

**BOROUGH COUNCIL AGENDA
REGULAR MEETING NOVEMBER 18, 2024
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 September 23, 2024 and October 7, 2024

Communications Consent Agenda – Item A

A. Receive and Accept Senior Citizen Commission Meeting Minutes of September 11, 2024

Ordinances – Introduction

Ord. 2024-26 ORDINANCE RELEASING, EXTINGUISHING AND VACATING THE SAFETY PLACE PUBLIC RIGHTS OF WAY IN AND TO PORTIONS OF PROPERTY LOCATED ON BLOCK 132, LOTS 10, THROUGH 27 AND 46 THROUGH 51, COMMONLY KNOWN AS PORTIONS OF SAFETY PLACE

Ord. 2024-27 ORDINANCE AMENDING THE CODE OF THE BOROUGH OF METUCHEN, CHAPTER 87 “FEES”, SPECIFICALLY, SECTION 87-2, “SCHEDULE” AND CHAPTER 210, ENTITLED “FOOD-HANDLING ESTABLISHMENTS”, SPECIFICALLY, SECTION 210-2, “FEES” AND SECTION 210-6, “EXPIRATION; RENEWAL”

Ord. 2024-28 ORDINANCE AMENDING THE CODE OF THE BOROUGH OF METUCHEN, CHAPTER 175, ENTITLED “TAXICABS”, SPECIFICALLY, SECTION 175-10, “CHARGES”; SECTION 175-11, “OWNERS’ LICENSES; ISSUANCE; FEES” AND SECTION 175-12, “DRIVERS’ LICENSES; ISSUANCE; FEES”

Ord. 2024-29 ORDINANCE AMENDING THE CODE OF THE BOROUGH OF METUCHEN, CHAPTER 185, ENTITLED “VEHICLES AND TRAFFIC”, SPECIFICALLY, SECTION 185-29, “TAXI STANDS” REMOVING AND REPLACING ONE LOCATION AND SECTION 185-12(B), “METERED TIME LIMIT PARKING” REMOVING ONE LOCATION AND AMENDING ONE LOCATION

Report of the Borough Administrator

Reports of Council Members

Report of the Mayor

New Business Consent Agenda – Resolutions 2024-279 to 2024-287

- R2024-279 RESOLUTION APPROVING 2024 BUDGET TRANSFERS

- R2024-280 RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO COLLIER ENGINEERING & DESIGN, TO PERFORM ENGINEERING SERVICES FOR BIKE LANE IMPROVEMENTS ON HILLSIDE AVENUE

- R2024-281 RESOLUTION AUTHORIZING PURCHASE FROM SOMERSET COUNTY COOPERATIVE PRICING FOR RED DYED #2 DIESEL FUEL (ULTRA LOW SULFUR DIESEL), RED DYED WINTER BLEND DIESEL AND FUEL OIL-SECOND YEAR CC-0036-23

- R2024-282 RESOLUTION AMENDING RESOLUTION 2024-238 AUTHORIZING THE AWARD FOR AUTOMOTIVE PARTS & ACCESSORIES, AND FOR MAINTENANCE AND REPAIR FOR VEHICLES THROUGH STATE CONTRACTS

- R2024-283 RESOLUTION AMENDING RESOLUTION 2024-197 AUTHORIZING PURCHASE FROM SOMERSET COUNTY COOPERATIVE PRICING FOR OFFICE SUPPLIES, FURNITURE & EQUIPMENT, PRINTER INK CARTRIDGE & TONER, JUST-IN-TIME, DESKTOP DELIVERY, OPEN END, CATALOGUE BID

- R2024-284 RESOLUTION OF SUPPORT FROM THE BOROUGH OF METUCHEN TO SUBMIT AN APPLICATION TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS PRESERVE AND RESTORE THE COLONIAL CEMETERY GRANT

- R2024-285 RESOLUTION OF SUPPORT FROM THE BOROUGH OF METUCHEN TO SUBMIT AN APPLICATION TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FIRE APPARATUS GRANT

R2024-286 RESOLUTION AUTHORIZING THE OJECTIONS TO THE WHITMAN RENEWAL LLC APPLICATION TO THE EDISON PLANNING BOARD APPLICATION FOR PRELIMINARY AND FINAL SITE PLAN APPROVAL FOR THE PROPOSED DEVELOPMENT OF PROPERTY LOCATED AT 135 WHITMAN AVENUE, ALSO KNOWN AS LOTES 29, 30, AND 31.11 IN BLOCK 199.01 ON THE TAX MAPS OF THE TOWNSHIP OF EDISON

R2024-287 RESOLUTION AUTHORIZING THE REDUCTION OF THE PERFORMANCE GUARANTY FOR 215 DURHAM AVENUE AND 700 MIDDLESEX AVENUE – BLOCK 71, LOTS 37.01 & 37.02 – METUCHEN I, LLC AND METUCHEN III, LLC

