BOROUGH OF METUCHEN COUNCIL MINUTES
January 29, 2024
7:30 PM

The Regular Meeting of the Borough Council was held in the Council Chambers of Borough Hall on January 29, 2024.

The Meeting was called to order at 7:30 p.m. by Mayor Busch.

Adequate Notice of this meeting has been given in accordance with the Open Public Meeting Act, pursuant to Public Law 1975, Chapter 231. Said notice was published in the Home News Tribune on December 19, 2023, posted in Borough Hall, and on file in the Clerk's Office. All requirements of the Open Public Meetings Act have been satisfied.

Mayor Busch asked for a moment of silence in honor of the passing of former Councilmember James Bernard Dudley.

Mayor Busch asked for all to rise for the flag salute.

Roll Call

Mayor Busch asked for a roll call.

Present were Councilmembers Branch, Hyman, Jethwani, Kandel, Delia, and Mayor Busch. Councilmember Giamboi was absent, as was Borough Administrator Melissa Perilstein. Also present were Deborah Zupan, Borough Clerk and Denis Murphy, Borough Attorney.

Agenda Session

Council President Delia made a motion to open the Agenda Session, second by Councilmember Kandel, with all in favor, motion carried, 5-0.

With no action taken, Council President Delia made a motion to close the Agenda Session, second by Councilmember Kandel, with all in favor, motion carried, 5-0.

Public Comment

Mayor Busch opened Public Comment to any members of the public wishing to speak.

Lynne Mueller, 110 Christol Street, commented that the Metuchen train station building is often closed, leaving people to wait outside in bad weather on weekends, afternoons, and evenings. Mayor Busch responded that the Borough has a good relationship with NJ Transit and that he would look into this matter.

Patricia "Dolly" Kuenseler, 57 Prospect Street, asked if her street would be repaved soon, as it has been slated for repaving for some time. Mayor Busch responded that Prospect Street was indeed scheduled for repaving soon, but that there were many factors that could affect the timeline. Ms. Kuenseler also asked why so many other streets have had utility work done, but Prospect Street had not. She commented that parking in the parking garage was not convenient for shopping at the Farmers Market because it's too far a distance when people, particularly senior citizens, have several bags to carry. Finally, Ms. Kuenseler asked about the progress of work on Bridge Street. Mayor Busch assured Ms. Kuenseler that he would follow up with her on these matters.

Jenna Pusillo, 292 High Street, spoke on behalf of her neighbors regarding the Metuchen Sports Center. Ms. Pusillo noted that the Sports Center does not have adequate parking, causing many cars to be parked on their one-way, dead end street, blocking driveways and causing terrible traffic. She also noted that excessive noise from Sports Center events impacts the neighborhood, sometimes starting as early at 5: a.m. and going on until 2:00 a.m., and that there is often a lot of garbage left behind. Ms. Pusillo suggested having resident parking only, and only on one side of the street, to help alleviate the parking issue. Mayor Busch responded that he would speak with the Police Chief and that he would have the Chief reach contact her to discuss these issues.

Rayan Charara, 296 High Street, commented that he had the same concerns as Ms. Pusillo and added that he was concerned for the future of his baby given the traffic situation. Mr. Charara mentioned the music and noise from 5:00 a.m. to 2:00 a.m. He also commented on the trucks often coming down their residential street and mentioned that their portion of High Street is in need of paving. Finally, Mr. Charara noted that the lights in the Momentum Solar parking lot located in their neighborhood were very bright. Mayor Busch responded that he would take the residents' concerns into consideration, specifically asking that they send an email summarizing these concerns, and that he would see what could be done.

Fred Kimler, 292 High Street, commented that he's seen many positive changes with the town being built up but with these changes, changes need to be made to consider safety as well. Mr. Kimler echoed his neighbors' concerns about safety given the increased traffic to their street and mentioned how careless many of the cares associated with the Sports Center are. He also mentioned that many cars idle on their street.

