

**BOROUGH COUNCIL AGENDA
REGULAR MEETING MAY 13, 2024
7:30 P.M.**

Reading Of Sunshine Notice

Flag Salute

Roll Call

Agenda Session

Swearing In of Police Officer

R2024-157

RESOLUTION APPOINTING ANTHONY GARRELL TO THE
BOROUGH OF METUCHEN POLICE DEPARTMENT

Proclamations

EMS Week

Metuchen Edison Historical Society

Report

Metuchen EMS

Public Comment

Borough Council Meeting Minutes

Approval of Borough Council Meeting Minutes of March 25, 2024

Communications Consent Agenda – Items A - E

- A. Receive and Accept Arts Council Meeting Minutes of March 18, 2024
- B. Receive and Accept Environmental Commission Meeting Minutes of March 13, 2023, April 19, 2023, May 17, 2023, and June 21, 2023
- C. Receive and Accept Shade Tree Commission Meeting Minutes of February 7, 2023, March 7, 2023, and June 6, 2023
- D. Receive and Approve Block Party-Street Closing for Franklyn Place June 30, 2024
- E. Receive and Approve Block Party-Street Closing for Summit Avenue, June 15, 2024

2024 Municipal Budget – Public Hearing

R2024-158 RESOLUTION TO READ THE BUDGET BY
TITLE ONLY AT THE PUBLIC HEARING

2024 Budget MUNICIPAL BUDGET FOR THE BOROUGH OF
METUCHEN, COUNTY OF MIDDLESEX, FOR
THE CALENDAR YEAR 2024

Public Hearing on 2024 Municipal Budget

R2024-159 RESOLUTION TO AMEND THE APPROVED
BUDGET

Report of the Borough Administrator

Reports Of Council Members

Report of the Mayor

New Business Consent Agenda – Resolutions 2024-160 to 2024-

R2024-160 RESOLUTION TO AMEND THE 2024 TEMPORARY BUDGET

R2024-161 RESOLUTION AUTHORIZING THE RENEWAL OF THE
BOROUGH'S \$4,679,000 BOND ANTICIPATION NOTES,
SERIES 2023A DATED JULY 12, 2023, AND AUTHORIZING
BOND ANTICIPATION NOTES IN THE SUM OF \$21,364,000
AUTHORIZED BY THREE BOND ORDINANCES
HERETOFORE ADOPTED TO FINANCE VARIOUS CAPITAL
IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF
METUCHEN, COUNTY OF MIDDLESEX, NEW JERSEY, AND
PROVIDING FOR OTHER DETAILS OF SAID ISSUE

R2024-162 RESOLUTION AMENDING CERTAIN POSITION AND
SALARY FOR CALENDAR YEAR 2024

R2024-163 RESOLUTION AUTHORIZING ESCNJ CONTRACT FOR
BOROUGH HALL FLOORING

R2024-164 RESOLUTION AUTHORIZING THE EXTENSION OF
AWARDED CONTRACT FOR FIRE APPARATUS SERVICE

AND REPAIR FOR A TERM OF ONE YEAR

R2024-165 RESOLUTION AMENDING RESOLUTION 2024-69 AND RESOLUTION 2024-125 AUTHORIZING SOMERSET COUNTY COOPERATIVE CONTRACT FOR EQUIPMENT AND TOOL RENTAL

R2024- RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT WITH THE MIDDLESEX COUNTY PROSECUTORS OFFICE REGARDING AUTOMATED LICENSE PLATE RECOGNITION (ALPR) DEVICES AND/OR VIDEO SURVEILLANCE CAMERAS OWNED BY THE COUNTY OF MIDDLESEX

R2024- RESOLUTION AUTHORIZING THE BOROUGH OF METUCHEN TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE WITH P.L. 1994, c.72

R2024- RESOLUTION FOR LIEN REDEMPTION

R2024- RESOLUTION AUTHORIZING CANCELLATION OF 2018 TAX OVERPAYMENTS

R2024- RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF 2024 TAXES

R2024- RESOLUTION OF THE BOROUGH OF METUCHEN, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY SUPPORTING REVOLUTION-NJ

Other New Business

R2024- RESOLUTION AUTHORIZING PAYMENT OF THE BILL LIST IN THE AMOUNT OF \$

Adjournment

The Borough of Metuchen does not discriminate against persons with disabilities. Those individuals requiring auxiliary aids and services were necessary must notify the ADA Coordinator of the Borough of Metuchen at least seventy-two (72) hours in advance of the meeting or scheduled activity.

RESOLUTION 2024-157

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

**RESOLUTION APPOINTING ANTHONY GARRELL TO THE BOROUGH OF
METUCHEN POLICE DEPARTMENT**

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

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

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

WHEREAS, the Mayor and Council of the Borough of Metuchen deem it in the best interest of the health, safety, and welfare of the residents of Metuchen Borough of Metuchen to appoint Anthony Garrell as a full-time police officer of the Borough of Metuchen effective May 1, 2024.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen that Anthony Garrell is hereby appointed to the Borough of Metuchen Police Department as a full-time police officer effective March 25, 2024 at the starting rate of Police Officer 2nd Step.

RESOLUTION 2024-

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

**RESOLUTION TO READ THE BUDGET BY
TITLE ONLY AT THE PUBLIC HEARING**

WHEREAS, N.J.S.40A:4-8 provides that the budget be read by title only, at the time of the public hearing, if a resolution is passed by not less than a majority of the full Governing Body, providing that at least one week prior to the date of hearing, a complete copy of the approved budget as advertised has been posted in the Borough Hall, a copy has been posted on the official website and copies have been made available by the Clerk to persons requiring them; and

WHEREAS, these conditions have been met.

NOW, THEREFORE, BE IT RESOLVED that the budget shall be read by title only.

RESOLUTION 2024-159

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

RESOLUTION TO AMEND THE 2024 BUDGET

WHEREAS, the local municipal budget for the year 2024 was approved on April 8, 2024; and

WHEREAS, the public hearing on said budget has been held as advertised; and

WHEREAS, it is desired to further amend said approved budget.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Metuchen, County of Middlesex, that the following amendments to the approved 2024 Budget be made:

8. General Appropriations:			<u>FROM</u>	<u>TO</u>
Public Buildings and Grounds				
Other Expenses			\$185,200.00	\$215,200.00
Gasoline			\$210,000.00	\$242,256.00
Total Operations (Item 8a. Within "CAPS")			\$15,346,135.57	\$15,408,391.57
Total Operations Including Contingent Within "CAPS"			\$15,346,135.57	\$15,408,391.57
Detail:				
Salaries and Wages				
Other Expenses (Including Contingent)			\$6,401,735.00	\$6,463,991.00
(E) Deferred Charges and Statutory Expenditures				
PERS			\$703,635.00	\$663,250.00
PFRS			\$1,266,376.00	\$1,244,505.00
Total Deferred Charges & Statutory Expenditures			\$2,412,811.00	\$2,350,555.00

BE IT FURTHER RESOLVED that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for the certification of the local municipal budget so amended.

BE IT FURTHER RESOLVED that this complete amendment or summary, in accordance with the provisions of N.J.S.A.40A:4-9, be published in the Home News Tribune on May 17th,

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2024, and that said publication contain notice of public hearing on said amendment to be held at the Municipal Building on June 3rd, 2024 at 7:30 p.m.