Other New Business

R2024-288 RESOLUTION AUTHORIZING PAYMENT OF THE BILL LIST IN THE AMOUNT OF \$396,822.20

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 2024-26

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

ORDINANCE RELEASING, EXTINGUISHING AND VACATING THE SAFETY PLACE PUBLIC RIGHTS OF WAY IN AND TO PORTIONS OF PROPERTY LOCATED ON BLOCK 132, LOTS 10, THROUGH 27 AND 46 THROUGH 51, COMMONLY KNOWN AS PORTIONS OF SAFETY PLACE

WHEREAS, the Borough of Metuchen 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 (“Emergency Services Building Project”); and

WHEREAS, the Borough has acquired and/or has title to Block 132, Lots 10 through 27, and Lots 40 through 51 for the Project; and

WHEREAS, in consultation with the Borough Engineer and the Design Consultant for the Emergency Services Building Project, the Borough of Metuchen has determined that a portion of the forty (40) foot Safety Place right of way adjoining the properties located at Block 132, Lots 10 through 27, and 46 through 51 is no longer necessary to the Borough of Metuchen to serve as a public roadway and the vacation of portions of the forty (40) foot right of way is necessary for the completion of the Project; and

WHEREAS, the Borough Engineer has prepared a Vacation Map of a portion of Safety Place along with a Description of the Property to be vacated and become part of Block 132, Lots 10-27, and Lots 46-51, a copy of which is attached hereto and incorporated herein; and

WHEREAS, the portion of the Safety Place Right of Way to be vacated herein contains approximately 13,156 square feet or .302 acres; and

WHEREAS, the Council of the Borough of Metuchen has determined that the vacation of the portions of the Safety Place Right of Way described by the Borough Engineer is in the best interest of the Borough in light of the fact that the portion of the right of way is no longer necessary to serve as a public right of way or roadway and that the vacation is in furtherance of a public interest in the completion of the Emergency Services Building Project.

NOW THEREFORE BE IT ORDAINED by the Council of the Borough of Metuchen, County of Middlesex, that it hereby releases, extinguishes and forever vacates all rights, interests, and entitlements in the portions of Safety Place Right of Way as set forth on the Map and description attached hereto and made part hereof; and

BE IT FURTHER ORDAINED by the Mayor and Council that all remaining portions of Safety Place and the Right of Way not vacated or referenced herein shall not be affected hereby and shall remain in full force and effect; and

BE IT FURTHER ORDAINED that the Borough Council hereby authorizes the Mayor, Borough Clerk, Borough Administrator and other necessary Borough officials to execute and deliver all necessary documents and undertake all actions reasonably necessary to effectuate the aforementioned vacation and this Ordinance; and

BE IT FURTHER ORDAINED that within sixty (60) days after this Ordinance becomes effective, the Borough Clerk shall file a copy thereof, certified by under the Seal of the Borough of Metuchen to be a true copy of such Ordinance, together with a proof of publication thereof, in the office of the Middlesex County Clerk to be recorded in a book with proper index to be provided for this purpose entitled “vacations”, in accordance with the provisions of N.J.S.A. 40:67-21; and

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; and

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.

ORDINANCE 2024-27

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

**ORDINANCE AMENDING THE CODE OF THE BOROUGH OF METUCHEN,
CHAPTER 87 “FEES”, SPECIFICALLY, SECTION 87-2, “SCHEDULE” AND
CHAPTER 210, ENTITLED “FOOD-HANDLING ESTABLISHMENTS”,
SPECIFICALLY, SECTION 210-2, “FEES” AND SECTION 210-6, “EXPIRATION;
RENEWAL”**

WHEREAS, the Mayor and Council have determined that it is in the best interest of the Borough to update the Code of the Borough of Metuchen and its Fee and Expiration Schedules.

NOW THEREFORE BE IT ORDAINED by the Borough of Metuchen, County of Middlesex, New Jersey, that Chapter 87 of the Code of the Borough of Metuchen, entitled “Fees”, specifically §87-2 “Schedule”, and Chapter 210, entitled “Food-Handling Establishments”, specifically, §210-2 “Fees”; and §210-6, “Expiration; renewal” are hereby amended and supplemented to state the following:

CHAPTER 87

FEES

* * * * *

§87-2 Schedule

- A. All applications for permits for annual renewal as encompassed herein shall be accompanied by the payment of the fees prescribed in the following table. Permits shall expire and shall be subject to renewal in accordance with the expiration date as prescribed. A late charge of ~~10%~~ \$50.00 per month for each month from the day immediately following the expiration date ~~of the prescribed fee~~ shall be assessed for all licenses, which are not renewed prior to the expiration date. The monthly late charge shall be assessed on the day following the due date and for each month thereafter. The late charge will not be prorated.

