

**BOROUGH COUNCIL AGENDA
REGULAR MEETING APRIL 10, 2023
7:30 P.M.**

Reading Of Sunshine Notice

Flag Salute

Roll Call

Agenda Session

Report

Metuchen EMS

Public Comment

Borough Council Meeting Minutes

Approval of Borough Council Meeting Minutes of January 1, 2023

Public Hearing

Metuchen Downtown Alliance 2023 Budget

Communications Consent Agenda – Items A - G

- A. Receive and Accept Arts Council Meeting Minutes of January 23, 2023
- B. Receive and Accept Environmental Commission Meeting Minutes of January 18, 2023
- C. Receive and Accept Library Board Meeting Minutes of February 14, 2023
- D. Receive and Accept Shade Tree Commission Meeting Minutes of January 3, 2023
- E. Receive and Accept Traffic and Transportation Committee Meeting Minutes of January 11, 2023 and February 28, 2023
- F. Receive and Accept TV and Technology Committee Meeting Minutes of February 24, 2023
- G. Receive and Accept Letter from Breaking the Chain Through Education for the Sam Liss Memorial 5K on October 1, 2023

Ordinance 2023-12

ORDINANCE TO SET THE MINIMUM AND
MAXIMUM WAGE RANGES FOR CERTAIN
BOROUGH EMPLOYEES, AMENDING ORDINANCE
2023-02

Reports Of Council Members

Council President Delia
Councilmember Rasmussen
Councilmember Kandel
Councilmember Hyman
Councilmember Hirsch
Councilmember Branch

Report of the Mayor

New Business Consent Agenda – Resolutions 2023-105 to 2023-131

R2023-105	RESOLUTION TO AMEND THE 2023 TEMPORARY BUDGET
R2023-106	RESOLUTION AUTHORIZING THE BOROUGH OF METUCHEN TO ENTER INTO THE HUNTERDON COUNTY EDUCATIONAL SERVICES COOPERATIVE PRICING SYSTEM (HCESCCPS)
R2023-107	RESOLUTION AUTHORIZING THE BOROUGH OF METUCHEN TO ENTER INTO THE NORTH JERSEY WASTEWATER COOPERATIVE PRICING SYSTEM (NJCWPS)
R2023-108	RESOLUTION AUTHORIZING NJWCPS CONTRACT FOR PUMP STATION COMMUNTER, VARIOUS PUMPS AND MOTORS REPAIR, REPLACEMENT, AND INSTALLATION SERVICES
R2023-109	RESOLUTION AUTHORIZING NJWCPS CONTRACT FOR PUMP STATION GRINDER CARTRIDGE
R2023-110	RESOLUTION AUTHORIZING NJWCPS CONTRACT FOR A SUBMERSIBLE PUMP

- R2023-111 RESOLUTION AUTHORIZING AWARD OF A WINDOW CONTRACT FOR PAINTING AT POOL FACILITY THROUGH ESCNJ AWARD
- R2023-112 RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR CHLORINE FOR METUCHEN MUNICIPAL POOL THROUGH ESCNJ
- R2023-113 RESOLUTION AUTHORIZING AMENDING RESOLUTION 2023-100 AUTHORIZING THE AWARD FOR PARTS AND MAINTENANCE & REPAIR FOR VEHICLES THROUGH STATE CONTRACTS
- R2023-114 RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE FOR NEW JERSEY ALCOTEST EVIDENTIAL BREATH TEST SYSTEM
- R2023-115 RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE FOR PVC PICNIC TABLES AND BIKE RACK PORTS
- R2023-116 RESOLUTION AUTHORIZING AWARD OF A WINDOW CONTRACT FOR METUCHEN MUNICIPAL POOL DE-WINTERIZATION, OPENING AND POOL PAINTING SERVICES
- R2023-117 RESOLUTION AUTHORIZING THE USE OF COMPETITIVE CONTRACTING PROCESS FOR THE PROCUREMENT OF CONSULTING SERVICES FOR THE BOROUGH OF METUCHEN
- R2023-118 RESOLUTION AUTHORIZING THE AWARD AND EXECUTION OF A CONTRACT FOR RECREATION PROGRAMS
- R2023-119 RESOLUTION AUTHORIZING THE AWARD AND EXECUTION OF A CONTRACT FOR RECREATION SERVICES CONCESSION CONTRACT
- R2023-120 RESOLUTION OF SUPPORT FROM THE BOROUGH OF METUCHEN TO ACCEPT THE FEMA DEPARTMENT OF HOMELAND SECURITY EMW-2021-FG-06428: FISCAL YEAR (FY) 2021 ASSISTANCE TO FIREFIGHTERS GRANT

- R2023-121 RESOLUTION APPOINTING ACTING ZONING OFFICIAL
- R2023-122 RESOLUTION AMENDING RESOLUTION 2023-46 AUTHORIZING THE ENTRY INTO AND THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF METUCHEN AND THE TOWNSHIP OF WOODBRIDGE FOR THE PROVISION OF AS NEEDED FOR VARIOUS SERVICES FROM THE WOODBRIDGE DEPARTMENT OF PUBLIC WORKS
- R2023-123 RESOLUTION TO GRANT EXEMPTION FOR TOTALLY DISABLED VETERAN AND TO REFUND AND CANCEL 2023 TAXES
- R2023-124 RESOLUTION AUTHORIZING FILING TAX APPEAL COUNTERCLAIM
- R2023-125 RESOLUTION APPOINTING CONDITIONAL REDEVELOPER AND AUTHORIZING EXECUTION OF A MEMORANDUM OF UNDERSTANDING – OAKITE SITE
- R2023-126 RESOLUTION AUTHORIZING THE CREATION OF THE COMMUNITY ACTION FOR RECOVERY, EDUCATION, AND SUPPORT (“CARES”) COMMITTEE
- R2023-127 RESOLUTION TO REFUND ESCROW BALANCE
- R2023-128 REFUND OF OVERPAYMENT OF 2022 TAXES
- R2023-129 RESOLUTION FOR LIEN REDEMPTION
- R2023-130 RESOLUTION AUTHORIZING THE AWARD AND EXECUTION OF A CONTRACT FOR RECREATION PROGRAMS – 2023 WEEKLY STEAM/STEM INSTRUCTIONAL PROGRAMS
- R2023-131 RESOLUTION AUTHORIZING THE AWARD AND EXECUTION OF A CONTRACT FOR RECREATION PROGRAMS – 2023 SUMMER STEAM/STEM CAMPS

Other New Business

R2023-132

RESOLUTION AUTHORIZING THE PAYMENT OF THE
BILL LIST IN THE AMOUNT OF \$685,250.96

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.

METUCHEN DOWNTOWN ALLIANCE, INC.
Budget FY 2023
January through December 2023

Proposed
2023 Budget

SID Contribution	\$250,000
Borough Contribution	75,000
Sustain & Serve Administration	23,600
Contributions	-
Surplus Funds from Unrestricted Pandemic Era Grants	23,800
Total Revenue	\$ 372,400
Program Services	
Education and Tech	\$ 5,500
Placemaking (Public Art, Planters)	
Public Art	5,300
Plants	7,000
Landscape of Downtown	9,000
Storefront Grant Fund	15,000
Innovation Grants	5,000
Extra 2023 Events	26,500
Street Improvement and Maintenance & holiday lights	
Street Cleaning	10,000
Holiday Decorations	2,500
Promotions and Advertising	
Promotions	45,000
Marketing	23,000
Metuchen Media	10,500
Total Program Expenses	\$ 164,300
General and Administrative	
Salary	\$ 85,000
EIDL Loan Interest (Est.) ¹	17,500
Payroll tax expense	8,900
Contract Services	10,000
Offices	1,800
Rent	10,800
Utilities	3,000
Accounting and Audit	15,000
Facility and Equipment	3,500
Travel and Meetings	5,500
Insurance	2,900
Dues and Membership & Licenses	1,500
Member Meetings	2,500
Website Costs	2,000
Miscellaneous	1,700
Supplemental Administrative	19,000
Total General and Administrative	\$ 190,600
Replenishment of Reserve	17,500
Total Expenses + Reserve Addition	<u>\$ 372,400</u>

ORDINANCE 2023-05

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

ORDINANCE AMENDING CHAPTER 137 OF THE CODE OF THE BOROUGH OF METUCHEN, ENTITLED, "PRECIOUS METALS AND GEMS" TO ADD SECONDHAND GOODS AND TO REQUIRE ADDITIONAL RECORDKEEPING AND REPORTING

WHEREAS, at the recommendation of the Chief of Police, the Mayor and Council have determined that it is in the best interest of the residents of the Borough of Metuchen to assist law enforcement officials and victims of crime in recovering stolen precious metals, gems and other secondhand goods and to require minimum identification, reporting, maintenance and distribution criteria for dealers in these types goods.

NOW THEREFORE BE IT ORDAINED by the Council of the Borough of Metuchen, County of Middlesex, that it hereby amends Chapter 137, entitled, "Precious Metals and Gems" of the Code of the Borough of Metuchen, to "Precious Metals, Gems and Secondhand Goods", to state as follows:

CHAPTER 137

PRECIOUS METALS, AND GEMS AND SECONDHAND GOODS

§ 137-1. Purpose and Intent

A. The purpose and intent of this chapter is to assist law enforcement officials and victims of crime in recovering stolen precious metals, gems and other secondhand goods by reporting minimum identification, reporting, maintenance and distribution criteria for dealers in these goods.

B. No person shall use, exercise, or carry on the business, trade, or occupation of the buying and selling, or pawning of precious metals, gems or other secondhand goods without complying with the requirements of this Chapter in the exact manner described.

§ 137-2. Definitions

As used in this Chapter, the following terms shall have the meaning indicated:

ACCEPTABLE IDENTIFICATION

A current valid New Jersey driver's license or identification card, a current valid photo driver's license issued by another U.S. state, a valid United States passport, or other verifiable U.S. government-issued identification, which will be recorded on the receipt

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retained by the dealer and subsequently forwarded to the local police department on request.

DEALER

Any person, partnership, limited liability company, corporation, or other entity who, either wholly or in part, engages in or operates any of the following trades or businesses: the buying for purposes of resale of precious metals, jewelry, or other secondhand goods as defined herein; pawnbrokers as defined herein; itinerant businesses as defined herein. For the purposes of this chapter, transient buyers, as defined herein, are subject to the same licensing and reporting requirements as any other dealers.

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ITINERANT BUSINESS

A dealer who conducts business intermittently within the Borough or at varying locations.

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PAWNBROKER

Any person, partnership, association or corporation: lending money on deposit or pledge of personal property, other than choses in action, securities, or printed evidences of indebtedness; purchasing personal property on condition of selling it back at a stipulated price; or doing business as furniture storage warehousemen and lending money on goods, wares or merchandise pledged or deposited as collateral security.

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PRECIOUS METALS

Gold, silver, platinum, palladium, and their alloys as defined in N.J.S.A. 51:5-1 et seq. and N.J.S.A. 51:6-1 et seq.

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PUBLIC

Individuals and retail sellers, not to include wholesale transactions or transactions between other merchants.

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REPORTABLE TRANSACTION

Every transaction conducted between a dealer and a member of the public in which precious metals, jewelry, or any other secondhand goods as defined herein are purchased or pawned.

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SECONDHAND GOODS

Used goods such as antiques, gold, silver, platinum, or other precious metals, jewelry, coins, gemstones, gift cards, any tools, telephones, typewriters, word processors, GPS devices, computers, computer hardware and software, television sets, radios, record or stereo sets, electronic devices, musical instruments, sporting goods, automotive equipment, collectibles, game cartridges, DVDs, CDs, and other electronically recorded material, firearms, cameras and camera equipment, video equipment, furniture, clothing,

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and other valuable articles. For the purposes of this chapter, "secondhand goods" shall not include goods transacted in the following manner:

- A. Judicial sales or sales by executors or administrators;
- B. Occasional or auction sales of household goods sold from private homes;
- C. Auctions of real estate;
- D. The occasional sale, purchase, or exchange of coins or stamps by a person at his permanent residence or in any municipally owned building who is engaged in the hobby of collecting coins or stamps and who does not solicit the sale, purchase, or exchange of such coins or stamps to or from the general public by billboard, sign, handbill, newspaper, magazine, radio, television, or other form of printed or electronic advertising.

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SELLER

A member of the public who sells or pawns used goods such as precious metal, jewelry, or other secondhand goods to a dealer.

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TRANSIENT BUYER

A dealer, as defined herein, who has not been in a registered retail business continuously for at least six months at any address in the municipality where the dealer is required to register or who intends to close out or discontinue all retail business within six months,

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§ 137-3. Written record of reportable transactions~~purchases.~~

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Any person, partnership or corporation in the full- or part-time business of purchasing gold, silver, precious metals ~~and~~, gems and other secondhand goods in the Borough of Metuchen shall maintain a written record of all reportable transactions~~purchases.~~

§ 137-42. Form of record.

Said record shall be contained in a book bound with stitching, glue or other type of permanent binding and shall not be contained in any loose-leaf, spiral, insert or other type of semipermanent or temporary binding. There shall be no spaces between entries, and each entry shall be numbered in sequence. ~~§ 137-3. Data required for record~~ Said record shall be legible and contain the following information:

- A. Date of sale.
- B. Name and address of seller.
- C. Detailed description of items purchased.
- D. Purchase price.

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§ 137-53. Identification of Seller; Recordkeeping requirements~~Data required for record.~~

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For every reportable transaction between a dealer and the public, the dealer shall be required to do as follows:

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A. Require of each person selling or pawning precious metals or other secondhand goods acceptable identification as defined above in § 137-2.

B. Require each seller to execute a declaration of ownership, which shall contain the following certification: "My signature confirms that I am the sole legal owner of and am legally authorized to sell the goods being sold. By signing below I certify that I did not obtain and do not possess the identified goods through unlawful means. I am the full age of 18 years and the identification presented is valid and correct."

C. Record and issue to each person selling or pawning such goods on a sequentially numbered receipt:

(1) The name, address, and telephone number of the purchaser, including the clerk or employee of the dealer making the purchase;

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(2) The name, address, date of birth, and telephone number of the seller or sellers;

(3) A photographed recording of the seller in a format acceptable to the Chief of Police, along with a physical description of the seller, including height and weight (approximate), hair color, eye color, facial hair, if any, etc.;

(4) A photographed recording of the seller's presented acceptable identification, as set forth in § 137-2, in a format acceptable by the Chief of Police;

(5) A photographed recording of all items sold in a format acceptable by the Chief of Police. When photographing, all items must be positioned in a manner that makes them readily and easily identifiable. Items should not be grouped together when photographing or imaging. Each item should have its own photograph;

(6) The receipt number;

(7) A detailed, legible description of the item(s) and the manufacturer and model of the item(s) if known; in the case of jewelry, the descriptions must include style, length, color, design, and stones, if any; any identifying marks, including numbers, dates, sizes, shapes, initials, names, monograms, social security numbers engraved thereon, serial numbers, series numbers, or any other information, which sets apart the particular object from others of like kind;

(8) The price paid for the purchase or pawn of the item(s);

(9) If precious metals, the net weight in terms of pounds Troy, pennyweight (Troy) or kilograms/grams; fineness in terms of karats for gold, and sterling or coin for silver, in accordance with N.J.S.A. 51:5-1, N.J.S.A. 51:6-1 et seq.:

(10) The time and date of the transaction.

§ 137-~~64~~. Identity of seller Reports to the Police Department.

The information contained in § 137-5 shall be electronically submitted to the Borough of Metuchen Police Department Detective Bureau within seventy-two (72) hours of the transaction in the form and as required and provided for by the Chief of Police.

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§ 137-~~75~~. Availability of record.

The ~~dealer~~ purchaser shall make the records required by this Chapter available for inspection of any law enforcement officer, upon demand, without the need for advance notice. The records required by this Chapter shall be kept at the Dealer ~~purchaser~~'s business premises. In addition to all other reporting requirements, every dealer shall maintain for at least five years a written record of all purchases of precious metals, gems and other secondhand goods in the form prescribed in § 137-5(C).

§ 137-~~86~~. Retention and Inspections.

All secondhand goods purchased, received for pawn, or received for consignment as described above are to be made available for inspection by the Chief of Police or designee thereof at the designated business address for a period of at least seven (7) calendar days from the date the transaction information is actually reported to the Chief of Police in the approved manner described above in § 137-6 except for precious metals and jewelry, which must be maintained for at least ten (10) business days or for the statutory period provided in N.J.S.A. 2C:21-36(d).

