

AGENDA
BOROUGH COUNCIL AGENDA
REGULAR MEETING DECEMBER 4, 2017
7:30 P.M.

Announcement of Meeting, Invocation, Pledge of Allegiance, and Roll Call.

AGENDA SESSION

PROCLAMATION

REGULAR MEETING

- A. Kate Massey - Family Arts Council Annual Program Announcements for Winter Season
- B. Peter Fairclough - EMS Report
- C. Isaac Kramer – Metuchen Downtown Alliance
- D. Approve Council Meeting Minutes of November 6, 2017

PUBLIC COMMENT

ORDINANCE – PUBLIC HEARING

Ord. 2017-18	An Ordinance to Amend the Code of the Borough of Metuchen, Chapter 185, Entitled Vehicles and Traffic, Section 185-12 – Parking Time Limited on Certain Streets
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COMMUNICATIONS CONSENT AGENDA – ITEM A - I

- A. Receive and Accept Metuchen Planning Board Meeting Minutes of May 4, 2017 and August 17, 2017
- B. Receive and Accept Metuchen Environmental Meeting Minutes of July 19, 2017
- C. Receive and Accept Metuchen Municipal Alliance Meeting Minutes of January 12, 2017, April 6, 2017 and October 12, 2017
- D. Receive and Accept Metuchen Traffic & Transportation Meeting Minutes of September 13, 2017

December 4, 2017

- E. Receive and Accept Metuchen Zoning Board of Adjustment Meeting Minutes of October 12, 2017
- F. Receive and Accept Metuchen Parking Authority Meeting Minutes of October 17, 2017
- G. Receive and Accept Metuchen Arts Council Meeting Minutes of September 25, 2017 and October 30, 2017
- H. Receive and Accept Breaking the Chain through Education Walk – Sunday, June 3, 2018 at 1:00 PM
- I. Receive and Accept Fuce 5K Run/Walk – Sunday, June 17, 2018

OTHER COMMUNICATIONS

REPORTS OF COUNCILMEMBERS

REPORTS OF OFFICERS

REPORT OF THE MAYOR

NEW BUSINESS CONSENT AGENDA – R2017-280 through R2017-296

R2017-280	Resolution Expressing Opposition to Legislative Proposals Regarding the Open Public Meetings Act and Open Public Records Act
R2017-281	Resolution Authorizing the Cancellation of Tax Sale Lien
R2017-282	Resolution to Cancel 2017 Budget Balances
R2017-283	Resolution Requesting Approval of Items of Revenue and Appropriation NJS 40A:4-87 - NJ LWD Adult Literacy & Community Library Partnership Grant
R2017-284	Resolution Authorizing the Interlocal Agreement with Middlesex County for Public Health Services
R2017-285	Resolution Refunding Sidewalk Escrow Fee #17-021 22 Concord Avenue
R2017-286	Resolution Authorizing Refund of 2017 Taxes

December 4, 2017

- R2017-287 Resolution Appointing Parking Enforcement Officer – Cheyenne Grant
- R2017-288 Resolution Authorizing Refund of Inspection Fee – 41 Talmadge Avenue
- R2017-289 Resolution Authorizing Refunding Sidewalk Escrow Fee #17-013 - 41 Talmadge Avenue
- R2017-290 Resolution Authorizing Change Order #1 and Final Contract for Oakland Park Improvements Change Order #1 and Final – Whirl Corporation Inc
- R2017-291 Resolution to Grant Exemption for Disabled Veteran and to Refund 2017 Taxes
- R2017-292 Resolution Authorizing 2017 Budget Transfers
- R2017-293 Resolution Appointing Firefighter – Anthony Agliata
- R2017-294 Resolution Authorizing an Agreement for Consultant Services for Additional Planning Services for the Borough of Metuchen – Update the Historic Preservation Element in Metuchen’s Master Plan
- R2017-295 Resolution Authorizing the Award of a Professional Services Contract to Maser Consulting, P.A. to Perform Engineering Services for the Kentnor Park Renovations Project
- R2017-296 Resolution Authorizing and Confirming the Appointment of the Borough Administrator

OTHER NEW BUSINESS – R2017-297

- R2017-297 Resolution Authorizing the Payment of the Bill List in the amount of **\$3,998,929.93**

ORDINANCE – INTRODUCTION

- Ordinance 2017-19 An Ordinance Amending the Code of the Borough of Metuchen, Chapter 185, Vehicles and Traffic, Section 23, Multiway Stop Intersections

December 4, 2017

Ordinance 2017-20

Ordinance Amending Chapter 37 of the Code of the Borough of Metuchen Entitled "Police Department" to Designate the Administrator of the Borough of Metuchen as the "Appropriate Authority" Pursuant to N.J.S.A. 40A:14-118

APPOINTMENTS

Richard Green, III - Metuchen Human Relations Commission – term: 12/31/2017 (nomination by the Mayor, with Council confirmation)

Glenn Gawronski – Metuchen Parking Authority – Unexpired Term: 12/31/2018 (appointment by the Council)

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.

