

**BOROUGH COUNCIL AGENDA  
REGULAR MEETING APRIL 29, 2024  
7:30 P.M.**

Reading Of Sunshine Notice

Flag Salute

Roll Call

Agenda Session

Public Comment

Executive Session

R2024-143

RESOLUTION AUTHORIZING AN EXECUTIVE SESSION  
WHICH EXCLUDES THE PUBLIC

Borough Council Meeting Minutes

Approval of Borough Council Meeting Minutes of March 4, 2024

Communications Consent Agenda – Items A - F

- A. Receive and Accept Arts Council Meeting Minutes of February 26, 2024
- B. Receive and Accept Library Board Meeting Minutes of March 12 and March 18, 2024
- C. Parade Commission Meeting Minutes of March 19, 2024
- D. Receive and Accept Senior Commission Meeting Minutes of November 8, 2023
- E. Receive and Approve Block Party-Street Closing for Bounty Street, May 26, 2024
- F. Receive and Approve Block Party-Street Closing for Henry Street, June 1, 2024

Ordinances – Public Hearing

Ord. 2024-13

ORDINANCE AMENDING THE CODE OF THE BOROUGH OF  
METUCHEN AUTHORIZING FURTHER DUTIES AND  
RESPONSIBILITIES OF THE BOROUGH ENFORCEMENT  
OFFICIAL

Ord. 2024-14

ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF  
METUCHEN, CHAPTER 185, ENTITLED “VEHICLES AND  
TRAFFIC”, SPECIFICALLY, SECTIONS 185-12(A) – PARKING  
TIME LIMITED ON CERTAIN STREETS ADDING THREE  
LOCATIONS



EDUCATIONAL SERVICES COMMISSION COOPERATIVE  
CONTRACT FOR PLUMBING SERVICES

R2024-151 RESOLUTION AUTHORIZING THE PLANNING BOARD OF  
THE BOROUGH OF METUCHEN TO CONDUCT A  
PRELIMINARY INVESTIGATION TO ESTABLISH A NON-  
CONDEMNATION REDEVELOPMENT AREA WITHIN THE  
BOROUGH OF METUCHEN, MIDDLESEX COUNTY

R2024-152 RESOLUTION AUTHORIZING THE SALE OF SURPLUS  
PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC  
USE ON AN ONLINE AUCTION WEBSITE

R2024-153 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

R2024-154 RESOLUTION TO REFUND ESCROW BALANCE

Other New Business

R2024-155 RESOLUTION AUTHORIZING PAYMENT OF THE BILL LIST

Appointment

Tim Hillmann to the Planning Board, Alt. I, for the unexpired term ending 12/31/2026

Adjournment

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

**RESOLUTION 2024-143**

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

**RESOLUTION AUTHORIZING AN EXECUTIVE SESSION WHICH  
EXCLUDES THE PUBLIC**

**WHEREAS**, the Open Public Meetings Act, P. L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, the Council of the Borough of Metuchen is of the opinion that such circumstances presently exist; and

**WHEREAS**, the Council of the Borough of Metuchen wishes to discuss:

**Matters Involving Personnel  
Matters Involving Pending Litigation**

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

**NOW, THEREFORE, BE IT RESOLVED** that the public be excluded from this meeting.

**ORDINANCE 2024-13**

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

**ORDINANCE AMENDING THE CODE OF THE BOROUGH OF METUCHEN  
AUTHORIZING FURTHER DUTIES AND RESPONSIBILITIES OF THE BOROUGH  
ENFORCEMENT OFFICIAL**

**WHEREAS**, the Borough of Metuchen created the position of Enforcement Official in 2023 to enforce the Ordinances and Code of the Borough of Metuchen; and

**WHEREAS**, the Mayor and Council have determined to amend Chapter 160, entitled, “Solid Waste” and Chapter 166, entitled, “Streets and Sidewalks” of the Code of the Borough of Metuchen, specifically § 160-14 (Yard Waste Collection); § 160-22 (Containerized Yard Waste) § 160-28 (Refuse Containers/Dumpsters); §166-3.2 (Obstructions); §166-42.1 (Construction and Maintenance of Sidewalks; and §166-46 (Fences and other Encroachments; Dangerous Conditions) to authorize the enforcement of the Code of the Borough by the Enforcement Officer/Official.