RESOLUTION 2024-160

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

RESOLUTION TO AMEND THE 2024 TEMPORARY BUDGET

WHEREAS, N.J.S.A. 40A:4-19 of the Local Budget Act provides that temporary appropriations shall be made for the purposes and amounts required in the manner and time therein provided.

NOW, THEREFORE BE IT RESOLVED that the following additional temporary emergency appropriations shall be made for the year 2024, effective May 13, 2024:

PERS		(40,385.00)
PFRS		(21,871.00)
Utilities		30,000.00
Administration & Executive	S&W	10,000.00
Financial Administration	S&W	50,000.00
METV	OE	5,000.00
Fire	S&W	5,000.00
Fire	OE	40,000.00
Uniform Fire Safety	S&W	10,000.00
Mayor & Council	S&W	10,000.00
Clerk	S&W	10,000.00
Municipal Court	S&W	10,000.00
Municipal Court	OE	5,000.00
Office of Emergency Management	S&W	20,000.00
Office of Emergency Management	OE	3,000.00
Planning	S&W	20,000.00
Planning	OE	4,000.00
Recreation	S&W	15,000.00
Senior Bus	S&W	10,000.00
Senior Citizen Center	S&W	10,000.00
Senior Citizen Center	OE	5,000.00
Zoning	S&W	10,000.00
Zoning	OE	2,000.00
Public Works Administration	S&W	50,000.00
Public Works Administration	OE	10,000.00
Buildings & Grounds	S&W	20,000.00
Buildings & Grounds	OE	50,000.00
Recycling	OE	20,000.00
Garbage & Trash Removal	S&W	200,000.00
Parks & Playgrounds	S&W	20,000.00
Sewers	S&W	20,000.00
Sewers	OE	10,000.00
Streets & Roads	S&W	20,000.00
Streets & Roads	OE	10,000.00
Police	S&W	400,000.00
Police	OE	10,000.00
Uniform Construction	S&W	20,000.00
Uniform Construction	OE	10,000.00

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Library		100,000.00
Solid Waste Disposal		350,000.00
Group Insurance		100,000.00
Other Insurance		4,000.00
Fire Hydrants		50,000.00
	TOTAL	\$1,695,744.00

RESOLUTION 2024-161

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

**RESOLUTION AUTHORIZING THE RENEWAL OF THE BOROUGH'S
\$4,679,000 BOND ANTICIPATION NOTES, SERIES 2023A DATED JULY
12, 2023, AND AUTHORIZING BOND ANTICIPATION NOTES IN THE
SUM OF \$21,364,000 AUTHORIZED BY THREE BOND ORDINANCES
HERETOFORE ADOPTED TO FINANCE VARIOUS CAPITAL
IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF METUCHEN,
COUNTY OF MIDDLESEX, NEW JERSEY, AND PROVIDING FOR
OTHER DETAILS OF SAID ISSUE**

WHEREAS, the Borough Council of the Borough of Metuchen, County of Middlesex, New Jersey (the "Borough") has heretofore adopted bond ordinances numbered 2023-6, 2023-14 and 2024-11 authorizing bonds to finance part of the costs of the construction and acquisition of various capital improvements in, by and for the Borough (the "Ordinances"); and

WHEREAS, the Borough has not previously funded all of the bonds authorized by the Ordinances; and

WHEREAS, the Borough has heretofore issued its Bond Anticipation Notes, Series 2023A dated July 12, 2023 in the aggregate principal amount of \$4,679,000 (the "Prior Notes"); and

WHEREAS, the Prior Notes mature on July 11, 2024 and it is desirable to renew the Prior Notes permitted by and pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the Revised Statutes of New Jersey (the "Local Bond Law"); and

WHEREAS, it is advisable and in the best interests of the Borough, for the purpose of the orderly marketing of said notes and for other financial reasons, to combine the notes authorized under the Ordinances and the Prior Notes to be renewed into one issue in an aggregate principal amount not exceeding \$21,364,000 (collectively, the "Notes") pursuant to the Local Bond Law; now, therefore,

BE IT RESOLVED by the BOROUGH COUNCIL OF THE BOROUGH OF METUCHEN, in the County of Middlesex, New Jersey as follows:

SECTION 1. That the Notes shall be issued as one issue and at such time as shall be determined by the Chief Financial Officer of the Borough (the "Chief Financial Officer") and shall be in such denomination or denominations, shall bear such number or numbers, such date or dates of issue, redemption and maturity, such redemption price or prices, and such rate or rates of interest, as may be determined in the manner and in accordance with the terms of the Notice of Sale authorized to be published pursuant to Section 3 hereof and in accordance with the applicable provisions of the Local Bond Law. The Notes shall be entitled "Bond Anticipation Notes, Series

2024A” or any other designation determined by the Chief Financial Officer.

SECTION 2. That all of the Notes shall be signed by the manual or facsimile signatures of the Mayor of the Borough and the Chief Financial Officer and the corporate seal of the Borough shall be affixed thereto, attested by the manual signature of the Clerk of the Borough, and shall be payable, both as to principal and interest, to the purchaser thereof, and shall be in substantially the form as attached hereto as Exhibit A and made a part hereof.

SECTION 3. That the Chief Financial Officer be and she hereby is authorized and directed to offer the Notes for public sale, to award the Notes and to determine in her discretion the date for receipt for such proposals, all in accordance with the terms set forth in the Notice of Sale (the “Notice of Sale”). The Chief Financial Officer is further hereby authorized and directed to report in writing to the Borough Council at the next meeting succeeding the date when any sale or delivery of the Notes pursuant to this resolution is made, such report to include the principal amount, description, interest rate and maturity of the Notes sold, the price obtained and the name of the purchaser. The Notice of Sale shall comply in all respects with the applicable statutes relating thereto and shall be in substantially the form attached hereto as Exhibit B, with such additions, modifications or deletions as determined by the Chief Financial Officer. The Notice of Sale or summary thereof, as permitted by applicable law, may be published in The Bond Buyer at least once prior to the date of public sale. The Chief Financial Officer is also hereby authorized and directed to determine all matters in connection with the Notes not determined by this or a subsequent resolution and her signature upon the Notes shall be conclusive as to such determinations.

SECTION 4. That the Chief Financial Officer be and she is hereby authorized to distribute a form of “Proposal for Bond Anticipation Notes” (the “Proposal”) in respect of the Notes which Proposal shall be the official form for submission of bids in accordance with the Notice of Sale, except for those Proposals which are submitted electronically pursuant to the terms and provisions of the Notice of Sale. Such Proposal shall be in the form approved by the Chief Financial Officer. The Chief Financial Officer be and she is hereby further authorized at her discretion to accept Proposals and complete the award of the Notes, pursuant to the terms and provisions of the Notice of Sale, by means of electronic media; provided that, with respect to the selection of the particular electronic media and the implementation of the procedures for the exercise thereof, the Chief Financial Officer shall consult with counsel and other applicable professional advisors to the Borough with respect thereto.

SECTION 5. That the Chief Financial Officer is hereby authorized to distribute a Preliminary Official Statement which provides certain information in connection with the issuance of the Notes. The Chief Financial Officer is hereby further authorized to disseminate the Preliminary Official Statement via electronic media, in addition to or in lieu of physical, printed media. The Chief Financial Officer shall cause a final Official Statement, with such additions, modifications and deletions to such Preliminary Official Statement as the Chief Financial Officer may approve, to be distributed in accordance with applicable law.