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(1) All precious metal or other secondhand goods subject to inspection must remain in the same condition as when purchased or received for pawn and shall not be sold, disposed of, changed, modified, or melted by the dealer until the retention period has expired. Itinerant businesses and transient buyers will be responsible for notifying the Chief of Police of the location where the purchased item(s) are being held. Each purchaser doing business in the Borough shall deliver to the Chief of Police the description of all items purchased or received within 72 hours of the completion of the transaction, on forms prescribed by the Chief of police.

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§ 137-~~97~~. Prohibitions.

No ~~dealer~~~~purchase~~ shall sell, melt, change the form or dispose of any articles purchased or received for a period of ~~ten~~ (10) days from the date the notification is made to the Chief of Police. All such items shall remain on the premises where the purchase was made until the expiration of the time period set forth herein.

§ 137-108. Violations and penalties.

Any person who shall violate any provision of §§ 137-1 through 137-97 of this chapter or shall fail to comply with any of the requirements thereof shall, upon conviction thereof, be punished as provided in Chapter 1, General Provisions, Article 1. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

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; and

BE IT FURTHER ORDAINED by the Mayor and Council that all remaining sections of the Code not amended or referenced herein shall not be affected thereby and shall remain in full force and effect; 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.

Introduction: March 6, 2023
 Date of Publication: March 9, 2023

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH	X				HYMAN	X			
DELIA	X				KANDEL	X			
HIRSCH	X				RASMUSSEN	X			
MOTION	DELIA			SECOND	RASMUSSEN				
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 March 6, 2023.

Ord. 2023-05

Deborah Zupan, RMC
Borough Clerk

Adopted:
Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH					HYMAN				
DELIA					KANDEL				
HIRSCH					RASMUSSEN				
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 _____.

Deborah Zupan, RMC
Borough Clerk

ATTEST:

BOROUGH OF METUCHEN

Deborah Zupan, RMC
Borough Clerk

By: _____
Jonathan M. Busch
Mayor

BOND ORDINANCE 2023-06

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

**BOND ORDINANCE APPROPRIATING \$4,700,000 AND AUTHORIZING
\$2,571,000 BONDS OR NOTES OF THE BOROUGH FOR
IMPROVEMENTS TO EDGAR FIELD AUTHORIZED TO BE
UNDERTAKEN BY THE BOROUGH OF METUCHEN, IN THE COUNTY
OF MIDDLESEX, NEW JERSEY**

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

Section 1. The improvements described in Section 3 of this bond ordinance are hereby
respectively authorized as general improvements to be made or acquired by the Borough of
Metuchen, New Jersey (the “Borough”). For the said improvements or purposes stated in said
Section 3, there is hereby appropriated the sum of \$4,700,000, said sum being inclusive of all
appropriations heretofore made therefor and including (i) the sum of \$129,000 as the down payment
for said improvements or purposes required by law and more particularly described in said Section
3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the
Borough for down payment or for capital improvement purposes and (ii) a grant from the New
Jersey Department of Education in the amount of \$2,000,000 (the “Grant”).

Section 2. For the financing of said improvements or purposes and to meet the part of said
\$4,700,000 appropriation not provided for by application hereunder of said down payment and the
Grant, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount
of \$2,571,000 pursuant to the Local Bond Law of New Jersey, constituting Chapter 2 of Title 40A
of the New Jersey Statutes (the “Local Bond Law”). In anticipation of the issuance of said bonds

and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$2,571,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are improvements to Edgar Field for the installation of a synthetic surface field, including all work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for said purposes is \$2,571,000.

(c) The estimated cost of said purposes is \$4,700,000 which represents the initial appropriation made by the Borough. The excess of the appropriation of \$4,700,000 over the estimated maximum amount of bonds or notes to be issued therefor is the amount of the Grant and the down payment for said purposes.

Section 4. The following matters are hereby determined, declared, recited, and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and are properties or improvements which the Borough may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes, within the limitations of the Local Bond Law and taking into consideration the respective amounts of said obligations authorized for the purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete copy thereof has been

electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$2,571,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) Amounts not exceeding \$600,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law are included as part of the estimated costs of said improvements.

Section 5. Any funds from time to time received by the Borough as grants in aid of financing the improvements or purposes described in Section 3 of this bond ordinance, including without limitation the Grant, shall be used for financing said improvements or purposes by application thereof either to direct payment of the costs of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Borough authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the costs of said improvements or purposes shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the jurisdiction of the Borough for the

payment of said obligations and interest thereon without limitation as to rate or amount.

Section 7. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 8. The Borough intends to issue bonds or notes to finance the cost of the improvements described in Section 3 of this bond ordinance. The Borough expects that the maximum principal amount of bonds or notes that will be issued to finance the cost of the improvements described in Section 3 of this bond ordinance is \$2,571,000. If the Borough incurs any such costs prior to the issuance of its bonds or notes, the Borough intends to reimburse itself for such expenditures with the proceeds of such bonds or notes.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Introduction: March 6, 2023
 Date of Publication: March 10, 2023

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB	
BRANCH	X				HYMAN	X				
DELIA	X				KANDEL	X				
HIRSCH	X				RASMUSSEN	X				
MOTION	DELIA			SECOND		RASMUSSEN				
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 March 6, 2023.

 Deborah Zupan, RMC

Borough Clerk

Adopted:

Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB	
BRANCH					HYMAN					
DELIA					KANDEL					
HIRSCH					RASMUSSEN					
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 _____, 2023.

Deborah Zupan, RMC
Borough Clerk

ATTEST:

BOROUGH OF METUCHEN

Deborah Zupan, RMC
Borough Clerk

By: _____
Jonathan M. Busch
Mayor

BOND ORDINANCE 2023-07

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

**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**

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

Section 1. The improvements described in Section 3 of this bond ordinance are hereby
respectively authorized as general improvements to be made or acquired by the Borough of
Metuchen, New Jersey (the “Borough”). For the said improvements or purposes stated in said
Section 3, there is hereby appropriated the sum of \$2,913,615, said sum being inclusive of all
appropriations heretofore made therefor and including (i) the sum of \$125,000 as the down payment
for said improvements or purposes required by law and more particularly described in said Section
3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the
Borough for down payment or for capital improvement purposes and (ii) a grant from the New
Jersey Department of Transportation in the amount of \$433,615 (the “Grant”).

Section 2. For the financing of said improvements or purposes and to meet the part of said
\$2,913,615 appropriation not provided for by application hereunder of said down payment and the
Grant, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount
of \$2,355,000 pursuant to the Local Bond Law of New Jersey, constituting Chapter 2 of Title 40A

of the New Jersey Statutes (the “Local Bond Law”). In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$2,355,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are: (i) acquisition of a front end loader and tire balancer/changer; (ii) creation of a pocket park and recreation improvements to various parks; (iii) digitization of records; (iv) acquisition of one police vehicle; (v) Borough Hall improvements including painting, entry plaza lighting and stonework improvements; (vi) improvements and repairs to Public Works facilities; (vii) improvements and repairs to the Library; (viii) technology upgrades to servers, desktops and related peripherals; (ix) media upgrades including digital signage; (x) improvements to Senior Center including HVAC improvements, painting and flooring; (xi) overlay, drainage improvement and reconstruction of Wakefield Drive, Lexington Drive, Concord Avenue, Prospect Street, Mayfield Place, High Street, Waltham Avenue, Beechwood Avenue and Homestead Road; (xii) curb/sidewalk repair and/or ADA concrete/curbing improvements of various streets, including without limitation, Wakefield Drive, Lexington Drive, Concord Avenue, Prospect Street, Mayfield Place, High Street, Waltham Avenue, Beechwood Avenue and Homestead Road; (xiii) overlay and/or reconstruction of NJ Transit Lots – Penn Avenue; and (xiv) sewer line repairs and replacement, including all work and materials necessary for or incidental to each of the foregoing purposes and improvements.

(b) The estimated maximum amount of bonds or notes to be issued for said purposes is \$2,355,000.

(c) The estimated cost of said purposes is \$2,913,615, which represents the initial

appropriation made by the Borough. The excess of the appropriation of \$2,913,615 over the estimated maximum amount of bonds or notes to be issued therefor is the amount of the Grant and the down payment for said purposes.

Section 4. The following matters are hereby determined, declared, recited, and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and are properties or improvements which the Borough may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes, within the limitations of the Local Bond Law and taking into consideration the respective amounts of said obligations authorized for the purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 11.88 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete copy thereof has been electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$2,355,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) Amounts not exceeding \$356,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law are included as part of the estimated costs

of said improvements.

Section 5. Any funds from time to time received by the Borough as grants in aid of financing the improvements or purposes described in Section 3 of this bond ordinance, including without limitation the Grant, shall be used for financing said improvements or purposes by application thereof either to direct payment of the costs of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Borough authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the costs of said improvements or purposes shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the jurisdiction of the Borough for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 7. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 8. The Borough intends to issue bonds or notes to finance the cost of the improvements described in Section 3 of this bond ordinance. The Borough expects that the maximum principal amount of bonds or notes that will be issued to finance the cost of the

improvements described in Section 3 of this bond ordinance is \$2,355,000. If the Borough incurs any such costs prior to the issuance of its bonds or notes, the Borough intends to reimburse itself for such expenditures with the proceeds of such bonds or notes.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Introduction: March 6, 2023
 Date of Publication: March 10, 2023

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH	X				HYMAN	X			
DELIA	X				KANDEL	X			
HIRSCH	X				RASMUSSEN	X			
MOTION	DELIA				SECOND	RASMUSSEN			
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 March 6, 2023.

 Deborah Zupan, RMC
 Borough Clerk

Adopted:
 Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH					HYMAN				
DELIA					KANDEL				
HIRSCH					RASMUSSEN				
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 _____, 2023.

Deborah Zupan, RMC
Borough Clerk

ATTEST:

BOROUGH OF METUCHEN

Deborah Zupan, RMC
Acting Borough Clerk

By: _____
Jonathan M. Busch
Mayor

ORDINANCE 2023-08

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

ORDINANCE AMENDING CHAPTER 10, ENTITLED “COMMISSIONS AND COMMITTEES” RESTRUCTURING THE “MUNICIPAL ALLIANCE BOARD – YOUTH SERVICE BOARD” TO BECOME THE COMMUNITY ACTION FOR RECOVERY, EDUCATION, AND SUPPORT (“CARES”) COMMITTEE

WHEREAS, Article 10, of Chapter 10 of the Code of the Borough of Metuchen established a Municipal Alliance – Youth Service Board and provided for the appointments of its members and the powers and duties of the Board; and

WHEREAS, the Mayor and Council of the Borough of Metuchen have determined that it is in the best interest of the Borough to prevent and reduce substance abuse and behavioral addictions and to promote mental wellness in the Borough by raising awareness and providing education focused on prevention and recovery; and

WHEREAS, the Mayor and Council of the Borough of Metuchen have determined that it is in the best interest of the Borough to restructure the Municipal Alliance Board – Youth Service Board and to create the Community Action Recovery, Education and Support Committee to operate in its stead.

NOW THEREFOR BE IT ORDAINED by the Council of the Borough of Metuchen that it hereby amends Chapter 10, Article 10 of the Code of the Borough of Metuchen to state as follows:

Article 10. Community Action for Recovery, Education and Support (“CARES”) Committee

§ 10-35. Establishment; Composition; Purpose.

There is hereby established a Community Action for Recovery, Education and Support (“CARES”) Committee which shall be composed of no more than 15 members, not including the Mayor who may serve as an ex-officio nonvoting member of the Committee. To the extent possible, members of the Board shall be representative of the community.

The purpose of the CARES Committee is to prevent and reduce substance use and behavioral addictions and to promote mental wellness in the Borough of Metuchen by raising awareness and providing education through programs focused on prevention and recovery.

The Mayor and Council in its discretion may provide the Committee an annual budget to the CARES Committee for funding and sponsoring programs and promoting mental wellness consistent with the purpose set forth herein.

§ 10-36. Appointment; Selection of Chairperson; vacancies.

- A. All 15 members of the CARES Committee are to be appointed by the Mayor with the advice and consent of the Council. Membership shall include the following:
- (1) One member of the Borough Council, who shall serve as a voting member.
 - (2) A representative from the Police Department, the Chief or his designee, who shall serve as a voting member.
 - (3) The Board shall include a volunteer psychological counselor, who shall serve as a voting member.
 - (4) A representative of the Board of Education, who shall serve as a voting member.
 - (5) Eleven residents of Metuchen, at least one of whom shall be under the age of 18, all of which shall be voting members, except for the elected Chairperson, who shall only be eligible to vote in the event of a tie.
- B. To the extent possible, of the eleven (11) members set forth in Section 6 above, the Mayor and Council shall consider the following for appointment to the Committee: a Student Assistance Coordinator or another student support services staff member; a representative of Parent-Teacher Organizations or Home School Association; Parents and/or Guardians of Borough students; a representatives of local faith-based organizations; Individuals who have been affected by substance use disorders and/or behavioral addictions, including those affected by their own or a family member's addiction; private citizens with interest in issues concerning substance use, addiction, and juvenile delinquency; representatives of local civic or volunteer groups; representatives from Youth Services Organizations; representatives of local businesses; a Senior Citizen representative; health and human services agencies/professionals; including healthcare professionals including pharmacists, physicians, or therapists; representatives of public and private organizations involved in the prevention and treatment of substance use disorders and behavioral addictions; and/or representatives of the local communications media or public relations to serve on the CARES Committee.
- C. The terms of the members appointed under Subsection A(1) and A(4) shall be coextensive with their terms of office. The remaining members shall be appointed for terms of three years. However, at the time of the passage of this amendment to this Article, all present members of the Municipal Alliance — Youth Service Board shall continue to serve in that capacity as members on the CARES Committee until the expiration of their current terms. Any

vacancies on the current Municipal Alliance — Youth Service Board, to the extent possible, shall be filled for terms to be determined by the Mayor with the consent of the Borough Council. Thereafter, each appointment to the CARES Committee shall be for three years. Members shall serve after the expiration of their terms until their respective successors shall have been appointed and have qualified. 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. The Board shall advise the Mayor and Council of any vacancies among its membership. The determination of a vacancy on the Board shall be determined by the Council of the Borough based upon the criteria set forth in the Municipal Vacancy Law, N.J.S.A. 40A:16-1 et seq. The Board shall designate one of its members as Chairperson, and they shall serve as such until the first day of January next following the appointment and until their successor shall be appointed and qualify. The Chairperson shall only be eligible to vote on Committee matters in the case of a tie vote. All members shall serve without compensation.

§ 10-37. Powers and duties.

The CARES Committee shall have the following powers and duties:

- A. Determine through an annual assessment of community-based needs, the scope and depth of substance use and behavioral addictions in the Borough of Metuchen and to provide comprehensive community-based prevention programs and outreach.
- B. Organize and coordinate efforts with the Borough of Metuchen schools, faith-based groups, youth members of the community, law enforcement, business groups and other community organizations for the purpose of reducing substance use disorders and behavioral addictions, as well as promoting mental wellness.
- C. Provide comprehensive substance use and behavioral addiction education, support and outreach efforts for parents and other adults in the community.
- D. Establish, amend and supplement its own bylaws, select other officers, and create any such sub-committees, to govern its structure, operations and activities to the extent not inconsistent with this Article or any other local, state or federal regulation or law.
- E. Make recommendations to the Mayor and Council of the Borough of Metuchen and other Borough agencies with respect to any matters relating to the existence of any grants or funding available to the Borough to further the purpose and intent of the Committee.

- F. Create and foster a network of community leaders, private citizens, and representatives from public and private human service agencies who are dedicated to supporting and developing ed educational programs which prevent and/or reduce substance use disorders and behavioral addictions.
- G. Conduct an assessment of the community-wide needs pertaining to mental wellness and addiction.
- H. Identify existing efforts and services that are acting to prevent and reduce substance use disorders and behavioral addictions and to coordinate projects within the Borough to avoid fragmentation and duplication.
- I. Develop programs and/or projects to be implemented at the Borough level or participate in regionally developed programs that accomplish the purpose of the Committee.
- J. Report to the Mayor and Council on at the very least a quarterly annual basis or as requested by the Mayor and/or Council.

