



October 16, 2017

- C. Receive and Accept Block Party/Street Closing for Carson Avenue from Hanson Ave. up to Woodbridge Ave. on Oct. 14, 2017 starting at 2:00 P.M.
- D. Receive and Accept Block Party/Street Closing for W. Walnut Street on October 29, 2017 (Rain Date: November 5, 2017 from 12:00 P.M. to 9:00 P.M.)
- E. Receive and Accept Block Party/Street Closing for Edith Avenue on October 21, 2017 (Rain Date: October 22, 2017) starting at 1:00 P.M.
- F. Receive and Accept Block Party/Street Closing for Wilmer Place on October 28, 2017 from 4:00 P.M. to 10:00 P.M.

OTHER COMMUNICATIONS

Report of the Chief Financial Officer of the Borough as to Award of Notes

REPORTS OF COUNCILMEMBERS

REPORTS OF OFFICERS

REPORT OF THE MAYOR

NEW BUSINESS CONSENT AGENDA – R2017-240, R2017-250 through R2017-258

R2017-240	Resolution Authorizing the Execution and Entry into a Developers' Agreement between Hillside Metuchen Apartments LLC and the Borough of Metuchen
R2017-250	Resolution Appointing Firefighter – Kelly Dempsey
R2017-251	Resolution Authorizing and Ratifying an Addendum to the CDBG Agreement with the County of Middlesex
R2017-252	Resolution Rescinding Resolution 2016-282 Authorizing the Entry into s Jurisdictional Agreement between the State of New Jersey and the Borough of Metuchen (Woodmont)
R2017-253	Resolution Authorizing the Execution and Entry into a Jurisdictional Agreement between the State of New Jersey and the Borough of Metuchen (Woodmont)

October 16, 2017

- R2017-254 Resolution Authorizing the Execution and Entry into a Jurisdictional Agreement between the State of New Jersey and the Borough of Metuchen (552-566 Middlesex Avenue)
- R2017-255 Resolution Refunding Sidewalk Escrow Fee #17-016 91 Mason Drive
- R2017-256 Resolution to Transfer 2017 Taxes for Parcel Renumbered or Renamed
- R2017-257 Resolution of Support for Sustainable Open Space, Farmland, Historic Preservation and Stewardship Funding for New Jersey
- R2017-258 Resolution Authorizing Temporary Closing of Station Place to Permit Hailey's Harp & Pub to Operate a Beer Garden during the 2017 Metuchen Country Fair

OTHER NEW BUSINESS – R2017-259

- R2017-259 Resolution Authorizing the Payment of the Bill List in the amount of **\$364,638.54**

ORDINANCE – INTRODUCTION

- Ord. 2017-15 Ordinance Amending Chapter 53 of the Borough of Metuchen, Entitled, "Alcoholic Beverages", Specifically Section 53-4, Entitled, "Hours of Sale"
- Ord. 2017-16 Ordinance Amending the Code of the Borough of Metuchen to Prohibit Short Term Rental Properties
- Ord. 2017-17 Bond Ordinance Appropriating \$1,213,100 and Authorizing \$297,645 Bonds or Notes of the Borough for Various Improvements and Purposes Authorized to be Undertaken by the Borough of Metuchen, in the County of Middlesex, New Jersey

October 16, 2017

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 2017-247**

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

**RESOLUTION AUTHORIZING PROMOTION OF CAPTAIN OF OPERATION**

**BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Metuchen that *Jean-Pierre Therrien*, be and he is hereby promoted to Captain of Operation in the Metuchen Police Department for the Borough of Metuchen, Middlesex County, State of New Jersey in accordance with law and said appointment being effective October 2, 2017.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
LEIBFRIED					MULDOON				
GRAYZEL					PAGEL				
INSERRO					RASMUSSEN				
MOTION					SECOND				
X – INDICATES VOTE		AB- ABSENT			NV- NOT VOTING				

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on October 2, 2017.

---

Susan D. Jackson, RMC  
Borough Clerk

**RESOLUTION 2017-248**

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

**RESOLUTION AUTHORIZING PROMOTION OF LIEUTENANT**

**BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Metuchen that *Arthur Flaherty*, be and he is hereby promoted to Lieutenant in the Metuchen Police Department for the Borough of Metuchen, Middlesex County, State of New Jersey in accordance with law and said appointment being effective October 2, 2017.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
LEIBFRIED					KOSKOSKI				
GRAYZEL					PAGEL				
INSERRO					RASMUSSEN				
MOTION					SECOND				

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on October 2, 2017

---

Susan D. Jackson  
Borough Clerk

**RESOLUTION 2017-249**

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

**RESOLUTION AUTHORIZING PROMOTION OF SERGEANT**

**BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Metuchen that ***Kenneth Bauer***, be and he is hereby promoted to Sergeant in the Metuchen Police Department for the Borough of Metuchen, Middlesex County, State of New Jersey in accordance with law and said appointment being effective October 2, 2017.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB	
LEIBFRIED					MULDOON					
GRAYZEL					PAGEL					
INSERRO					RASMUSSEN					
MOTION					SECOND					
X – INDICATES VOTE				AB- ABSENT			NV- NOT VOTING			

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on October 2, 2017.