Description of Activity	Fee	Expiration Date
Food Establishments		
Pharmacies and Confectioneries, permit to carry prepackaged foods	\$50	November 30 <u>January 31</u>
Food Establishments		
1 to 2,500 square feet	\$60	December 31 <u>January 31</u>
2,501 to 5,000 square feet	\$115	December 31 <u>January 31</u>

5,001 to 10,000 square feet	\$225	December 31 <u>January 31</u>
10,000 square feet and over	\$375	December 31 <u>January 31</u>
Restaurants		
Counter service only	\$60	December 31 <u>January 31</u>
1 to 25 seating capacity	\$85	December 31 <u>January 31</u>
26 to 50 seating capacity	\$115	December 31 <u>January 31</u>
51 to 75 seating capacity	\$190	December 31 <u>January 31</u>
76 and over	\$285	December 31 <u>January 31</u>
Vending Machines		
Food and Beverage	\$20	November 30 <u>January 31</u>
Ice	\$20	November 30 <u>January 31</u>
Itinerant food vehicles, each vehicle	\$70	November 30 <u>January 31</u>
Milk delivery vehicle		
First truck	\$10	November 30 <u>January 31</u>
Each additional truck	\$5	November 30 <u>January 31</u>
<u>Temporary event food license for an Annual License holder referenced above – per event</u>	<u>\$10</u>	<u>January 31</u>
Temporary event food license per diem	\$10 <u>\$25</u>	N/A
Laundry, self-service, permit to operate, each machine (washer, dryer or dry cleaning)	\$10	June 30 <u>January 31</u>
Pet shop		
Permit to operate	\$60	November 30 <u>January 31</u>
Motor hotel, tourist lodge, permit to operate	\$10	November 30 <u>January 31</u>

CHAPTER 210

FOOD-HANDLING ESTABLISHMENTS

* * * * *

§210-2 Fees

- A. There shall be a charge as set forth in Chapter 87, Fees, for the license, as required by § 210-1.
- B. If there is any change in ownership of a food establishment during the licensing period, immediate application must be made for a new food license. Anyone applying for a food license during the last six months of the licensing period, ~~i.e., July 1 through December~~

~~31st~~, due to a change of ownership or new establishment, except seasonal trucks and seasonal establishments, the food license fee will be prorated to the nearest month.

§210-6 Expiration; renewal

Licenses issued or approved under the provisions of this chapter shall expire annually on ~~December 31st~~ January 31st of each year, and applications for renewal thereof shall be submitted, together with the required fee, prior to ~~December 1~~ Januray 15th of each year. In the event that the Board of Health shall sponsor a food-handlers education program during any year, notice of the same shall be given to each retail food establishment licensee or itinerant retail food establishment licensee. No license shall be renewed unless the licensee, proprietor, manager, assistant manager or other persons in charge of a retail food establishment or itinerant retail food establishment shall attend such program or a comparable program approved by the Board of Health. In the event that the food establishment employs 20 or more persons, then at least two supervisory personnel of such food establishment shall be required to attend the aforesaid programs. Based on inspection records made by the Board of Health, the Board shall have the right to waive the above attendance requirement for not more than two successive years.

BE IT FURTHER ORDAINED by the Mayor and Council that all remaining sections of Chapters 87 and 210 not specifically amended herein shall not be affected by the within amendments and shall remain in full force and effect; and

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 by the Mayor and Borough Council of the Borough of Metuchen authorize that that all Borough employees and officials shall take all necessary actions to in order to effectuate the within Ordinance.

ORDINANCE 2024-28

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

ORDINANCE AMENDING THE CODE OF THE BOROUGH OF METUCHEN, CHAPTER 175, ENTITLED “TAXICABS”, SPECIFICALLY, SECTION 175-10, “CHARGES”; SECTION 175-11, “OWNERS’ LICENSES; ISSUANCE; FEES” AND SECTION 175-12, “DRIVERS’ LICENSES; ISSUANCE; FEES”

WHEREAS, the Mayor and Council have determined that it is in the best interest of the Borough to update the Code of the Borough of Metuchen and its regulations relating to the operation of taxicabs within the Borough of Metuchen.

NOW THEREFORE BE IT ORDAINED by the Borough of Metuchen, County of Middlesex, New Jersey, that Chapter 175 of the Code of the Borough of Metuchen, entitled “Taxicabs”, specifically §175-10 entitled “Charges”; §175-11 entitled “Owner’s Licenses; Issuance; Fees; and §175-12, entitled “Drivers’ Licenses; Issuance; Fees are hereby amended and supplemented to state the following:

CHAPTER 175

TAXICABS

* * * * *

§175-10 Charges

All fees, charges and rates shall be conspicuously displayed in each taxicab, hack or cab under the control and discretion as to size and place of the Chief of Police. ~~The maximum charges that may be made or requested by owners and operators or drivers of taxicabs, who are subject to licensing under this chapter, for transportation of passengers and other services incidental thereto either entirely within the Borough or originating or terminating within the Borough are hereby fixed as follows:~~

~~A. For one or two passengers, except senior citizens, as measured from the point of dispatch which shall be considered to be the taxi stand operated by the licensed taxicab company in the Borough:~~

~~(1) Length of trip within the Borough of Metuchen: All fares herein listed shall be computed from point of dispatch.~~

Distance	Fare
Up to 1 mile from point of dispatch	\$1.75
Over 1 mile, up to 2 miles	\$2.25

Over 2 miles, up to 2 ½ miles	\$2.50
Over 2 ½ miles	\$2.75
Maximum fare under the subsection	\$2.75