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 shall not be affected thereby 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; 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.

Introduction:

Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH					HYMAN				
DELIA					KANDEL				
HIRSCH					RASMUSSEN				
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 April 10, 2023.

Deborah Zupan, RMC
Borough Clerk

Adopted:
Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB	
BRANCH					HYMAN					
DELIA					KANDEL					
HIRSCH					RASMUSSEN					
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 April 24, 2023.

Deborah Zupan, RMC
Borough Clerk

ATTEST:

BOROUGH OF METUCHEN

Deborah Zupan, RMC
Borough Clerk

By: _____
Jonathan M. Busch
Mayor

ORDINANCE 2023-09

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

**ORDINANCE AMENDING THE CODE OF THE BOROUGH OF METUCHEN AND
THE COMPOSITION OF THE PARADE COMMISSION INCREASING ITS
MEMBERSHIP FROM FIVE (5) MEMBERS TO SEVEN (7) 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 Parade Commission of the Borough of Metuchen to increase its membership from five (5) members to seven (7) members.

NOW THEREFORE BE IT ORDAINED, by the Council of the Borough of Metuchen that it hereby amends Chapter 10, Article 13 of the Code of the Borough of Metuchen, specifically § 10-44, entitled "Establishment; composition" to state as follows:

Article 13. Metuchen Parade Commission

§ 10-44. Establishment; composition.

There is hereby established a Metuchen Parade Commission to organize, oversee and conduct the two parades annually in the Borough: 1) the Memorial Day Parade; and 2) the Winter Festival Parade for the Borough of Metuchen. The Parade Commission shall be made up of ~~five~~ **seven** members. The membership of the Commission shall be composed of residents of, or owners or operators of businesses in the Borough of Metuchen. At least one member of the Commission shall have served, or is currently a member of one of the branches of the United States Armed Forces. Each member's term of office shall be for a period of three years on a staggering basis. The initial appointment of its initial five members shall be as follows: two members for a term of three years; two members for a term of two years and one member for a term of one year. **The initial appointment of the two (2) additional members shall be as follows: one member for a term of three years; and one members for a term of two years.** Thereafter, the term of all of its members shall be for a period of three years.

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, Sections 45 through 46 not amended herein 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					KANDEL				
HIRSCH					RASMUSSEN				
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 April 10, 2023.

Deborah Zupan, RMC
Borough Clerk

Adopted:
Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH					HYMAN				
DELIA					KANDEL				
HIRSCH					RASMUSSEN				
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 April 24, 2023.

Deborah Zupan, RMC
Borough Clerk

ATTEST:

BOROUGH OF METUCHEN

Deborah Zupan, RMC
Borough Clerk

By: _____
Jonathan M. Busch
Mayor

ORDINANCE 2023-10

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

**ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF METUCHEN,
VARIOUS CHAPTERS, CERTAIN APPLICATION, LICENSE AND
PERMIT FEES – RECREATION FEES**

BE IT ORDAINED, by the Borough Council of the Borough of Metuchen, as follows:

Section 1.

Section **87-20** of Chapter 87, **Fees, Article 11 – Recreation Program Fees**, of the Code of the Borough of Metuchen, is hereby amended to add/change/delete the permit fees to read as follows:

§ 87-20 – Fees Established.

Program	Fee
Bulldog baseball camp	\$150 - \$180
Bulldog T-ball camp	\$90
Basketball camp	\$189
Summer field hockey	\$100
Field hockey mini camp	\$50 per session
Fall field hockey	\$100
Field hockey travel	\$150 - \$180
Lacrosse camp	\$189 - \$200
Lacrosse mini camp	\$50 per session
Bulldog soccer camp	\$150 - \$180
Men's softball	\$400
Adult fitness program	\$60 – \$120, depending on number of sessions
Fields	
Turf field rental	
Noncommercial	\$75 - \$100 per session
Commercial	\$100 - \$250 per session
Art Attack summer camp	\$160 for 1 session; \$285 for 2 sessions
Chess camp	\$200
Weekly STEAM/STEM instructional	\$140-\$349
STEAM/STEM summer camp	\$75-\$330
Summer movie-making camp-half day	\$217

Program	Fee
Summer movie-making camp-full day	\$412
Music Camp	\$295
Theater Camp	\$170 - \$185
Special Events	
Bus Trips	\$50 - \$200, specific amount to be determined by the Recreation Director based on the total cost of the trip to the Borough
Parent-Child Events	\$10 -\$100.00
USSI Tennis Camp	\$219 per week
USSI Tennis – Spring/Fall	\$195 Weekly
USSI Tennis – Summer	\$155
USSI Soccer	\$155
USSI Multi-Sports Camp Summer	\$199
USSI Multi-Sports Camp Spring/Fall	\$195
Vacation Sports Camp-2 day	\$75
Vacation Sports Camp-4 day	\$175
Yoga	\$100
Track Camp	\$150
Art classes – based on session and series	
Individual Session	\$10 - \$75
Multiple Sessions	\$76 - \$300

This ordinance shall become effective upon publication after final adoption.

Introduction:
Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB	
BRANCH					HYMAN					
DELIA					KANDEL					
HIRSCH					RASMUSSEN					
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 April 10, 2023.

Deborah Zupan, RMC

Borough Clerk

Adopted:

Date of Publication:

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

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ing 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
April 24, 2023.

Deborah Zupan, RMC
Borough Clerk

ATTEST:

BOROUGH OF METUCHEN

Deborah Zupan, RMC
Borough Clerk

By: _____
Jonathan M. Busch
Mayor

ORDINANCE 2023-11

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

**ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF METUCHEN,
VARIOUS CHAPTERS, TO AMEND CERTAIN APPLICATION, LICENSE AND
PERMIT FEES – POOL FEES**

BE IT ORDAINED, by the Borough Council of the Borough of Metuchen, as follows:

Section 1. Section 169-3 of Chapter 169, Swimming Pools, of the Code of the Borough of Metuchen, is hereby amended to add/change the following fees to read as follows:

RESIDENT MEMBERSHIPS RATES: (Early Registration Period as set by Pool Commission)

Resident Family (Equivalent membership: one)	\$480.00
Resident Family Plus	\$620.00
Resident Individual	\$255.00
Resident Senior	\$ 85.00

RESIDENT RATES: (Upon Expiration of Early Registration Period)

Resident Family (Equivalent membership: one)	\$550.00
Resident Family Plus	\$675.00
Resident Individual	\$285.00
Resident Senior	\$ 95.00

NON-RESIDENT RATES: (Early Registration Period as set by Pool Commission)

Nonresident Family	\$705.00
Nonresident Family Plus	\$815.00
Nonresident Individual	\$405.00
Nonresident Senior	\$225.00

NON-RESIDENT RATES: (Upon Expiration of Early Registration Period)

Nonresident Family	\$785.00
Nonresident Family Plus	\$890.00
Nonresident Individual	\$455.00
Nonresident Senior	\$240.00
Guest Fees	\$10.00 per

MISCELLANEOUS FEESCHEDULE-MEMBERSHIPREQUIRED:

General Event	\$ 5.00
Swim Lessons	\$ 30.00 per 6 Lessons
Swim Clinic	\$ 75.00
Master Swim	\$ 25.00 per Season
Camp Rentals	\$175.00 per hour
Long Course Rentals	\$165.00 per hour
Pool Adult Fitness	\$25.00 per Season
Party Reservation	\$50.00 for 3 hours and \$10.00 guest fee for each and every non-pool member

Introduction:
Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB	
BRANCH					HYMAN					
DELIA					KANDEL					
HIRSCH					RASMUSSEN					
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 April 10, 2023.

Deborah Zupan, RMC
Borough Clerk

Adopted:
Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB	
BRANCH					HYMAN					
DELIA					KANDEL					
HIRSCH					RASMUSSEN					
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 April 24, 2023.

Deborah Zupan, RMC
Borough Clerk

ATTEST:

BOROUGH OF METUCHEN

Deborah Zupan, RMC
Borough Clerk

By: _____
Jonathan M. Busch
Mayor

ORDINANCE 2023-12

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

**ORDINANCE TO SET THE MINIMUM AND MAXIMUM WAGE RANGES FOR
CERTAIN BOROUGH EMPLOYEES, AMENDING ORDINANCE 2023-02**

.. **BE IT ORDAINED**, by the Mayor and Council of the Borough of Metuchen, that Ordinance 2023-02 be repealed and replaced with this ordinance to set the salary authorizations for the calendar year 2023, effective January 1, 2023.

A. The following official employment designations are hereby confirmed and the range of compensation of each officer and employee of the Borough of Metuchen shall be:

POSITION	MINIMUM	MAXIMUM	PER
Mayor	\$ 10,000.00	\$ 20,000.00	year
Councilmember	\$ 5,000.00	\$10,000.00	year
Borough Administrator	\$ 73,000.00	\$ 180,000.00	year
Director of Special Projects	\$ 70,000.00	\$ 100,000.00	year
Director of Economic Development	\$70,000.00	\$100,000.00	year
Project Manager	\$50,000.00	\$100,000.00	year
Borough Clerk	\$ 50,000.00	\$ 100,000.00	year
Chief Financial Officer/ Tax Collector/QPA	\$ 75,000.00	\$ 170,000.00	year
Tax Assessor	\$ 50,000.00	\$ 100,000.00	year
Public Works Director	\$ 85,000.00	\$ 170,000.00	year
Public Works Superintendent	\$75,000.00	\$130,000.00	year
Public Works Supervisor	\$ 65,000.00	\$ 120,000.00	year
Chief of Police	\$ 130,000.00	\$ 250,000.00	year
Police Captain	\$ 130,000.00	\$ 220,000.00	year
Police Lieutenant	\$ 130,000.00	\$ 205,000.00	year
Court Administrator	\$ 50,000.00	\$ 95,000.00	year
Director of Recreation	\$50,000.00	\$100,000.00	year
Senior Citizen Director	\$45,000.00	\$100,000.00	year
Director of Recreation/Senior Services	\$ 50,000.00	\$ 100,000.00	year
Program Coordinator of Recreation/Senior Services	\$ 45,000.00	\$ 85,000.00	year
Administrative Assistant	\$38,000.00	\$65,000.00	year
Zoning Officer	\$ 50,000.00	\$ 90,000.00	year
TACO Administrative Officer	\$ 50,000.00	\$ 90,000.00	year
Administrative Manager	\$50,000.00	\$90,000.00	year
Deputy Court Administrator	\$ 40,000.00	\$ 65,000.00	year
Violations Clerk	\$35,000.00	\$60,000.00	year
QPA	\$ 6,000.00	\$ 15,000.00	year
Finance Clerk	\$39,000.00	\$ 65,000.00	year
Senior Finance Specialist	\$ 50,000.00	\$ 100,000.00	year
Finance Specialist	\$ 45,000.00	\$ 90,000.00	year
Multi-Media & Communication Director	\$50,000.00	\$ 95,000.00	year
Janitor	\$30,000.00	\$50,000.00	year
Enforcement Official	\$40,000.00	\$60,000.00	year
Mileage/Car Use Stipend – at Borough Administrator discretion		\$2,000.00	year

POSITION – PART TIME	MINIMUM	MAXIMUM	PER
Bus Drivers	\$20.00	\$30.00	hour
Part-Time Clerk Office Assistant	\$15.00	\$30.00	hour
Part-Time Violations Clerk	\$19.00	\$33.00	hour
Janitor, Firehouse	\$15.00	\$30.00	hour
Fire Official (Fire Prevention)	\$6,000.00	\$30,000.00	year
Fire Inspectors (Fire Prevention)	\$5,000.00	\$20,000.00	year
Office of Emergency Management Director	\$6,000.00	\$15,000.00	year
Office of Emergency Management Deputy Coordinator	\$1,000.00	\$1,500.00	stipend
Registrar	\$5,000.00	\$17,000.00	year
Deputy Registrar	\$3,000.00	\$11,000.00	year
School Crossing Guards	\$19.00	\$30.00	hour
Municipal Cares Coordinator	\$6,000.00	\$10,000.00	year
C-3 Sanitary Sewer Collection System Operator	\$6,000.00	\$8,000.00	year
Per Diem Clerical	\$15.00	\$30.00	hour
Public Works Summer Help	\$15.00	\$20.00	hour
Parking Enforcement Officer	\$19.00	\$30.00	hour
Police Auxiliary Officer	\$500.00	\$1,000.00	stipend
Police Aide	\$30.00	\$40.00	hour

CONSTRUCTION INSPECTORS/OFFICIALS

POSITION	MINIMUM	MAXIMUM	PER
Construction Official	\$40.00	\$65.00	hour
Plumbing Subcode Official	\$25.00	\$45.00	hour
Plumbing Inspector	\$45.00	\$65.00	hour
Electrical Subcode Official	\$25.00	\$45.00	hour
Electrical Inspector	\$45.00	\$65.00	hour
Fire Subcode Official	\$25.00	\$45.00	hour
Fire Inspector	\$45.00	\$65.00	hour
Building Subcode Official	\$25.00	\$45.00	hour
Building Inspector	\$45.00	\$65.00	hour
Alternate Subcode Officials	\$25.00	\$45.00	hour
Alternate Inspectors	\$40.00	\$65.00	hour
Special Inspections	\$20.00	\$20.00	hour

COURT ADMINISTRATION

+

POSITION	MINIMUM	MAXIMUM	PER
Municipal Court Judge	\$25,000.00	\$50,000.00	year
Municipal Public Defender	\$15,000.00	\$30,000.00	year

RECREATION PT			
POSITION	MINIMUM	MAXIMUM	PER
Field Hockey Director	\$30.00	\$40.00	hour
Field Hockey Coach	\$20.00	\$30.00	hour
Field Hockey Referee	\$14.13	\$15.00	hour

RECREATION SEASONAL			
POSITION	MINIMUM	MAXIMUM	PER
Tennis Instructor	\$12.93	\$15.00	hour
Tennis Director	\$75.00	\$85.00	hour
Art Director	\$50.00	\$75.00	hour
Cooking Director	\$40.00	\$50.00	hour
Camp Director	\$35.00	\$45.00	hour
Assistant Camp Director	\$25.00	\$30.00	hour
Camp Counselors	\$12.93	\$15.00	hour
Recreation Assistant	\$12.93	\$15.00	hour
Soccer Camp Director	\$35.00	\$50.00	hour
Soccer Counselor	\$12.93	\$15.00	hour
Soccer Trainer	\$20.00	\$30.00	hour
Track Camp Director	\$30.00	\$40.00	hour
Track Advisor	\$25.00	\$30.00	hour
Track Specialist	\$20.00	\$30.00	hour
Basketball Director	\$30.00	\$50.00	hour
Basketball Referee	\$25.00	\$30.00	hour
Junior Referee	\$12.93	\$15.00	hour
Umpire	\$30.00	\$30.00	hour

POOL SEASONAL			
POSITION	MINIMUM	MAXIMUM	PER
Pool Manager	\$6,000.00	\$15,000.00	season
Assistant Managers	\$3,500.00	\$10,000.00	season
Aquatics Director	\$3,000.00	\$10,000.00	season
Head Swim Team Coach *	\$2,000.00	\$3,500.00	season
Assistant Swim Team Coach	\$1,000.00	\$3,000.00	season
Swim Team Assistant	\$750.00	\$1,300.00	season
Head Diving Coach	\$1,500.00	\$2,500.00	season
Assistant Diving Coach	\$1,100.00	\$2,000.00	season
Activities Director	\$3,000.00	\$4,000.00	season
Pre-Season Rate	\$12.93	\$12.93	hour
Swim Instructor	\$12.93	\$12.93	hour
Head Lifeguard	\$14.63	\$14.63	hour
Lifeguard	\$13.08	\$13.08	hour
Head Gate Attendant	\$13.08	\$13.08	Hour
Gate Attendant	\$12.93	\$12.93	Hour
Head Maintenance	\$13.63	\$13.63	Hour

Ord. 2023-

Maintenance	\$12.93	\$12.93	hour
*Position not filled when Aquatics Director position is filled and acts as Head Coach.			