SECTION 6. That the Chief Financial Officer is hereby authorized and directed, as applicable, to approve, “deem final” in accordance with Rule 15c2-12 of the Securities and Exchange Commission and execute the Preliminary Official Statement of the Borough issued in connection with the Notes, the final Official Statement of the Borough issued in connection with the Notes, the Notice of Sale and the Continuing Disclosure Certificate and their use in connection with the sale of the Notes and is further authorized, as is the Clerk of the Borough, to execute all documents, including the Preliminary Official Statement, the final Official Statement and the Continuing Disclosure Certificate, necessary for the sale and delivery of said Notes.

SECTION 7. That the Chief Financial Officer is hereby authorized and directed (a) to cause a copy of the written opinion with respect to the Notes which is to be rendered by the firm of McCarter & English, LLP (complete except for omission of its date) to be printed or referred to on the Notes, and at the time of the original delivery of payment for the Notes and when such written opinion is rendered, to cause the Clerk of the Borough to certify to the truth and correctness of such copy of opinion by executing on each of said Notes, by manual or facsimile signature, a certificate subjoined to each such copy, and to file a signed duplicate of such written opinion in such Clerk’s office and at each place at which the Notes are payable, and (b) to cause the applicable CUSIP number (if any) assigned for each of said Notes by CUSIP Global Services to be printed on each of the Notes.

SECTION 8. That the Borough hereby covenants to comply with the provisions of the Code applicable to the Notes and covenants not to take any action or to fail to take any action which would cause the interest on the Notes to lose the exclusion from gross income for federal income tax purposes provided under Section 103 of the Code. Further, the Borough will take all actions within its power that are necessary to assure that interest on the Notes does not lose the exclusion from gross income for federal income tax purposes provided under Section 103 of the Code.

SECTION 9. That any instrument issued pursuant to this resolution shall be a general obligation of the Borough, and the Borough’s full faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

SECTION 10. That the Mayor of the Borough, the Chief Financial Officer and the Clerk of the Borough are hereby authorized to execute all documents necessary for the sale and delivery of the Notes.

SECTION 11. That all actions, if any, taken by the Chief Financial Officer, the financial advisor to the Borough and bond counsel to the Borough prior to the date of adoption of this Resolution in connection with the issuance of the Notes are hereby ratified in all respects.

SECTION 12. That this resolution shall take effect immediately.

Exhibit A

No. 2024A-__

CUSIP _____

UNITED STATES OF AMERICA

STATE OF NEW JERSEY

BOROUGH OF METUCHEN
in the County of Middlesex, New Jersey

BOND ANTICIPATION NOTE, SERIES 2024A

The BOROUGH OF METUCHEN, a municipal corporation of the State of New Jersey (the “Borough”), for value received promises to pay to Cede & Co., as nominee of the Depository Trust Company, in lawful money of the United States of America, the sum of _____ DOLLARS (\$_____) together with interest thereon from the date hereof at the rate of _____ per centum (____%) per annum, on July 9, 2025, upon presentation and surrender of this Note at the office of the Chief Financial Officer of the Borough, Metuchen, New Jersey.

This Note is transferable by delivery, unless registered otherwise than to bearer. At the request of the holder, this Note will be registered in his name on the books of the Borough for the series of Notes of which this is a part (the “Notes”) kept for that purpose in the office of its Chief Financial Officer, such registration to be noted on the back of this Note, and thereafter until registered transfer to bearer, no transfer of this Note shall be valid unless made on the registration books for the Notes and similarly noted hereon.

This Note is issued pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the Revised Statutes of New Jersey, bond ordinances of the Borough Council of the Borough in all respects duly adopted and published as required by law and a resolution adopted by the Borough Council of the Borough. This Note is a Bond Anticipation Note, Series 2024A and is issued in anticipation of the issuance of bonds of the Borough. This Note is issued for a period not exceeding one year, and may be renewed from time to time for additional periods, not exceeding one year.

The full faith and credit of the Borough are hereby irrevocably pledged for the punctual payment of the principal of and interest on this Note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or upon the issuance of this Note, exist, have happened and have been performed and that the amount and terms of this Note do not exceed any limitation imposed thereon by the Constitution or statutes of the State of New Jersey.

IN WITNESS WHEREOF, the BOROUGH OF METUCHEN, acting through its Borough Council, has caused this Note to be signed by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, its corporate seal to be hereunto affixed, this Note and the seal to be attested by the manual signature of the Borough Clerk of the Borough Council and this Note to be dated the 10th day of July, 2024.

ATTEST:
(SEAL)

BOROUGH OF METUCHEN

CLERK OF THE BOROUGH COUNCIL

MAYOR

CHIEF FINANCIAL OFFICER

CERTIFICATE AS TO LEGAL OPINION

The undersigned Clerk of the Borough Council of the Borough HEREBY CERTIFIES that a true and correct copy of the original legal opinion of the law firm of McCarter & English, LLP, Newark, New Jersey as to the validity of the issue of notes of which the within note is one is available for inspection at the Office of the Chief Financial Officer of the Borough and a copy thereof may be obtained by the owner hereof upon request.

CLERK OF THE BOROUGH COUNCIL

REGISTRATION CERTIFICATE

It is hereby certified that the within note is registered as to principal and interest as follows:

Date of Registry	Name of Registered Holder	Registered by
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**BOROUGH OF METUCHEN,
in the County of Middlesex, New Jersey**

NOTICE OF SALE OF \$21,364,000 BOND ANTICIPATION NOTES, SERIES 2024A

NOTICE IS HEREBY GIVEN that proposals (the “Proposal for Notes”) will be received electronically via (i) email to Alexia DiCiurcio at the following email address ADiCiurcio@acaciafin.com using the Form of Proposal attached hereto as Exhibit A or (ii) the Parity Electronic Bid System (“PARITY[®]”) of i-Deal (“i-Deal”) in the manner described below under the heading “Procedures Regarding Electronic Parity Bidding,” on Tuesday, June 11, 2024 (the “Bid Date”) until 10:45 a.m. (New Jersey time), and then and there publicly opened and considered by the Borough for the purchase of all (but not less than all) of the Borough’s \$21,364,000 aggregate principal amount of Bond Anticipation Notes, Series 2024A dated July 10, 2024 and maturing on July 9, 2025 (the “Notes”).

Bidders are required to submit bids for the Notes in accordance with the terms of this Notice of Sale.

Payment of Interest; Redemption

The Notes will bear interest at the rate per annum specified by the successful bidder therefor in accordance herewith, payable at maturity. The Notes are not subject to redemption prior to maturity.

Bank Qualification

The Notes will **not** be treated as “Qualified Tax-exempt Obligations” within the meaning of Section 265(b)(3)(B) of the Internal Revenue Code of 1986, as amended (the “Code”).

Book-Entry-Only

At the option of the successful bidder (as hereinafter defined), the Notes will be issued in the form of one fully registered note certificate, and when issued, will be registered in the name of Cede & Co., as the registered owner thereof and as nominee of The Depository Trust Company (“DTC”), which will act as security depository for the Notes. Individual purchases of beneficial ownership interests in the Notes may be made in book-entry form only on the records of DTC and DTC Participants and only in the principal amount of \$5,000 or any integral multiple of \$1,000 in excess thereof. It shall be the obligation of the successful bidder to furnish to DTC an underwriter’s questionnaire and the denominations of the Notes not less than seventy-two (72) hours prior to the delivery of the Notes.