**NOW THEREFORE BE IT ORDAINED** by the Mayor and Council of the Borough of Metuchen that Chapter 160, entitled, “Solid Waste” and Chapter 166, entitled, “Streets and Sidewalks” of the Code of the Borough of Metuchen, specifically § 160-14 (Yard Waste Collection); § 160-22 (Containerized Yard Waste) § 160-28 (Refuse Containers/Dumpsters) ; §166-3.2 (Obstructions); §166-42.1 (Construction and Maintenance of Sidewalks; and §166-46 (Fences and other Encroachments; Dangerous Conditions) are hereby amended to state as follows:

**CHAPTER 160**  
**SOLID WASTE**

\* \* \*

**ARTICLE 3 – YARD WASTE COLLECTION PROGRAM**

\* \* \*

**§ 160-14 Enforcement.**

The provisions of this article shall be enforced by the Zoning Officer or Enforcement Officer/Official of the Borough of Metuchen.

\* \* \*

**ARTICLE 4 – CONTAINERIZED YARD WASTE**

\* \* \*

**§ 160-22 Enforcement.**

The provisions of this article shall be enforced by the Zoning Officer or Enforcement Officer/Official of the Borough of Metuchen.

**ARTICLE 5 – REFUSE CONTAINERS/DUMPSTERS**

\* \* \*

**§ 160-28 Enforcement.**

The provisions of this article shall be enforced by the Zoning Officer or Enforcement Officer/Official of the Borough of Metuchen

**CHAPTER 166**

**STREETS AND SIDEWALKS**

\* \* \*

**ARTICLE 2 – OBSTRUCTIONS**

\* \* \*

**§ 166-3.2 Enforcement.**

The provisions of this article shall be enforced by the Borough of Metuchen Police Department and/or, Zoning Officer and/or the Enforcement Officer/Official of the Borough of Metuchen.

**ARTICLE 4 – CONSTRUCTIONS AND MAINTENANCE OF SIDEWALKS**

\* \* \*

**§ 166-42.1 Enforcement.**

The Zoning Officer, Director of the Department of Public Works, the Borough Engineer, Building Code Official, Police Department, Enforcement Officer/Official, and/or other subcode official, as their jurisdiction may arise, shall be responsible for the enforcement of these sections of this article

**ARTICLE 5 – FENCES AND OTHER ENCROACHMENTS; DANGEROUS CONDITIONS**

\* \* \*

**§ 166-46 ~~Zoning Officer~~ Designated Enforcing Officers.**

The Zoning Officer and/or Enforcement Officer/Official, within their given jurisdictions, are hereby designated as the enforcing officers of this article.

**BE IT FURTHER ORDAINED** by the Mayor and Council that all remaining sections of Code of the Borough of Metuchen not specifically amended herein shall not be affected by the within amendments and shall remain in full force and effect.

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

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

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

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

**ORDINANCE 2024-14**

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

**ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF METUCHEN,  
CHAPTER 185, ENTITLED “VEHICLES AND TRAFFIC”, SPECIFICALLY,  
SECTIONS 185-12(A) – PARKING TIME LIMITED ON CERTAIN STREETS ADDING  
THREE LOCATIONS**

**NOW THEREFORE BE IT ORDAINED** by the Mayor and Council of the Borough of Metuchen that Chapter 185 of the Code of the Borough of Metuchen is hereby amended to add the following locations and application to Section 185-12. A. Parking Time Limited on Certain Streets:

<b>Street</b>	<b>Side</b>	<b>Time Limit</b>	<b>Hours</b>	<b>Location</b>
Hanson Street	Both	2 hours for non-residents of Hanson Street	12:00 a.m. through 8:00 a.m. and 6:00 p.m. through 11:59 pm on Monday through Friday and for all 24 hours on both Saturday and Sunday.	Entire length
McCoy Street	Both	2 hours for non-residents of McCoy Street	12:00 a.m. through 8:00 a.m. and 6:00 p.m. through 11:59 pm on Monday through Friday and for all 24 hours on both Saturday and Sunday.	Entire length
Sydney Street	Both	2 hours for non-residents of Sydney Street	12:00 a.m. through 8:00 a.m. and 6:00 p.m. through 11:59 pm on Monday through Friday and for all 24 hours on both Saturday and Sunday.	Entire length

**BE IT FURTHER ORDAINED** by the Mayor and Council that the above time limit parking restrictions for Hanson Street, McCoy Street and Sydney Street shall not apply to residents of Hanson Street, McCoy Street and Sydney Street respectively.