Peter Hoang, 288 High Street, reiterated that the traffic on his portion of High Street is terrible during the Sport Center's open hours. He added that drivers often park in the wrong direction, and that this is increasingly an issue in other parts of town as well. Mr. Hoang also brought up an issue with the storm drains on their street. Mayor Busch again assured residents he would look into these issues.

Jane Kimler Pusillo, 292 High Street, expressed her concern about the trucks to and from Momentum Solar and commented that, in addition to presenting extensive safety issues, they have damaged the street and sewers. Ms. Pusillo noted that she has tried, unsuccessfully, to address these concerns with Momentum. She also questioned why these businesses were not being held accountable for their actions by the Borough. Mayor Busch again assured residents he would look into these issues.

Seeing no one else wishing to speak, Mayor Busch closed the Public Comment.

Borough Council Meeting Minutes

Council President Delia made a motion to approve Borough Council Meeting Minutes of November 27, 2023, second by Councilmember Kandel. Councilmembers Branch, Hyman, and Jethwani abstained from voting. With all others in favor, motion carried, 2-0.

Council President Delia made a motion to approve Borough Council Meeting Minutes of December 11, 2023, second by Councilmember Branch. Councilmembers Jethwani and Kandel abstained from voting. With all others in favor, motion carried, 3-0.

Communications Consent Agenda – Items A - E

Council President Delia made a motion to approve Communications Consent Agenda Items A through E, second by Councilmember Kandel, with all in favor, motion carried, 5-0.

A. Receive and Accept Environmental Commission Meeting Minutes of November 18, 2023
B. Receive and Accept Historic Preservation Committee Meeting Minutes of May 4, 2023, May 15, 2023, and June 22, 2023
C. Receive and Accept Human Relations Commission Meeting Minutes of September 5, 2023 and October 3, 2023
D. Receive and Accept Library Board Meeting Minutes of December 5, 2023
E. Receive and Accept Parade Commission Meeting Minutes of January 9, 2023, February 13, 2023, and March 13, 2023

Ordinances – Public Hearing

Ord. 2024-03	ORDINANCE AMENDING § 185-23 OF THE CODE OF THE BOROUGH OF METUCHEN ESTABLISHING A MULTIWAY STOP INTERSECTION (THREE WAY) AT CENTER STREET AND DURHAM AVENUE

Council President Delia asked that Ordinance 2024-03 be read by title only.

Ms. Zupan read Ordinance 2024-03 by title only.

Mayor Busch opened the public hearing on Ordinance 2024-03.

Seeing no one wishing to speak, Mayor Busch closed the public hearing.

Council President Delia made a motion to pass Ordinance 2024-03 on second reading and be published according to law, second by Councilmember Kandel.

Mayor Busch asked for a roll call vote.

Roll Call: Yeas: Branch, Hyman, Jethwani, Kandel, Delia
Nays: None

Ordinance 2024-03 was adopted, 5-0.

ORDINANCE 2024-03

Borough of Metuchen
County of Middlesex
State of New Jersey

ORDINANCE AMENDING § 185-23 OF THE CODE OF THE BOROUGH OF METUCHEN ESTABLISHING A MULTIWAY STOP INTERSECTION (THREE WAY) AT CENTER STREET AND DURHAM AVENUE

WHEREAS, Chapter 185 of the Code of the Borough of Metuchen regulates vehicles, traffic and parking within the Borough of Metuchen; and

WHEREAS, § 185-23 of the Code of the Borough of Metuchen specifically designates the locations of "Multiway stop intersections" within the Borough; and

WHEREAS, the Chief of Police and the Borough Engineer have investigated, determined and recommend to the Mayor and Borough Council that it is in the best interest of the safety and welfare of its residents, and the community, in general, to establish a three-way, "Multiway stop intersection" at the Center Street and Durham Avenue intersection; and

WHEREAS, the Council of the Borough of Metuchen has determined to accept the recommendation of the Chief of Police and Borough Engineer finding that that it is in the best interest of the safety and welfare of its residents and the community, in general, to establish a three-way "Multiway Stop Intersection" at Center Street and Durham Avenue and to amend the Borough Code accordingly.