In the event that either DTC determines not to continue to act as securities depository for the Notes or the Borough determines that it is in the best interest of the beneficial owners of the Notes that they be able to obtain note certificates, the Borough or a paying agent appointed by the Borough will issue and deliver replacement Notes in the form of fully registered certificates.

Bid Specifications

All bids must be submitted either electronically via email using the proposal form as described above or via PARITY[®] pursuant to the procedures described below and shall be deemed to incorporate by reference all of the terms and conditions of this Notice of Sale. The submission of a bid electronically via PARITY[®] shall constitute and be deemed to be the bidder's signature on the proposal for Notes.

Basis of Award

Award of the Notes to the successful bidder or rejection of all proposals for Notes is expected to be made within two hours after opening of the proposals for Notes, but such successful bidder may not withdraw its proposal for Notes before 3:30 p.m. (New Jersey time) on the Bid Date and then only if such award has not been made prior to the withdrawal. The Notes will be awarded to the bidder on whose bid the total loan may be made at the lowest net interest cost. Interest will be calculated on a 360 day year basis. Such net interest cost shall be computed, as to each bid, by adding to the total principal amount of Notes bid for (which shall be all of the Notes offered) the total interest cost to maturity in accordance with such bid and by deducting therefrom the amount of premium, if any, bid. No proposal shall be considered which offers to pay an amount less than the principal amount of Notes offered for sale or under which the total loan is made at an interest cost higher than the lowest net interest cost to the Borough under any legally acceptable proposal. If two or more such bidders offer to pay the lowest net interest cost, then the Notes will be sold to one of such bidders selected by lot from among all such bidders. The bidder to which the Notes are awarded (in the manner specified above) is herein referred to as the "successful bidder."

Right to Reject Proposal for Notes; Waive Irregularities

The Borough reserves the right to reject any and all proposals for Notes, and except as set forth in the next sentence, any proposal for Notes not complying with the terms of this Notice of Sale will be rejected. The Borough reserves the right to (i) reject any or all proposals for Notes; (ii) so far as permitted by law, waive any irregularity or informality in any or all proposals for Notes; and (iii) generally take such action as it deems will best serve the public interest. The bidder, by submitting a bid, agrees to accept the determination of the Chief Financial Officer.

Procedures Regarding Electronic Bidding

Bids must be submitted electronically via email or PARITY[®] in accordance with this Notice of Sale. Bids may be submitted until 10:45 a.m. (New Jersey time) on the Bid Date, but no bid will be accepted after the time for receiving bids specified above. The Borough may, but is not obligated to, acknowledge its acceptance in writing of any bid submitted electronically via email or PARITY[®]. Once the bids are communicated electronically via email or PARITY[®] to the Borough, each bid shall be deemed to be an irrevocable offer to purchase the Notes on the terms provided in this Notice of Sale. For purposes of submitting a bid, the time as maintained on PARITY[®] shall constitute the official time.

Procedures Regarding Electronic Parity Bidding

To the extent any instructions or directions set forth in PARITY[®] conflict with this Notice of Sale, the terms of this Notice of Sale shall control. For further information about PARITY[®], potential bidders may contact the Borough's financial advisor (using the contact information set forth in the final paragraph of this Notice of Sale) or PARITY[®] at (212) 849-5021.

All bidders further agree that:

1. The Borough may regard the electronic transmission of the bid through PARITY[®] (including information about the purchase price of the Notes, the interest rate or rates to be borne by the Notes, the premium bid for the Notes and any other information included in such transmission) as though the same information were executed by a duly authorized signatory of the bidder. For the bid which is submitted electronically via PARITY[®] and accepted by the Borough, the terms of this Notice of Sale, as well as the information that is electronically transmitted through PARITY[®], shall form a contract, and the successful bidder shall be bound by the terms of such contract.

2. PARITY[®] is not an agent of the Borough, and the Borough shall have no liability whatsoever based on any bidder's use of PARITY[®], including but not limited to any failure by PARITY[®] to correctly or timely transmit information provided by the Borough or information provided by the bidder.

3. The Borough may choose to discontinue use of electronic bidding via PARITY[®] by issuing a notification to such effect via Thomson News Service ("TM3"), or by other available means, no later than 3:00 p.m. (New Jersey time) on the last business date prior to the Bid Date.

4. Each bidder using PARITY[®] to bid on the Notes shall be solely responsible to make necessary arrangements to access PARITY[®] for purposes of submitting its bid in a timely manner and in compliance with the requirements of this Notice of Sale. Neither the Borough nor i-Deal shall have any duty or obligation to provide or assure access to any bidder, and neither the Borough nor i-Deal shall be responsible for the proper operation of, or have any liability for any delays or interruptions of, or any damages caused by, PARITY[®]. The Borough is using PARITY[®] as a communication mechanism, and not as the Borough's agent, to conduct the electronic bidding for the Notes. By using PARITY[®], each bidder agrees to hold the Borough harmless for any harm or damage caused to such bidder in connection with its use of PARITY[®] for bidding on the Notes.

Clarification Prior to the Opening of Bids

The Borough may, in its sole discretion and prior to the opening of bids, clarify any term hereof, including, without limitation, its decision to discontinue use of electronic bidding via email and/or PARITY[®], by issuing a notification of the clarification via TM3, or any other available means, no later than 3:00 p.m. (New Jersey time) on the last business day prior to the Bid Date.

The Borough further reserves the right to postpone, from time to time, the Bid Date. Any such postponement will be announced by TM3, or any other available means, not later than 9:00 a.m. (New Jersey time), on the Bid Date. Any such alternative Bid Date and the time at which bids are due will be announced via TM3, or any other available means, at least 48 hours before bids are due. On any such alternative Bid Date, bidders shall submit proposals for the Notes in conformity with all of the requirements hereof, other than the date of submission and sale and any further or contrary provisions set forth in such announcement, which further or contrary provisions must be complied with by all bidders.

Establishment of Issue Price (Hold-The-Offering Price May Apply if Competitive Sale Requirements are Not Satisfied)

1. The successful bidder shall assist the Borough in establishing the issue price of the Notes and shall execute and deliver to the Borough at Closing an “issue price” or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price or prices of the Notes, together with the supporting pricing wires or equivalent communications, as described below under “Documents to be Delivered at Closing.” All actions to be taken by the Borough under this Notice of Sale to establish the issue price of the Notes may be taken on behalf of the Borough by the Borough’s financial advisor identified herein and any notice or report to be provided to the Borough may be provided to the Borough’s financial advisor.

2. The Borough intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining “competitive sale” for purposes of establishing the issue price of the Notes) will apply to the initial sale of the Notes (the “competitive sale requirements”) because:

- (a) the Borough shall disseminate this Notice of Sale to potential underwriters in a manner that is reasonably designed to reach potential underwriters;
- (b) all bidders shall have an equal opportunity to bid;
- (c) the Borough may receive bids from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and
- (d) the Borough anticipates awarding the sale of the Notes to the bidder who submits a firm offer to purchase the Notes at the lowest interest cost, as set forth in this Notice of Sale.

Any bid submitted pursuant to this Notice of Sale shall be considered a firm offer for the purchase of the Notes, as specified in the bid. By submitting a bid, bidders are deemed to have certified that they have an established industry reputation as a regular purchaser or underwriter of tax-exempt obligations such as the Notes.