**LIBRARY PERSONNEL
SALARY ADJUSTMENT AND INCREASE PER LIBRARY BOARD OF TRUSTEES**

POSITION	MINIMUM	MAXIMUM	PER
FT Library Director	\$ 85,000.00	105,000.00	year
FT Principal Librarian	\$ 72,000.00	\$ 85,000.00	year
FT Senior Librarian (Youth/User Services)	\$ 62,000.00	\$ 75,000.00	year
FT Senior Librarian (Adult/User Services)	\$ 62,000.00	\$ 75,000.00	year
FT Librarian	\$ 55,000.00	\$ 68,000.00	year
FT Librarian (Adult/Youth Services)	\$ 55,000.00	\$ 68,000.00	year
FT Librarian (Adult/User Services)	\$ 55,000.00	\$ 68,000.00	year
FT Librarian (Youth Services)	\$ 55,000.00	\$ 68,000.00	year
FT Principal Library Assistant	\$ 42,000.00	\$ 55,000.00	year
FT Senior Library Assistant	\$ 36,000.00	\$ 45,000.00	year
FT Library Assistant	\$ 31,000.00	\$ 36,000.00	year
PT Senior Librarian	\$ 35.00	\$ 45.00	hour
PT Senior Librarian (Youth Services)	\$ 35.00	\$ 45.00	hour
PT Librarian	\$ 30.00	\$ 36.00	hour
PT Librarian (Youth Services)	\$ 30.00	\$ 36.00	hour
PT Library Bookkeeper	\$ 26.00	\$ 32.00	hour
PT Library Technology Assistant	\$ 23.50	\$ 28.00	hour
PT Senior Library Assistant	\$ 20.00	\$ 28.00	hour
PT Library Children's Service Specialist	\$ 20.00	\$ 28.00	hour
PT Library Technical Services Assistant	\$ 18.00	\$ 25.00	hour
PT Library Assistant	\$ 15.00	\$ 25.00	hour
PT Library Page	\$ 14.13	\$ 18.00	hour

B. The hourly range of compensation for the public works positions hereinafter named shall be as follows, all payable in bi-weekly installments except as otherwise provided for:

POSITION	MINIMUM	MAXIMUM
Parking Maintenance	\$ 31.19	\$ 34.85
Pump Operator	\$ 31.67	\$ 35.38
Maintenance Repair Person	\$ 31.44	\$ 35.12
Assistant Maintenance Repair Person	\$ 32.47	\$ 33.69
Master Mechanic	\$ 31.19	\$ 34.85
Heavy Equipment Operator	\$ 31.19	\$ 34.85
Head Forestry	\$ 31.19	\$ 34.85
Assistant Equipment Operator	\$ 30.13	\$ 33.69
Forestry	\$ 30.13	\$ 33.69
Assistant Mechanic	\$ 30.13	\$ 33.69
Assistant Pump Operator	\$ 30.13	\$ 33.69
Parks Worker	\$ 31.19	\$ 34.85
Assistant Park Worker	\$ 32.47	\$ 33.69
Drivers	\$ 29.27	\$ 32.75
Laborer	\$ 28.34	\$ 31.73

Additional compensation by way of longevity, overtime, sick days, personal days, insurance benefits and other matters related thereto are fully set forth in the collective bargaining agreement and are hereby incorporated in this ordinance.

- C. The salary range of compensation of all officers of the police department hereinafter named shall be as follows, all payable in equal bi-weekly installments except as otherwise provided for:

POSITION	MINIMUM	MAXIMUM
Sergeant	\$137,266.00	\$155,998.00
Detective	\$129,823.00	\$147,539.00
Patrolman	\$ 49,002.00	\$143,139.00
Academy	\$ 25,500.00	\$25,500.00

Additional compensation by way of Corporal assignment, longevity, overtime, sick days, personal days, insurance benefits and other matters related are fully set forth in the collective bargaining agreement and are hereby incorporated in this ordinance.

1. Additional compensation by way of overtime, sick days, personal days, insurance benefits for full time employees not covered in collective bargaining agreements are fully set forth in the Personnel Handbook and amendments thereto previously adopted by the Borough Council and are hereby incorporated in this Ordinance.
2. No officer or employee shall be paid at a base rate which is above the maximum rate for any salary range in any of the aforementioned groups. 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 that are greater than the minimum 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 group.
3. This Ordinance shall supersede and replace all prior Salary Ordinances and Amendments thereto. Upon the effective date of this Ordinance, any and all prior Salary Ordinances and Amendments thereto and all salaries and compensation authorized therein shall have no further effect. The within Ordinance represents the salaries and compensation to be received by all current, exiting employees and offices or those anticipated to be filled in the near future. In the event that an existing office or position is currently vacant, and a salary or compensation is not set forth in this Ordinance, this Salary Ordinance shall be amended to create a salary and/or salary range for such position or office prior to said position or office being filled.
4. If any portion of this ordinance is in conflict with any portion of a collective bargaining agreement, then the collective bargaining agreement shall take

precedence.

5. All ordinances and parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed.
6. This ordinance shall take effect after its publication according to law and the amendments contained herein shall be retroactive to January 1, 2023.

Introduction:

Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH					HYMAN				
DELIA					KANDEL				
HIRSCH					RASMUSSEN				
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 April 10, 2023.

Deborah Zupan, RMC
Borough Clerk

Adopted:

Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH					HYMAN				
DELIA					KANDEL				
HIRSCH					RASMUSSEN				
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 April 24, 2023.

Deborah Zupan, RMC
Borough Clerk

ATTEST:

BOROUGH OF METUCHEN

Deborah Zupan, RMC

By: _____
Jonathan M. Busch

Ord. 2023-

Borough Clerk

Mayor

RESOLUTION 2023-105

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

RESOLUTION TO AMEND THE 2023 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 2023, effective April 10, 2023:

Parks & Playgrounds	OE	3,000.00
Recreation	OE	5,000.00
Senior Citizen Center	OE	2,000.00
Forestry	OE	10,000.00
Garbage & Trash	OE	20,000.00
Library		200,000.00
Sewers	OE	100,000.00
Woodbridge Shared Services-Public Works		25,000.00
Public Works Administration		30,000.00
Auxiliary Police		1,000.00
Zoning	OE	7,000.00
Planning	OE	1,000.00
Elections	OE	5,000.00
Defined Contribution Retirement Plan		4,000.00
Social Security		60,000.00
Municipal Court	OE	002,000.00
Administrative & Executive	S&W	40,000.00
Financial Administration	S&W	64,000.00
Fire Department	S&W	1,000.00
Fire Prevention	S&W	12,000.00
Mayor & Council	S&W	5,500.00
Municipal Clerk	S&W	11,400.00
Municipal Court	S&W	36,000.00
Emergency Management	S&W	2,000.00
Planning Board	S&W	7,000.00
Recreation	S&W	11,000.00
Senior Citizen Bus Drivers	S&W	5,500.00
Senior Citizen Center	S&W	6,000.00
Zoning	S&W	10,000.00
Public Works Administration	S&W	35,000.00
Buildings & Grounds	S&W	16,500.00
Forestry	S&W	26,500.00
Garbage & Trash	S&W	74,000.00
Parks & Playgrounds	S&W	18,500.00
Sewers	S&W	25,500.00
Streets & Roads	S&W	50,000.00
Police	S&W	530,000.00
Uniform Construction Code	S&W	35,000.00
	TOTAL	\$1,497,400.00
Pool Social Security		5,000.00
Pool	OE	50,000.00
	POOL TOTAL	55,000.00

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 10, 2023.

 Deborah Zupan, RMC
 Borough Clerk

RESOLUTION 2023-106

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

RESOLUTION AUTHORIZING THE BOROUGH OF METUCHEN TO ENTER INTO THE HUNTERDON HOUNTY EDUCATIONAL SERVICES COOPERATIVE PRICING SYSTEM (HCESCCPS)

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Borough of Metuchen desires to become a member of the Hunterdon County Educational Services Commission Cooperative Pricing System (HCESCCPS) #34-HUNCCP, a Cooperative Pricing System for the purchase of goods and services under the lead agency Hunterdon County Educational Services Commission, hereinafter referred to as the "Lead Agency ", effective April 10, 2023 and, that such membership shall be active thereafter of the system, unless the Borough of Metuchen elects to formally withdraw from the system;

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.

WHEREAS, the lead agency 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 of the State of New Jersey; and

WHEREAS, this resolution shall take effect immediately upon passage.

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

1. The Mayor and Borough Clerk are hereby authorized and directed to execute the attached agreement for such membership.
2. Three (3) certified copy of this Resolution and three (3) executed copies of the Agreement shall be submitted to Hunterdon County Educational Services Commission, 37 Hoffmans Crossing Road, Califon, New Jersey, 07830.

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 10, 2023.

Deborah Zupan, RMC
Borough Clerk



Hunterdon County Educational Services Commission

37 Hoffmans Crossing Road
Califon, New Jersey 07830

Phone: 908-439-4280 Fax: 908-975-3753

*Marie Gorey/ Superintendent x4500
Corinne Steinmetz, SBA/Board Secretary x4501
Doreen Pirozzi, Purchasing Manager x1513*

COOPERATIVE PRICING AGREEMENT

This agreement, made and entered into this ____ day of _____, 20__, by and between the Board of Directors of Hunterdon County Educational Services Commission, referred to as the "Lead Agency" and various governing boards, authorities, commissions and other governmental contracting units within the State of New Jersey.

WITNESSETH

WHEREAS, the Lead Agency is conducting a voluntary Cooperative Pricing System with boards of education, municipalities, and other types of public bodies located within the State of New Jersey, utilizing the Lead Agency's administrative purchasing services and facilities in order to effect substantial economies in the purchase of work, materials and supplies; and

WHEREAS, the Cooperative Pricing System is authorized by N.J.S.A. 40A: 11-11 and has been approved by the Division of Local Government Services in the Department of community Affairs pursuant to N.J.A.C. 5:34-7.1 et seq., and

WHEREAS, all the parties hereto shall approve this Agreement by Ordinance or Resolution, as appropriate, in accordance with the aforesaid statute; and

NOW, THEREFORE, it is mutually agreed as follows:

- 1) The work, materials or supplies to be priced cooperatively may include fuels, office supplies, paper products, instructional materials and equipment, vehicles, modulars and such other items and services as two or more participating contracting units in the system agree can be purchased on a cooperative basis.*
- 2) Upon approval of the Cooperative Pricing System and during each January thereafter, the Lead Agency shall publish a legal ad in such format as required by the State Division of Local Government Services in a newspaper normally used for such purpose by it, to include such information required by N.J.A.C. 5:34-7.9. as may be amended from time to time, including:*

- a. *The name of the participating contracting unit, and*
 - b. *The name of the Lead Agency soliciting competitive bids or informal quotations, and*
 - c. *The address and telephone number of Lead Agency, and*
 - d. *The State Identification Code for the Cooperative Pricing System, and*
 - e. *The expiration date of the Cooperative Pricing Agreement.*
- 3) *Each of the participating contracting units shall indicate, in writing to the Lead Agency, the items to be purchased by the contracting unit, the approximate quantities desired, the location for delivery and other such requirements necessary for the Lead Agency to prepare specifications as provided by law. Although the Lead Agency endeavors to serve the needs of all registered members of the Cooperative Pricing System, the Lead Agency may not be able to prepare specifications and/or solicit bids for all projects and makes no such guarantee.*
- 4) *The specifications shall be prepared and approved by the Lead Agency and filed as required by law, and no changes shall thereafter be made except as permitted by law. Nothing herein shall be deemed to prevent changes in specifications for subsequent purchases.*
- 5) *A single advertisement for bids/proposals or the solicitation of informal quotations for the work, materials or supplies to be purchased shall be presented by the Lead Agency on behalf of all registered members desiring to purchase any item in the Cooperative Pricing System. All advertisements and solicitations shall be made in compliance with the Public School Contracts Law.*
- 6) *The Lead Agency shall receive bids or quotations on behalf of all participating contracting units. The Lead Agency shall review said bids and, on behalf of all registered members, either reject all bids, or award a contract in compliance with the Public School Contract Law and the specifications. This award shall result in the Lead Agency entering into a master contract with the successful bidder(s) providing for two categories of purchases:*
- a. *The quantities ordered for the Lead Agency's own needs, and*
 - b. *The estimated aggregate quantities to be ordered by other participating contracting units by separate contract, subject to the specifications and prices set forth in the Lead Agency's overall (master) contract.*

The Lead Agency shall enter into a formal written contract(s) directly with the successful bidder(s) when required by law and, only after the Lead Agency has certified the funds available only for its own needs.

Each registered member shall: (1) certify that it has the funds available necessary for its own order(s) from the Cooperative Pricing System; (2) enter into a formal written contract directly with the successful bidder(s) when required by law and the project specifications; (3) issue purchase orders in its own name directly to the successful bidder(s) against said contract; (4) accept its own deliveries; (5) be invoiced by and receive statements from the successful bidder(s) and (6) be responsible for any tax liability. No registered member shall be responsible for payment for any items ordered or for performance generally, by or to any other registered member. Each registered member shall accordingly be liable only for its own performance and for items ordered and received by it.

The provisions of this paragraph shall be quoted or referred to and sufficiently described in all advertisements for bids by the Lead Agency so that each bidder shall be on notice as to the respective responsibilities and liabilities of the registered members.

- 7) Nothing in this Agreement shall prevent any registered member from awarding contracts of purchase, individually and on its own behalf, with or without advertising, except that invitations for such individual bids shall not be advertised nor bids be received during the period in which the Lead Agency is advertising for and receiving bids for the same items or commodities other than, in the case of the registered member's emergency or hardship.*
- 8) The Lead Agency reserves the right to exclude any item or commodity from within said system if, in its opinion, the pooling of purchasing requirements or needs of the participating contracting units is either not beneficial or not workable as to the Lead Agency or the registered members..*
- 9) The Lead Agency shall appropriate sufficient funds to enable it to perform the administrative responsibilities assumed pursuant to this Agreement. It is understood that all fees for each participating contracting unit are paid to the Lead Agency by the successful bidder(s) with the exception of the fuel participation. This amount shall be paid forty-five (45) days from the receipt of billing from the Lead Agency.*
- 10) This agreement shall become effective upon approval of the Director of the Division of Local Government Services and shall continue in effect for a period of five (5) years pursuant to N.J.A.C. 5:34-7.5(f), or until a party to this Agreement shall give written notice of its intention to terminate its participation in the Cooperative Pricing System..*
- 11) All records or documents maintained or utilized pursuant to terms of this Agreement shall be identified by the code number assigned by the Director, Division of Local Government Services and such other numbers as are assigned by the Lead Agency for purposes of identifying each contract and item awarded.*

- 12) *Additional local contracting units may from time to time, execute this Agreement by means of a Rider annexed hereto, which addition shall not invalidate this agreement with respect to other signatories. The Lead Agency is authorized to execute the Rider on behalf of the members of the System.*
- 13) *This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the respective parties hereto.*

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed and executed by their authorized corporate officers and their respective seals to be hereto affixed.

GOVERNING BOARD / BOARD OF EDUCATION

DISTRICT/MUNICIPALITY: _____

ATTEST: _____
Secretary to the Board

BY: _____
Board President

DATE: _____

**LEAD AGENCY
HUNTERDON COUNTY EDUCATIONAL SERVICES COMMISSION**

ATTEST: _____
Secretary to the Board

BY: _____
Board President

DATE: _____

RESOLUTION 2023-107

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

RESOLUTION AUTHORIZING THE BOROUGH OF METUCHEN TO ENTER INTO THE NORTH JERSEY WASTEWATER COOPERATIVE PRICING SYSTEM (NJWCPS)

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Borough of Metuchen desires to become a member of the North Jersey Wastewater Cooperative Pricing System (NJWCPS) #88-NJWWCPS, a Cooperative Pricing System for the purchase of goods and services under the lead agency Passaic Valley Sewerage Commission, hereinafter referred to as the "Lead Agency ", effective April 10, 2023 and, that such membership shall be for the period ending November 24, 2024, and each renewal, thereafter of the system, unless the Borough of Metuchen elects to formally withdraw from the system; and

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; and

WHEREAS, the lead agency 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 of the State of New Jersey; and

WHEREAS, this resolution shall take effect immediately upon passage.

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

1. The Mayor and Borough Clerk are hereby authorized and directed to execute the attached agreement for such membership.
2. Three (3) certified copy of this Resolution and three (3) executed copies of the Agreement shall be submitted to Thomas A. Fuacaldo, RPPO-QPA, Purchasing Agent, Passaic Valley Sewerage Commission, 600 Wilson Avenue, Newark, NJ 07105.

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 10, 2023.