**BE IT FURTHER ORDAINED** by the Mayor and Council that all remaining sections of Chapter 185 not specifically amended herein, including all of the existing locations contained in Section 185-12(A) shall not be affected by the within amendments and shall remain in full force and effect.

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

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



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

**BE IT FURTHER ORDAINED** by the Mayor and Borough Council of the Borough of Metuchen that all Borough officials shall take all necessary actions to in order to effectuate the within Ordinance, including but not limited to the installation of sign/s in the above designated area and the issuance of residential parking decals to the residents of Hanson Street, McCoy Street and Sydney Street.

**ORDINANCE 2024-15**

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

**CALENDAR YEAR 2024  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

**WHEREAS**, the Mayor and Council of the Borough of Metuchen in the County of Middlesex finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the Mayor and Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$ 169,879.65 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS**, the Mayor and Council hereby determine that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor & Council of the Borough of Metuchen, in the County of Middlesex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the Borough of Metuchen shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 1.0 %, amounting to \$ 169,879.65, and that the CY 2024 municipal budget for the Borough of Metuchen be approved and adopted in accordance with this ordinance.

**BE IT FURTHER ORDAINED** that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

**BE IT FURTHER ORDAINED** that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

**BE IT FURTHER ORDAINED** that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

**RESOLUTION 2024-144**

*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 April 29, 2024:

Street Lighting		20,000.00
Sewers	OE	10,000.00
Landfill/Solid Waste Disposal		300,000.00
LMXAC		2,700.00
Utilities		5,000.00
METV	OE	2,000.00
	<b>TOTAL</b>	<b>339,700.00</b>

**RESOLUTION 2024-145**

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

**RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL  
SERVICES CONTRACT TO COLLIERS ENGINEERING & DESIGN,  
TO PERFORM ENGINEERING SERVICES FOR 2024 ROAD  
PROGRAM FY 2024 MUNICIPAL AID**

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

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

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

**WHEREAS**, the Borough of Metuchen is in need of professional engineering services for the FY 2024 NJDOT Municipal Aid Road Project; and

**WHEREAS**, Colliers Engineering & Design, submitted a proposal dated March 14, 2024, to the Borough to render engineering services for the NJDOT FY 2024 Municipal Aid Road Project for a cost not to exceed three hundred six thousand dollars and no cents (\$306,000.00); and

**WHEREAS**, the proposal was reviewed and evaluated, and it is the recommendation of the Borough Administrator that a contract for engineering services for the FY2024 NJDOT Municipal Aid Road Project be awarded to Colliers Engineering & Design of Red Bank, New Jersey consistent with the proposal submitted; and

**WHEREAS**, the Council of the Borough of Metuchen have reviewed the proposal and have determined it is in the best interest of Metuchen to award a contract to Colliers Engineering & Design, of Red Bank, New Jersey to render engineering services for the 2024 Road Projects – FY2024 NJDOT Municipal Aid Road Project; and

**WHEREAS**, the cost for the proposed services shall not exceed three hundred six thousand dollars and no cents (\$306,000.00) without further approval by the Mayor and Borough Council; and

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

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Metuchen that it hereby awards a contract to Colliers Engineering & Design, 331 Newman Springs Road, Suite 203, Red Bank, NJ 07701 on the basis of the proposal dated March 14, 2024 to provide professional engineering services to the Borough of Metuchen for the 2024 Road Project – FY 2024 NJDOT Municipal Aid Road Project funded in an amount not to exceed three hundred six thousand dollars and no cents (\$306,000.00); and

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

**RESOLUTION 2024-146**

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

**RESOLUTION AMENDING RESOLUTION 2023-191 AUTHORIZING ESCNJ CONTRACT FOR PLAYGROUND EQUIPMENT, SITE FURNISHINGS AND PLAYGROUND SURFACING MATERIALS, INSTALLATION AND MAINTENANCE**

**WHEREAS**, by way of Resolution 2023-191 a contract was awarded on June 26, 2023 for the purchase of playground equipment, site furnishings and playground surfacing materials, including installation and inspections for the Borough of Metuchen, County of Middlesex, State of New Jersey; and

**WHEREAS**, playground equipment is available through ESCNJ 20/21-22 Playground Equipment, Site Furnishings & Outdoor Circuit Training Equipment & Related Products; and