3. In the event that the competitive sale requirements are not satisfied, the Borough shall so advise the successful bidder. The Borough may determine to treat (i) the first price at which 10% of the Notes (the “10% test”) is sold to the public as the issue

price of the Notes and/or (ii) the initial offering price to the public as of the sale date of the Notes as the issue price of the Notes (the “hold-the-offering-price rule”). The successful bidder shall advise the Borough if the Notes satisfy the 10% test as of the date and time of the award of the Notes. The Borough will promptly advise the successful bidder, at or before the time of award of the Notes, whether the Notes will be subject to the 10% test or shall be subject to the hold-the-offering-price rule. Bids will not be subject to cancellation in the event that the Borough determines to apply the hold-the-offering-price rule to the Notes. Bidders should prepare their bids on the assumption that the Notes will be subject to the hold-the-offering-price rule in order to establish the issue price of the Notes.

4. By submitting a bid, the successful bidder shall (i) confirm that the underwriters have offered or will offer the Notes to the public on or before the date of award at the offering price or prices (the “initial offering price”), or at the corresponding yield or yields, set forth in the bid submitted by the successful bidder and (ii) agree, on behalf of the underwriters participating in the purchase of the Notes, that the underwriters will neither offer nor sell unsold Notes to which the hold-the-offering-price rule shall apply to any person at a price that is higher than the initial offering price to the public during the period starting on the sale date and ending on the earlier of the following:

- (a) the close of the fifth (5th) business day after the sale date; or
- (b) the date on which the underwriters have sold at least 10% of the Notes to the public at a price that is no higher than the initial offering price to the public.

The successful bidder shall promptly advise the Borough when the underwriters have sold 10% of the Notes to the public at a price that is no higher than the initial offering price to the public, if that occurs prior to the close of the fifth (5th) business day after the sale date.

5. By submitting a bid, each bidder confirms that: (a) any agreement among underwriters, any selling group agreement and each retail distribution agreement (to which the bidder is a party) relating to the initial sale of the Notes to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such retail distribution agreement, as applicable, to (i) report the prices at which it sells to the public the unsold Notes allotted to it until it is notified by the successful bidder that either the 10% test has been satisfied as to the Notes and (ii) comply with the hold-the-offering price rule, if applicable, in each case if and for so long as directed by the successful bidder and as set forth in the related pricing wires, and (b) any agreement among underwriters relating to the initial sale of the Notes to the public, together with the related pricing wires, contains or will contain language obligating each underwriter that is a party to a retail distribution agreement to be employed in connection with the initial sale of the Notes to the public to require each broker-dealer that is a party to such retail distribution agreement to (i) report the prices at which it sells to the public the unsold Notes allotted to it until it is notified by the successful bidder or such underwriter that either the 10% test has been satisfied as to the Notes or all of the Notes

have been sold to the public and (ii) comply with the hold-the-offering-price rule, if applicable, in each case if and for so long as directed by the successful bidder or such underwriter and as set forth in the related pricing wires.

6. Sales of the Notes to any person that is a related party to an underwriter shall not constitute sales to the public for purposes of this Notice of Sale. Further, for purposes of this Notice of Sale:

- (a) “public” means any person other than an underwriter or a related party,
- (b) “underwriter” means (i) any person that agrees pursuant to a written contract with the Borough (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Notes to the public and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) to participate in the initial sale of the Notes to the public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Notes to the public),
- (c) a purchaser of the Notes is a “related party” to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (i) at least 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (ii) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or (iii) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other), and
- (d) “sale date” means the date that the Notes are awarded by the Borough to the successful bidder.

Delivery and Payment

It is expected that the Notes will be delivered on or about July 10, 2024 (the “Closing Date”) at the offices of DTC and that payment for the Notes will take place at the offices of McCarter & English, LLP, Bond Counsel to the Borough (“Bond Counsel”), in Newark, New Jersey. The successful bidder must be prepared to take delivery of the Notes on the Closing Date and simultaneously pay the purchase price thereof IN IMMEDIATELY AVAILABLE FEDERAL FUNDS by 9:30 a.m. (New Jersey time) on the Closing Date.

Documents to be Delivered at Closing

The successful bidder shall be obligated to furnish to the Borough within forty-eight (48) hours prior to the Closing Date a certificate (the “Issue Price Certificate”), substantially in the form attached hereto as Exhibit B, with such modifications as may be appropriate or necessary,

in the reasonable judgment of the successful bidder, the Borough and Bond Counsel. In the event that the Notes shall be held by the successful bidder for investment and not be offered for resale to the public, the successful bidder shall specify on such Issue Price Certificate the purchase price being paid by the successful bidder to the Borough, which purchase price shall be at least equal to the fair market value price of the Notes.

The obligation hereunder to deliver and to accept the Notes will also be conditioned on the availability and delivery on the Closing Date of the approving opinion of the law firm of McCarter & English, LLP, Newark, New Jersey, which will be furnished without cost to the successful bidder of the Notes, substantially in the form set forth in the final Official Statement distributed in preliminary form in connection with the sale of the Notes. Such opinion shall state to the effect that the Notes are valid and legally binding obligations of the Borough, and that all taxable property within the jurisdiction of the Borough is subject to the levy of ad valorem taxes, without limitation as to rate or amount, to pay the Notes and the interest thereon; and will also state that under existing law, interest on the Notes is not includable in gross income for purposes of Federal income taxation. The obligations hereunder to deliver and accept the Notes shall be further conditioned on the availability and delivery on the Closing Date of (a) certificates in form satisfactory to Bond Counsel evidencing the proper execution and delivery of the Notes and receipt of payment therefor and setting forth the facts necessary to conclude that the interest on the Notes will be excluded from gross income under Section 103 of the Code; (b) a certificate, in form and tenor satisfactory to Bond Counsel and dated as of the date of such delivery, to the effect that there is no litigation pending or (to the knowledge of the signer or signers thereof) threatened affecting the validity of the Notes; (c) a certificate signed by the Borough relating to the completeness and accuracy of the Preliminary Official Statement and the final Official Statement; and (d) a Continuing Disclosure Certificate satisfying the requirements of Rule 15(c)2-12 (as hereinafter defined) and the undertaking of the Borough with respect thereto.

Preliminary and Final Official Statement

The Borough has issued an official statement with respect to the sale of the Notes in preliminary form (the "Preliminary Official Statement"). The Borough, by accepting the proposal for Notes submitted by the successful bidder, (a) certifies to the successful bidder as of the date of acceptance of such proposal for Notes, that the Preliminary Official Statement furnished prior to the date of such acceptance has been "deemed final" as of its date by the Borough within the meaning of Rule 15c2-12 promulgated under the Securities Exchange Act of 1934 ("Rule 15c2-12"), except for certain omissions permitted thereunder and except for changes permitted by other applicable law; and (b) agrees to provide the successful bidder, in order to permit the successful bidder to comply with Rule 15c2-12, with up to 75 copies in total of the final Official Statement within seven (7) business days after the date of acceptance by the Borough of such proposal for Notes at the sole cost and expense of the Borough, with any additional copies that the successful bidder shall reasonably request to be provided at the sole cost and expense of the successful bidder. The successful bidder, by executing its proposal for Notes, agrees to provide two copies of the final Official Statement (with any required forms) to the Electronic Municipal Market Access ("EMMA") System of the Municipal Securities Rulemaking Board (the "MSRB") or its designee pursuant to MSRB Rule G-32 no later than ten (10) business days following the date of acceptance of its proposal for Notes, and to notify the Borough of (i) the date which is the "end of the underwriting period" within the meaning of Rule 15c2-12 and (ii) the date(s) on which copies of the final Official Statement are filed with

EMMA. The successful bidder, by such execution, further agrees that the Closing Date shall be the date of the “end of the underwriting period” for the Notes within the meaning of Rule 15c-12.