~~For each additional mile traveled outside the Borough of Metuchen within the County of Middlesex and north of the Raritan River: \$3.00.~~

~~B. Other and additional charges shall be as follows:~~

Type of Charge	Fee
For each additional passenger	\$.50
For each stop in route (except the picking up of additional passengers covered above)	\$.50
-	
For handling or hauling packages which driver is to deliver, each	\$.50

~~C. Waiting time per hour shall be \$14.~~

~~D. Senior citizens age 62 and above, as well as handicapped persons, shall receive a 25% reduction in the total fare as listed above in Subsections A, B and C, and as to the following destinations, the total fixed maximum charge, inclusive of senior citizen and handicapped persons reduction, for transportation in either direction shall be:~~

Location	Fare
Roosevelt Hospital	\$3.00
Menlo Park Mall	\$3.00
-	
John F. Kennedy Hospital	\$3.00
Metropark Train Station	\$4.00
Woodbridge Mall	\$4.75
Newark Airport	\$27.50
City of New Brunswick	\$10.25

~~E. The rates herein fixed shall be displayed and posted conspicuously in each taxicab, hack or cab under the control and discretion as to size and place of the Chief of Police.~~

§175-11 Owner's licenses; issuance; fees.

A. The Chief of Police of the Borough is hereby authorized to grant licenses and renewals thereof to a business entity or persons of the Borough, who, as individuals, shall be over the age of 21 years, to conduct the business of renting, leasing or hiring of hacks, cabs and taxicabs, not to exceed 25 taxi vehicles in number, per license, for the transportation of passengers and also for the operation of such vehicles for transportation of baggage within the Borough.

B. All business owners' and operators' licenses shall be issued for the term of one year; ~~and upon the issuing of same, each licensee shall pay to the Borough Treasurer the sum of \$200 for each taxicab desired to be licensed, to a maximum of \$2,000 for the entire taxicab fleet.~~

§175-12 Drivers' licenses; issuance; term; fees.

The Chief of Police is hereby authorized to grant licenses to persons of good moral character over the age of 21 years, exclusive of the business owner's license, as he or she shall think proper to for a person to drive or operate hacks, cabs and taxicabs for the transportation of passengers and for the transportation of baggage within the Borough. All such licenses shall be issued for a term of one year and shall expire on September 1 of each year; and upon the issuing of same, each licensee shall pay to the Treasurer of the Borough the sum of \$40 per license.

BE IT FURTHER ORDAINED by the Mayor and Council that all remaining sections of Chapter 175 not specifically amended herein shall not be affected by the within amendments and shall remain in full force and effect; and

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 by the Mayor and Borough Council of the Borough of Metuchen that all Borough officials shall take all necessary actions to in order to effectuate the within Ordinance.

ORDINANCE 2024-29

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

ORDINANCE AMENDING THE CODE OF THE BOROUGH OF METUCHEN, CHAPTER 185, ENTITLED “VEHICLES AND TRAFFIC”, SPECIFICALLY, SECTION 185-29, “TAXI STANDS” REMOVING AND REPLACING ONE LOCATION AND SECTION 185-12(B), “METERED TIME LIMIT PARKING” REMOVING ONE LOCATION AND AMENDING ONE LOCATION

NOW THEREFORE BE IT ORDAINED by the Borough of Metuchen, County of Middlesex, New Jersey, that Chapter 185 of the Code of the Borough of Metuchen, specifically §185-29, entitled “Taxi Stands” is hereby amended and supplemented to state the following:

§185-29 Taxi Stands

The locations described are hereby designated as taxi stands. No vehicle other than a taxi operated by a business that has a current owner's license with the Borough and who has paid the appropriate fees to the Parking Authority for parking permits shall be permitted to occupy said locations during the times indicated.

Street	Location	Hours
Pennsylvania Avenue	From a point 75-105 feet east of Main Street (C.R. 531) to a point 50 <u>20</u> feet east therefrom	All
Pennsylvania Avenue	From a point 168 feet east of Main Street (C.R. 531) to a point 13 feet east therefrom	All
<u>Pennsylvania Avenue</u>	<u>From Station Place to a point 30 feet east therefrom</u>	<u>All</u>

BE IT FURTHER ORDAINED by the Mayor and Council that that Chapter 185 of the Code of the Borough of Metuchen, specifically §185-12(B), “Metered Time Limit Parking” is hereby amended and supplemented to revise the following two locations on Pennsylvania Avenue in §185-12(B):

B. Metered time limit parking.

(1) No person shall park a vehicle for longer than 15 minutes in any parking space or areas so designated by the Borough, and/or the Parking Authority in consultation with the Borough of Metuchen Police Department and Borough Engineer as "fifteen-minute" parking, which shall be identified as such with the appropriate signage.

(2) No person shall park a vehicle for longer than the time limit between the hours listed on any day (except Sundays and public holidays) upon any of the streets or parts of streets described.