**WHEREAS**, the term of contract ESCNJ 20/21-22 is from June 3, 2020 to June 29, 2022, extended to June 29, 2023, Extended to June 29, 2024; and

**WHEREAS**, playground surfacing materials, installation and inspections is available through ESCNJ 20/21-02 Playground Surfacing Materials, Installation, and Inspections; and

**WHEREAS**, the term of contract ESCNJ 20/21-02 is from July 1, 2020 to June 30, 2022, Extended to June 30, 2023, Extended to June 29, 2024; and

**WHEREAS**, the Chief Financial Officer's certification of funds was made authorizing the award to purchase playground equipment, site furnishings, playground surfacing materials, installation and inspections from the Capital Bond Ordinance 2023-07, C-04-55-939-003 in the amount not to exceed \$60,731.96, Trust Other -Donation T-16-56-876-899 in the amount not to exceed \$35,888.00 and Trust Other- Donation T-16-56-876-896 in the amount not to exceed \$7,094.88, for a grand total not to exceed \$103,714.84; and

**WHEREAS**, additional playground equipment, site furnishings and playground surfacing materials, including installation and inspections are needed in an amount not to exceed \$33,163.86 and the Chief Financial Officer's certifies availability of funds authorizing the award to additional purchase playground equipment, site furnishings, playground surfacing materials, installation and inspections from the Capital Bond Ordinance 2024-11, C-04-55-944-001 in the amount not to exceed thirty three thousand one hundred sixty three dollars and 86 cents (\$33,163.86), for an amended grand total not to exceed one hundred thirty six thousand eight hundred seventy eight dollars and seventy cents (\$136,878.70); and

**WHEREAS**, ESCNJ 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 Ben Shaffer Recreation, Inc. LLC, PO Box 844, Lake Hopatcong, NJ 07489.

**RESOLUTION 2024-147**

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

**RESOLUTION AMENDING RESOLUTION 2024-129 AUTHORIZING THE AWARD FOR  
AUTOMOTIVE PARTS & ACCESSORIES, AND FOR MAINTENANCE AND REPAIR FOR  
VEHICLES THROUGH STATE CONTRACTS**

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

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

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

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

**WHEREAS**, Resolution 2024-57 was amended by Resolution 2024-129 to increase the award authorization from \$12,000.00 to \$17,000.00; and

**WHEREAS**, the maximum amount for vehicle parts and maintenance and repair for fleet vehicles for the Borough of Metuchen is amended to increase the authorization by \$15,000.00, for a grand total in an amount not to exceed \$32,000.00 with funds anticipated to be available in the 2024 Temporary Budget and 2024 Adopted Budget as certified by the Chief Financial Officer and that there are sufficient funds for such award and are available and is designated from Account number Streets & Roads-Vehicle Maintenance & Repair, 4-01-20-765-025; and

**WHEREAS**, an additional award in the amount not to exceed \$15,000.00 is needed and is certified by the Chief Financial Officer from the 2024 Temporary Budget and the 2024 Adopted Budget Appropriation Account number Streets & Roads-Vehicle Maintenance & Repair, 4-01-20-765-025, for a grand total not to exceed thirty two thousand dollars and no cents (\$32,000.00); and

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

**WHEREAS**, this authorization for purchase of OEM and non-OEM maintenance and repair services for light/medium duty vehicles, under State Contract T0126 expires on December 31, 2024; and

**WHEREAS**, public bids are not required when the purchase is under a state contract in accordance with 40A:11-12 of the Local Public Contracts Law; and

**WHEREAS**, this procurement is awarded under N.J.S.A. 19:44A20.4 et seq. using a fair and open process to Malouf Ford Lincoln Inc, Inc. for the purchase of vehicle parts and maintenance and repair for fleet vehicles of the Borough of Metuchen.