Deborah Zupan, RMC
Borough Clerk

AGREEMENT
NORTH JERSEY WASTEWATER COOPERATIVE PRICING SYSTEM

PARTICIPANTS:

This agreement made and entered into this day of by
and between the Passaic Valley Sewerage Commission (hereinafter referred to
as "PVSC") and the
a governmental corporation of the State of New Jersey or Public Agency
located at
(hereinafter referred to as the "Participating Contracting Unit").

WITNESSETH:

LEGAL AUTHORITY:

WHEREAS, N.J.S. 40A:11-11 (5), specifically authorizes two or more contracting units to enter into a Cooperative Pricing System and Agreement for the purchase of work, materials and supplies; and

WORK TO BE PERFORMED:

WHEREAS, the Passaic Valley Sewerage Commission will conduct a Cooperative Pricing System with Participating Contracting Units, utilizing administrative purchasing services and facilities of the PVSC; and this Cooperative Pricing Agreement is to effect substantial economies in the purchase of goods and supplies; and

WHEREAS, the PVSC wishes to operate the **North Jersey Wastewater Cooperative Pricing System** (hereinafter referred to as the NJWCPS) with the Bergen County Utilities Authority (BCUA), the Joint Meeting of Essex and Union Counties (JMEUC), the Pequannock, Lincoln Park, and Fairfield Sewerage Authority- Two Bridges (TBSA), the Northwest Bergen County Utilities Authority, the Rahway Valley Sewerage Authority, the Town of Morristown, the Township of Wayne, the City of Asbury Park, the Linden Roselle Sewerage Authority, the Sussex County Municipal Utilities Authority, the Township of Mine Hill, the Musconetcong Sewerage Authority, the Borough of Fair Lawn, the Township of Morris, the Village of Ridgewood, the Rockaway Valley Sewerage Authority, the Atlantic County Utilities Authority, the Township of Wall, the Township of Readington, the Borough of South Plainfield, the Borough of Lodi, the Borough of Madison, the Secaucus Municipal Utilities Authority, the Two Rivers Water Reclamation Authority, the Borough of Point Pleasant, the Township of Branchburg, the Township of Parsippany-Troy Hills, the Township of Springfield, the Township of Neptune, the Township of Verona, the Borough of Lindenwold, the North Bergen Utilities Authority, the Bayshore Regional Sewerage Authority, the Lacey Municipal Utilities Authority, the Cape May County Municipal Utilities Authority, the Bernards Township Sewerage Authority, the South Monmouth Regional Sewerage Authority, the East Windsor Utilities Authority, the Borough of Stone Harbor, the Borough of Bloomingdale, the Township of Livingston, the Township of Roxbury, the Township of Freehold, the Southeast Morris County Utilities Authority, the Township of Montville, the Manasquan River Regional Sewerage Authority, the Cumberland Co. Utilities Authority, the Borough of Old Tappan, the Readington Lebanon Sewerage Authority, the Borough of Glen Rock, the Warren Township Sewerage Authority, the Borough of Highlands, the Township of Denville, the Logan Township Municipal Utilities Authority, City of South Amboy, Township of Nutley, Lambertville Municipal Utilities Authority, Camden County Municipal Utilities Authority, Western Monmouth Utilities Authority, Borough of Spotswood, Kearny Municipal Utilities Authority, Borough of Totowa, Township of Cranford, East Orange Water Commission, Township of Aberdeen, Woodbridge Township, Hackettstown Municipal Utilities Authority, Township of Bridgewater, Township of Rockaway, Borough of Wildwood Crest, Borough of Tinton Falls, Township of Piscataway,

Borough of Elmwood Park, County of Passaic, Township of Randolph, Township of Middletown, Township of Edison, Township of Hillside, Township of Neptune Sewerage Authority, Borough of Milltown, Egg Harbor Twp. Municipal Utilities Authority, Landis Sewerage Authority, Cinnaminson Sewerage Authority, Township of South Orange Village, Stony Brook Regional Sewerage Authority, Borough of Alpha, Pennsauken Sewerage Authority, Raritan Township Municipal Utilities Authority, Borough of Peapack and Gladstone, Township of Bedminster, Borough of Franklin, Dover Township, Franklin Township Sewerage Authority, Franklin Township Sewerage Authority, Borough of Sea Bright, Township of Hamilton, Borough of Bernardsville, Wanaque Valley Regional Sewerage Authority, Borough of Pennington, Lakewood Township Sewerage Authority, Byram Township, Township of Pemberton, Borough of Avon by the Sea, Township of Florence, Hanover Park Regional High School District, City of Somers Point, Township of Cedar Grove, Borough of New Providence, Township of Tewksbury, Clinton Township Sewerage Authority, City of Summit, Old Bridge Municipal Utilities Authority, Willingboro Municipal Utilities Authority, City of Wildwood, Borough of Newfield, Borough of Rockaway, Montville Township Board of Education, Borough of Wenonah, Rockaway Township Board of Education, Brick Township Municipal Utilities Authority, Township of Montclair, Township of Clark, Borough of Hightstown, Borough of Manasquan, Township of West Orange, North Plainfield Board of Education, County of Hudson, the Borough of Caldwell, Municipality of Princeton, Township of Monroe, Bordentown Sewerage Authority, City of Plainfield, Borough of Red Bank, Township of Allamuchy, City of Trenton, Borough of Rumson, the North Arlington-Lyndhurst Joint Meeting, the County of Essex, the Evesham Municipal Utilities Authority, the Borough of Hopatcong, the Atlantic City Municipal Utilities Authority, the Pine Hill Borough Municipal Utilities Authority, the Township of Holmdel, the Township of Berkeley Heights, the Borough of Woodcliff Lake, and the Cumberland County Improvement Authority as well as other approved and appropriate Public Agencies within New Jersey; and

WHEREAS, all parties hereto have approved the within Agreement by Ordinance or Resolution as appropriate, in accordance with the aforesaid statute; and

WHEREAS, it is the desire of all parties to enter into such Agreement for said purposes;

NOW, THEREFORE, in consideration of the conditions hereinafter set forth, it is mutually agreed as follows:

1. The goods or supplies to be priced cooperatively may include Spare Parts, Instrumentation Equipment, Maintenance Chemicals, Motor Repair/Replacement, Mechanical Seals, Safety Equipment, Electrical Equipment, Laboratory Supplies, Bulk Chemicals and such other items as two or more participating contracting units in the system agree can be purchased on a cooperative basis, providing the PVSC consents to these other items.

The items and classes of items which may be designated by the participating contracting units hereto may be purchased cooperatively for the period commencing with the execution of this Agreement and continuing until terminated as hereinafter provided.
ADMINISTRATION AND OPERATION OF SYSTEM:

2. The PVSC, on behalf of all participating contracting units, at the beginning of participating in the NJWCPS, and during each January thereafter, shall publish a legal advertisement in such format as required by the State Division of Local Government Services in a newspaper normally used for such purposes by it to include such information as:

- (1) The name of the participating contracting units, and
- (2) The name of the Cooperative Pricing System soliciting competitive bids or informal quotations, and
- (3) The address and telephone number of the NJWCPS, and
- (4) The State Identification Code for the Cooperative Pricing System, and

(5) The expiration date of the Cooperative Pricing Agreement.

3. The specifications shall be prepared and approved by the NJWPCS and filed as required by law, and no changes shall thereafter be made except as permitted by law. Nothing herein shall be deemed to prevent changes in specifications for subsequent purchases.

4. The NJWPCS may provide the Participating Units with the copies of the specifications at least thirty (30) days prior to seeking bids and will notify the Participating Contracting Units, in writing, of the item(s) on which it will seek bids. Fifteen (15) days prior to advertising, each of the participating contracting units shall designate, in writing, to the NJWPCS, the items to be purchased and indicate therein the approximate quantities desired, the location for delivery and other requirements, to permit the preparation and filing of specifications as provided by law.

The NJWPCS will call a meeting of all Participating Contracting Units each December in order to provide the participants with an opportunity to discuss the goods or services to be priced cooperatively and the terms of the specifications for the next calendar year.

5. A single advertisement for bids or the solicitation of informal quotations for the goods or services to be purchased shall be presented on behalf of all of the Participating Contracting Units desiring to purchase any item by the NJWPCS in the Cooperative Pricing System.

6. In seeking bids the NJWPCS will include in the specifications two categories upon which bids are sought: (a) the NJWPCS's requirements, stated in definite quantities; and (b) the Participating Contracting Units, stated as an estimated total quantity of the needs of all the other Participating Contracting Units, which total shall not be exceeded in the aggregate by more than 20 percent of the total cost awarded for that Category. The specification for this category shall list the other Participating Contracting Units, their delivery address, their estimated maximum quantities and other relevant information to permit the bidder to understand what is potentially involved. The bids will contain: (1) a provision stating that contracts shall be in compliance with N.J.A.C. 5:30-5.5 (B), open-end contract rules; and (2) language requiring the bid price(s) to be stated so that it is uniform with respect to both categories (the NJWPCS and other Participating Contracting Units).

The provision with respect to the other contracting units category will allow the bidder to indicate if it is willing to provide the item(s) bid upon to other participating contracting units in the system; or if it is not willing to extend prices to other participating units in the systems.

7. The NJWPCS shall advertise for bids or the solicitation of informal quotations and shall receive bids or quotations on behalf of all Participating Contracting Units. Following the receipt of bids, the NJWPCS shall review said bids and on behalf of all Participating Contracting Units, either reject all or certain of the bids or make an award to the lowest responsible bidder or bidders for each separate item. This award shall result in the NJWPCS entering into a master contract with the successful bidder(s)

8. The NJWPCS shall enter into a formal written contract(s), when required by law, directly with the successful bidder(s) only after it has certified the funds available only for its own needs ordered. Each Participating Contracting Unit shall also certify the funds available only for its own needs ordered; enter into a formal written contract, when required by law, directly with the successful bidder(s); issue purchase orders in its own name directly to the successful bidder(s) against said contract; accept its own deliveries; be invoiced by and receive statements from the successful bidder(s); make payment directly to the successful bidder(s); and be responsible for any tax liability. No Participating

Contracting Unit in the Cooperative Pricing System shall be responsible for payment for any items ordered or for performance generally, by any other Participating Contracting Units and shall accordingly be liable only for its own performance and for items ordered and received by it and none assumes any additional responsibility or liability. The provisions of this paragraph shall be quoted or referred to and sufficiently described in all advertisements for bids by the NJWCPS so that each bidder shall be on notice as to the respective responsibilities and liabilities of the Participating Contracting Units. The NJWCPS shall supply the Participating Contracting Units with copies of the specifications, name of successful bidder, prices awarded and the contract identification number. Each Participating Contracting Unit may then order directly from that vendor by purchase order if under the appropriate statutory bid limit or by contract of the governing body or agency if over the appropriate statutory bid limit. The identification number shall be affixed to each purchase order or contract and shown on all forms pertaining thereto.

9. If the lowest responsible bidder declines to extend prices to the Participating Contracting Units all bids shall be rejected and no further bids will be sought by the NJWCPS on behalf of the Participating Contracting Units.

10. A bidder shall not be required or permitted to extend his bid prices to Participating Contracting Units unless he has voluntarily agreed to do so as part of his bid.

11. Nothing in this Agreement shall prevent any Participating Contracting Unit from awarding contracts of purchase, with or without advertising, individually and on its own behalf, provided, however, that invitations for such individual bids shall not be advertised, nor shall bids be received individually, during the period in which the NJWCPS is advertising for and receiving bids for the same goods or services, except in the case of emergency or hardship.

12. No purchase order or contract shall be issued by any Participating Contracting Unit for a price which exceeds any other price available to it from any other such system in which it is authorized to participate or from bids which it has itself received.

13. The NJWCPS reserves the right to exclude any goods or services from within said system if, in its opinion, the pooling of purchasing requirements or needs of the Participating Contracting Units is either not beneficial or not workable.

ADMINISTRATIVE COSTS:

14. The PVSC shall bear all costs associated with administering the Cooperative Pricing system and bidding process including cost of advertising and administration and the Participating Contracting Units shall not be obligated for any part of such expenses.

DURATION AND TERMINATION:

15. This Agreement shall become effective the date executed, subject to the approval of the Director of the Division of Local Government Services and shall continue in effect for a period not to exceed five (5) years from said date or the term of the current approval unless any party to this Agreement shall give written notice of its intention to terminate its participation at least 30 days prior to the succeeding four (4) years. The NJWCPS may choose to terminate registration of the system no later than 30 days prior to the expiration date of the system. Renewal of the system will be in accordance with the provisions of N.J.A.C. 5:34-17.6, as may be amended.

16. This Agreement and the Cooperative Pricing System will not terminate nor be invalidated by the PVSC or the withdrawal or addition of any Participating Contracting Unit. However, this Agreement and the Cooperative Pricing System shall be terminable and invalidated at the instance of the NJWCPS upon written notice to the Participating

Contracting Unit and without recourse against the NJWCPS for any reason or if continuance of the within system becomes unlawful for any reason.

DOCUMENTATION:

17. All records and documents maintained or utilized pursuant to the terms of this Agreement shall be identified by the code number assigned by the Director, Division of Local Government Services, and such other numbers as are assigned by the NJWCPS for purposes identifying each contract and item awarded.

18. This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the respective parties hereto.

19. This Agreement may be executed in several counterparts, each of which, when so executed, shall be deemed to be an original, but such counterparts shall together constitute but one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed and executed by their authorized corporate officers and their respective seals to be hereto affixed the day and year above written.

PASSAIC VALLEY SEWERAGE COMMISSION

BY: _____
GREGORY A. TRAMONTOZZI
EXECUTIVE DIRECTOR, PASSAIC VALLEY SEWERAGE COMMISSION

(SEAL) ATTEST BY: _____
PASSAIC VALLEY SEWERAGE COMMISSION
ALBERT LUKIN, CLERK

ATTEST: NORTH JERSEY WASTEWATER COOPERATIVE PRICING SYSTEM

By: _____
Passaic Valley Sewerage Commission

Date: _____

[NAME OF AUTHORITY OR GOVERNMENT ENTITY-
PLEASE LEAVE ON SEPARATE PAGE]

BY: _____

(Chief Administrative Officer's Signature or other Official duly authorized to sign cooperative purchasing agreements)

PRINTED NAME

TITLE _____

(SEAL) ATTEST BY: _____

PRINTED NAME AND TITLE:

RESOLUTION 2023-108

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

**RESOLUTION AUTHORIZING NJWCPS CONTRACT FOR PUMP STATION
COMMUNTER, VARIOUS PUMPS AND MOTORS REPAIR, REPLACEMENT, AND
INSTALLATION SERVICES**

WHEREAS, there exists a need to purchase a comminuter for the Orchard Street pump station and for various pumps and motors repair, replacement and installation services including pump shop maintenance and emergent care for the Borough of Metuchen, County of Middlesex, State of New Jersey; and

WHEREAS, a channel monster renew cartridge can be purchased through NJWCPS Contract No. B331-12 Various Manufacturer Pumps and Motors Repair and Replacement and Installation, and NJWCPS Contract No. B270-2 Furnish and Deliver Various Manufacturers Equipment and Spare Parts; and

WHEREAS, the term of the NJWCPS Contract No. B331-12 is from August 1, 2022 through July 31, 2023 and the term of the NJWCPS Contract No. B270-2 is from August 1, 2021 through July 31, 2023; and

WHEREAS, the authorization for purchases under both contracts under this award expires on July 31, 2023; and

WHEREAS, the Chief Financial Officer's certification of funds is made authorizing the award to purchase a comminuter with installation in an amount not to exceed \$37,373.08, and for various pumps and motors repair, replacement and installation services including pump shop maintenance and emergent care in an amount not to exceed \$22,500.00 from the 2023 Temporary Budget and 2023 Adopted budget appropriation line item Sewers-Equipment Maintenance & Repair 3-01-26-773-026, for a grant total in the amount not to exceed \$59,873.08; and

WHEREAS, purchase of goods and services is permitted through cooperative purchasing in accordance with 40A:11-11 of the Local Public Contracts Law and N.J.A.C 5:34-1 et seq; and

WHEREAS, NJWCPS 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; and.

WHEREAS, this procurement is awarded under N.J.S.A. 19:44A20.4 et seq. using a fair and open process to Pumping Services, Inc. for a comminuter with installation and various pumps and motors repair, replacement and installation services for the Borough of Metuchen.

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

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

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 10, 2023.