Name of Street	Sides	Time Limit	Hours	Location
Pennsylvania Avenue	North	2 hrs.	8:00 a.m. to 6:00 p.m.	From a point 35 feet east of Main Street (C.R.531) to a point 40 <u>70</u> feet east therefrom
Pennsylvania Avenue	North	2 hrs.	8:00 a.m. to 6:00 p.m.	From a point 125 <u>95</u> feet east of Main Street (C.R.531) to a point 30 <u>86</u> feet east therefrom

(3) All parking spaces and/or areas identified as "fifteen-minute" parking, as set forth in Subsection **B(1)** shall supersede the time limits and locations set forth in Subsection **B(2)**.

BE IT FURTHER ORDAINED by the Mayor and Council that all remaining locations contained in Section §185-12(B) not referenced above shall not be affected by the within amendments and shall remain in full force and effect; and

BE IT FURTHER ORDAINED by the Mayor and Council that all remaining sections of Chapter 185 not specifically amended herein shall not be affected by the within amendments and shall remain in full force and effect; and

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 take effect on January 1, 2025 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 shall take all necessary actions to in order to effectuate the within Ordinance, including but not limited to the installation of sign/s and any other devices in the above designated area.

RESOLUTION 2024-279

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

WHEREAS, there are unexpended balances in various 2024 appropriation accounts not required for the balance of 2024; and

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

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

Appropriation		From	To
FICA	OE		16,500.00
Streets & Roads	OE		35,000.00
Financial Administration Payroll Processing			500.00
Sewers	OE	12,000.00	
Recycling	OE	15,000.00	
Parks & Playgrounds	OE	8,000.00	
Buildings & Grounds	OE	20,000.00	
Gasoline & Diesel Fuel		15,000.00	
Telephone			35,000.00
Planning	OE		4,300.00
Fire Hydrants			24,900.00
Legal	OE	9,900.00	
Fire Department	OE	10,000.00	
Office of Emergency Management	OE	5,000.00	
Defined Contribution Retirement Plan	OE		3,000.00
METV	S&W	4,000.00	
Streets & Roads	S&W		9,000.00
Police	S&W	31,000.00	
Construction	S&W		40,000.00
Tax Collection	OE		2,000.00
Administration	OE		10,000.00
Finance	S&W	10,500.00	
Public Works Administration	S&W	56,600.00	
Administration	S&W	10,000.00	
Assessment	S&W	9,000.00	
Recreation	S&W	10,000.00	
Parks & Playgrounds	S&W		6,000.00
Garbage & Trash	S&W		5,000.00
Senior Citizen Center	S&W		1,800.00
Planning	S&W		31,000.00

Sewers	S&W		2,000.00
TOTALS		226,000.00	226,000.00
Pool	OE		15,000.00
Pool	S&W	15,000.00	
POOL UTILITY TOTALS		15,000.00	15,000.00

RESOLUTION 2024-280

Borough of Metuchen
County of Metuchen
State of New Jersey

RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO COLLIERS ENGINEERING & DESIGN, TO PERFORM ENGINEERING SERVICES FOR BIKE LANE IMPROVEMENTS ON HILLSIDE AVENUE

WHEREAS, the Borough of Metuchen has a need to acquire the services of a Borough Engineer as a fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, Requests for Qualifications for Professional Engineering services for the Borough of Metuchen were received by the Borough on December 22, 2023; and

WHEREAS, by way of Resolution No. 2024-21, the Borough of Metuchen awarded a contract for Borough Engineer and professional engineering services to Colliers Engineering & Design for the calendar year 2024 at a cost not to exceed thirty-five thousand dollars (\$35,000.00); and

WHEREAS, the Borough of Metuchen is in need of professional engineering services for bike lane improvements on Hillside Avenue; and

WHEREAS, Colliers Engineering & Design submitted a proposal dated September 27, 2024, to the Borough to render engineering services for bike lane improvements on Hillside Avenue for a cost not to exceed eighty one thousand dollars and no cents (\$81,000.00); and

WHEREAS, the proposal was reviewed and evaluated, and it is the recommendation of the Borough Administrator that a contract for engineering services for bike lane improvements on Hillside Avenue be awarded to Colliers Engineering & Design of Red Bank, New Jersey consistent with the proposal submitted; and

WHEREAS, the Council of the Borough of Metuchen have reviewed the proposal and have determined it is in the best interest of Metuchen to award a contract to Colliers Engineering & Design, of Red Bank, New Jersey to render engineering services for bike lane improvements on Hillside Avenue; and

WHEREAS, the cost for the proposed services shall not exceed eighty one thousand dollars and no cents (\$81,000.00) without further approval by the Mayor and Borough Council; and

WHEREAS, this contract is awarded as a “fair and open contract” pursuant to and in accordance with the Local Unit Pay-to-Play Law; and

WHEREAS, the Chief Financial Officer's Certification of Funds has certified that there are sufficient funds for such contract and is available and is designated from the Capital Fund, Bond Ordinance 2024-11, C-04-55-944-021 for these services.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Metuchen that it hereby awards a contract to Colliers Engineering & Design, 331 Newman Springs Road, Suite 203, Red Bank, NJ 07701 on the basis of the proposal dated September 27, 2024 to provide professional engineering services to the Borough of Metuchen for bike lane improvements on Hillside Avenue funded in an amount not to exceed eighty one thousand dollars and no cents (\$81,000.00).