---

Susan D. Jackson, RMC  
Borough Clerk

**ORDINANCE 2017-14**

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

**ORDINANCE AMENDING THE CODE OF THE BOROUGH OF METUCHEN  
AMENDING THE COMPOSITION OF THE HUMAN RELATIONS  
COMMISSION**

**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 Human Relations Commission of the Borough of Metuchen;

**NOW THEREFOR BE IT ORDAINED** by the Council of the Borough of Metuchen that it hereby amends Chapter 10, Article 7 of the Code of the Borough of Metuchen to state as follows:

**Article 7. Human Relations Commission**

**§ 10-28. Establishment; composition.**

There is hereby established a Human Relations Commission for the Borough of Metuchen that shall be made up of fifteen (15) members. The membership of the Commission shall be composed as follows:

- A. Seven (7) residents of the Borough of Metuchen whose terms shall be for a period of three (3) years on a staggering basis;
- B. One (1) member of the clergy to be annually designated by the Interfaith Council;
- C. One (1) member representative of the business community to be annually designated by the Metuchen Downtown Alliance;
- D. Two (2) High School Students of the Borough of Metuchen to be selected by the Metuchen High School Principal, one of which shall be a senior and one shall be a junior whose terms shall expire upon their graduation.
- E. One (1) Educator from the Edgar Middle School of the Borough of Metuchen to be designated by the Superintendent of Schools;
- F. One (1) member of the Metuchen Board of Education to be annually designated by the President of the Board of Education;
- G. One (1) member representative of the Metuchen Police Department to be designated by the Police Chief; and
- H. One (1) member of the Council of the Borough of Metuchen who shall act as a liaison to be designated by the Mayor;

**§ 10-29. Appointment; selection of Chairperson; vacancies.**

The Mayor shall nominate and, with the advice and consent of the Borough Council, appoint all resident members of the Commission. The Council liaison shall be annually selected by the Borough Council at the reorganization meeting of the Borough held in January of each year. The members of the Commission shall annually select one of its members as Chairperson. Vacancies occurring on the Commission otherwise than by expiration of their term of office shall be filled for the unexpired portion of the term in the same manner as an original appointment.

**§ 10-30. Powers and duties.**

The Commission shall have the following powers and duties:

- A. To establish, amend, and supplement its own bylaws to the extent not inconsistent with this article nor with any other municipal, state or federal regulation or law. The Commission shall meet at a minimum of bi-monthly (every two months).
- B. To foster, through community effort, good will, cooperation and conciliation among the groups and elements of the inhabitants of this Borough, and to make recommendations to the Mayor and Council for the development of policies and procedures in general and for programs of formal and informal education that will aid in eliminating all types of discrimination based upon race, creed, color, national origin, ancestry, age, gender, sexual preference, marital status, or developmental, mental, or physical disabilities.
- C. To investigate, mediate and attempt to resolve without resort to the judicial system or other form of adjudication any allegations of unlawful discrimination by residents of the Borough.
- D. The local commission shall have further powers and duties as may be provided by the Law Against Discrimination of the State of New Jersey and by amendments thereto.
- E. To make a written annual report in June of each year to the Mayor and Council detailing its activities for the previous year and to make presentations before the Mayor and Council at such time as the Council shall request or the Commission deems desirable.
- F. The Human Relations Commission shall be advisory in nature, it nor its members have the authority to contract, bind or act on behalf of the Borough of Metuchen. Its sole function is to assist the Mayor, Council and Administration of the Borough of Metuchen in matters provided for above in the Borough of Metuchen.

**BE IT FURTHER ORDAINED** that the within ordinance shall become effective upon final passage and publication as provided by law.

Introduction: September 18, 2017  
 Date of Publication: September 21, 2017

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
LEIBFRIED	X				KOSKOSKI	X			
GRAYZEL	X				PAGEL	X			
INSERRO	X				RASMUSSEN	X			
MOTION	GRAYZEL				SECOND	KOSKOSKI			
X – INDICATES VOTE AB- ABSENT NV- NOT VOTING									

I hereby certify the foregoing to be a true copy of an ordinance introduced by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on September 18, 2017

\_\_\_\_\_  
 Susan D. Jackson, RMC  
 Borough Clerk

Adopted:  
 Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
LEIBFRIED					KOSKOSKI				
GRAYZEL					RASMUSSEN				
INSERRO									
MOTION					SECOND				
X – INDICATES VOTE AB- ABSENT NV- NOT VOTING									

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on October 2, 2017

\_\_\_\_\_  
 Susan D. Jackson, RMC  
 Borough Clerk

ATTEST:

BOROUGH OF METUCHEN

\_\_\_\_\_  
 Susan D. Jackson, RMC  
 Borough Clerk

By: \_\_\_\_\_  
 Peter Cammarano  
 Mayor

**RESOLUTION 2017-240**

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

**RESOLUTION AUTHORIZING THE EXECUTION AND ENTRY INTO A  
DEVELOPERS' AGREEMENT BETWEEN HILLSIDE METUCHEN  
APARTMENTS LLC AND THE BOROUGH OF METUCHEN**

**WHEREAS**, Metuchen Investors, LLC and Main Street Metuchen, Ltd (“Developers”) was the owners, of Block 118, Lots 18.04, 19, 20 & 21, as shown on the official Tax Map of the Borough of Metuchen, and more commonly known as 23-27 Hillside Avenue, in the Borough of Metuchen, County of Middlesex and the State of New Jersey (the “Property”); and

**WHEREAS**, Developers applied to the Metuchen Zoning Board of Adjustment for approval of a “D” variance, “C” variances, waivers/exceptions and preliminary and final site plan approval; and

**WHEREAS**, the Metuchen Zoning Board granted the bifurcated application of the Developers for the “D” variance subject to various conditions of approval and such approval was memorialized by way of Resolution of the Zoning Board dated January 10, 2013; and

**WHEREAS**, the Metuchen Zoning Board also granted the application of the Developers for “C” variances, waivers/exceptions and preliminary and final site plan approval subject to various conditions of approval and such approval was memorialized by way of Resolution of the Zoning Board dated April 10, 2014; and

**WHEREAS**, approvals of the Zoning Board were subject to Developers entering into a Developer’s Agreement with the Borough of Metuchen and pursuant to § 110-254 of the Code of the Borough of Metuchen requires that Developer’s Agreements shall be approved by the Council of the Borough of Metuchen; and

**WHEREAS**, Developers sold the aforementioned property to Hillside Metuchen, Apartments LLC on or about March 15, 2016 who seeks to proceed with the development of the Property consistent with the Zoning Board Approvals set forth above; and

**WHEREAS**, the Mayor and Council of the Borough of Metuchen deem it in the best interest of the Borough to enter into a Developers’ Agreement with Hillside Metuchen Apartments, LLC reflecting the approvals and conditions and requirements of the Zoning Board and Borough Legal Counsel has negotiated and drafted a proposed Developer’s Agreement and has submitted it to the Mayor and Council for approval.