ORDINANCE 2017-18

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

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF METUCHEN, CHAPTER 185, ENTITLED VEHICLES AND TRAFFIC, SECTION 185-12 – PARKING TIME LIMITED ON CERTAIN STREETS

BE IT ORDAINED by the Mayor and Council of the Borough of Metuchen that the Police Department Code of the Borough of Metuchen be amended as follows:

SECTION 1. Chapter 185 of the Code of the Borough of Metuchen is hereby amended to add the following to Section 185-12. Parking Time Limited on Certain Streets:

<u>Street</u>	<u>Side</u>	<u>Location</u>
Prospect Street	Both	Entire Length
High Street	North	From Prospect Street to a point 284 feet West therefrom
High Street	South	From Prospect Street to a point 450 feet West therefrom

SECTION 2. This ordinance shall take effect upon publication after final passage in accordance with law.

Introduction: November 6, 2017
Date of Publication: November 9, 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	RASMUSSEN			
X – INDICATES VOTE		AB- ABSENT			NV- NOT VOTING				

I hereby certify the foregoing to be a true copy of an ordinance introduced by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on November 6, 2017

Susan D. Jackson, RMC
Borough Clerk

Adopted:

Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
LEIBFRIED					KOSKOKSI				
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 December 4, 2017

Susan D. Jackson, RMC
Borough Clerk

ATTEST:

BOROUGH OF METUCHEN

Susan D. Jackson, RMC
Borough Clerk

By: _____
Peter Cammarano
Mayor

RESOLUTION 2017-280

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

**RESOLUTION EXPRESSING OPPOSITION TO LEGISLATIVE PROPOSALS
REGARDING THE OPEN PUBLIC MEETINGS ACT AND OPEN PUBLIC RECORDS
ACT**

WHEREAS, the New Jersey Senate Budget and Appropriations Committee took action on Senate Bill Nos. 1045 and 1046, which amend the Open Public Meetings Act and Open Public Records Act, respectively, on June 29, 2017; and

WHEREAS, the Committee released the bills to the full Senate without recommendation because the bills are unnecessary, unpopular with the public, and would result in significant financial and administrative burdens on municipalities; and

WHEREAS, the bills fail to adequately protect taxpayers, municipalities and, especially, municipal clerks from abusive, harassing, and purposefully confrontational individuals who submit voluminous requests for no legitimate reason; and

WHEREAS, the legislation would expand the Open Public Meeting Act to create impractical and burdensome requirements with respect to subcommittees and working groups established by the entire governing body, which would effectively limit the ability of small groups of local officials discussing issues of public concern for the purposes of informing the governing body; and

WHEREAS, under the bills, the responsibilities of municipal clerks, who the Legislature has already loaded with responsibilities beyond the scope of their office, would be stretched even further than current law requires without a single dollar of additional resources provided to, or authorized to be collected by, municipalities; and

WHEREAS, the bills would impose a financial burden on municipalities that would not be offset by a revenue source other than the property tax, making the bills unfunded mandates prohibited by the New Jersey Constitution; and

WHEREAS, some municipalities are more equipped than others to meet the burdens that would be imposed by Senate Bill Nos. 1045 and 1046, however, without assistance of any kind from the States or the courts, every municipality would be on its own to meet the myriad new requirements of the law.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Metuchen, that the Legislature is strongly urged to reject Senate Bill Nos. 1045 and 1046 and draft new legislation to modernize OPRA and OPMA while providing municipalities and clerks with the resources to effectuate these changes for the benefit of the public.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed with the legislative sponsors of Senate Bill Nos. 1045 and 1046 and Assembly Bill Nos. 2697 and 2699, the Speaker of the General Assembly, the President of the Senate, and the Governor, and all parties are urged to listen to the concerns of local officials and prevent Senate Bill Nos. 1045 and 1046 from becoming law.

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 December 4, 2017.