NOW THEREFRORE BE IT ORDAINED by the Council of the Borough of Metuchen, County of Middlesex that it hereby amends § 185-23 of the Code of the Borough of Metuchen to include the following location:

§ 185-23 Multiway stop intersections.

Pursuant to the provisions of N.J.S.A. 39:4-140, the intersections herein described are designated as multiway stop intersections. Stop signs shall be installed as provided therein.

Intersection	**Stop Sign(s) On**
Center Street and Durham Avenue	All approaches (Three-way) - Northbound and Southbound on Center Street and Westbound on Durham Avenue at the intersection of Center Street and Durham Avenue

BE IT FURTHER ORDAINED by the Mayor and Council that all remaining locations contained in the Table in §185-23 shall remain "Multiway Stop Intersections" and 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 and employees shall take all necessary actions to in order to effectuate and enforce the within Ordinance, including but not limited to the installation of a stop sign/s in the above designated area.

Ord. 2024-04 ORDINANCE AMENDING THE CODE OF THE BOROUGH OF METUCHEN AND THE COMPOSITION OF THE SENIOR CITIZENS COMMISSION DECREASING ITS MEMBERSHIP FROM ELEVEN (11) MEMBERS TO NINE (9) MEMBERS

Council President Delia asked that Ordinance 2024-04 be read by title only.

Ms. Zupan read Ordinance 2024-04 by title only.

Mayor Busch opened the public hearing on Ordinance 2024-04.

Seeing no one wishing to speak, Mayor Busch closed the public hearing.

Council President Delia made a motion to pass Ordinance 2024-04 on second reading and be published according to law, second by Councilmember Kandel.

Mayor Busch asked for a roll call vote.

Roll Call: Yeas: Branch, Hyman, Jethwani, Kandel, Delia
Nays: None

Ordinance 2024-04 was adopted, 5-0.

ORDINANCE 2024-04

Borough of Metuchen
County of Middlesex
State of New Jersey

ORDINANCE AMENDING THE CODE OF THE BOROUGH OF METUCHEN AND THE COMPOSITION OF THE SENIOR CITIZENS COMMISSION DECREASING ITS MEMBERSHIP FROM ELEVEN (11) MEMBERS TO NINE (9) MEMBERS

WHEREAS, the Mayor and Council of the Borough of Metuchen have determined that it is in the best interest of the Borough to amend the composition of the Senior Citizens Commission of the Borough of Metuchen decreasing its membership from eleven (11) members to nine (9) members.

NOW THEREFORE BE IT ORDAINED, by the Council of the Borough of Metuchen that it hereby amends Chapter 10, Article 4 of the Code of the Borough of Metuchen, specifically § 10-20, entitled "Establishment; composition; term of office; vacancies" to state as follows:

Article 4. Senior Citizens Commission

§ 10-20. Establishment; composition; term of office; vacancies.

A. There is hereby established a Senior Citizens Commission for the Borough of Metuchen which shall consist of 9 members who shall be appointed by the Mayor with the advice and consent of the Borough Council. No person shall be appointed to the Senior Citizens Commission unless he or she is a resident of the Borough of Metuchen.

B. Each member shall be appointed for a term of three years; however, at the time of the creation of the Commission, three shall be appointed for three years, three shall be appointed for two years and three shall be appointed for one year. Thereafter, each appointment shall be for three years. Members shall serve after the expiration of their terms until the respective successors shall have been appointed and have qualified.

C. Vacancies occurring other than by the expiration of the term shall be filled in like manner but for the balance of the unexpired term only.

D. The Commission shall designate one of its members as Chairperson, and he or she shall serve as such until the first day of January next following the appointment and until his or her successor shall be appointed and qualify. All members shall serve without compensation.

BE IT FURTHER ORDAINED, by the Mayor and Council that all prior ordinances, or sections of ordinances, inconsistent with the within ordinance are hereby repealed.