BE IT FURTHER RESOLVED that the Mayor and Borough officials and employees are hereby authorized to take all necessary actions in order to effectuate the terms and provisions of this Resolution, including but not limited to the execution of an Agreement in the form acceptable in contents by the Mayor and Council President.

RESOLUTION 2024-281

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

**RESOLUTION AUTHORIZING PURCHASE FROM SOMERSET COUNTY COOPERATIVE PRICING
FOR RED DYED #2 DIESEL FUEL (ULTRA LOW SULFUR DIESEL), RED DYED WINTER BLEND
DIESEL AND FUEL OIL-SECOND YEAR CC-0036-23**

WHEREAS, there exists a need to purchase diesel fuel 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 Red Dyed #2 Diesel Fuel (Ultra Low Sulfur Diesel), Red Dyed Winter Blend Diesel and Fuel Oil, Open-ended Contract #CC-0036-23, Cooperative Pricing Bid #2-SOCCP, Second Year of a Two-Year Contract pursuant to the provisions of NJSA 40A:11-11 (5); and

WHEREAS, said contract is the second year of a two-year contract for Red Dyed #2 Diesel Fuel (Ultra Low Sulfur Diesel), Red Dyed Winter Blend Diesel and Fuel Oil, Open-ended Contract #CC-0036-23, Co-operative Pricing Bid #2-SOCCP which was approved on October 22, 2024 by the Somerset County Board of County Commissioners is effective from October 22, 2024, to October 21, 2025; and

WHEREAS, the authorization to purchase under this award expires on December 31, 2024; and

WHEREAS, the maximum amount of the purchase of Red Dyed #2 Diesel Fuel (Ultra Low Sulfur Diesel), Red Dyed Winter Blend Diesel and Fuel Oil for the Borough of Metuchen is \$36,000.00 and that there are sufficient funds for such award as certified from the 2024 Adopted Budget, designated from Diesel and Gasoline Fuel Account Number 4-01-31-821-074; 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 National Fuel Oil Inc., 175 Orange Street, Newark, NJ 07103.

RESOLUTION 2024-282

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

**RESOLUTION AMENDING RESOLUTION 2024-238 AUTHORIZING THE AWARD
FOR AUTOMOTIVE PARTS & ACCESSORIES, AND FOR MAINTENANCE AND
REPAIR FOR VEHICLES THROUGH STATE CONTRACTS**

WHEREAS, by way of resolution 2024-57, the Mayor and Council of the Borough of Metuchen authorized the award to purchase vehicle parts and maintenance and repair for fleet vehicles of the Borough of Metuchen, in the County of Middlesex, State of New Jersey; and

WHEREAS, the award authorized these purchases through State Contract T0126–OEM & Non OEM Maintenance & Repair Services for Light/Medium Duty Vehicles, and through State Contract T2760 OEM Automotive Parts and Accessories for Light Duty Vehicles Class 4 or Lower; and

WHEREAS, said state contract T0126 was in effect from March 18, 2016 through March 17, 2024, extended with an extension until March 17, 2025, and state contract T2760 is in effect from August 5, 2019 through August 4, 2023; extended until August 4, 2024, with an additional one year extension through August 4, 2025; and

WHEREAS, State Contract T0126 has been extended through March 17, 2024, for OEM & non-OEM maintenance and repair services for light/medium duty vehicles; & State Contract T2760 OEM Automotive Parts and Accessories for Light Duty Vehicles Class 4 or Lower had been extended through August 4, 2024, with an additional one year extension through August 4, 2025; and

WHEREAS, Resolution 2024-57 was amended by Resolution 2024-129 to increase the award authorization from \$12,000.00 to \$17,000.00, amended again by resolution 2024-147 from \$17,000.00 to \$32,000.00 and amended by Resolution 2024-238 from \$32,000.00 to \$42,000.00; and

WHEREAS, another amendment is needed to increase the award authorization by an additional fifteen thousand dollars and no cents (\$15,000.00); and

WHEREAS, the maximum amount for vehicle parts and maintenance and repair for fleet vehicles for the Borough of Metuchen is amended to increase the authorization by \$15,000.00, for a grand total in an amount not to exceed \$57,000.00 with funds anticipated to be available in the 2024 Adopted Budget as certified by the Chief Financial Officer and that there are sufficient funds for such award and are available and is designated from Account number Streets & Roads-Vehicle Maintenance & Repair, 4-01-20-765-025; and

WHEREAS, this authorization for purchase of OEM automotive parts and accessories for light duty vehicles Class 4 or lower, under State Contract T2760 expires on December 31, 2024; and

WHEREAS, this authorization for purchase of OEM and non-OEM maintenance and repair services for light/medium duty vehicles, under State Contract T0126 expires on December 31, 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; and