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

The Chief Financial Officer and Borough Administrator are hereby authorized and directed to amend the existing Purchase Order previously amended as a result of Resolution 2024-129 to Malouf Ford Lincoln Inc., PO Box 7480, 2210 US Highway 1, North Brunswick, NJ, 08902, for a grand total not to exceed thirty two thousand dollars and no cents (\$32,000.00)



**RESOLUTION 2024-148**

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

**RESOLUTION AMENDING RESOLUTION 2024-141 AUTHORIZING MONTROSE ENVIRONMENTAL SOLUTIONS, INC. FOR SITE ASSESSMENT AND REMEDIATION AT SAFETY PLACE IN THE BOROUGH OF METUCHEN, MIDDLESEX COUNTY, NEW JERSEY**

**WHEREAS**, by way of Resolution, 2024-14, the Borough of Metuchen awarded a professional services contract for a Licensed Site Remediation Professional (“LSRP”) to assist the Borough in site investigation, remedial investigation, remedial work, and related reporting related to the removal of an underground storage tank located at 2 Safety Place, Metuchen; and

**WHEREAS**, said services are of the nature of a professional service pursuant to N.J.S.A. 40A:11-5(1)(a)(i), and, therefore, a contract for the services may be negotiated and awarded by the Board without public advertising for bids and bidding therefore; and

**WHEREAS**, additional services related to NJ Department of Community Affairs (NJCA) Subchapter 8 compliant abatement specifications and oversight; and

**WHEREAS**, Montrose Environmental Solutions, Inc., formerly known as PARS Environmental, Inc., has been awarded a contract through New Jersey Cooperative Purchasing Alliance-CK04-Bergen (Bergen Bids), effective January 19, 2024 through January 18, 2025 for Asbestos Sampling/Lab Work & Consulting Services under contract BC-RFP-21-013; and

**WHEREAS**, Montrose Environmental Solutions, Inc. submitted a proposal to the Borough of Metuchen to perform all services necessary related to Subchapter 8 compliant abatement specifications and oversight, and related reporting related to the removal of an underground storage tank, and/or remedial action on the aforementioned property; and

**WHEREAS**, the Borough has reviewed Montrose Environmental Solutions, Inc.’s proposal, experience and credentials and believes Montrose Environmental Solutions, Inc. is qualified to perform all services necessary related to Subchapter 8 compliant abatement specifications and oversight, and related reporting related to the removal of an underground storage tank, and/or remedial action on the aforementioned property; and

**WHEREAS**, the Borough determined it to be in the best interest of the Borough and authorized Montrose Environmental Solutions, Inc. to render professional services on behalf of the Borough in an additional amount not to exceed fifteen thousand six hundred thirty six dollars and no cents, (\$15,636.00), for the Subchapter 8 compliant abatement specifications and oversight, and related reporting; and

**WHEREAS**, the Chief Financial Officer has previously certified availability of funds and that there are sufficient funds for such authorization, not to exceed \$ 47,480.00 from and which are available and designated from Capital Bond Ordinance 2023-14, C-04-55-943-002, for the two proposals received as described above, and an additional amount authorized in the amount of \$30,000.00 for monitoring wells and related LSRP services, from Capital Bond Ordinance 2023-14, C-04-55-943-002, for a grand total of \$77,480.00; and

**WHEREAS**, the Chief Financial Officer certifies availability of funds and that sufficient funds are available for such authorization of the supplemental services in an amount not to exceed \$15,636.00 from Capital Bond Ordinance 2023-14, C04-55-943-002 for a revised grand total not to exceed ninety three thousand one hundred sixteen dollars and no cents (\$93,116.00.00).

**NOW, THEREFORE BE, IT RESOLVED** by the Municipal Council of the Borough of Metuchen, in the County of Middlesex, and State of New Jersey as follows:

Montrose Environmental Solutions, Inc. is hereby authorized and approved to render professional services to the Borough of Metuchen consistent with its proposals, initial estimate for monitoring wells and Subchapter 8 compliant abatement specifications and oversight, and related reporting at a cost not to exceed ninety three thousand one hundred sixteen dollars and no cents (\$93,116.00.00).

**RESOLUTION 2024-149**

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

**RESOLUTION AMENDING RESOLUTION 2022-195 AUTHORIZING THE PURCHASE OF CLASS 5-8 CHASSIS WITH RELATED EQUIPMENT THROUGH SOURCEWELL, FORMALLY KNOWN AS THE NATIONAL JOINT POWERS ALLIANCE (NJPA) A NATIONAL COOPERATIVE PURCHASING PROGRAM PURSUANT TO P.L.2011, C.139**

**WHEREAS**, by way of Resolution 2022-195, the purchase of a 2024 Peterbilt 520 Tandem axel Dual Drive cab and chassis to meet specifications for mounting of Labrie automated side loader was authorized; and