BE IT FURTHER ORDAINED, by the Mayor and Council that all remaining sections of Chapter 10, not amended herein, including but not limited to Section 21 shall not be affected hereby and shall remain in full force and effect.

BE IT FURTHER ORDAINED, by the Mayor and Council that if any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall continue in full force and effect, and to this end, the provisions of this Ordinance are hereby declared to be severable.

BE IT FURTHER ORDAINED, by the Mayor and Council that this ordinance shall become effective immediately upon final passage and publication as provided by law.

Ord. 2024-05 — ORDINANCE AMENDING § 124-28(B)(1) OF THE CODE OF THE BOROUGH OF METUCHEN CHANGING THE DESIGNATED OFFICAL TO OBTAIN AND SUBMIT APPLICATIONS FOR PERMITS FOR THE USE OF BOROUGH FIELDS FROM THE BOROUGH CLERK TO THE RECREATION DIRECTOR

Council President Delia asked that Ordinance 2024-05 be read by title only.

Ms. Zupan read Ordinance 2024-05 by title only.

Mayor Busch opened the public hearing on Ordinance 2024-05.

Seeing no one wishing to speak, Mayor Busch closed the public hearing.

Council President Delia made a motion to pass Ordinance 2024-05 on second reading and be published according to law, second by Councilmember Kandel.

Mayor Busch asked for a roll call vote.

Roll Call: Yeas: Branch, Hyman, Jethwani, Kandel, Delia
Nays: None

Ordinance 2024-05 was adopted, 5-0.

ORDINANCE 2024-05

Borough of Metuchen
County of Middlesex
State of New Jersey

ORDINANCE AMENDING § 124-28(B)(1) OF THE CODE OF THE BOROUGH OF METUCHEN CHANGING THE DESIGNATED OFFICAL TO OBTAIN AND SUBMIT APPLICATIONS FOR PERMITS FOR THE USE OF BOROUGH FIELDS FROM THE BOROUGH CLERK TO THE RECREATION DIRECTOR

WHEREAS, by way of Ordinance No. 2023-28, the Mayor and Council of the Borough of Metuchen created procedures for the application and permitting process for the use of Borough of Metuchen Fields; and

WHEREAS, upon the recommendation of the Borough Administration, the Borough of Metuchen has determined that it is in the best interest of the Borough and the efficiency of processing applications for the use of the Borough Fields to change the Borough official to obtain the applications for permits from and to whom the applications are to be submitted to from the Borough Clerk to the Recreation Director.

NOW THEREFORE, BE IT ORDAINED that the Council of the Borough of Metuchen, County of Middlesex, State of New Jersey, hereby amends § 124-28(B)(1) of the Code of the Borough of Metuchen to state as follows:

§ 124-28 (B)(1)

A. Miscellaneous requirements.
Applications can be obtained from and returned to the Recreation Director.

BE IT FURTHER ORDAINED, by the Mayor and Council that all remaining sections of Chapter 124, and § 124-28, not specifically amended herein, including but not limited to § 124-28(A), § 124-28(B)(2) through § 124-28(B)(5), and § 124-28(C) through § 124-28(H) shall not be affected hereby and shall remain in full force and effect.

BE IT FURTHER ORDAINED, by the Mayor and Council that all prior ordinances, or sections of ordinances, inconsistent with the within ordinance are hereby repealed.

BE IT FURTHER ORDAINED, by the Mayor and Council that if any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall continue in full force and effect, and to this end, the provisions of this Ordinance are hereby declared to be severable.

BE IT FURTHER ORDAINED, by the Mayor and Council that this ordinance shall become effective immediately upon final passage and publication as provided by law.

Reports Of Council Members

Council President Delia reported on upcoming MDA events including a Valentine's Day promotion and Lunar New Year celebration.

Councilmember Kandel had no report.

Councilmember Jethwani reported on upcoming Library programs including Read to a Therapy Dog, a kids' winter festival, a Friends of the Library fundraiser, and a college funding workshop.