WHEREAS, this procurement is awarded under N.J.S.A. 19:44A20.4 et seq. using a fair and open process to Malouf Ford Lincoln Inc, Inc. for the purchase of vehicle parts and maintenance and repair for fleet vehicles of 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 amend the existing Purchase Order previously amended as a result of Resolution 2024-147 to Malouf Ford Lincoln Inc., PO Box 7480, 2210 US Highway 1, North Brunswick, NJ, 08902, for a grand total not to exceed fifty seven thousand dollars and no cents (\$57,000.00)

RESOLUTION 2024-283

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

**RESOLUTION AMENDING RESOLUTION 2024-197 AUTHORIZING PURCHASE
FROM SOMERSET COUNTY COOPERATIVE PRICING FOR OFFICE
SUPPLIES, FURNITURE & EQUIPMENT, PRINTER INK CARTRIDGE &
TONER, JUST-IN-TIME, DESKTOP DELIVERY, OPEN END, CATALOGUE BID**

WHEREAS by way of Resolution 2024-197, authorization was given to purchase office supplies, furniture & equipment, and electronic & technology supplies and 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 Award #CC-0001-24, Cooperative Pricing Bid #2-SOCCP Office Supplies, Furniture & Equipment, Printer Ink Cartridge & Toner, Just-In-Time, Desktop Delivery, Open End, Catalogue Bid, First Year of a Two-Year Contract pursuant to the provisions of NJSA 40A:11-11 (5); and

WHEREAS, said contract is the first year of a two-year contract for Office Supplies, Furniture & Equipment, Printer Ink Cartridge & Toner, Just-In-Time, Desktop Delivery, Open End, Catalogue Bid Open End Contract #CC-0001-24, Co-operative Pricing Bid #2-SOCCP which was approved on May 28, 2024 by the Somerset County Board of County Commissioners is effective from May 28, 2024, to May 27, 2025, with the authorization to purchase Office Supplies, Furniture & Equipment, Printer Ink Cartridge & Toner, Just-In-Time, Desktop Delivery, Open End, Catalogue Bid under this resolution of award until December 31, 2024; and

WHEREAS, the maximum amount of the purchase of Office Supplies, Furniture & Equipment, Printer Ink Cartridge & Toner, Just-In-Time, Desktop Delivery, Open End, Catalogue Bid for the Borough of Metuchen is \$16,000.00 and that there are sufficient funds for such award as certified from the 2024 Temporary Budget and 2024 Adopted Budget, Account numbers 4-01-20-701-036, 4-01-20-704-280, 4-01-20-708-036, 4-01-20-710-036, 4-01-21-721-283, 4-01-22-725-036, 4-01-25-745-036, 4-01-26-764-036, 4-01-26-772-035, 4-01-27-785-036, 4-01-27-791-036, 4-01-28-795-168, 4-01-43-490-036, 4-09-55-501-505, Trust Account Line Senior Center Trust T-16-56-861-861, Reserve for Fire Inspections T-16- 56-870-870, Equitable Sharing Federal Forfeited Funds T-15-56-858-859 and Recreation Trust T-22-56-859-859 for these services of which **\$14,000.00** previously certified from the 2024 Adopted Budget and **\$2,000.00** from the designated Trust Funds; and

WHEREAS, the maximum amount to purchase Office Supplies, Furniture & Equipment, Printer Ink Cartridge & Toner, Just-In-Time, Desktop Delivery, Open End, Catalogue Bid for the Borough of Metuchen is amended to a total not to exceed **\$16,000.00** from the various 2024 Adopted Budget appropriation accounts and **\$11,000.00** from the designated Trust Funds

and that there are sufficient funds for such amended award as certified from the 2024 Adopted Budget and designated Trust Funds; and

WHEREAS, the vendor chosen for award for purchase of Office Supplies, Furniture & Equipment, Printer Ink Cartridge & Toner, Just-In-Time, Desktop Delivery, Open End, Catalogue Bid is W.B. Mason Co., Inc., 59 Centre Street, Brockton, MA, and B2B Supplies USA LLC dba Printing Supplies USA LLC, 10 Schalks Crossing Road, Ste 501A-301, Plainsboro, NJ 08536 for the period of May 28, 2024 through December 31, 2024; 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 forward an amended Purchase Order to W.B. Mason Co., Inc., 59 Centre Street, Brockton, MA.

RESOLUTION 2024-284

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

**RESOLUTION OF SUPPORT FROM THE BOROUGH OF
METUCHEN TO SUBMIT AN APPLICATION TO THE NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS PRESERVE AND RESTORE THE
COLONIAL CEMETERY GRANT**

WHEREAS, the Borough of Metuchen desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$250,000.00 to carry out a project to preserve and restore the Colonial Cemetery in the Borough of Metuchen.

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:

(signature)

Melissa Perilstein
(type or print name)

Borough Administrator
(title)

(signature)

Jonathan Busch
(type or print name)

Mayor
(Title)

RESOLUTION 2024-285

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

**RESOLUTION OF SUPPORT FROM THE BOROUGH OF METUCHEN
TO SUBMIT AN APPLICATION TO THE NEW JERSEY DEPARTMENT OF
COMMUNITY AFFAIRS FIRE APPARATUS GRANT**

WHEREAS, the Borough of Metuchen desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$500,000.00 for the acquisition of fire apparatus in the Borough of Metuchen.