Insurance

If the Notes qualify for the issuance of any policy of municipal bond insurance or commitment therefore at the option of a bidder, any purchase of such insurance or commitment therefore shall be at the sole option and expense of the bidder and any increased cost of issuance of the Notes resulting by reason of such insurance, unless otherwise paid, shall be paid by such bidder. Any failure of the Notes to be so insured or of any such policy of insurance to be issued shall not in any way relieve the successful bidder of its contractual obligations arising from the acceptance of its proposal for Notes. In the event such a policy of municipal bond insurance is obtained, the successful bidder shall, simultaneously with its delivery of the Issue Price Certificate, furnish to the Borough a certificate, in form and substance satisfactory to Bond Counsel, containing such information as shall be required, in the opinion of Bond Counsel, to establish that such municipal bond insurance policy constitutes a “qualified guarantee” (as defined in Section 1.148-4(f) of the Treasury Regulations), the premium for which may be taken into account in determining the yield on the Notes for purposes of Section 148 of the Code.

CUSIP Identification Numbers

It is anticipated that CUSIP Identification Numbers will be printed on the Notes. Acacia Financial Group, Inc., financial advisor to the Borough, will timely apply for CUSIP Identification Numbers with respect to the Notes as required by MSRB Rule G-34. CUSIP Global Service’s charge for the assignment of the numbers shall be the responsibility of and shall be paid for by the successful bidder. The successful bidder will be responsible for notifying CUSIP Global Services of any changes in structure and shall add or cancel CUSIP numbers as needed to the final structure. The Borough will assume no obligation for the assignment or printing of such numbers on the Notes or for the correctness of such numbers, and neither the failure to print such numbers on any Note nor any error with respect thereto shall constitute cause for a failure or refusal by the successful bidder thereof to accept delivery of and make payment for the Notes.

Additional Information

Copies of the Preliminary Official Statement and this Notice of Sale may be obtained by contacting the Chief Financial Officer at (732) 632-8512 or the Borough’s financial advisor, Acacia Financial Group, Inc. at (856) 234-2266.

The Borough of Metuchen, in
the County of Middlesex, New Jersey

Dated: June __, 2024

By: Rebecca Cuthbert
Chief Financial Officer

Exhibit A

PROPOSAL FOR NOTES

June 11, 2024

Via Email to ADiCiurcio@acaciafin.com

Ms. Rebecca Cuthbert
Chief Financial Officer
Borough of Metuchen
500 Main Street
Metuchen, NJ 08840

Dear Ms. Cuthbert:

Subject to the provisions of the "Notice of Sale" dated June 4, 2024, we will pay the sum of \$_____ (not less than \$21,364,000 which represents the total par amount of the Borough of Metuchen in the County of Middlesex, New Jersey Bond Anticipation Notes, Series 2024A (the "Notes")), described in said Notice of Sale, provided the Notes bear interest at the following interest rate per annum:

Interest Rate

_____ %

Bidder

Authorized Signature

Name

Telephone Number

Each Bidder bidding electronically by email is requested to supply the following for informational purposes only and such information is not part of the bid:

Aggregate amount of interest on the Notes.....	\$ _____
Less: amount of premium	\$ _____
Net interest cost.....	\$ _____
Net interest rate	_____ %

Exhibit B
Form of Issue Price Certificate

\$21,364,000
BOND ANTICIPATION NOTES, SERIES 2024A
ISSUE PRICE CERTIFICATE

The undersigned, on behalf of [NAME OF UNDERWRITER/REPRESENTATIVE] ([“Name of Underwriter”][the “Representative”]), on behalf of itself and [NAMES OF OTHER UNDERWRITERS] (together, the “Underwriting Group”), hereby certifies as set forth below with respect to the sale and issuance of the above-captioned obligations (the “Notes”) by the Borough of Metuchen, New Jersey (the “Issuer”).

[Alternative 1 – Three bids received]

1. ***Reasonably Expected Initial Offering Price.***

(a) As of the Sale Date, the reasonably expected initial offering price of the Notes to the Public by the [Name of Underwriter][Representative] is the price listed in Schedule A (the “Expected Offering Price”). The Expected Offering Price is the price for the Notes used by the [Name of Underwriter][Representative] in formulating its bid to purchase the Notes. Attached as Schedule B is a true and correct copy of the bid provided by [Name of Underwriter][Representative] to purchase the Notes.

(b) The [Name of Underwriter][Representative] was not given the opportunity to review other bids prior to submitting its bid.

(c) The bid submitted by the [Name of Underwriter][Representative] constituted a firm offer to purchase the Notes.

[Alternative 2 – 10% actual sales]

1. ***Sale of the Notes.*** As of the date of this certificate, the first price at which at least 10% of the Notes was sold to the Public is the price listed in Schedule A.

[Alternative 3 – Hold the Price Rule]

1. ***Initial Offering Price of the Notes.***

(a) The [Name of Underwriter][Representative] offered the Notes to the Public for purchase at the initial offering price listed in Schedule A (the “Initial Offering Price”) on or before the Sale Date. A copy of the pricing wire or equivalent communication for the Notes is attached to this certificate as Schedule B.

(b) As set forth in the Notice of Sale and bid award, [the Name of Underwriter][Representative] [has][have] agreed in writing that (i) [it][they] would neither offer nor sell any of the Notes to any person at a price that is higher than the Initial Offering Price for

the Notes during the Holding Period (the “hold-the-offering-price rule”), and (ii) any selling group agreement shall contain the agreement of each dealer who is a member of the selling group, and any retail distribution agreement shall contain the agreement of each broker-dealer who is a party to the retail distribution agreement, to comply with the hold-the-offering-price rule. Pursuant to such agreement, no Underwriter (as defined below) has offered or sold any of the Notes at a price that is higher than the respective Initial Offering Price for the Notes during the Holding Period.

2. *Defined Terms.*

[(a) *Holding Period* means the period starting on the Sale Date and ending on the earlier of (i) the close of the fifth business day after the Sale Date (June 18, 2024), or (ii) the date on which the [Name of Underwriter][Representative] [has][have] sold at least 10% of such Notes to the Public at prices that are no higher than the Initial Offering Price for the Notes.]

[(b) *Issuer* means the Borough of Metuchen, New Jersey.

[(c) *Public* means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter or a related party to an Underwriter. The term “related party” for purposes of this certificate generally means any two or more persons who have greater than 50 percent common ownership, directly or indirectly.

[(d) *Underwriter* means (i) any person that agrees pursuant to a written contract with the Issuer (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Notes to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this definition to participate in the initial sale of the Notes to the Public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Notes to the Public).

The representations set forth in this certificate are limited to factual matters only. Nothing in this certificate represents [Name of Underwriter][’s][the Representative’s] interpretation of any laws, including specifically Sections 103 and 148 of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations thereunder. The undersigned understands that the foregoing information will be relied upon by the Issuer with respect to certain of the representations set forth in the Tax Certificate and with respect to compliance with the federal income tax rules affecting the Notes, and by McCarter & English, LLP in connection with rendering its opinion that the interest on the Notes is excluded from gross income for federal income tax purposes, the preparation of the Internal Revenue Service Form 8038-G, and other federal income tax advice that it may give to the Issuer from time to time relating to the Notes.