**NOW THEREFORE BE IT RESOLVED** that the Borough of Metuchen hereby authorizes the entry into a Developers' Agreement with Hillside Metuchen Apartments, LLC and the Borough of Metuchen; and

**BE IT FURTHER RESOLVED** that the Mayor of the Borough of Metuchen is hereby authorized to execute the Developers' Agreement between Hillside Metuchen Apartments, LLC and the Borough of Metuchen in the form of, or substantially similar to, that submitted by Borough Counsel and that Borough officials and employees are authorized to take all necessary actions in order to effectuate the terms and provisions of this Resolution and the executed Developers' Agreement.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB					
LEIBFRIED					KOSKOSKI									
GRAYZEL					PAGEL									
INSERRO					RASMUSSEN									
MOTION					SECOND									
X – INDICATES VOTE					AB- ABSENT					NV- NOT VOTING				

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on September 18, 2017

---

Susan D. Jackson, RMC  
Borough Clerk

**RESOLUTION 2017-247**

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

**RESOLUTION AUTHORIZING PROMOTION OF CAPTAIN OF OPERATION**

**BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Metuchen that *Jean-Pierre Therrien*, be and he is hereby promoted to Captain of Operation in the Metuchen Police Department for the Borough of Metuchen, Middlesex County, State of New Jersey in accordance with law and said appointment being effective October 2, 2017.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
LEIBFRIED					MULDOON				
GRAYZEL					PAGEL				
INSERRO					RASMUSSEN				
MOTION					SECOND				
X – INDICATES VOTE		AB- ABSENT			NV- NOT VOTING				

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on October 2, 2017.

\_\_\_\_\_  
Susan D. Jackson, RMC  
Borough Clerk

**RESOLUTION 2017-248**

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

**RESOLUTION AUTHORIZING PROMOTION OF LIEUTENANT**

**BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Metuchen that *Arthur Flaherty*, be and he is hereby promoted to Lieutenant in the Metuchen Police Department for the Borough of Metuchen, Middlesex County, State of New Jersey in accordance with law and said appointment being effective October 2, 2017.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
LEIBFRIED					KOSKOSKI				
GRAYZEL					PAGEL				
INSERRO					RASMUSSEN				
MOTION					SECOND				

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on October 2, 2017

---

Susan D. Jackson  
Borough Clerk

**RESOLUTION 2017-249**

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

**RESOLUTION AUTHORIZING PROMOTION OF SERGEANT**

**BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Metuchen that ***Kenneth Bauer***, be and he is hereby promoted to Sergeant in the Metuchen Police Department for the Borough of Metuchen, Middlesex County, State of New Jersey in accordance with law and said appointment being effective October 2, 2017.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB	
LEIBFRIED					MULDOON					
GRAYZEL					PAGEL					
INSERRO					RASMUSSEN					
MOTION					SECOND					
X – INDICATES VOTE				AB- ABSENT			NV- NOT VOTING			

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on October 2, 2017.

---

Susan D. Jackson, RMC  
Borough Clerk

**RESOLUTION 2017-250**

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

**RESOLUTION APPOINTING FIREFIGHTER – KELLY DEMPSEY**

**WHEREAS**, the Mayor and Borough Council have been notified by Robert Donnan, Chief of the Metuchen Fire Department, that Kelly Dempsey has been approved to be a permanent member of the Metuchen Fire Department; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Metuchen that in accordance with Chapter 8 of the Code of the Borough of Metuchen, **Kelly Dempsey** be and she is hereby elected, approved, and confirmed as a permanent member of the Fire Department of the Borough of Metuchen.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
LEIBFRIED					MULDOON				
GRAYZEL					PAGEL				
INSERRO					RASMUSSEN				
MOTION					SECOND				
X – INDICATES VOTE					AB- ABSENT				
					NV- NOT VOTING				

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on October 2, 2017.

---

Susan D. Jackson, RMC  
Borough Clerk

**RESOLUTION 2017-251**

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

**RESOLUTON AUTHORIZING AND RATIFYING THE CDBG AGREEMENT WITH THE  
COUNTY OF MIDDLESEX**

**WHEREAS**, the Borough of Metuchen and the County of Middlesex entered into an agreement in July 1993, for the cooperative means of conducting certain community development activities utilizing Community Development Block Grant (CDBG) and HOME Investment Partnerships funds for the U.S. Department of Housing and Urban Development, which agreement has been renewed for successive terms; and

**WHEREAS**, HUD’s legal department has determined that the current Cooperation Agreements governing the CDBG, HOME and ESG programs in effect need several amendments; and

**WHEREAS**, the renewal of the Cooperative Agreement for federal fiscal years 2018, 2019 and 2020 provides for automatic renewal of the aforesaid agreements but it has been determined that it will be more efficient to execute updated agreements due to the multiple amendment changes required by HUD’s legal department; and

**WEHREAS**, the County and the Borough agree that it is in the best interests of the residents of Metuchen to enter into the new Agreement.