Deborah Zupan, RMC
Borough Clerk

RESOLUTION 2023-109

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

**RESOLUTION AUTHORIZING NJWCPS CONTRACT FOR PUMP STATION
GRINDER CARTRIDGE**

WHEREAS, there exists a need to purchase a renew cartridge for the Jersey Avenue pump station sewer grinder for the Borough of Metuchen, County of Middlesex, State of New Jersey; and

WHEREAS, a channel monster renew cartridge can be purchased through NJWCPS Contract No. B270-6 Furnish and Deliver Various Manufacturers Equipment and Spare Parts; and

WHEREAS, the term of the contract is from August 1, 2021 through July 31, 2023; and

WHEREAS, the authorization for purchases under this award expires on July 31, 2023; and

WHEREAS, the Chief Financial Officer’s certification of funds is made authorizing the award to purchase a renew cartridge in an amount not to exceed \$24,670 from the 2023 Temporary Budget and 2023 Adopted budget appropriation line item Sewers-Equipment Maintenance & Repair 3-01-26-773-026; and

WHEREAS, purchase of goods and services is permitted through cooperative purchasing in accordance with 40A:11-11 of the Local Public Contracts Law and N.J.A.C 5:34-1 et seq; and,

WHEREAS, NJWCPS 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; and.

WHEREAS, this procurement is awarded under N.J.S.A. 19:44A20.4 et seq. using a fair and open process to GP Jager Inc. for a channel monster renew cartridge for the Borough of Metuchen.

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

The Chief Financial Officer and Borough Administrator are hereby authorized and directed to approve and forward a purchase order to GP Jager Inc., PO Box 50, Boonton, New Jersey, 07005.

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 10, 2023.

Deborah Zupan, RMC
Borough Clerk

RESOLUTION 2023-110

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

RESOLUTION AUTHORIZING NJWCPS CONTRACT FOR A SUBMERSIBLE PUMP

WHEREAS there exists a need to purchase a submersible pump for the Orchard Street pump station for the Borough of Metuchen, County of Middlesex, State of New Jersey; and

WHEREAS, a submersible pump can be purchased through NJWCPS Contract No. B270-4 Various Manufacturers Equipment and Spare Parts; and

WHEREAS, the term of the contract is from August 1, 2021 through July 31, 2023; and

WHEREAS, the authorization for purchases under this award expires on July 31, 2023; and

WHEREAS, the Chief Financial Officer’s certification of funds is made authorizing the award to purchase submersible pump in an amount not to exceed \$22,552.00 from the 2023 Temporary Budget and 2023 Adopted budget appropriation line item Sewers-Equipment Maintenance & Repair 3-01-26-773-026.; and

WHEREAS, purchase of goods and services is permitted through cooperative purchasing in accordance with 40A:11-11 of the Local Public Contracts Law and N.J.A.C 5:34-1 et seq; and

WHEREAS, NJWCPS 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; and

WHEREAS, this procurement is awarded under N.J.S.A. 19:44A20.4 et seq. using a fair and open process to Reiner Pump Systems, Inc.. for a comminuter with installation and various pumps and motors repair, replacement and installation services for the Borough of Metuchen.

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

The Chief Financial Officer and Borough Administrator are hereby authorized and directed to approve and forward a purchase order to Reiner Pump Systems, Inc., 53 US Highway 206, Stanhope, New Jersey, 07874.

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 10, 2023.

Deborah Zupan, RMC
Borough Clerk

RESOLUTION 2023-111

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

RESOLUTION AUTHORIZING AWARD OF A WINDOW CONTRACT FOR PAINTING AT POOL FACILITY THROUGH ESCNJ AWARD

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

WHEREAS, painting services can be purchased through ESCNJ contract award 20/21-24 Painting Services-Time and Materials Bid, awarded for the term July 1, 2020 through June 30, 2022, extended July 1, 2022 through June 30, 2023; and

WHEREAS, the painting services quote is under the bid threshold as set by New Jersey Local Public Contracts Law N.J.S.A. 40A:11-1 et seq, but above \$17,500.00 and is subject to vendor compliance with N.J.A.C. 10:5-31 et seq and N.J.A.C. 17-27; and

WHEREAS, purchase of goods and services is permitted through cooperative purchasing in accordance with 40A:11-11 of the Local Public Contracts Law and N.J.A.C 5:34-1 et seq; and,

WHEREAS, the Chief Financial Officer's Certification of Funds is made authorizing the award for the interior and exterior painting at the Municipal Pool facility in the Borough of Metuchen in the amount not to exceed \$20,550.59 and funds are anticipated to be available in the 2023 Temporary Pool Utility Budget and 2023 Adopted Pool Utility Budget as certified by the Chief Financial Officer and that there is sufficient funds for such award and is available and is designated from Account number Pool Maintenance, 3-09-55-501-508 for these services; and

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

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

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

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 10, 2023.

Deborah Zupan, RMC
Borough Clerk

RESOLUTION 2023-112

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

RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR CHLORINE FOR METUCHEN MUNICIPAL POOL THROUGH ESCNJ

WHEREAS, there exists a need for bulk liquid chlorine (Metered, Sodium Hypochlorite 12.5 %) for the Metuchen Municipal Pool in the Borough of Metuchen, in the County of Middlesex, State of New Jersey; and

WHEREAS, pool equipment, supplies and repair and maintenance can be purchased through ESCNJ 21/22-39-Pool Equipment-Supplies-Repair-Maintenance; and

WHEREAS, the term of the contract is from April 24, 2022 to April 23, 2023, with a contract extension through April 24, 2024; and

WHEREAS, the authorization for purchases under this award expires on December 31, 2023; and

WHEREAS, purchase of goods and services is permitted through cooperative purchasing in accordance with 40A:11-11 of the Local Public Contracts Law and N.J.A.C 5:34-1 et seq; and,

WHEREAS, the Chief Financial Officer's Certification of Funds is made authorizing the award for hypochlorite solutions (bulk sodium hypochlorite) for the Metuchen Municipal Pool in the amount not to exceed \$45,000.00 from the 2023 Temporary and 2023 adopted budget appropriation line item Pool Utility Other Expenses- Pool Chemicals 3-09-55-501-504; and

WHEREAS, this procurement is awarded under N.J.S.A. 19:44A20.4 et seq. using a fair and open process to Main Line Commercial Pools, Inc. for bulk liquid chlorine for the Metuchen Municipal Pool.

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

1. The Chief Financial Officer and Borough Administrator are hereby authorized and directed to approve and forward a Purchase Order Main Line Commercial Pools, Inc., 441 Feheley Drive, King of Prussia, PA 19406.

C	Y	N	N	A	C	Y	N	N	A
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A					M				
N					A				

C H				N			
D E L I A				K A N D E L			
H I R S C H				R A S M U S S E N			
M O T I O N				S E C O N D			
X – INDICATES VOTE AB- ABSENT NV- NOT VOTING							

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 10, 2023.

Deborah Zupan, RMC
Borough Clerk

RESOLUTION 2023-113

Borough of Metuchen

County of Middlesex

State of New Jersey

**RESOLUTION AUTHORIZING AMENDING RESOLUTION 2023-100 AUTHORIZING THE
AWARD FOR PARTS AND MAINTENANCE & REPAIR FOR VEHICLES THROUGH
STATE CONTRACTS**

WHEREAS, the authorization 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 was awarded by Resolution 2023-100 on March 6, 2023; 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 is in effect from March 18, 2016 through March 17, 2023, and state contract T2760 is in effect from August 5, 2019 through August 4, 2023; 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; and

WHEREAS, the maximum amount for vehicle parts and maintenance and repair for fleet vehicles for the Borough of Metuchen remains as \$12,000.00 and funds are anticipated to be available in the 2023 Temporary budget and 2023 Adopted budget as previously certified by the Chief Financial Officer and that there is sufficient funds for such award and is available and is designated from Account number Streets & Roads-Vehicle Maintenance & Repair, 3-01-20-765-025 for these services; and

WHEREAS, the authorization to purchase goods and services under these awards expires on March 17, 2024 and August 4, 2023 ; 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:

1. The Chief Financial Officer and Borough Administrator are hereby authorized and directed to continue the approval of the existing Purchase Order previously issued as a result of Resolution 2023-100 to Malouf Ford Lincoln Inc., PO Box 7480, 2210 US Highway 1, North Brunswick, NJ, 08902.

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 10, 2023.

Deborah Zupan, RMC
Borough Clerk

RESOLUTION 2023-114

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

RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE FOR NEW JERSEY ALCOTEST EVIDENTIAL BREATH TEST SYSTEM

WHEREAS, there exists a need to acquire a New Jersey Alcotest Evidential Breath System with related components, supplies and ten-year extended warranty 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 State Contract 20-TELE-00933, # T3031-Evidential Breath Testing, Equipment and Services, which is in effect from August 7, 2019 until February 26, 2024, awarded to Drager Inc., Vendor number V00022167; and

WHEREAS, the awarded amount of the State Contract purchase a New Jersey Alcotest Evidential Breath System with related components, supplies and ten-year extended warranty, is \$19,305.00; and

WHEREAS, the Chief Financial Officer's Certification of Funds is made authorizing the award for a New Jersey Alcotest Evidential Breath System with related components, supplies and ten-year extended warranty from Capital Bond Ordinance 2022-08, C-04-55-938-004 in an amount not to exceed \$19,305.00; 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 Drager, Inc. for a New Jersey Alcotest Evidential Breath System with related components, supplies and ten-year extended warranty for the Police Department 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:

1. The Chief Financial Officer and Borough Administrator are hereby authorized and directed to approve and forward a Purchase Order to Drager, Inc., 3135 Quarry Road, Telford, PA 18969.

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 10, 2023.

Deborah Zupan, RMC
Borough Clerk

RESOLUTION 2023-115

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

RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE FOR PVC PICNIC TABLES AND BIKE RACK PORTS

WHEREAS, there exists a need to acquire ADA and standard picnic tables and bike rack ports for use at the Metuchen Municipal Pool in the Borough of Metuchen, in the County of Middlesex, State of New Jersey; and

WHEREAS, this can be purchased through State Contract 16-FLEET-00134, # T0103-Park and Playground Equipment, which is in effect from June 20, 2017 until May 30, 2023, awarded to BCI Burke Company LLC, to be purchased from the Master Blanket/Contract Subcontractor Ben Shaffer Recreation per Amendment #5.; and

WHEREAS, the awarded amount of the State Contract purchase for four (4) 8’ PVC Traditional ADA Picnic Tables, One End, six (6) 8’ PVC traditional portable picnic tables and two (2) 10’ bike racks, is \$19,329.11; and

WHEREAS, the Chief Financial Officer's Certification of Funds is made authorizing the award for a total of ten (10) picnic tables and two (2) bike racks from the 2023 Pool Utility Temporary Budget and the 2023 Pool Utility Budget, Appropriation Line Equipment 3-09-55-501-507 in an amount not to exceed \$19,329.11; 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 BCI Burke Co. for purchase of picnic tables and bike racks for the Metuchen Municipal Pool.

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

1. The Chief Financial Officer and Borough Administrator are hereby authorized and directed to approve and forward a Purchase Order to BCI Burke Co, P.O. Box 549, 660 Van Dyne Road, Fond du Lac, WI 04936-0549, with notification to Ben Shaffer Recreation, PO Box 844, Lake Hopatcong, NJ 07849 on all purchase orders.

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 10, 2023.

Deborah Zupan, RMC
Borough Clerk

RESOLUTION 2023-116

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

RESOLUTION AUTHORIZING AWARD OF A WINDOW CONTRACT FOR METUCHEN MUNICIPAL POOL DE-WINTERIZATION, OPENING AND POOL PAINTING SERVICES

WHEREAS, there exists a need for de-winterization, opening and pool painting services for the Metuchen Municipal Pool in the Borough of Metuchen, in the County of Middlesex, State of New Jersey; and

WHEREAS, written quotes were obtained, and the lowest responsible, complete written quote received to purchase de-winterization, opening and pool painting services is under the bid threshold as set by New Jersey Local Public Contracts Law N.J.S.A. 40A:11-1 et seq, but above \$17,500.00 and is subject to vendor compliance with N.J.A.C. 10:5-31 et seq and N.J.A.C. 17-27; and

WHEREAS, the amount to complete the de-winterization, opening and pool painting services is under the bid threshold as set by New Jersey Local Public Contracts Law N.J.S.A. 40A:11-1 et seq, but above \$17,500.00 and is subject to vendor compliance with the New Jersey Prevailing Wage Act (N.J.S.A. 34:11-56.25 et seq.), N.J.A.C. 10:5-31 et seq and N.J.A.C. 17-27; and

WHEREAS, the Chief Financial Officer's Certification of Funds is made authorizing the award for the de-winterization, opening and pool painting services in the amount not to exceed \$37,000.00 from the 2023 Temporary Pool Utility Budget and 2023 Adopted Pool Utility Budget appropriation line Pool Maintenance 3-09-55-501-508; and

WHEREAS, this procurement is awarded under N.J.S.A. 19:44A20.4 et seq. using a fair and open process to Aquatic Service Inc. for de-winterization, opening and pool painting services for the Metuchen Municipal Pool for the Borough of Metuchen.

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

1. The Chief Financial Officer and Borough Administrator are hereby authorized and directed to approve and forward a Purchase Order to Aquatic Service Inc., 550 Hartle Street, Suite F, Sayreville, NJ 08872.

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 10, 2023.

Deborah Zupan, RMC
Borough Clerk

RESOLUTION 2023-117

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

**RESOLUTION AUTHORIZING THE USE OF COMPETITIVE CONTRACTING
PROCESS FOR THE PROCUREMENT OF CONSULTING SERVICES FOR
THE BOROUGH OF METUCHEN**

WHEREAS, the Borough of Metuchen has determined that it is in the best interest of the Borough to evaluate and provide analysis and operational support primarily for the Department of Public Works related to department operations, services, duties and responsibilities, including potential recruitment services in order to promote the Borough's overall objectives of transparency and the provision of municipal services in the most cost effective and "resident friendly" fashion; and

WHEREAS, the Borough of Metuchen has determined that it is necessary to retain the services of a qualified entity to provide the operational analysis and support services; and

WHEREAS, the Local Public Contracts Law, *N.J.S.A. 40A:11-4.1 et seq.*, provides for the utilization of a process called competitive contracting in lieu of public bidding for procurement of specific goods and or services, under the category of consultant services; and

WHEREAS, said process allows for competition, the award being based on a methodology which includes an evaluation, ranking and weighing of criteria as well as cost; and

WHEREAS, pursuant to *N.J.S.A. 40A:11-4.1*, the Borough has determined to seek to procure the evaluation and consulting services through the use of competitive contracting through a Request for Proposals and to award a contract for the services based upon price and other factors considered; and

WHEREAS, the Borough wishes to initiate the competitive contracting process for procurement of Consulting Services for the Borough of Metuchen; and

WHEREAS, *N.J.S.A. 11-4-3(a)* requires that in order to initiate competitive contracting, the governing body shall pass a resolution authorizing the use of competitive contracting each time specialized goods or services enumerated in *N.J.S.A. 40A:11-4.1* are desired to be contracted.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Borough of Metuchen that it hereby authorizes the Borough Administrator and all other Borough officials and employees to initiate competitive contracting process for the procurement of a qualified entity for consulting services primarily for the Department of

Public Works for the Borough of Metuchen in conformance with *N.J.S.A. 40A:11-4.1 et seq.*

BE IT FURTHER RESOLVED, that the Borough Administrator, and other officials and employees are hereby authorized to take all necessary actions in order to effectuate the terms and provisions of this Resolution.

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 10, 2023.