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2017-281

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

RESOLUTION AUTHORIZING THE CANCELLATION OF TAX SALE LIEN

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

Cert #	Block/Lot	Address	Lienholder
16-00008	206/17	Pierson Street	Daniel A. Lebar

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

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

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Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2017-282

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

RESOLUTION TO CANCEL 2017 BUDGET BALANCES

WHEREAS, the following Current Fund budget appropriation balances remain unexpended;

Interest on Bonds	1.50
Interest on Notes	59.82

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to Surplus; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Metuchen that the above listed unexpended balances totaling \$61.32 be cancelled to the Current Fund.

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				

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Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2017-283

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

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATION NJS 40A:4-87 - NJ LWD ADULT LITERACY & COMMUNITY
LIBRARY PARTNERSHIP GRANT**

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Metuchen in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget in the year 2017 in the sum of \$31,825.00, which is now available from the State of New Jersey Department of Labor and Workforce Development for an Adult Literacy & Community Library Partnership Grant in the amount of \$31,825.00,

BE IT FURTHER RESOLVED, that the like sum of \$31,825.00 is hereby appropriated under the caption NJ LWD Adult Literacy & Community Library Partnership Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from State of New Jersey Department of Labor and Workforce Development, in the amount of \$31,825.00.

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				

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Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2017-284

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

**RESOLUTION AUTHORIZING THE INTERLOCAL AGREEMENT WITH
MIDDLESEX COUNTY FOR PUBLIC HEALTH SERVICES**

WHEREAS, the County has created the Middlesex County Department of Public Health pursuant to N.J.S.A. 26:3A2-1 et seq., to provide an array of public health services; and

WHEREAS, the Borough of Metuchen is desirous of contracting with the County for by the County to the Municipality health services of a technical and professional nature as more furnishing health services of a technical and professional nature as more fully set forth below:

1. The County shall provide properly licensed personnel within the territorial jurisdiction of the Borough of Metuchen, to carry out the following public health activities"
 - a. ADMINISTRATION
 - b. HEALTH EDUCATION
 - c. COUNTY ENVIRONMENTAL HEALTH ACT(CEHA)
ENVIRONMENTAL PROGRAMS
 - d. PUBLIC HEALTH NURSING
 - e. PUBLIC HEALTH INSPECTION
 - f. EPIDEMIOLOGY AND BIOTERRORISM

2. All of the above mentioned activities shall be provided in accordance with the Public Health Practice Standards of Performance for Local Boards of Health in New Jersey (revised) as set forth in N.J.A.C. Title 8 Chapter 52.

3. In addition to the above public health services, the County will continue to provide specialized grant services.

4. The term of this contract shall be for two (2) years commencing on January 1, 2018 and terminating December 31, 2019, unless terminated earlier as provided for hereinafter.

5. The base cost for the provision of the aforesaid health services shall be as follows:

2018 - \$53,024.23
2019 - \$54,084.72

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen that the Mayor and Borough Clerk are hereby authorized and directed to execute an agreement with the County of Middlesex for the provision of public health services as outlined in the said 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		

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Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2017-285

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

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #17-021
22 CONCORD AVENUE**

WHEREAS, Craig Koster has posted \$220.00 for apron and sidewalk escrow fees at 22 Concord Avenue; and

WHEREAS, the Planning Office has requested that the escrow fees be refunded to Craig Koster,

NOW, THEREFORE, BE IT RESOLVED, that Craig Koster be refunded \$220.00 from the Sidewalk Inspection Escrow account.

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

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Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2017-286

RESOLUTION AUTHORIZING REFUND OF 2017 TAXES

WHEREAS, the following has made an overpayment of taxes,

Name	Block/Lot	Address	Amount		Year
Kevin Szelag	82.01/5 C007	7 Central Square Park	2,172.38	Overpayment	3 rd qtr 2017

NOW, THEREFORE, BE IT RESOLVED, that the above listed property owner or agent be refunded property taxes as described in the amount of \$2,172.38.

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				

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Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2017-287

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

**RESOLUTION APPOINTING PARKING ENFORCEMENT OFFICER –
CHEYENNE GRANT**

WHEREAS, by way of Ordinance No. 2017-07, the Borough of Metuchen created the position of Parking Enforcement Officer to enforce the parking regulations of the Borough and to assist the Parking Authority in their enforcement operations on Parking Authority lots and property; and

WHEREAS, the Borough of Metuchen and the Parking Authority of the Borough deems it in the best interest of the Borough and the Authority for the employment of a Parking Enforcement Officer of the Borough of Metuchen; and