**NOW, THEREFORE BE IT RESOLVED**, on this 2<sup>nd</sup> day of October, 2017, by the Borough Council of the Borough of Metuchen, County of Middlesex, State of New Jersey, that:

1. The Mayor and Borough Clerk shall be and are hereby authorized to execute, and the Borough Council hereby ratifies, the Cooperative Agreement with the County of Middlesex for the cooperative means of conducting certain community development activities utilizing Community Development Block Grant (CDBG) and HOME Investment Partnerships funds for the U.S. Department of Housing and Urban Development.
2. A certified copy of this Resolution, along with three officially executed copies of the Agreement be returned to the County of Middlesex, Public Housing Agency Division of Housing Community Development and Social Services.
3. A fully executed agreement shall remain on file with the Borough Clerk.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
LEIBFRIED					KOSKOSKI				
GRAYZEL					PAGEL				
INSERRO					RASMUSSEN				
MOTION					SECOND				

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on October 2, 2017

\_\_\_\_\_  
Susan D. Jackson  
Borough Clerk

**RESOLUTION 2017-252**

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

**RESOLUTION RESCINDING RESOLUTION 2016-282 AUTHORIZING THE  
ENTRY INTO A JURISDICTIONAL AGREEMENT BETWEEN THE STATE OF  
NEW JERSEY AND THE BOROUGH OF METUCHEN**

**WHEREAS**, the Borough of Metuchen proposes to construct sidewalk and streetscape improvements at selected locations along Route 27 from the intersection of Route 27 and Oak Avenue/Rector Street south along Route 27 to the intersection of Route 27 and Amboy Avenue; and

**WHEREAS**, by way of Resolution 2016-282, the Council of the Borough of Metuchen authorized the entry into a jurisdictional agreement between the State of New Jersey and the Borough of Metuchen to apportion the jurisdiction for highway maintenance and highway control along Route 27 from the intersection of Route 27 and Oak Avenue/Rector Street south along Route 27 to the intersection of Route 27 and Amboy Avenue; and

**WHEREAS**, the New Jersey Department of Transportation has requested the Borough adopt separate Resolutions and enter separate Jurisdictional Agreements for the separate properties located along Route 27 from the intersection of Route 27 and Oak Avenue/Rector Street south along Route 27 to the intersection of Route 27 and Amboy Avenue; and

**WHEREAS** by way of separate Resolutions the Council of the Borough of Metuchen will authorize the Jurisdictional Agreements along Route 27 from the intersection of Route 27 and Oak Avenue/Rector Street south along Route 27 to the intersection of Route 27 and Amboy Avenue for the separate properties; and

**WHEREAS**, to avoid further confusion relating to the Borough's authorization, the Borough Council has determined to rescind Resolution 2016-282 authorizing the entry into a jurisdictional agreement between the State of New Jersey and the Borough of Metuchen to apportion the jurisdiction for highway maintenance and highway control along Route 27 from the intersection of Route 27 and Oak Avenue/Rector Street south along Route 27 to the intersection of Route 27 and Amboy Avenue.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Metuchen, that it hereby rescinds Resolution 2016-282 authorizing the entry into a jurisdictional agreement between the State of New Jersey and the Borough of Metuchen to apportion the jurisdiction for highway maintenance and highway control along Route 27 from the intersection of Route 27 and Oak Avenue/Rector Street south along Route 27 to the intersection of Route 27 and Amboy Avenue; and

**BE IT FURTHER RESOLVED**, by the Borough Council of the Borough of Metuchen that all of the remaining Resolutions, not specifically referenced herein, relating to the Borough's authorization into jurisdictional agreements with the State of New Jersey, shall remain in full force and effect.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
LEIBFRIED					KOSKOSKI				
GRAYZEL					PAGEL				
INSERRO					RASMUSSEN				
MOTION					SECOND				

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on October 2, 2017

---

Susan D. Jackson  
Borough Clerk

**RESOLUTION 2017-253**

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

**RESOLUTION AUTHORIZING THE EXECUTION AND ENTRY INTO A  
JURISDICTIONAL AGREEMENT BETWEEN THE STATE OF NEW JERSEY AND  
THE BOROUGH OF METUCHEN**

**WHEREAS**, the Borough proposes to construct sidewalk and streetscape improvements along Route 27 beginning approximately 130 feet north of the intersection of Route 27 and New Street and south along Route 27 to the intersection of Route 27 and Central Avenue; and

**WHEREAS**, the Borough of Metuchen proposes to remove and replace the sidewalks at select locations, and repair and install sidewalks, street trees, trash receptacles, brick pavers and decorative pedestrian lights, including conduit, hereinafter referred to as “Construction”; and

**WHEREAS**, in order to prevent future legal or maintenance issues in these areas, the State of New Jersey requested the Borough of Metuchen to enter into a Jurisdictional Agreement to apportion jurisdiction for highway maintenance and highway control in an equitable manner pursuant to *N.J.S.A. 27:7-1, et.seq.*;

**NOW THEREFORE BE IT RESOLVED** that the Borough Council of the Borough of Metuchen hereby authorizes the entry into and the execution of a Jurisdictional Agreement between the Borough of Metuchen and the State of New Jersey, acting through its Commissioner of Transportation, for the purpose aforesaid in the form acceptable in contents by the Mayor, Council President and legal counsel; 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 final approval and execution of Jurisdictional Agreement in the form acceptable in contents by the Mayor, Council President and legal counsel.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
LEIBFRIED					KOSKOSKI				
GRAYZEL					PAGEL				
INSERRO					RASMUSSEN				
MOTION					SECOND				

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on October 2, 2017

\_\_\_\_\_  
Susan D. Jackson  
Borough Clerk

**RESOLUTION 2017-254**

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

**RESOLUTION AUTHORIZING THE EXECUTION AND ENTRY INTO A JURISDICTIONAL AGREEMENT BETWEEN THE STATE OF NEW JERSEY AND THE BOROUGH OF METUCHEN**

**WHEREAS**, the Borough proposes to construct sidewalk and/or streetscape improvements along Route 27 along Block 91, Lot 17.01 (552-566 Middlesex Avenue); and

**WHEREAS**, the Borough of Metuchen proposes improvements at select locations, and to install lights, including conduit, hereinafter referred to as “Construction”; and