Councilmember Hyman reported that CARES has been working with Project Graduation towards another successful event. She also reported that the Board of Health would be screening a bike safety video in the spring, and that the Parade Commission is already at work planning the Memorial Day parade.

Councilmember Branch reported that the Arts Council has been planning their events for the year.

The Human Relations Commission has also met and is planning their 2024 calendar as well.

New Business Consent Agenda – Resolutions 2024-72 to 2024-78

Council President Delia moved to approve New Business Consent Agenda Resolutions 2024-72 to 2024-78, second by Councilmember Kandel, with all in favor, motion carried, 5-0.

RESOLUTION 2024-72

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR CONSTRUCTION MANAGER-EMERGENCY SERVICES CENTER

WHEREAS, the Borough of Metuchen has a need to acquire the services of an Engineer for Construction Manager for the Emergency Services Center project as a fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, Requests for Qualifications were received on November 21, 2023 and reviewed by the Borough Administrator, Chief Financial Officer, and Borough Clerk; and

WHEREAS, the Chief Financial Officer anticipates that the value of the services rendered will exceed $5,000; and

WHEREAS, the anticipated term of this contract is for the duration of the Emergency Services Center project; and

WHEREAS, the maximum amount of the contract is three hundred thirty-one thousand dollars and no cents ($331,000.00) and the Chief Financial Officer has certified that there are sufficient funds for such contract and is available and is designated from Capital Bond Ordinance 2023-14 Account number C-04-55-942-002 for these services.

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

1. The Mayor and Borough Clerk are hereby authorized and directed to execute an agreement with the firm of Colliers Project Leaders USA NE LLC, 135 New Road, Madison, CT 06443.

2. This contract is awarded as a fair and open "Professional Service" in accordance with N.J.S.A. 19:44A-20.5.

3. Notice of this action shall be printed once in The Home News Tribune.

RESOLUTION 2024-73

RESOLUTION ACCEPTING AND ADOPTING THE CENTRAL JERSEY MUNICIPAL JOINT INSURANCE FUND'S 2024 SAFETY INCENTIVE PROGRAM

WHEREAS, the Borough of Metuchen is a member of the Central Jersey Municipal Joint Insurance Fund (CENTRAL JIF); and

WHEREAS, it is the policy of the CENTRAL JIF to achieve the best and most practical degree of freedom from accidents and / or injuries; and

WHEREAS, the CENTRAL JIF endeavors to ensure that all of their members' employees, volunteers and public are provided with a safe and healthy environment, free from any recognized hazards; and

WHEREAS, the CENTRAL JIF endeavors to ensure that all of their members are in compliance with applicable safety and health requirements; and

WHEREAS, the CENTRAL JIF's Safety Committee is made up of representatives of the Fund's Municipalities, along with the professionals employed by the Fund; and

WHEREAS, the new Program will assist all the Central JIF members in becoming or maintaining compliance with all Public Employees Occupational Safety and Health (PEOSH) Requirements; and

WHEREAS, CENTRAL JIF has adopted the new 2024 SAFETY INCENTIVE PROGRAM which should succeed in providing a safe, healthful and pleasant environment.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Metuchen, in the County of Middlesex State of New Jersey that the Central Jersey Municipal Joint Insurance Fund SAFETY INCENTIVE PROGRAM be adopted by the Borough of Metuchen.

RESOLUTION 2024-74

RESOLUTION AUTHORIZING CHANGE ORDER #1 AND FINAL CONTRACT INCREASE FOR GPC, INC. – BOROUGH HALL PAINTING

WHEREAS, an interior Borough Hall painting project has been approved in a contract between the Mayor and Council and GPC Inc.; and

WHEREAS, on December 12, 2023, GPC, Inc. submitted a letter to the Borough for a Final Change Order increase to the Borough of **$11,520.00,** which was reviewed and approved by the Borough Administrator and Qualified Purchasing Agent ; and

WHEREAS, the increase to the Borough for the Final Change Order is **$11,520.00.**

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Metuchen that the proper officials are hereby authorized to execute the said attached Final Change Order.