WHEREAS, the Borough has reviewed the credentials of Cheyenne Grant; and

WHEREAS, the Mayor and Council of the Borough of Metuchen deem it in the best interest of the health, safety and welfare of the residents of Metuchen Borough of Metuchen to appoint Cheyenne Grant as a Parking Enforcement Officer of the Borough of Metuchen.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Metuchen that Cheyenne Grant is hereby appointed as a Parking Enforcement Officer of the Borough of Metuchen pursuant to the terms and conditions of Ordinance No. 2017-07, including but not limited to the position being a “Part-Time” position and that it shall not exceed twenty-nine (29) hours per week, the term shall expire December 31, 2017, at a rate of pay of \$12.00 per hour effective November 16, 2017 and is not eligible for membership in the Police and Firemen’s Retirement System established pursuant to *N.J.S.A. 43:16A-1 et seq.*

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

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		

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Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 20177-288

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

RESOLUTION AUTHORIZING REFUND OF INSPECTION FEE – 41 TALMADGE AVENUE

WHEREAS, Brian Patrick Callahan, 435 4th Avenue, Garwood, NJ 07027, made payment on June 7, 2017 in the amount of \$150.00 for an inspection fee for curb, apron and sidewalk replacement at 41 Talmadge Avenue, Metuchen, NJ 08840, Block 59, Lot 60.1; and

WHEREAS, Brian Patrick Callahan has moved and will not be performing the work and has requested the inspection fee be refunded;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Metuchen, that the Chief Financial Officer is hereby authorized and directed to release the inspection fee in the amount of \$150.00 to Brian Patrick Callahan, 435 4th Avenue, Garwood, NJ 07027.

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				

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Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2017-289

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

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #17-013
41 TALMADGE AVENUE**

WHEREAS, Brian Patrick Callahan, 435 4th Avenue, Garwood, NJ 07027, made payment on June 7, 2017 in the amount of \$362.50 for curb, apron and sidewalk replacement at 41 Talmadge Avenue, Metuchen, NJ 08840, Block 59, Lot 60.1; and

WHEREAS, Brian Patrick Callahan has moved and will not be performing the work and has requested the escrow fees be refunded;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Metuchen, that the Chief Financial Officer is hereby authorized and directed to release escrow account number 17-013 in the amount of \$362.50 to Brian Patrick Callahan, 435 4th Avenue, Garwood, NJ 07027.

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				

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Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2017-290

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

RESOLUTION AUTHORIZING CHANGE ORDER #1 AND FINAL CONTRACT FOR OAKLAND PARK IMPROVEMENTS CHANGE ORDER #1 AND FINAL – WHIRL CORPORATION INC

WHEREAS, Oakland Park Improvements project has been approved in a contract between the Mayor and Council and Whirl Corporation Inc; and

WHEREAS, on 211/23/2017 Maser Engineering submitted Change Orders to the Borough approving Change Order #1 and Final for a net decrease to the Borough in the amount of **\$26,475.00**; and

WHEREAS, the net decrease to the Borough for Change Order #1 and Final is **\$26,475.00**;

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 Change Order #1 and Final.

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				

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Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2017-291

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

**RESOLUTION TO GRANT EXEMPTION FOR DISABLED VETERAN
AND TO REFUND 2017 TAXES**

WHEREAS, the Tax Assessor of the Borough of Metuchen has been provided sufficient proof that the owner of the property known as 22 Kelly Street, Block 154.7, Lot 8.01, in the Borough of Metuchen is owned by a 100% Permanently & Totally Disabled Veteran, as noted in a letter from the Department of Veterans Affairs dated October 30, 2017, and

WHEREAS, the property owner John Errickson, being determined to be totally and permanently disabled by the Department of Veteran Affairs applied to the Borough of Metuchen for the tax exemption on October 30, for Block 154.7, Lot 8.01, effective October 30, 2017,

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Metuchen that the Chief Financial Officer/Tax Collector is hereby authorized to refund the homeowner the monies already paid for the 2017 4th quarter taxes, prorated for the period of exemption in the amount of \$1,508.23.

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			

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Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2017-292

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

RESOLUTION AUTHORIZING 2017 BUDGET TRANSFERS

WHEREAS, there are unexpended balances in various 2017 appropriation accounts not required for the balance of 2017; and

WHEREAS, additional sums are required for the operating expenses of other Borough accounts,

NOW, THEREFORE, BE IT RESOLVED, that the following transfers be approved:

Appropriation	From	To
Administration & Executive OE	87,700.00	
Sewers	10,000.00	
Police S&W	41,000.00	
Office of Emergency Management OE	1,500.00	
Police OE		1,500.00
MCUA Sewage Treatment		92,000.00
METV OE		30,000.00
Public Works OE		700.00
Parks & Playgrounds OE		5,000.00
Defined Contribution Retirement Plan		1,000.00
Buildings & Grounds OE		10,000.00
	140,200.00	140,200.00

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			

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Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2017-293

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

RESOLUTION APPOINTING FIREFIGHTER – ANTHONY AGLIATA

WHEREAS, the Mayor and Borough Council have been notified by Robert Donnan, Chief of the Metuchen Fire Department, that Anthony Agliata 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, **Anthony Agliata** be and he 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					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 December 4, 2017.