**WHEREAS**, in order to prevent future legal or maintenance issues in these areas, the State of New Jersey requested the Borough of Metuchen to enter into a Jurisdictional Agreement to apportion jurisdiction for highway maintenance and highway control in an equitable manner pursuant to *N.J.S.A. 27:7-1, et.seq.*;

**NOW THEREFORE BE IT RESOLVED** that the Borough Council of the Borough of Metuchen hereby authorizes the entry into and the execution of a Jurisdictional Agreement between the Borough of Metuchen and the State of New Jersey, acting through its Commissioner of Transportation, for the purpose aforesaid in the form acceptable in contents by the Mayor, Council President and legal counsel; 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 final approval and execution of Jurisdictional Agreement in the form acceptable in contents by the Mayor, Council President and legal counsel.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
LEIBFRIED					KOSKOSKI				
GRAYZEL					PAGEL				
INSERRO					RASMUSSEN				
MOTION					SECOND				

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on October 2, 2017

\_\_\_\_\_  
Susan D. Jackson  
Borough Clerk

**RESOLUTION 2017-255**

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

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #17-016  
91 MASON DRIVE**

**WHEREAS,** Judson Hamlin posted \$292.00 for sidewalk escrow fees at 91 Mason Drive; and

**WHEREAS,** the Planning Office has requested that the escrow fees be refunded to Judson Hamlin,

**NOW, THEREFORE, BE IT RESOLVED,** that Judson Hamlin be refunded \$292.00 from the Sidewalk Inspection Escrow account.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
LEIBFRIED					KOSKOSKI				
GRAYZEL					PAGEL				
INSERRO					RASMUSSEN				
MOTION					SECOND				

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on October 2, 2017

---

Susan D. Jackson  
Borough Clerk

**RESOLUTION 2017-256**

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

**RESOLUTION TO TRANSFER 2017 TAXES FOR PARCEL RENUMBERED OR  
RENAMED**

**WHEREAS**, the below referenced parcel was affected by a numbering change to the Block and Lot number, causing the creation of a new parcel, and

**WHEREAS**, the new parcel is billed in the third quarter 2017 for one-half year tax, and one-half year tax in the fourth quarter, and

**WHEREAS**, payments for quarters one and two on the affected parcel are credited to the original block and lot, and

**WHEREAS**, to properly account for taxes billed and paid, the following transfer of payments is requested from the Tax Collector,

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Metuchen, that the Tax Collector be and is hereby authorized to make transfer adjustments for 2017 tax payments on the following property due to the renaming of Block and Lot numbers, in the amount of \$6,375.85.

Block/Lot/Qual	Address	Owner	Amount to Transfer	Quarter of Transfer
6.1/47	25 Irving Avenue	John Fedun	-3,187.93	1/2017
6.1/47	25 Irving Avenue	John Fedun	-3,187.92	2/2017
6.01/47	25 Irving Avenue	John Fedun	6,375.85	4/2017

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB					
LEIBFRIED					MULDOON									
GRAYZEL					PAGEL									
INSERRO					RASMUSSEN									
MOTION					SECOND									
X – INDICATES VOTE					AB- ABSENT					NV- NOT VOTING				

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on October 2, 2017.

\_\_\_\_\_  
Susan D. Jackson, RMC  
Borough Clerk

**RESOLUTION 2017-257**

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

**RESOLUTION OF SUPPORT FOR SUSTAINABLE OPEN SPACE, FARMLAND,  
HISTORIC PRESERVATION AND STEWARDSHIP FUNDING FOR NEW JERSEY**

**WHEREAS**, New Jersey’s population demands an ample water supply provided by adequate open space to support our quality of life; and

**WHEREAS**, Open Space in the form of parkland, family farms, historic and cultural sites, recreational areas and natural watershed areas is vital to our economy, planned growth, protection of property values, water quality, and safety and urban, suburban and rural quality of life; and

**WHEREAS**, continued, plentiful and sustained funding is vital to a strategic Open Space program to bolster and enhance private, municipal, county, other state and federal Open Space funding programs; and

**WHEREAS**, provisions for stewardship to properly care for parks, preserved lands, and historic sites is an important component of Open Space efforts; and

**WHEREAS**, New Jersey’s Payment in Lieu of Taxes program (PILOT) should be restored to full funding because it encourages municipalities to host state and non-profit preserved open space.

**NOW THEREFORE, BE IT RESOLVED**, that the Borough of Metuchen supports sustainable, continuing funding for Open Space in New Jersey.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
LEIBFRIED					MULDOON				
GRAYZEL					PAGEL				
INSERRO					RASMUSSEN				
MOTION					SECOND				
X – INDICATES VOTE					AB- ABSENT		NV- NOT VOTING		

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on October 2, 2017.

\_\_\_\_\_  
Susan D. Jackson, RMC  
Borough Clerk

**RESOLUTION 2017-258**

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

**RESOLUTION AUTHORIZING TEMPORARY CLOSING OF STATION PLACE TO PERMIT HAILEY’S HARP & PUB TO OPERATE A BEER GARDEN DURING THE 2017 METUCHEN COUNTRY FAIR**

**WHEREAS**, the 2017 Metuchen Country Fair will be held in Metuchen on October 7, 2017 an event which the Borough finds necessitates careful traffic control and safety measures on sections of Main Street, New Street and Station Place; and

**NOW THEREFORE, BE IT RESOLVED**, by the Borough Council of Metuchen, County of Middlesex, State of New Jersey that:

1. Station Place shall be closed from Pennsylvania Avenue to Hillside Avenue to vehicular traffic for the 2017 Metuchen Country Fair, during the hours of 2:00 P.M. on October 7, 2017 to 9:00 P.M. on October 7, 2017.
2. This Resolution shall take effect immediately upon its passage.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
LEIBFRIED					MULDOON				
GRAYZEL					PAGEL				
INSERRO					RASMUSSEN				
MOTION					SECOND				
X – INDICATES VOTE					AB- ABSENT		NV- NOT VOTING		

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on October 2, 2017.