RESOLUTION 2024-75

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

WHEREAS, there exists a need to purchase office supplies, furniture & equipment, and electronic & technology supplies and for the Borough of Metuchen, in the County of Middlesex, State of New Jersey; and

WHEREAS, this can be purchased through the Somerset County Cooperative Award #CC-0001-22, Cooperative Pricing Bid #2-SOCCP Office Supplies, Furniture & Equipment, Printer Ink Cartridge & Toner, Just-In-Time, Desktop Delivery, Open End, Catalogue Bid, First Year of a Two-Year Contract pursuant to the provisions of NJSA 40A:11-11 (5); and

WHEREAS, said contract is the first year of a two-year contract for Office Supplies, Furniture & Equipment, Printer Ink Cartridge & Toner, Just-In-Time, Desktop Delivery, Open End, Catalogue Bid Open End Contract #CC-0001-22, Co-operative Pricing Bid #2-SOCCP which was approved on May 31, 2022 by the Somerset County Board of County Commissioners is effective from May 31, 2022, to May 31, 2024, with the authorization to purchase Office Supplies, Furniture & Equipment, Printer Ink Cartridge & Toner, Just-In-Time, Desktop Delivery, Open End, Catalogue Bid under this resolution of award until May 31, 2024; and

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

WHEREAS, the maximum amount of the purchase of Office Supplies, Furniture & Equipment, Printer Ink Cartridge & Toner, Just-In-Time, Desktop Delivery, Open End, Catalogue Bid for the Borough of Metuchen is $33,000 and that there are sufficient funds for such award as certified from the 2024 Temporary Budget and 2024 Adopted Budget, designated from 2024 Temporary Budget and 2024 Adopted Budget Account numbers 4-01-20-701-036, 4-01-20-704-280, 4-01-20-708-036, 4-01-20-710-036, 4-01-21-721-283, 4-01-22-725-036, 4-01-25-745-036, 4-01-26-764-036, 4-01-26-772-035, 4-01-27-785-036, 4-01-27-791-036, 4-01-28-795-168, 4-01-43-490-036, 4-09-55-501-505, Trust Account Line Senior Center Trust T-16-56-861-861, Trust Account Line Fire Inspections T-16-56-870-870 and Recreation Trust T-22-56-859-859 for these

services of which **$28,000.00** is certified from the 2024 Temporary Budget and 2024 Adopted Budget and **$2,000.00** from the designated Trust Funds,; and

WHEREAS, the vendor chosen for award for purchase of Office Supplies, Furniture & Equipment, Printer Ink Cartridge & Toner, Just-In-Time, Desktop Delivery, Open End, Catalogue Bid is W.B. Mason Co., Inc.,59 Centre Street, Brockton, MA, and B2B Supplies USA LLC dba Printing Supplies USA LLC, 10 Schalks Crossing Road, Ste 501A-301, Plainsboro, NJ 08536 for the period of January 1, 2024, through May 31, 2024; and

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

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

The Chief Financial Officer and Borough Administrator are hereby authorized and directed to approve and forward a Purchase Order to W.B. Mason Co., Inc., 59 Centre Street, Brockton, MA.

RESOLUTION 2024-76

RESOLUTION AUTHORIZING NJWCPS CONTRACT FOR VARIOUS MANUFACTURER PUMPS AND MOTORS REPAIR AND REPLACEMENT AND INSTALLATION

WHEREAS, there exists a need for various pumps and motors repair and replacement and installation for the Borough of Metuchen, County of Middlesex, State of New Jersey; and

WHEREAS, a various manufacturer pumps and motor repair and replacement and installation through NJWCPS Contract No. B369-11 Various Manufacturers Pumps and Motors Repair and Replacement and Installation; and

WHEREAS, the term of the contract is from August 1, 2023 through July 31, 2024; and