Deborah Zupan, RMC
Borough Clerk

RESOLUTION 2023-118

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

**RESOLUTION AUTHORIZING THE AWARD AND EXECUTION OF A
CONTRACT FOR RECREATION PROGRAMS**

WHEREAS, the Borough of Metuchen has determined that it is necessary to formally solicit for Recreation youth programs and camp services for the Borough of Metuchen; and

WHEREAS, the Local Public Contracts Law, *N.J.S.A. 40A:11-4.1 et seq.*, provides for the utilization of a process called competitive contracting in lieu of public bidding for procurement of the operation, management or administration of recreation programs; and

WHEREAS, pursuant to *N.J.S.A. 11-4-3(a)*, by way of Resolution No. 2022-253, the Borough Council authorized the use of competitive contracting for the procurement of the operation, management or administration of recreation programs for the Borough of Metuchen; and

WHEREAS, the Borough of Metuchen prepared, issued, and publicly advertised Notices of a Request for Proposals for the provision of Recreation youth programs and camps for the Borough of Metuchen; and

WHEREAS, the Borough received one (1) proposal to provide 2023 Youth Recreation Summer Movie Making Camps and one (1) proposal to provide 2023 Youth Recreation Summer Track & Field Camps to Metuchen; and

WHEREAS, Metuchen through a Committee comprised of the Borough Administrator or appointed designee, Recreation Director and the QPA reviewed the proposals submitted based upon the criteria set forth in the RFP and have determined and recommended the award of a contract to Incredaflix Inc. for the 2023 Youth Recreation Summer Movie Making Camps and to Pisano Fitness for the 2023 Youth Recreation Summer Track & Field Camps ; and

WHEREAS, the Mayor and Council of the Borough of Metuchen have determined that it to be in the best interest of Metuchen to authorize the award of a contract to Incredaflix Inc. for the 2023 Youth Recreation Summer Movie Making Camps and to Pisano Fitness for the 2023 Youth Recreation Summer Track & Field Camps; and

WHEREAS the recreation programs are managed through Recreation Trust Funds based on participant fees, so payments to each vendor is contingent upon adequate enrollment in program(s) offered through the Borough of Metuchen

Recreation Director, with the Chief Financial Officer verifying sufficient Recreation Trust Funds available in Recreation Trust T-22-56-859-859 upon review of vendor invoices and program enrollment revenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Metuchen that it hereby authorizes the award of contract for 2023 Youth Recreation Summer Movie Making Camps to Incredaflix Inc., 1571 N. Ogden Street, Denver, CO 80218 and for 2023 Youth Recreation Summer Track & Field Camps to Pisano Fitness, 44 Kentnor Street, Metuchen, NJ 08840.

BE IT FURTHER RESOLVED that the Borough Administrator, and other officials and employees are hereby authorized to take all necessary actions in order to effectuate the terms and provisions of this Resolution and the award and implementation of the contract awarded herein; and

BE IT FURTHER RESOLVED that the within contract was awarded pursuant to a “Fair and Open Process” pursuant to New Jersey Local Unit Pay-To-Play Law (N.J.S.A. 19:44A-20.4, et. seq.).

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 10, 2023.

 Deborah Zupan, RMC
 Borough Clerk

RESOLUTION 2023-119

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

**RESOLUTION AUTHORIZING THE AWARD AND EXECUTION OF A
CONTRACT FOR RECREATION SERVICES CONCESSION CONTRACT**

WHEREAS, the Borough of Metuchen has determined that it is necessary to grant a concession for the operation, management and administration of various youth recreation programs for the Recreation Department in the Borough of Metuchen; and

WHEREAS, the Local Public Contracts Law, *N.J.S.A. 40A:11-4.1 et seq.*, provides for the utilization of a process called competitive contracting in lieu of public bidding for granting of a concession; and

WHEREAS, pursuant to *N.J.S.A. 11-4-3(a)*, by way of Resolution No. 2022-253, the Borough Council authorized the use of competitive contracting for the granting of a concession for procurement of the operation, management and administration of various youth recreation programs the Borough of Metuchen; and

WHEREAS, the Borough of Metuchen prepared, issued, and publicly advertised a Notice of a Request for Proposals for the provision of granting a concession for the Borough of Metuchen various youth recreation programs; and

WHEREAS, the Borough received one (1) proposal for a concession for various youth recreation programs in the Borough of Metuchen; and

WHEREAS, Metuchen through a Committee comprised of the Borough Administrator or designee, Recreation Director and QPA, evaluated the proposal submitted based upon the criteria set forth in the RFP and have determined and recommended the award of concession to US Sports Institute for various recreation programs in the Borough of Metuchen; and

WHEREAS, the Mayor and Council of the Borough of Metuchen have determined that it to be in the best interest of Metuchen to authorize the concession for various recreation programs in the Borough of Metuchen to US Sports Institute.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Metuchen that it hereby authorizes the award of contract for the 2023 operation, management and administration of various youth recreation programs for the Recreation Department in the Borough of Metuchen concession to US Sports Institute.

BE IT FURTHER RESOLVED by the Council of the Borough of Metuchen that the Mayor and Borough Clerk are hereby authorized and directed to execute an

agreement, with US Sports Institute, 4 Somerset Street, Whitehouse Station, NJ 08889, consistent with the terms of the within Resolution, the RFP and the proposal submitted to the Borough; and

BE IT FURTHER RESOLVED that the Borough Administrator, and other officials and employees are hereby authorized to take all necessary actions in order to effectuate the terms and provisions of this Resolution and the award and implementation of the contract awarded herein; and

BE IT FURTHER RESOLVED that the within contract was awarded pursuant to a “Fair and Open Process” pursuant to New Jersey Local Unit Pay-To-Play Law (N.J.S.A. 19:44A-20.4, et. seq.).

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 10, 2023.

 Deborah Zupan, RMC
 Borough Clerk

RESOLUTION 2023-120

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

**RESOLUTION OF SUPPORT FROM THE BOROUGH OF METUCHEN
TO ACCEPT THE FEMA DEPARTMENT OF HOMELAND SECURITY EMW-2021-FG-
06428: FISCAL YEAR (FY) 2021 ASSISTANCE TO FIREFIGHTERS GRANT**

WHEREAS, the Borough of Metuchen has received an award letter from FEMA U.S. Department of Homeland Security dated March 9, 2023, notifying the Borough of Metuchen that the Borough has been awarded an Assistance to Firefighters (AFG) grant in the amount of \$301,324.99; and

WHEREAS, the grant requires a Borough match an amount equal to or greater than 5% of the federal funds, or \$15,066.26; and

WHEREAS, the Borough of Metuchen will include \$15,066.26 as the grant match in the 2023 Adopted Budget, making the total available AFG grant funds in the amount of \$316,391.25; and

WHEREAS, the Chief of Police/Office of Emergency Management Director is authorized to accept the AFG grant through the FEMA Grants Outcomes (FEMA GO) system.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Metuchen does hereby authorize acceptance of the grant, including adherence to all grant requirements.

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

Melissa Perilstein, Borough Administrator

Jonathan M. Busch, Mayor

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 10, 2023.

Deborah Zupan, RMC
Borough Clerk

RESOLUTION 2023-121

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

RESOLUTION APPOINTING ACTING ZONING OFFICIAL

WHEREAS, due to an unanticipated vacancy in the position of zoning official/officer of the Borough of Metuchen, the Mayor, Council and Borough Administrator have determined a need to appoint an acting zoning official/officer; and

WHEREAS, Denise Hamilton is currently employed by the Borough as a Secretary for Borough of Metuchen Planning Board and the Zoning Board of Adjustment and has expressed an interest to assist the Borough and to serve as the Acting Zoning Official/Officer for the Borough of Metuchen as well as the Secretary for the Borough of Metuchen Planning and Zoning Boards; and

WHEREAS, the Borough has determined that it is in the best interest of the Borough to appoint Denise Hamilton to serve as Acting Zoning Official/Officer for the Borough of Metuchen in addition to her services as Secretary for the Borough of Metuchen Planning and Zoning Boards.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Metuchen hereby appoint Denise Hamilton to serve as Acting Zoning Official/Officer of the Borough of Metuchen effective March 13, 2023 and to continue to serve as Secretary for the Borough of Metuchen Planning and Zoning Boards for the Borough of Metuchen.

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 10, 2023.

Deborah Zupan, RMC
Borough Clerk

RESOLUTION 2023-122

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

RESOLUTION AMENDING RESOLUTION 2023-46 AUTHORIZING THE ENTRY INTO AND THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF METUCHEN AND THE TOWNSHIP OF WOODBRIDGE FOR THE PROVISION OF AS NEEDED FOR VARIOUS SERVICES FROM THE WOODBRIDGE DEPARTMENT OF PUBLIC WORKS

WHEREAS, by way of Resolution 2023-46, the Borough of Metuchen had entered into a shared services agreement with the Township of Woodbridge to address the need of various services on an as needed basis, including, but not limited to maintenance and services from the Woodbridge Department of Public Works; and

WHEREAS, pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq. (the "Act"), any local unit may, by the adoption of a resolution of its governing body, enter into an agreement with any other local unit or units to provide or receive any service that each unit participating in the agreement is empowered to provide or receive within its own jurisdiction and that such agreement between the local units for the provision of shared services shall be entered pursuant to the Act; and

WHEREAS, the Township of Woodbridge has agreed to provide the Borough of Metuchen the various services on an as needed basis, including, but not limited to maintenance and services from the Woodbridge Department of Public Works; and

WHEREAS, the Borough of Metuchen has determined that it is in the best interest of the Borough and to obtain various services on an as needed basis, including, but not limited to maintenance and services from the Woodbridge Department of Public Works by way of a shared services agreement from the Township of Woodbridge; and

WHEREAS, Metuchen and Woodbridge have negotiated the terms and conditions of a shared services agreement wherein Woodbridge would provide for various services on an as needed basis, including, but not limited to maintenance and services from the Woodbridge Department of Public Works to the Borough of Metuchen; and

WHEREAS, the Borough of Metuchen had determined that it is in the best interest of the Borough to obtain various services on an as needed basis, including, but not limited to maintenance and services from the Woodbridge Department of Public Works to the Borough of Metuchen from the Township of Woodbridge, using the cost of equipment based on the latest FEMA schedule of equipment rates, and manpower charged at the hourly rates in effect plus benefits at a total annual cost not to exceed five thousand dollars (\$5,000.00), annually; and

WHEREAS, the amount previously authorized for Public Works shared services is amended from \$5,000.00 to \$25,000.00 so that garbage collection services can be provided by the Township of Woodbridge to the Borough of Metuchen, twice a week from the date of enactment of this resolution to an estimated end date of July 24, 2023; and

WHEREAS, the Borough of Metuchen is using the shared services agreement with the Township of Woodbridge for the additional shared services to provide garbage collection services during the interim period at the existing level of service, until delivery is taken on a previously ordered garbage truck which is in the final phase of completion.

WHEREAS, the Chief Financial Officer of the Borough of Metuchen had certified that there are sufficient available funds to authorize the within Shared Services Agreement from the 2023 Temporary Budget and Adopted Budget and certifies the additional \$20,000.00 from the 2023 Temporary Budget and 2023 Adopted Budget from the appropriation line Shared Services Township of Woodbridge- Public Works Services 3-01-30-806-009 in the amount totaling of \$25,000.00; and

NOW, THEREFORE BE IT RESOLVED by the Council of the Borough of Metuchen that it hereby authorizes all Borough officials to take all necessary actions to in order to effectuate the within resolution and the Shared Services Agreement amendment.

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 10, 2023.

Deborah Zupan, RMC
Borough Clerk

RESOLUTION 2023-123

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

**RESOLUTION TO GRANT EXEMPTION FOR TOTALLY DISABLED
VETERAN AND TO REFUND AND CANCEL 2023 TAXES**

WHEREAS, the Tax Assessor of the Borough of Metuchen has been provided sufficient proof that the owner of the property known as 21 Bounty Street, Block 184, Lot 31, in the Borough of Metuchen is owned by a 100% Permanently & Totally Disabled Veteran, as noted in a letter from the Department of Veterans Affairs dated March 2, 2023; and

WHEREAS, the property owner Bruce Linsky, being determined to be totally and permanently disabled by the Department of Veteran Affairs applied to the Borough of Metuchen for the tax exemption on December 6, 2022, for Block 184, Lot 31 as an incomplete application with final documents provided to the Tax Assessor of the Borough of Metuchen

WHEREAS, the effective date for the 100% Permanently and Totally Determination exemption from property taxes will be January 1, 2023.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Metuchen that the Chief Financial Officer/Tax Collector is hereby authorized to refund the homeowner the monies paid for taxes, and to cancel taxes billed for the 2023 year.

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 10, 2023.

Deborah Zupan, RMC
Borough Clerk

RESOLUTION 2022-124

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

RESOLUTION AUTHORIZING FILING TAX APPEAL COUNTERCLAIM

BE IT RESOLVED by the Borough Council of the Borough of Metuchen that Renaud Colicchio, LLC, Special Tax Appeal Counsel, and Township Tax Assessor be and are hereby authorized and directed to file a Counterclaim in the tax appeal entitled Columbia II Metuchen/Prop. Tax Dept. v. Metuchen Borough, Block 111, Lot 2.01, Block 110, Lot 39.01 on the Tax Map of Metuchen Borough;

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 10, 2023.

Deborah Zupan, RMC
Borough Clerk



Robert F. Renaud*
Adam J. Colicchio
Nicholas V. Rinaldi
*Certified by the Supreme Court of
New Jersey as a Civil Trial Attorney

Catherine M. DeAppolonio
Of Counsel

Writer's Direct Email:
acolicchio@rcnjlaw.com

March 31, 2023

(via email only)
Deborah Zupan, RMC
Metuchen Borough Clerk
500 Main Street
Metuchen, New Jersey 08840

RE: Columbia II Metuchen/Prop. Tax Dept. v. Metuchen Borough
349 Lake Avenue; Block 111 Lot 2.01
645-665 Middlesex Avenue; Block 110 Lot 39.01
Docket No.: 005173-2023

Dear Deborah:

I am enclosing a proposed Resolution authorizing the filing of a counterclaim in the above matter. The taxpayer has filed a direct appeal with the Tax Court of New Jersey for the 2023 Tax Year. After review of the complaint and subject property information, the Tax Assessor has recommended that we file a counterclaim.

Please forward this letter and the proposed Resolution to the governing body. Please provide me and the assessor with a copy after it is adopted. If anyone has any questions, please let me know.

Very truly yours,
RENAUD COLICCHIO LLC

/s/ Adam J. Colicchio
Adam J. Colicchio

AJC

Enclosure

Cc: Richard Duda, Tax Assessor *(via email)*
Melissa Perilstein, Borough Administrator *(via email)*
Denis Murphy, Esq., Borough Attorney *(via email)*

RESOLUTION 2023-125

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

**RESOLUTION APPOINTING CONDITIONAL REDEVELOPER AND AUTHORIZING
EXECUTION OF A MEMORANDUM OF UNDERSTANDING – OAKITE SITE**

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (“Redevelopment Law”), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of rehabilitation or redevelopment; and

WHEREAS, the Borough, pursuant to N.J.S.A. 40A:12-1 et seq., via Resolution 2015-147, adopted on June 15, 2015, formally declared Block 71, Lot 37.01, within the Borough of Metuchen as an area in need of redevelopment (the “Oakite Redevelopment Area”); and

WHEREAS, the Borough, pursuant to N.J.S.A. 40A:12-1 et seq., via Resolution 2020-50, adopted on February 3, 2020, formally declared the entirety of the Borough of Metuchen as an area in need of rehabilitation (the “Rehabilitation Area”); and

WHEREAS, in order to facilitate the redevelopment of the Oakite Redevelopment Area, the Borough adopted Ordinance 2018-24, adopting the “Oakite Site Redevelopment Plan, Borough of Metuchen, New Jersey, Block 71, Lot 37.01” (“Oakite Redevelopment Plan”); and

WHEREAS, in order to facilitate the redevelopment of the Rehabilitation Area, the Borough adopted Ordinance 2020-10, adopting a Redevelopment Plan for the Entirety of the Borough of Metuchen, a Designated Rehabilitation Area (“Boroughwide Redevelopment Plan”); and

WHEREAS, the Redevelopment Law, N.J.S.A. 40A:12A-8(f), authorizes the Borough to arrange or contract with a redeveloper for the undertaking of any project or redevelopment work in an area designated as an area in need of rehabilitation or redevelopment; and

WHEREAS, the Borough has been in discussions with Metuchen Senior Redevelopers, LLC (“Conditional Redeveloper”) regarding redevelopment of a portion of the Oakite Redevelopment Area known as Parcels “B” and “D” within Block 71, Lot 37.01 as well as a portion of Block 71, Lot 37.02 within the Rehabilitation Area (the “Project Site”); and

WHEREAS, the Conditional Redeveloper is under contract with the current title owner to purchase Parcels “B” and “D” within the Project Site; and

WHEREAS, the redevelopment work may call for, among other things, rehabilitation and/or demolition of existing improvements and construction of new improvements, including an over-55 apartment complex (the “Project Improvements”); and

WHEREAS, the Borough desires to designate Conditional Redeveloper as conditional redeveloper in order to negotiate with Conditional Redeveloper for a period of one hundred and

eighty (180) days in an effort to agree upon a Redevelopment Agreement to undertake redevelopment of the Project Site; and

WHEREAS, the Borough and Conditional Redeveloper desire to memorialize, in writing, their agreement under a non-binding Memorandum of Understanding that evidences the Parties’ statement of intent.