---

Susan D. Jackson, RMC  
Borough Clerk

**RESOLUTION 2017-259**

*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 \$ **364,638.54**

I, Rebecca Cuthbert, Chief Financial Officer of the Borough of Metuchen do hereby certify that funds are available for the payment of bills for the Borough of Metuchen.

---

Rebecca Cuthbert, CFO

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
LEIBFRIED					KOSKOSKI				
GRAYZEL					PAGEL				
INSERRO					RASMUSSEN				
MOTION					SECOND				
X – INDICATES VOTE		AB- ABSENT			NV- NOT VOTING				

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on October 2, 2017.

---

Susan D. Jackson, RMC  
Borough Clerk

**ORDINANCE 2017-15**

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

**ORDINANCE AMENDING CHAPTER 53 OF THE BOROUGH OF METUCHEN, ENTITLED, "ALCOHOLIC BEVERAGES", SPECIFICALLY SECTION 53-4, ENTITLED, "HOURS OF SALE"**

**WHEREAS**, § 53-4 of the Code of the Borough of Metuchen provides for the hour of sale for plenary retail consumption and plenary retail distribution licensees within the Borough; and

**WHEREAS**, the Council of the Borough of Metuchen deem it in the best interest of the Borough and economic development therein to revise the current restrictions on the hours of sale for plenary retail licenses.

**NOW THEREFORE BE IT ORDAINED** by the Mayor and Council of the Borough of Metuchen that it hereby amends Chapter 53 of the Code of the Borough of Metuchen, entitled, "Alcoholic Beverages", specifically § 53-4, entitled, "Hours of Sale" to state as follows:

**§ 53-4 Hours of Sale.**

- A. Licensees under this chapter shall not sell, serve, deliver or allow, permit or suffer the sale, service or delivery of any alcoholic beverages, or suffer consumption of any alcoholic beverages upon the licensed premises, on New Year's Day when it is a weekday or a Saturday, between the hours of 3:00 a.m. and 7:00 a.m.; on New Year's Day when it is a Sunday, between the hours of 3:00 a.m. and 12:00 noon; on the following Monday when St. Patrick's Day falls on a Sunday, between the hours of 2:00 a.m. and 12:00 p.m.; on other weekdays, Monday through Friday, between the hours of 1:00 a.m. and 7:00 a.m.; on other Saturdays between the hours of 2:00 a.m. and 7:00 a.m.; and on other Sundays between the hours of 2:00 a.m. and ~~12:00 noon~~ 10:00 a.m.

[Amended 2-5-1996 by Ord. No. 96-2; 9-15-1997 by Ord. No. 97-20]

- B. During the hours that sales are hereinabove prohibited the entire licensed premises shall also be closed, but this closing of premises requirement shall not apply to restaurants as defined in the N.J.S.A. 33:1-1t; to clubs licensed under the N.J.S.A. 33:1-12, Subsection 5, to hotels or to other establishments where the principal business is other than the sale of alcoholic beverages.

**BE IT FURTHER ORDAINED** that if any part of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance; and

**BE IT FURTHER ORDAINED** that all ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed or amended to the extent of such inconsistency; and

**BE IT FURTHER ORDAINED** by the Council of the Borough of Metuchen that this ordinance shall take effect after passage and publication as required by law.

Introduction:

Date of Publication:

Ord. 2017-15  
October 2, 2017

Introduction:  
Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
LEIBFRIED					KOSKOSKI				
GRAYZEL					PAGEL				
INSERRO					RASMUSSEN				
MOTION					SECOND				
X – INDICATES VOTE				AB- ABSENT		NV- NOT VOTING			

I hereby certify the foregoing to be a true copy of an ordinance introduced by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on September 18, 2017

\_\_\_\_\_  
Susan D. Jackson, RMC  
Borough Clerk

Adopted:  
Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
LEIBFRIED					KOSKOSKI				
GRAYZEL					RASMUSSEN				
INSERRO									
MOTION					SECOND				
X – INDICATES VOTE				AB- ABSENT		NV- NOT VOTING			

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on October 2, 2017

\_\_\_\_\_  
Susan D. Jackson, RMC  
Borough Clerk

ATTEST:

BOROUGH OF METUCHEN

\_\_\_\_\_  
Susan D. Jackson, RMC  
Borough Clerk

By: \_\_\_\_\_  
Peter Cammarano  
Mayor

**ORDINANCE 2017-16**

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

**ORDINANCE AMENDING THE CODE OF THE BOROUGH OF METUCHEN  
TO PROHIBIT SHORT TERM RENTAL PROPERTIES**

**WHEREAS**, the purpose of this Ordinance is to establish a procedure and authorize rules and regulations thereunder for Short Term Rental Property Prohibition in the Borough of Metuchen; and

**WHEREAS**, the New Jersey Legislature has, pursuant to *N.J.S.A. 40:52-1(d)* and (n), specifically authorized municipal corporations, including the Borough of Metuchen to regulate “furnished and unfurnished rented housing or living units and all other places and buildings used for sleeping and lodging purposes, and the occupancy thereof and the “rental of real property for a term of less than one hundred seventy-five (175) consecutive days for residential purposes by a person having a permanent place of residence elsewhere”; and

**WHEREAS**, in recent years, there has arisen a proliferation of internet and other media advertising often on websites dedicated to the rental of Dwelling Units for short terms and for a period of less than one hundred fifty (150) days (“Short Term Rental”); and

**WHEREAS**, the Borough’s experience, as well as common experiences, dictates the conclusion that Short Term Rentals frequently result in public nuisance, noise complaints, sanitation issues, overcrowding and illegal parking within the residential neighborhoods of the Borough, and essentially converted residential dwelling units into illegal de-facto hotels, motels, boarding houses and other commercial enterprises, in violation of the Borough’s zoning and other codes as well as state statutes; and