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

WHEREAS, the Chief Financial Officer's certification of funds is made authorizing the award for various manufacturer pumps and motor repair and replacement and installation in an amount not to exceed $15,000.00 from the 2024 Temporary Budget and 2024 Adopted budget appropriation line item Sewers-Equipment Maintenance & Repair 4-01-26-773-026; and

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

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

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

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

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

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RESOLUTION 2024-77

RESOLUTION AUTHORIZING THE PURCHASE OF TIRES THROUGH STATE CONTRACT

WHEREAS, there exists a need to purchase tires for the Borough of Metuchen, in the County of Middlesex, State of New Jersey; and

WHEREAS, this can be purchased through State Contract M8000 – Tires, Tubes & Services and 19-FLEET-0708 NATCOOP/NJCOOP Bridgestone Americas Inc. V00043503 through Distributor V00014185, F&S Tire Corp and 20-FLEET-00948 NATCOOP/NJCOOP The Goodyear Tire & Rubber Company V00000828 through Distributor V00014185 F & S Tire Corp.; and

WHEREAS, said contracts are in effect from April 1, 2019 through March 31, 2024; and

WHEREAS, the authorization to purchase tires under this resolution expires on March 31, 2024; and

WHEREAS, the maximum amount of the purchase of tires for the Borough of Metuchen is $20,000.00 and funds are anticipated to be available in the 2024 Temporary budget and 2024 Adopted budget as certified by the Chief Financial Officer and that there is sufficient funds for such award and is available and is designated from Account number Garbage & Trash, Tires 4-01-26-774-185 in the amount of $15,000.00 and from Account number Fire Department, Vehicle Maintenance 4-01-25-752-025 in the amount of $5,000.00 for these services; and

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

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

The Chief Financial Officer and Borough Administrator are hereby authorized and directed to approve and forward a Purchase Order to the Bridgestone Americas, Inc., and The Goodyear Tire & Rubber company Distributor, **F&S Tire Corp., 58 Brunswick Avenue, Edison, NJ 08817.**

RESOLUTION 2024-78

RESOLUTION AUTHORIZING THE TAX ASSESSOR AND TAX APPEAL ATTORNEY TO FILE COUNTER CLAIMS AND/OR DIRECT CLAIMS AND PEITITIONS OF APPEAL ON CLASS 4 PROPERTIES

WHEREAS, it is anticipated that certain taxpayers of the Borough of Metuchen will file tax appeals disputing their assessed valuation for the year 2024; and

WHEREAS, The Tax Assessor is of the opinion that certain properties, in some cases, are under assessed and that the assessed value of said properties should be increased and not decreased; and

WHEREAS, the law permits a Municipality to counterclaim against the property owner to seek an increase in the assessed value and also to file direct appeals (Petitions and Complaints) with the County Board of Taxation and/or the Tax Court of New Jersey to seek and increase in the assessed value.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Metuchen that the Tax Assessor, Richard Duda and the Tax Appeal Attorney of the Borough of Metuchen, Robert Renaud, Esq., are authorized and directed to take whatever steps necessary and appropriate to file counterclaims and/or direct claims and petitions with respect to for (industrial, commercial and multi-family residential properties seeking to raise the assessed value of said properties to the value which the Tax Assessor deems to more properly reflect the value of said property for the tax year 2024.

Other New Business

Council President Delia moved to approve Resolution 2024-79, authorizing payment of the bill list in the amount of $12,552,565.50, second by Councilmember Kandel, with all in favor, motion carried, 5-0.

RESOLUTION 2024-79

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 $12,552,565.50.

Appointments

Mayor Busch recommended the following appointments:

Council President Delia made a motion to accept the recommendations of appointment, second by Councilmember Kandel, with all in favor, motion carried, 5-0.

Adjournment

Council President Delia made a motion to adjourn the meeting, second by Councilmember Kandel, with all in favor, 5-0, the meeting was adjourned at 8:30 p.m.

Respectfully Submitted,

Deborah Zupan, RMC
Borough Clerk