**WHEREAS**, the Borough of Metuchen as a contracting unit, may without advertising for bids, purchase any materials, supplies or equipment entered into on behalf of Sourcewell, formally known as National Joint Powers Alliance Cooperative, 202 12<sup>th</sup> Street NE, PO Box 219, Staples, MN 56479 pursuant to the provision of P.L. 2011, c. 139 which permits contracting units to use contracts awarded by national or regional cooperative or other states that were competitively bid. The law supplements existing law on the use of such contracts and is intended to provide additional flexibility to local government in the area of procurement; and

**WHEREAS**, the maximum amount of the purchase of a Peterbilt Model 520 Tandem Axel Dual Drive Cab & Chassis for the Borough of Metuchen previously certified was \$191,943.00 and funds were available in the 2022 Capital Bond Ordinance 2022-08, Account C-04-55-938-001 as certified by the Chief Financial Officer and that there were sufficient funds for such award in the amount of \$191,943.00: and

**WHEREAS**, an additional award in the amount not to exceed \$12,714.00 is needed for additional global supply chain surcharges and is certified by the Chief Financial Officer from available in the 2022 Capital Bond Ordinance 2022-08, Account C-04-55-938-001 as certified by the Chief Financial Officer and that there are sufficient funds for a grand total not to exceed two hundred four thousand six hundred fifty seven dollars and no cents (\$204,657.00): and

**WHEREAS**, Peterbilt Motors Company. has been awarded the contract for Class 5-8 Chassis with Related Equipment under Sourcewell Category: Class 5-8 Chassis with Related Equipment, Contract #060920-PMC, effective July 30, 2020, and expires on August 1. 2024 with Hunter Jersey Peterbilt., as an authorized New Jersey Distributor; and

**WHEREAS**, the Director of Public Works and Borough Administrator recommend the utilization of this contract and the above described price increase.

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

The Chief Financial Officer and the Borough Administrator are hereby authorized and directed to approve and amend the purchase order previously issued to Hunter Jersey Peterbilt, 524 Monmouth Road, Clarksburg, NJ 08510.

**RESOLUTION 2024-150**

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

**RESOLUTION AUTHORIZING MONMOUTH-OCEAN EDUCATIONAL SERVICES  
COMMISSION COOPERATIVE CONTRACT FOR PLUMBING SERVICES**

**WHEREAS**, there exists a need for repairs and upgrades to the bathrooms at the Metuchen Library in the Borough of Metuchen, County of Middlesex, State of New Jersey; and

**WHEREAS**, plumbing services are offered through Monmouth-Ocean Educational Services Commission (Coop #289MOESC) Bid 24-58 on a time and materials basis ; and

**WHEREAS**, the primary contractor for Middlesex & Monmouth, Ocean & Mercer, Burlington & Atlantic Counties for the #289MOESC Bid 24-58 award is Magic Touch Construction Co., Inc., plumbing services are offered through Monmouth-Ocean Educational Services Commission (Coop #289MOESC) Bid 24-58 on a time and materials basis ; and

**WHEREAS**, the term of the contract is from February 1, 2024 to June 30, 2025; and

**WHEREAS**, the authorization for purchases under this award expires on December 31, 2024; and

**WHEREAS**, the Chief Financial Officer's certification of funds is made authorizing the award for the repairs and improvements for the Metuchen Library bathrooms in an amount not to exceed one hundred twenty two thousand eight hundred dollars and sixty six cents (\$122,800.66) from CDBG funds T-16-56-880-889 in the amount of \$62,054.00 and from Capital Bond Ordinance 2023-07/2024-02, C-04-55-939-008 in the amount of \$60,746.66; and

**WHEREAS** the amount to complete the repair and upgrades to the bathhouse showers 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**, Monmouth-Ocean Educational Services Commission 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 Magic Touch Construction Co., Inc., 59 West Front Street, Keyport, NJ 07735.

