main Street (CR 531) North and then continue north to Orchard Avenue; and

WHEREAS, the temporary closure of a portion of Orchard Street will require motorists to follow Main Street (CR 531) southbound for accessing U.S. Route 1 South and Interstate 287 North; and

WHEREAS, the temporary closure of a portion of Orchard Street and the vehicular detour route has been coordinated with the Borough of Metuchen Police Department and borough engineer.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Metuchen in the County of Middlesex, New Jersey supports the County of Middlesex Project and the temporary closure of a portion of Orchard Street and implementation of a vehicular detour to replace Culvert 1C124 carrying Orchard Street over the tributary to Mill Brook.

RESOLUTION 2024-105

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

**REFUND OF OTHER FEES & PERMITS – BUILDING PERMIT #23-0356
SUNRUN INSTALLATION SERVICES, INC.**

WHEREAS, Sunrun Installation Services, Inc., 21 Worlds Fair Drive, Somerset, NJ 08873, made payment on June 7, 2023, in the amount of \$514.00 for an Electrical, Fire and Building Permit fee for the installation of solar panels to be performed at 40 Myrtle Avenue, Block 215, Lot 17, collected as anticipated revenue; and

WHEREAS, the homeowner no longer wishes to have the work performed; and

WHEREAS, the DCA (*State*) fees of \$54.00 are non-refundable; and

WHEREAS, pursuant to Ordinance #2021-16 a 20% plan review fee of \$92.00 shall be deducted from the total permit fee to be returned.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Metuchen, that the Chief Financial Officer is hereby authorized and directed to refund, from anticipated revenue to Sunrun Installation Services, Inc., 21 Worlds Fair Drive, Somerset, NJ 08873, in the amount of \$368.00 for the Electrical, Fire and Building Permit fee.

RESOLUTION 2024-105

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

**REFUND OF OTHER FEES & PERMITS – BUILDING PERMIT #23-0356
SUNRUN INSTALLATION SERVICES, INC.**

WHEREAS, Sunrun Installation Services, Inc., 21 Worlds Fair Drive, Somerset, NJ 08873, made payment on June 7, 2023, in the amount of \$514.00 for an Electrical, Fire and Building Permit fee for the installation of solar panels to be performed at 40 Myrtle Avenue, Block 215, Lot 17, collected as anticipated revenue; and

WHEREAS, the homeowner no longer wishes to have the work performed; and

WHEREAS, the DCA (*State*) fees of \$54.00 are non-refundable; and

WHEREAS, pursuant to Ordinance #2021-16 a 20% plan review fee of \$92.00 shall be deducted from the total permit fee to be returned.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Metuchen, that the Chief Financial Officer is hereby authorized and directed to refund, from anticipated revenue to Sunrun Installation Services, Inc., 21 Worlds Fair Drive, Somerset, NJ 08873, in the amount of \$368.00 for the Electrical, Fire and Building Permit fee.

RESOLUTION 2024-106

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

**RESOLUTION AUTHORIZING STATE CONTRACT
PURCHASE FOR POLICE VEHICLE**

WHEREAS, there exists a need for a vehicle for the Police Department in the Borough of Metuchen , in the County of Middlesex, State of New Jersey; and

WHEREAS, this can be purchased through ESCNJ (65MCESCCPS) Contract# 23/24-11 which is in effect until December 14, 2025; and

WHEREAS, the awarded amounts of the State Contract purchase for one (I) 2024 Chevy Malibu RS , Base Vehicle , is \$26,000.00; and

WHEREAS, additional vehicle add-ons that are not covered by State Contract in the amount of 1,908.00 are included in the authorization to purchase one (1) 2024 Chevrolet Malibu RS for a maximum amount not to exceed \$27,815.00; and

WHEREAS, the Chief Financial Officer's Certification of Funds is made authorizing the award for one (1) 2024 Chevrolet Malibu RS from Forfeiture Trust T-15-56-858-858, not to exceed a grand total of \$27,815.00;and

WHEREAS, public bids are not required when the purchase is under a state contract in accordance with 40A: 1 1-12 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 Pellegrino Buick-GMC, 815 Black Horse Pike, Williamstown, NJ 08094.

RESOLUTION 2024-107

*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 \$7,133,552.49.

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.

Rebecca Cuthbert, CFO