[NAME OF
UNDERWRITER][REPRESENTATIVE]

By: _____
Name: _____

Dated: [ISSUE DATE]

SCHEDULE A
EXPECTED OFFERING PRICE
(Attached)

SCHEDULE B
COPY OF UNDERWRITER'S BID
(Attached)

RESOLUTION 2024-162

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

**RESOLUTION AMENDING CERTAIN POSITION AND SALARY FOR
CALENDAR YEAR 2024**

BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen that the pay of each employee whose pay range is established under Ordinance 2024-10 and amendments thereto and who is not covered by a collective bargaining agreement is hereby set for the calendar year commencing January 1, 2024, as follows:

SEASONAL EMPLOYEES/POOL:

Adjustment to annual seasonal salary

Pool management/stipend positions

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

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

RESOLUTION 2024-163

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

RESOLUTION AUTHORIZING ESCNJ CONTRACT FOR BOROUGH HALL FLOORING

WHEREAS, there exists a need to purchase and install new flooring at Borough Hall for the Borough of Metuchen, County of Middlesex, State of New Jersey; and

WHEREAS, flooring and installation is available through ESCNJ 23/24-14 Commercial Carpet and Flooring -Purchase, Installation and Related Services; and

WHEREAS, the term of contract ESCNJ 23/24-14 is from October 20, 2023 to October 19, 2025; and

WHEREAS, the Chief Financial Officer's certification of funds is made authorizing the award to purchase Commercial Carpet and Flooring -Purchase, Installation and Related Services from the Capital Bond Ordinance 2024-11, C-04-55-944-004 in the amount not to exceed three hundred thirty five thousand fifty dollars and seventy seven cents (\$335,050.77);

WHEREAS, the amount to complete the installation of new flooring is above the bid threshold as set by New Jersey Local Public Contracts Law N.J.S.A. 40A:11-1 et seq 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, Middlesex Regional Educational Services Commission of New Jersey (ESCNJ) shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.), 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 all other provisions of the revised statutes.

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

The Chief Financial Officer and Borough Administrator are hereby authorized and directed to approve and forward a purchase order to Direct Flooring, 12 Minneakoning Road, Building A, Unit 103 Flemington, NJ 08822.

RESOLUTION 2024-164

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

RESOLUTION AUTHORIZING THE EXTENSION OF AWARDED CONTRACT FOR FIRE APPARATUS SERVICE AND REPAIR FOR A TERM OF ONE YEAR

WHEREAS, the Borough of Metuchen issued a bid notice for the retention of Fire Apparatus Service and Repair for 2023 utilizing a fair and open process wherein sealed bids were received on or before April 23, 2023; and

WHEREAS, by way of Resolution No. 2023-148, the Borough of Metuchen authorized an award of contract for fire apparatus service and repair to Fire and Safety Services for the calendar year 2023 in an amount not to exceed Seventeen Thousand Five Hundred Dollars (\$17,500.00); and

WHEREAS the contract between the Borough and Fire and Safety Services. contained a term of one year and the Borough reserved the option to extend the term for one (1) year periods pursuant to *N.J.S.A. 40A:11-15*; and

WHEREAS, the Borough of Metuchen has determined that the fire apparatus service and repair services of Fire and Safety Service. for the Borough are being performed in an effective and efficient manner and that the Borough wishes to extend the term of contract between the Borough of Metuchen and Fire and Safety Service. for a one-year contract extension for the calendar year 2024, and

WHEREAS, the Chief Financial Officer has certified sufficient available funds available for the award of the within contract extension for the calendar year 2024 Temporary Budget and Adopted 2024 Budget, from account Fire Department Vehicle Maintenance and Repair, 4-01-25-752-025 in the amount not to exceed thirty thousand dollars and no cents (\$30,000.00).

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Metuchen that it hereby authorizes the extension of an awarded contract for Fire Apparatus Service and Repair with Fire and Safety Services for the calendar year 2024 for an amount not to exceed thirty thousand dollars and no cents (\$30,000.00).

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 or amendment to the existing agreement, if necessary, with Fire and Safety Services, 200 Ryan Street, South Plainfield, NJ 07080 consistent with the terms of the within Resolution, the current agreement and the proposal submitted to the Borough.

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.

RESOLUTION 2024-165

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

**RESOLUTION AMENDING RESOLUTION 2024-69 AND RESOLUTION 2024-125
AUTHORIZING SOMERSET COUNTY COOPERATIVE CONTRACT FOR
EQUIPMENT AND TOOL RENTAL**

WHEREAS, by way of Resolution 2024-69 and Resolution 2024-125, the Mayor and Council of the Borough of Metuchen authorized the award to rent equipment for the operation of sewer pump station(s) in the Borough of Metuchen, County of Middlesex, State of New Jersey; and

WHEREAS, equipment and tool rental can be purchased through Bid #2-Scoop-Contract #CC-0028-22 year two Equipment & Tool Rental; and

WHEREAS, the term of the contract is from October 24, 2023 to November 23, 2024, awarded as the second year of a two year contract; and

WHEREAS, the authorization for purchases under this award expires on November 23, 2024; and

WHEREAS, the Chief Financial Officer's previously certified availability of funds for Resolution 2024-69 and Resolution 2024-125 to rent equipment and tools for the operation of Borough pump station(s) in an amount not to exceed \$32,000.00 from the 2024 Temporary Budget and 2024 Adopted Budget Appropriation Line Sewers, Equipment Maintenance & Repair 4-01-26-773-026 in the amount of \$32,000.00; and

WHEREAS, an additional award in the amount not to exceed \$10,600.00 is needed and is certified from the 2024 Temporary Budget and 2024 Adopted Budget Appropriation Line Sewers, Equipment Maintenance & Repair 4-01-26-773-026, for a total forty two thousand six hundred dollars and no cents (\$42,600.00); and

WHEREAS, Somerset County Cooperative shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes.

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

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

RESOLUTION 2024-166

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

RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT WITH THE MIDDLESEX COUNTY PROSECUTORS OFFICE REGARDING AUTOMATED LICENSE PLATE RECOGNITION (ALPR) DEVICES AND/OR VIDEO SURVEILLANCE CAMERAS OWNED BY THE COUNTY OF MIDDLESEX

WHEREAS, the County of Middlesex, hereinafter referred to as “County,” is committed to supporting its local municipalities and government agencies within the County in their efforts to provide for the public safety and welfare of its residents by ensuring that the law enforcement agencies within the County have access to state-of-the-art equipment in furtherance of public safety duties and efforts, and

WHEREAS, the County has received funding from the American Recovery and Reinvestment Act (ARRA) and has allocated a portion to support public safety efforts within its border, in order to work cooperatively and in partnership with Federal, State, County, and local jurisdictions to support public safety, and

WHEREAS, the Middlesex County Prosecutor, hereinafter referred to as the “Prosecutor,” as the Chief Law Enforcement Officer in the County, pursuant to N.J.S.A. 52:17B-97 et. seq., has the authority to govern and regulate the policies of law enforcement agencies to ensure public safety and to promote the coordinated and effective prosecution of all criminal actions; and

WHEREAS, the deployment of Automatic License Plate Recognition (ALPR) Technology and the integration of Law Enforcement Video Surveillance Technology, also referred to as “ALPR and video surveillance equipment/cameras *or* investigative equipment,” elsewhere has proven to have a significant impact on the reduction, prevention, and prosecution of offenses detected from this equipment; and