**WHEREAS**, the Borough wishes to deter the cyber-social phenomenon of any Owner renting his/her residential Dwelling Unit(s) on various websites, as well as the listing of Short Term Rental(s) by website businesses, of any Dwelling Units(s) that constitute an illegal business operating in violation of the Borough’s Zoning Code and other public nuisance ordinances; and

**WHEREAS**, the Borough additionally wishes to prevent overcrowding, which occurs as a result of Person(s) effort to reduce the per-occupant cost of the Short Term Rental(s) which would unlawfully permit the Borough’s occupancy limits to be exceeded; and

**WHEREAS**, some property owners and/or their agents permit commercial boarding-house type Short term Rental(s) and overcrowded conditions and other public nuisances, in order to unlawfully create a commercial enterprise and income, in violation of the Borough Zoning Code and to maximize their profit(s); and

**WHEREAS**, common problems also frequently associated with such Short Term Rental(s) include overcrowding, excessive noise, unruly behavior, obscene language,

fighting, littering, parking of vehicles on lawns, public urination, sanitation issues, poor maintenance of the property and grounds, and violation of trash collection ordinances.

**NOW, THEREFORE BE IT ORDAINED**, by the Council of the Borough of Metuchen, County of Middlesex and State of New Jersey that the Code of the Borough of Metuchen is hereby amended to include Ordinance 2017-\_\_\_\_ entitled "Short term Rental Property Prohibition" in the Code of the Borough of Metuchen, to state the following:

## **SHORT TERM RENTAL PROPERTY PROHIBITION**

### **Section I. Findings**

The Mayor and Council of the Borough of Metuchen hereby find and adopt, as if set forth more fully herein, the fact assertions of the "Whereas" clauses of this Ordinance, as their findings of fact.

### **Section II. Short Term Rental Property Prohibited Uses**

Notwithstanding anything to the contrary contained in the Borough Code, it shall be unlawful for an Owner, lessor, sub-lessor, any other person(s) or entity(yes) with possessory or use right(s) in a Dwelling Unit, their principals, partner or shareholders, or their agents, employees, representative and other person(s) or entity(ies), acting in concert or a combination thereof, to receive or obtain actual or anticipated consideration for soliciting, advertising, offering, and/or permitting, allowing, or failing to discontinue the use or occupancy of any Dwelling Unit, as defined herein, for a period of one hundred fifty (150) days or less.

Nothing in this Ordinance will prevent formation of an otherwise lawful occupancy of a Dwelling Unit for a rental period of more than one hundred fifty (150) days.

### **Section III. Definitions**

Unless otherwise specified herein, the following definitions shall be used for terms within this chapter:

#### **ADVERTISE OR ADVERTISING**

Any form of solicitation, promotion and communication for marketing, used to solicit, encourage, persuade or manipulate viewers, readers or listeners into contracting for goods and/or services in violation of this Ordinance, as same may be viewed through various media including but not limited to, newspapers, magazines, flyers, handbills, pamphlets, commercials, radio, direct mail, internet websites, or text or other electronic messages for the purpose of establishing occupancies or uses of rental property, for consideration, which are prohibited by this Ordinance

#### **CONSIDERATION**

Soliciting, charging, demanding, receiving or accepting any legally recognized form of consideration including a promise or benefit, a quid-pro-quo, rent, fees, other form of payment, or thing of value

### **DWELLING UNIT**

Any structure, or portion thereof, whether furnished or unfurnished, which is occupied in whole or in part, or intended, arranged or designed to be occupied, for sleeping, dwelling, cooking, gathering and/or entertaining, as a residential occupancy, by one or more persons. This definition includes an apartment, condominium, building, co-operative, converted space or portions thereof, that is offered to use, made available for use, or is used for accommodations, lodging, cooking, sleeping, gathering and/or entertaining of occupants and/or guest(s), for consideration, for a period of one hundred fifty (150) days or less.

### **HOUSEKEEPING UNIT**

Constitutes a family-type situation, involving one or more persons, living together that exhibit the kind of stability, permanency and functional lifestyle equivalent to that of a traditional family unit, as further described in the applicable reported and unreported decisions of the New Jersey Superior Court

### **OCCUPANT**

Any individual using, inhabiting, living, gathering, entertaining, being entertained as a guest, or sleeping in a Dwelling Unit, or portion thereof, or having other permission or possessor right(s) within a Dwelling Unit.

### **OWNER**

Any person(s) or entity(ies), association, limited liability company, corporation or partnership or any combination, who legally use, possess, own, lease, sub-lease or license (including an operator, principal, shareholder, director, agent or employee, individual or collectively) that has charge, care, control or participates in the expenses and/or profit of a Dwelling Unit pursuant to a written or unwritten agreement, rental, lease, license, use, occupancy agreement or any other agreement.

### **PERSON**

An individual, firm, corporation, association, partnership, limited liability company, association, entity and any person(s) and/or entity(ies) acting in concert or any combination therewith.

### **RESIDENTIAL OCCUPANCY**

The use of a Dwelling Unit by an Occupant(s).

## **Section IV. Permitted Uses.**

The residential occupancy of an otherwise lawful and lawfully occupied Dwelling Unit for a period of one hundred fifty (150) days or less by any person who is a member of the Housekeeping Unit of the Owner, without consideration, such as house guests, is permitted.

## **Section V. Advertising Prohibited**

It shall be unlawful to advertise, solicit or promote by any means actions in violation of this Ordinance.

**Section VI. Enforcement, Violations and Penalties**

The provisions of this Ordinance shall be enforced by the Zoning Officer, Building Code Official, Fire Official, Health Department, Police Department, Borough Administrator or other Department Head or Sub-Code or Code Official, as their jurisdiction may arise or other persons designated by the Borough Council, to issue municipal civil infractions directing alleged violators of this Ordinance and/or to appear in court or file civil complaints.

B. A violation of this Ordinance is hereby declared to be a public nuisance per se, and is hereby further found and declared to be offensive to the public health, safety and welfare.