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.

(signature)

Melissa Perilstein
(type or print name)

Borough Administrator
(title)

(signature)

Jonathan Busch
(type or print name)

Mayor
(Title)

RESOLUTION 2024-286

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

RESOLUTION AUTHORIZING THE OJECTIONS TO THE WHITMAN RENEWAL LLC APPLICATION TO THE EDISON PLANNING BOARD APPLICATION FOR PRELIMINARY AND FINAL SITE PLAN APPROVAL FOR THE PROPOSED DEVELOPMENT OF PROPERTY LOCATED AT 135 WHITMAN AVENUE, ALSO KNOWN AS LOTES 29, 30, AND 31.11 IN BLOCK 199.01 ON THE TAX MAPS OF THE TOWNSHIP OF EDISON

WHEREAS, the Borough of Metuchen received notice that Whitman Renewal LLC (“Whitman Renewal”) has applied to the Edison Township Planning Board of the proposed development of property located at 135 Whitman Avenue, also known as Lots 29, 30, and 31.11 in Block 199.01 on the Tax Maps of the Township of Edison (“Property”); and

WHEREAS, Whitman Renewal proposes to construct: (1) a 50,400 square foot building with 46,100 square feet of warehouse space and 4,300 square feet of ancillary offices, thirty-one (31) car parking spaces, and eleven (11) trailer parking spaces; and (2) a 10,125 square foot building with 8,925 square feet of warehouse space and 1,200 square feet of ancillary offices, four (4) overhead doors, and nineteen (19) care parking spaces on the Property; and

WHEREAS, Whitman Renewal seeks Preliminary and Final Site Plan Approval and such other relief, as may be required, including any variance, exceptions or waivers which may be deemed necessary by the Edison Planning Board or its professionals during the review of the application; and

WHEREAS, the Borough Engineer and Planner provided reports of their review of the Whitman Renewal application to the Borough Administrator; and

WHEREAS, the Mayor and Council have reviewed the reports and authorizes and ratifies, Renaud Colicchio, LLC, the Borough Planning Board’s Legal Counsel’s, the Borough Planner and Engineer’s objections to the Whitman Renewal application before the Edison Planning Board.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen that it hereby objects to the Whitman Renewal application before the Edison Planning Board, for the reasons set forth in the Borough Planner and Engineer’s reports and by the Borough’s Planning Board Counsel, and for any other reasons determined by the Borough Planner, Engineer and Planning Board Counsel that would adversely effect the Borough of Metuchen and its residents; and

BE IT FURTHER RESOLVED that the Mayor, Borough Engineer and Planner, Administrator and all other Borough employees and officials are hereby authorized to take all action necessary to effectuate the Borough’s objection the Whitman Renewal application before

the Edison Planning Board, including but not limited to the appearance and testimony before Edison Planning Board in object to the Whitman Renewal application.

RESOLUTION 2024-

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

**RESOLUTION AUTHORIZING THE REDUCTION OF THE PERFORMANCE
GUARANTY FOR 215 DURHAM AVENUE AND 700 MIDDLESEX AVENUE –
BLOCK 71, LOTS 37.01 & 37.02 – METUCHEN I, LLC AND METUCHEN III, LLC**

WHEREAS, Metuchen I, LLC and Metuchen III, LLC have requested a reduction in the performance guaranty and 10% cash performance bond for various site improvements for Block 71, Lots 37.01 & 37.02 – 215 Durham Avenue and 700 Middlesex Avenue; and

WHEREAS, the Borough Engineer has reviewed the status of the site improvements and has agreed and recommended a partial reduction of the original performance guaranty amount as the improvements performed have been completed in an acceptable manner; and

WHEREAS, the Borough Engineer recommends the partial release of the Letter of Credit, in the amount of \$258,340.32 reduced from the posted amount of \$369,057.60 for a new Letter of Credit figure of \$110,717.28; and

WHEREAS, the Borough Engineer recommends the partial release of the 10% cash bond, in the amount of \$28,704.48 reduced from the previously set amount of \$41,006.40 for a new cash bond figure of \$12,301.92; and

WHEREAS, Metuchen I, LLC and Metuchen III, LLC shall post a revised/updated or new Letter of Credit in the amount of \$110,717.28.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen that it hereby authorizes, pursuant to the recommendations of the Borough Engineer, the reduction of the Performance Guaranty for various site improvements for Block 71, Lots 37.01 & 37.02 – 215 Durham Avenue and 700 Middlesex Avenue from \$369,057.60 to \$110,717.28, and the Borough Clerk is hereby authorized and directed to accept a revised/updated or new Letter of Credit or other acceptable performance guaranty which shall be in a form suitable to the Borough Attorney and Borough Clerk.

RESOLUTION 2024-288

*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 \$396,822.20.

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