**RESOLUTION 2024-151**

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

**RESOLUTION AUTHORIZING THE PLANNING BOARD OF THE BOROUGH OF  
METUCHEN TO CONDUCT A PRELIMINARY INVESTIGATION TO ESTABLISH  
A NON-CONDEMNATION REDEVELOPMENT AREA WITHIN THE BOROUGH  
OF METUCHEN, MIDDLESEX COUNTY**

**WHEREAS**, N.J.S.A. 40A:12A-6, authorizes the governing body of any municipality, by Resolution, to have its Planning Board conduct a preliminary investigation to determine whether any area of the municipality is an “Area in Need of Redevelopment” pursuant to the criteria set forth in N.J.S.A. 40A:12A-5; and

**WHEREAS**, the Mayor and Borough Council of the Borough of Metuchen (“Borough”) consider it to be in the best interest of the Borough to have the Borough’s Planning Board (“Planning Board”), in coordination with the Borough’s redevelopment planner, Christopher S. Cosenza, AICP, PP, LEED AP, conduct such an investigation regarding Block 145, Lot 78 on the official Tax Map of the Borough, along with all streets and rights of way appurtenant thereto (the “Study Area”); and

**WHEREAS**, a non-condemnation redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area except for the use of eminent domain (hereinafter referred to as a “Non-Condensation Redevelopment Area”); and

**WHEREAS**, the land located within the Study Area appears to be in a state of dilapidation, appears to be vacant, obsolete and/or underutilized and/or otherwise appears to be in need of redevelopment; and

**WHEREAS**, the present conditions at the Study Area may be detrimental to the safety and welfare of the community thereby requiring redevelopment to better serve the Borough.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Metuchen, County of Middlesex, State of New Jersey as follows:

1. The Planning Board is hereby directed to conduct a preliminary investigation, in coordination with redevelopment planner, Christopher S. Cosenza, AICP, PP, LEED AP, to determine whether the Study Area, or any part thereof, if applicable, is a Non-Condensation Redevelopment Area according to the criteria set forth in N.J.S.A. 40A:12A-5.

2. The Planning Board, and Christopher S. Cosenza, AICP, PP, LEED AP, as redevelopment planner, are hereby directed to have prepare a report of the Planning Board's findings and once completed, the Planning Board is directed to transmit the report to the Borough Council of the Borough of Metuchen for their review and approval in accordance with the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

3. This Resolution shall take effect immediately.

**Attest:**

**BOROUGH OF METUCHEN**

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Deborah Zupan, Municipal Clerk

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Jonathan Busch, Mayor

**RESOLUTION 2024-152**

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

**RESOLUTION AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY  
NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE**

**WHEREAS**, the Borough of Metuchen is the owner of certain surplus property described on Schedule A which is no longer needed for public use; and

**WHEREAS**, the Borough of Metuchen intends to utilize the online auction services of Municibid located at municibid.com; and

**WHEREAS**, the sales are being conducted pursuant to NJSA 40A:11—26 and the guidance set forth in the Division of Local Government Services' Local Finance Notice 2021-18.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Metuchen, County of Middlesex, State of New Jersey, that the Borough of Metuchen is hereby authorized to sell the surplus personal property as follows as follows:

- (1) The sale of the surplus property shall be conducted through Municibid pursuant to the New Jersey State Contract 19-GNSV1-00696 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with Municibid is available online at municibid.com and available from the Borough of Metuchen.
- (2) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (3) The Borough of Metuchen reserves the right to accept or reject any bid submitted.

**Schedule A**

**VEHICLES**

<b><u>YEAR</u></b>	<b><u>MAKE</u></b>	<b><u>MODEL</u></b>	<b><u>VIN</u></b>
2008	NISSAN	ROGUE	JN8AS58V09W170949
2012	ACURA	TL	19UUA9F70CA000779
2012	DODGE	CHARGER	2C3CDXAG7CH262978
2005	JEEP	GRD CHEROKEE	1J4GR48K15C716049

**OTHER ITEMS**

THIRTY SEVEN (37) HP AND CANON PRINT CARTRIDGES (SOLD AS LOT)

SIXTEEN (16) FORD EXPLORER REAR CAR SEATS (SOLD INDIVIDUALLY)



**RESOLUTION 2024-153**

*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 2024-154**

*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 account be closed and the balance be refunded to the depositor; and

**WHEREAS**, the Planning Board Office has contacted the Board Planner and Attorney for authorization to release the funds and determine the project is closed; and

**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 project is complete and can be closed, and that no further billing from the professionals for this project 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 balance to the depositor, as the project has been determined to be closed:

<b>ESCROW ACCOUNT</b>	<b>AMOUNT</b>	<b>DEPOSITOR</b>
22-1339 E	\$405.00	Chantale Romero 163 Center Street

**RESOLUTION 2024-155**

*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 \$ .

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.

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Rebecca Cuthbert, CFO