WHEREAS, the Prosecutor has determined that the deployment of ALPR and video surveillance cameras in Middlesex County will aid in the reasonable and lawful diligence for the detection, arrest, indictment, and conviction of offenders against Federal and State laws; and

WHEREAS, the Middlesex County Prosecutor’s Office, hereinafter referred to as “MCPO”, with the authorization of the Middlesex County Board of County Commissioners has entered into a contract for the purchase and installation of ALPRs and video surveillance equipment utilizing the American Recovery Act Grant funding to support these public safety initiatives, and

WHEREAS, the ALPR and video surveillance equipment will be owned by the County of Middlesex and, at the Prosecutor's discretion through the coordination and consultation with State, County, and local law enforcement professionals, may be deployed in jurisdictions in the County of Middlesex based upon crime statistics, public safety needs and crime prevention efforts, and

WHEREAS, the deployment of ALPR and video surveillance equipment will create a regionalized approach to crime prevention technology implementation, thus avoiding duplication of services and ensure efficient access to all relevant information needed to effectively investigate and prosecute criminal activity across municipal borders; and

WHEREAS, to support this regionalized approach, for any jurisdiction that wishes to align their ALPR system utilized by the Prosecutor, the County of Middlesex will fund the initial purchase and installation of ALPR devices, through its vendor, on behalf of the local law enforcement agency; and

WHEREAS, the Prosecutor reserves the right to re-direct the allocation of these resources previously committed for use at a specific location or within one jurisdiction to another location within that jurisdiction or a different jurisdiction based upon its assessment of public safety needs; and

WHEREAS, law enforcement agencies and their respective governing bodies that wish to be considered for the deployment of this investigative equipment within their respective jurisdiction are hereby required to execute this Memorandum of Agreement (MOA); and

WHEREAS, said law enforcement agencies and their respective governing bodies that execute this MOA with the County are hereinafter referred to as "Participating Entity" and collectively referred to as the "Parties;" and

WHEREAS, by execution of this MOA, the County and the MCPO will establish a partnership for collaborative efforts with the Borough of Metuchen and the State of New Jersey to provide for the detection and deterrence of crime and promote the safety and welfare of the citizens of Middlesex County.

NOW, THEREFORE, BE IT RESOLVED that the parties of this MOA do hereby acknowledge and agree that the above is incorporated herein and shall have full force and binding effect and that the investigative equipment as described herein may be made available on an as-needed, priority basis, subject to the provisions stated in the Memorandum of Agreement.

RESOLUTION 2024-

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

**RESOLUTION AUTHORIZING THE BOROUGH OF METUCHEN
TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED
TAX BILLS IN ACCORDANCE WITH P.L. 1994, c.72**

WHEREAS, the Middlesex County Board of Taxation has not adopted the Middlesex County Budget for 2024, and the Borough of Metuchen Tax Collector will be unable to mail the Borough's 2024 tax bills on a timely basis; and

WHEREAS, the Borough of Metuchen Tax Collector/Chief Finance Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and has signed a certification showing the tax levies for the previous year, the tax range, and the range of permitted estimated tax levies.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Metuchen, in the county of Middlesex, and state of New Jersey on the 13th of May 2024, as follows:

1. The Metuchen Borough Tax Collector is hereby authorized and directed to prepare, and issue estimated tax bills for the Borough for the third installment of 2024 taxes. The Tax Collector shall proceed on May 14th, 2024, and take such actions as are permitted and required by P.L. 1994, c.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).
2. The entire regular estimated tax levy for 2024 is hereby set at \$75,932,888.95.
3. The Special Improvement District tax levy for those properties designated as in the Special Improvement District is hereby set at \$300,000.00.
4. In accordance with law the third installment of 2024 taxes shall not be subject to interest until the later of August 10 or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

RESOLUTION 2024-168

*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:

<u>Cert #</u>	<u>Block/Lot</u>	<u>Address</u>	<u>Lienholder</u>
21-00001	40/37	326 Durham Ave	Christiana t C/F CE1/Firsttrust

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

RESOLUTION 2024-169

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

RESOLUTION AUTHORIZING CANCELLATION OF 2018 TAX OVERPAYMENTS

WHEREAS, the following parcels have an overpayment of taxes,

Block	Lot	Qual	Address	Balance	Year/Quarter
4.01	15		21 Kent Place	2,776.40	2018/Qtr 4
125.01	39.06		65 Sterling Court	4,322.86	2018/Qtr 3
143	15.01		18 Cliffwood Place	3,904.48	2018/Qtr 3

NOW, THEREFORE, BE IT RESOLVED that the above listed tax overpayment balances be canceled, in the amount of \$11,003.74.

RESOLUTION 2024-170

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

RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF 2024 TAXES

WHEREAS, the following has made an overpayment of taxes;

Name	Block/Lot	Address	Amount		Year
Lee, Jessica/Kuo, Alexander	205/37	18 Ethel Place	\$2,144.32	Duplicate tax payment	2024, 1st qtr
Li, Lee/Satom	126/119	46 Brockton Court	\$3,781.13	Duplicate tax payment	2024, 1st qtr

NOW, THEREFORE, BE IT RESOLVED that the above listed property owner or agent be refunded property taxes as described in the amount of \$5,925.45.

RESOLUTION 2024-171

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

**RESOLUTION OF THE BOROUGH OF METUCHEN, COUNTY OF MIDDLESEX, STATE OF
NEW JERSEY SUPPORTING REVOLUTION-NJ**

WHEREAS, Governor Philip Murphy and the New Jersey State Legislature created RevolutionNJ in 2018 to plan, encourage, develop, and coordinate the commemoration of the 250th anniversary of the founding of the United States, New Jersey's pivotal role in the American Revolution, and the contributions of its diverse peoples to the nation's past, present, and future; and

WHEREAS, the New Jersey Historical Commission, under the leadership of Secretary of State Tahesha Way, with its non-profit partner Crossroads of the American Revolution established RevolutionNJ to advance the role that history plays in public discourse, community engagement, education, tourism, and scholarship in New Jersey; and

WHEREAS, RevolutionNJ will engage New Jerseyans in all 21 counties and 564 municipalities through its officially recognized programs, initiatives, and events over the next ten years; and

WHEREAS, it is fitting and desirable that we commemorate the beginning of the Nation and the role New Jersey played over the past 250 years as well as its present and future role as part of the United States, with particular focus on the individuals, ideas, and events that shaped our Country, State, and the Borough of Metuchen; and

WHEREAS, preserving, studying, and enjoying state history strengthens communities and builds bonds between New Jersey residents as we work together toward the goals of justice and equality embedded in the United States Constitution; and

WHEREAS, 2025 will mark the 125th anniversary of the founding of the Borough of Metuchen which is also worthy of commemoration and celebration.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Metuchen hereby endorses RevolutionNJ and its mission to advance the role that history plays in public discourse, community engagement, education, tourism and scholarship in New Jersey.

BE IT FURTHER RESOLVED that the Borough Council of the Borough of Metuchen commemorates the 250th anniversary of the establishment of the United States as an independent Nation and authorizes the appointment of a committee to develop a plan for this commemoration that will promote the maximum involvement of our residents, neighborhoods, businesses, schools, civic organizations, and institutions in the commemorations.

BE IT FURTHER RESOLVED that the committee authorized herein shall also develop a plan for the commemoration and celebration of the 125th anniversary of the Borough of Metuchen.

RESOLUTION 2024-172

*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 \$5,187,384.07.

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