C. Any person found to have violated any provision of this Ordinance without regard to intent or knowledge, shall be liable for the maximum civil penalty, upon adjudicated violation or admission of a fine not exceeding \$1,250.00. Each day of such violations shall be a new and separate violation of this ordinance.

D. The penalty imposed herein shall be in addition to any and all other remedies that may accrue under any other law, including, but not limited to, eviction proceedings and/or injunction, reasonable attorney’s fees or other fees and costs, in the Borough’s Municipal Court or the Superior Court of New Jersey in the vicinage of Middlesex County or in such other Court or tribunal of Competent jurisdiction, by either summary disposition or by zoning or construction code municipal proceeding.

**Section VII. Severability**

All provisions of this Ordinance are severable. If for any reason, any provision of this Ordinance is held to be invalid, the validity of the remainder of the Ordinance shall not be affected.

**Section VIII. Effective Date**

This Ordinance shall become effective upon adoption, final approval and publication, pursuant to law.

Introduction:

Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
LEIBFRIED					KOSKOSKI				
GRAYZEL					PAGEL				
INSERRO					RASMUSSEN				
MOTION					SECOND				
X – INDICATES VOTE					AB- ABSENT		NV- NOT VOTING		

Ord. 2017-16  
October 2017

I hereby certify the foregoing to be a true copy of an ordinance introduced by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on October 2, 2017

\_\_\_\_\_  
Susan D. Jackson, RMC  
Borough Clerk

Adopted:  
Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
LEIBFRIED					KOSKOSKI				
GRAYZEL					RASMUSSEN				
INSERRO									
MOTION					SECOND				
X – INDICATES VOTE					AB- ABSENT		NV- NOT VOTING		

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on October 16, 2017

\_\_\_\_\_  
Susan D. Jackson, RMC  
Borough Clerk

ATTEST:

BOROUGH OF METUCHEN

\_\_\_\_\_  
Susan D. Jackson, RMC  
Borough Clerk

By: \_\_\_\_\_  
Peter Cammarano  
Mayor

**BOND ORDINANCE #2017-17**

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

**BOND ORDINANCE APPROPRIATING \$1,213,100 AND AUTHORIZING \$297,645 BONDS OR NOTES OF THE BOROUGH FOR VARIOUS IMPROVEMENTS AND PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF METUCHEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY**

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

**Section 1.** The improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by the Borough of Metuchen, New Jersey (the "Borough"). For the said improvements or purposes stated in said Section 3, there is hereby appropriated the sum of \$1,213,100, said sum being inclusive of all appropriations heretofore made therefor and including (i) the sum of \$15,455 as the down payment for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes and (ii) grants from the New Jersey Department of Transportation totaling the amount of \$900,000 (collectively, the "Grant").

**Section 2.** For the financing of said improvements or purposes and to meet the part of said \$1,213,100 appropriation not provided for by application hereunder of said down payment and the Grant, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$297,645 pursuant to the Local Bond Law of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes (the "Local Bond Law"). In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$297,645 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are: (i) the acquisition of a skid steer, milling attachment and asphalt hot patch trailer; (ii) overlay, drainage improvement and reconstruction of Mason Drive, Norris Avenue and Leonard Street and curb/sidewalk repair; and (iii) Main Street streetscape improvements, including all materials necessary for or incidental to each of the foregoing purposes and improvements.

(b) The estimated maximum amount of bonds or notes to be issued for said purposes is \$297,645.

(c) The estimated cost of said purposes is \$1,213,100 which represents the initial appropriation made by the Borough and includes the Grant. The excess of the appropriation of \$1,213,100 over the estimated maximum amount of bonds or notes to be issued therefor and the Grant is the amount of the down payment for said purposes.

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

- (a) The said purposes described in Section 3 of this bond ordinance are not current expenses and are a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.
- (b) The average period of usefulness of said purposes, within the limitations of the Local Bond Law and taking into consideration the respective amounts of said obligations authorized for the purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10.45 years.
- (c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete duplicate thereof has been electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$297,645, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.
- (d) Amounts not exceeding \$204,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law are included as part of the estimated costs of said improvements.

**Section 5.** Any funds from time to time received by the Borough as grants in aid of financing the improvements or purposes described in Section 3 of this bond ordinance, including the Grant, shall be used for financing said improvements or purposes by application thereof either to direct payment of the costs of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Borough authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the costs of said improvements or purposes shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

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

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

**Section 8.** The Borough intends to issue bonds or notes to finance the cost of the improvements described in Section 3 of this bond ordinance. The Borough expects that the maximum principal amount of bonds or notes that will be issued to finance the cost of the improvements described in Section 3 of this bond ordinance is \$297,645. If the Borough incurs any such costs prior to the issuance of its bonds or notes, the Borough intends to reimburse itself for such expenditures with the proceeds of such bonds or notes.

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

Introduction:

Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
LEIBFRIED					KOSKOSKI				
GRAYZEL					PAGEL				
INSERRO					RASMUSSEN				
MOTION					SECOND				
X – INDICATES VOTE					AB- ABSENT		NV- NOT VOTING		

I hereby certify the foregoing to be a true copy of an ordinance introduced by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on October 2, 2017

\_\_\_\_\_  
 Susan D. Jackson, RMC  
 Borough Clerk

Adopted:  
 Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
LEIBFRIED					KOSKOSKI				
GRAYZEL					PAGEL				
INSERRO					RASMUSSEN				
MOTION					SECOND				
X – INDICATES VOTE		AB- ABSENT			NV- NOT VOTING				

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on October 16, 2017

\_\_\_\_\_  
 Susan D. Jackson, RMC  
 Borough Clerk

ATTEST:

BOROUGH OF METUCHEN

\_\_\_\_\_  
 Susan D. Jackson, RMC  
 Borough Clerk

By: \_\_\_\_\_  
 Peter Cammarano  
 Mayor