NOW, THEREFORE, BE IT RESOLVED that Metuchen Senior Redevelopers, LLC is hereby designated as Conditional Redeveloper for the Project Site and the Mayor and Borough Clerk are hereby authorized to execute the attached Memorandum of Understanding between the Borough and Conditional Redeveloper evidencing the parties’ agreement to conduct exclusive negotiations toward the formulation of a Redevelopment Agreement for the Project Site.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption.

ATTEST:

BOROUGH OF METUCHEN

Deborah Zupan, Borough Clerk

Jonathan Busch, Mayor

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 10, 2023.

 Deborah Zupan, RMC
 Borough Clerk

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING (this “MOU”) dated as of _____, 2023 by and between METUCHEN SENIOR REDEVELOPERS, LLC having an address of 307 Bloomfield Ave, Suite 303, Caldwell, NJ 07006 and/or its assignee, as provided herein (the "Conditional Redeveloper"), and the BOROUGH OF METUCHEN, a municipal corporation of the State of New Jersey, having offices at 500 Main Street, Metuchen, New Jersey 08840 (the “Borough”), collectively referred to as the “Parties.”

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (“Redevelopment Law”), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of rehabilitation or redevelopment; and

WHEREAS, the Borough, pursuant to N.J.S.A. 40A:12-1 et seq., via Resolution 2015-147, adopted on June 15, 2015, formally declared Block 71, Lot 37.01, within the Borough of Metuchen as an area in need of redevelopment (the “Oakite Redevelopment Area”); and

WHEREAS, the Borough, pursuant to N.J.S.A. 40A:12-1 et seq., via Resolution 2020-50, adopted on February 3, 2020, formally declared the entirety of the Borough of Metuchen as an area in need of rehabilitation (the “Rehabilitation Area”); and

WHEREAS, in order to facilitate the redevelopment of the Oakite Redevelopment Area, the Borough adopted Ordinance 2018-24, adopting the “Oakite Site Redevelopment Plan, Borough of Metuchen, New Jersey, Block 71, Lot 37.01” (“Oakite Redevelopment Plan”); and

WHEREAS, in order to facilitate the redevelopment of the Rehabilitation Area, the Borough adopted Ordinance 2020-10, adopting a Redevelopment Plan for the Entirety of the

Borough of Metuchen, a Designated Rehabilitation Area (“Boroughwide Redevelopment Plan”); and

WHEREAS, the Redevelopment Law, N.J.S.A. 40A:12A-8(f), authorizes the Borough to arrange or contract with a redeveloper for the undertaking of any project or redevelopment work in an area designated as an area in need of rehabilitation or redevelopment; and

WHEREAS, the Borough has been in discussions with Conditional Redeveloper regarding redevelopment of a portion of the Oakite Redevelopment Area known as Parcels “B” and “D” within Block 71, Lot 37.01 as well as a portion of Block 71, Lot 37.02 within the Rehabilitation Area (the “Project Site”); and

WHEREAS, the Conditional Redeveloper is under contract with the current title owner to purchase Parcels “B” and “D” within the Project Site; and

WHEREAS, the redevelopment work may call for, among other things, rehabilitation and/or demolition of existing improvements and construction of new improvements, including an over-55 apartment complex (the “Project Improvements”); and

WHEREAS, the Borough and Conditional Redeveloper have engaged in such preliminary negotiations and the Borough has determined that it is in the best interests of the Borough to enter into additional negotiations with Conditional Redeveloper and therefore to enter into this MOU with Conditional Redeveloper regarding redevelopment of the Project Site.

NOW, THEREFORE, in consideration of the Parties’ promises and mutual representations, covenants and agreements set forth herein, the Parties, each binding itself, its successors and assigns, do hereby mutually promise, covenant and agree as follows:

1. **Designation as Conditional Redeveloper.** The Borough has, pursuant to Resolution No. 2023- ____, designated Metuchen Senior Redevelopers, LLC as Conditional

Redeveloper for the Project Improvements on the Project Site within the Oakite Redevelopment Area and Rehabilitation Area and, pursuant to this MOU, hereby agrees to negotiate solely with Conditional Redeveloper for a period of one hundred and eighty (180) days from the date of this MOU, in good faith, for the redevelopment and rehabilitation of the Project Site, which period can be extended by the Parties' mutual written agreement.

2. **Redevelopment Agreement.** The Parties hereby agree to immediately commence good faith negotiations of the intended terms and conditions of a Redevelopment Agreement and other agreements, which shall include, but not be limited to, provisions for the following: project schedule; financial guarantee(s); compliance with the Redevelopment Plans; local planning approval; and project oversight.

3. **The "Interim Period".** Conditional Redeveloper shall pay the Borough all Interim Costs (as defined below) incurred by the Borough during the time period commencing when the Borough reviewed the Conditional Redeveloper's initial proposal to the time the Borough and Conditional Redeveloper enter into a Redevelopment Agreement or the time the Borough or the Conditional Redeveloper determines that a Redevelopment Agreement cannot be executed for any reason (hereinafter referred to as the "Interim Period"). Conditional Redeveloper shall pay all Interim Costs even if a Redevelopment Agreement cannot be executed for any reason.

4. **Payment of "Interim Costs".**

A. **"Interim Costs"** shall include all reasonable fees and costs of any professional consultant, contractor, legal counsel or vendor retained by the Borough during the Interim Period in connection with the negotiation of the Redevelopment Agreement, preparation of amendments to the Redevelopment Plans and review of plans for the redevelopment of the Project Site.

B. Interim Fund. Within three (3) business days of the execution of this MOU, Conditional Redeveloper shall establish a separate escrow account with the Borough by depositing the amount of Fifteen Thousand Dollars (\$15,000.00) (“Interim Fund”) to be drawn down by the Borough to pay Interim Costs. If the Interim Fund is drawn down to Three Thousand Five Hundred Dollars (\$3,500.00), the Borough shall notify Conditional Redeveloper in writing and Conditional Redeveloper shall replenish the Fund to the initial deposit amount as required herein within twenty (20) days. If the Interim Fund is not so replenished, the Borough may terminate this Agreement upon delivery of a Letter of Termination from the Borough to Conditional Redeveloper or its legal representative, providing a period of seven (7) days, to replenish the Interim Fund before such termination is effective. In the case of termination, Conditional Redeveloper shall be responsible to immediately pay all costs due up to the date of termination. Except as otherwise specifically provided herein, the Interim Fund shall be administered in accordance with N.J.S.A. 40:55D-53.1 and N.J.S.A. 40:55D-53.2.

C. Statement and Invoices. The Borough shall provide Conditional Redeveloper with monthly invoices during the course of the Interim Period, setting forth the Interim Costs incurred by the Borough which the Borough determines are to be paid from the Interim Fund. The Borough shall provide a final invoice within thirty (30) days of the date a Redevelopment Agreement is executed, or the date the Borough determines that such an agreement cannot be executed.

D. Disposition of Interim Fund Balance. Any balance in the Interim Fund upon execution of the Redevelopment Agreement shall be refunded to the Conditional Redeveloper at the end of the Interim Period.

5. Amendments. Any and all amendments to this MOU shall be in writing and shall require the mutual agreement of both Parties.

6. **Entire Agreement.** This MOU sets forth all of the promises, covenants, agreements, conditions and undertakings between the Parties hereto with respect to the subject matter hereto, and supersedes all prior or contemporaneous agreements and undertakings, inducements or conditions, express or implied, oral or written, between the Parties hereto.

7. **Not Binding on Individuals.** No covenant, condition or agreement contained in this MOU shall be deemed to be the covenant, condition or agreement of any past, present or future member, manager, trustee, official, officer, agent or employee of either Party, in his or her individual capacity, and neither the members, managers, trustees, officials, officers, agents or employees of such Party or Parties, nor any individual executing this MOU, shall be personally liable on this MOU or by reason of the execution hereof by such person, or arising out of any transaction or activity relating to this MOU.

8. **Governing Law.** The terms of this MOU shall be governed, construed, interpreted and enforced in accordance with the laws of the State of New Jersey, including all matters of enforcement, validity and performance.

9. **Non-Binding Effect.** Except for the Borough's obligation to negotiate exclusively and in good faith with Conditional Redeveloper, as well as Conditional Redeveloper's obligation to negotiate in good faith and to be responsible for all Interim Costs, this MOU does not constitute a binding commitment between the Parties hereto, as the Parties' respective rights and obligations remain to be fully defined in their Redevelopment Agreement(s).

10. **Counterparts.** This MOU may be executed in counterparts. All such counterparts shall be deemed to be originals and together shall constitute but one and the same instrument.

11. **Effective Date.** This MOU shall become effective upon the execution of this MOU by both parties.

12. **Electronic Signature.** Electronic delivery via email and/or fax of an executed MOU by either and/or both parties shall bind the signatory entity to the same extent as delivery of a hard copy.

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Understanding to be properly executed and their corporate seals (where applicable) affixed and attested to as of the day and year first above written.

ATTEST:

THE BOROUGH OF METUCHEN

By: _____
Deborah Zupan, RMC, Clerk

By: _____
Jonathan Busch, Mayor

WITNESS:

METUCHEN SENIOR REDEVELOPERS, LLC

By: _____

By: _____
Kevin X. Codey

RESOLUTION 2023-126

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

**RESOLUTION AUTHORIZING THE CREATION OF THE COMMUNITY ACTION
FOR RECOVERY, EDUCATION, AND SUPPORT (“CARES”) COMMITTEE**

WHEREAS, Article 10, of Chapter 10 of the Code of the Borough of Metuchen established a Municipal Alliance – Youth Service Board and provided for the appointments of its members and the powers and duties of the Board; and

WHEREAS, the Mayor and Council of the Borough of Metuchen have determined that it is in the best interest of the Borough to prevent and reduce substance abuse and behavioral addictions and to promote mental wellness in the Borough by raising awareness and providing education focused on prevention and recovery; and

WHEREAS, the Mayor and Council of the Borough of Metuchen have determined that it is in the best interest of the Borough to restructure the Municipal Alliance Board – Youth Service Board and to create the Community Action Recovery, Education and Support (“CARES”) Committee to operate in its stead; and

WHEREAS, the Mayor and Council have determined that pending the final adoption of the amendment to the Borough Code and passage of the appropriate Ordinance it is in the best interest of the Borough to authorize the creation of the Community Action Recovery, Education and Support (“CARES”) Committee pending the final adoption and of the amendment to the Borough Code and passage of the appropriate Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen that it hereby authorizes the restructuring of the Metuchen Municipal Alliance Board – Youth Service Board and the creation of the Community Action Recovery, Education and Support (“CARES”) Committee; and

BE IT FURTHER RESOLVED by the Mayor and Council that the purpose of the CARES Committee is to prevent and reduce substance use and behavioral addictions and to promote mental wellness in the Borough of Metuchen by raising awareness and providing education through programs focused on prevention and recovery’ and

BE IT FURTHER RESOLVED by the Mayor and Council that pending final adoption of Amendments to the Borough Code and the Ordinance creating the CARES Committee, the Mayor and Council hereby authorizes that the CARES Committee shall have the following powers and duties: (a) to determine through an annual assessment of community-based needs, the scope and depth of substance use and behavioral addictions in the Borough of Metuchen and to provide comprehensive community-based prevention programs and outreach; (b) Organize and coordinate efforts with the Borough of Metuchen schools, faith-based groups, youth members of the community, law enforcement, business groups and other community organizations for the purpose of reducing substance use disorders and behavioral addictions, as well as promoting mental wellness; (c) provide comprehensive substance use and behavioral addiction education, support and outreach efforts for parents and other adults in the community; (d) establish, amend and supplement its own bylaws, select other officers, and create any such sub-committees, to

govern its structure, operations and activities to the extent not inconsistent with this Resolution and adopted Ordinances or any other local, state or federal regulation or law; (e) make recommendations to the Mayor and Council of the Borough of Metuchen and other Borough agencies with respect to any matters relating to the existence of any grants or funding available to the Borough to further the purpose and intent of the Committee; (f) create and foster a network of community leaders, private citizens, and representatives from public and private human service agencies who are dedicated to supporting and developing educational programs which prevent and/or reduce substance use disorders and behavioral addictions; (g) conduct an assessment of the community-wide needs pertaining to mental wellness and addiction; (h) identify existing efforts and services that are acting to prevent and reduce substance use disorders and behavioral addictions and to coordinate projects within the Borough to avoid fragmentation and duplication; (i) develop programs and/or projects to be implemented at the Borough level or participate in regionally developed programs that accomplish the purpose of the Committee; (j) report to the Mayor and Council on at the very least a quarterly annual basis or as requested by the Mayor and/or Council; and

BE IT FURTHER RESOLVED by the Council that the CARES Committee shall be made up of up to fifteen (15) members, not including the Mayor who may serve in an ex-officio nonvoting member, wherein the representatives of which shall be designated in the Ordinance creating the CARES Committee; and

BE IT FURTHER RESOLVED by the Mayor and Council that all present members of the Municipal Alliance — Youth Service Board shall continue to serve in that capacity as member of the CARES Committee until the expiration of their current terms and any vacancies on the current Municipal Alliance — Youth Service Board, to the extent possible, shall be filled for terms to be determined by the Mayor with the consent of the Borough Council; and

BE IT FURTHER RESOLVED by the Mayor and Council that it hereby authorizes all Borough Officials, employees, and agents to take all action necessary for the implementation of the within Resolution and the creating of the Metuchen CARES Committee and the implementation of the Committees powers and duties.

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 10, 2023.

 Deborah Zupan, RMC
 Borough Clerk

RESOLUTION 2023-127

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

RESOLUTION TO REFUND ESCROW BALANCE

WHEREAS, the Planning Board Office has requested that the following escrow accounts be closed and the balance be refunded to the depositors,

WHEREAS, the Planning Board Office has contacted the Board Engineer, Planner and Attorney for authorization to release the funds and determine the projects are closed,

WHEREAS, the Planning Board Office has provided a list to the Chief Finance Officer with a sign-off from the Board Professionals, that the following escrow projects are complete and can be closed, and that no further billing from the professionals for these projects will be paid.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Metuchen for the Chief Financial Officer/Tax Collector is instructed to refund, in the amount indicated, the following escrow balances to the depositors, as the project has been determined to be closed:

ESCROW ACCOUNT	AMOUNT	DEPOSITOR
08-847 E	\$882.54	Byung Kil Yun 283 Central Avenue
08-8471 E	\$ 28.71	Yunco LLC 283 Central Avenue
08-8471 I	\$2,373.75	Yunco LLC 283 Central Avenue
22-1333 E	\$1,023.75	Classic Tattoo 327 Main Street

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 10, 2023.

Deborah Zupan, RMC
Borough Clerk

RESOLUTION 2023-128

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

REFUND OF OVERPAYMENT OF 2022 TAXES

WHEREAS, the following has made an overpayment of taxes:

Name	Block/Lot	Address	Amount		Year
Empire Bank through servicer Lereta for G & J Metuchen Plaza LLC	49/32.06	279 Central Ave	\$7,781.25	Tax overpayment	2022, 3 rd qtr.

NOW, THEREFORE, BE IT RESOLVED, that the above listed former property owner or agent be refunded property taxes as described in the amount of \$7781.25.

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 10, 2023.

Deborah Zupan, RMC
Borough Clerk

RESOLUTION 2023-129

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

RESOLUTION FOR LIEN REDEMPTION

WHEREAS, the Tax Collector received the necessary amount to redeem the following Tax Sale Certificate on the following property:

Cert #	Block/Lot	Address	Lienholder
21-00004	159/21	21 Brunswick Avenue	Christiana T/F CEI/FIRSTRUST

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector be authorized to cancel this lien from the municipal record.

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 10, 2023.

Deborah Zupan, RMC
Borough Clerk

RESOLUTION 2023-132

*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 \$685,250.96.

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

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on March 6, 2023.

Deborah Zupan, RMC
Borough Clerk