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2017-294

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

RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT FOR CONSULTANT SERVICES FOR ADDITIONAL PROFESSIONAL PLANNING SERVICES FOR THE BOROUGH OF METUCHEN TO UPDATE THE HISTORIC PRESERVATION ELEMENT IN METUCHEN'S MASTER PLAN

WHEREAS, there exists the need for consultant services for additional professional planning services for the Borough of Metuchen to update the Historic Preservation Element in Metuchen's Master Plan; and

WHEREAS, LRK, Inc., the Borough Planner, submitted a proposal to render professional planning services to the Borough to update the Historic Preservation Element in the Borough's Master Plan for a cost not to exceed ten thousand dollars (\$10,000.00); and

WHEREAS, the proposal was reviewed and evaluated by Borough Administrator; and

WHEREAS, it is the recommendation of the Borough Administrator that a contract for professional planning services be awarded to LRK, Inc of Philadelphia, PA; and

WHEREAS, it is the desire of Borough Council to award a professional services contract to LRK, Inc of Philadelphia, PA for additional professional planning services for the Borough of Metuchen to update the Historic Preservation Element in Metuchen's Master Plan effective December 4, 2017; and

WHEREAS, the cost for the proposed services is a fixed fee of \$10,000.00 for developing an update to the Historic Preservation Element; and

WHEREAS, the Chief Financial Officer's Certification of Funds has certified that there is sufficient funds for such contract and is available and is designated from 2017 current fund Account number 7-01-20-701-028 for the update to the Historic Preservation Element in Metuchen's Master plan, not to exceed the of total of \$10,000.00.

WHEREAS, the cost for the proposed services and contract amount shall not exceed ten thousand dollars (\$10,000.00) without further approval by the Mayor and Borough Council; and

WHEREAS, this contract is awarded as a "non-fair and open contract" pursuant to and in accordance with the Local Unit Pay-to-Play Law.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Metuchen that it hereby awards a professional services contract to LRK, Inc., Public

Ledger Building, Suite 756, 150 S. Independence Mall West, Philadelphia, PA 19106 for the update to the Historic Preservation Element in Metuchen’s Master Plan on the basis of the proposal submitted and approved in an amount not to exceed ten thousand dollars (\$10,000.00); and

BE IT FURTHER RESOLVED that the Mayor and Borough officials and employees are hereby authorized to take all necessary action 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.

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 December 4, 2017

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2017-295

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

RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO MASER CONSULTING, P.A. TO PERFORM ENGINEERING SERVICES FOR THE KENTNOR PARK RENOVATIONS PROJECT

WHEREAS, the Borough of Metuchen is in need of professional engineering services for the Kentnor Park Renovations Project; and

WHEREAS, Maser Consulting, P.A., the Borough Engineer, submitted a proposal dated October 31, 2017 to the Borough to render engineering services for the Kentnor Park Renovations Project for a cost not to exceed **forty-one thousand five hundred dollars (\$41,500.00)**; 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 Kentnor Park Renovations Project be awarded to Maser Consulting P.A. 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 Maser Consulting P.A., of Red Bank, New Jersey to render engineering services for the Kentnor Park Renovations Project; and

WHEREAS, the cost for the proposed services shall not exceed **forty-one thousand five hundred dollars (\$41,500.00)** without further approval by the Mayor and Borough Council; and

WHEREAS, this contract is awarded as a “non-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 is sufficient funds for such contract and is available and is designated from 2017 Administration & Executive Professional Service fund Account number 7-01-20-701-028 for these services.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Metuchen that it hereby awards a contract to Maser Consulting, P.A., 331 Newman Springs Road, Suite 203, Red Bank, NJ 07701 on the basis of the proposal dated October 31, 2017, to provide professional engineering services to the Borough of

Metuchen for the Kentnor Park Renovations Project in an amount not to exceed **forty-one thousand five hundred dollars (\$41,500.00)**; 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.

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 December 4, 2017.

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2017- 296

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

**RESOLUTION OF APPOINTMENT AND CONFIRMATION OF THE
BOROUGH ADMINISTRATOR**

WHEREAS, the former Borough Administrator resigned from office; and

WHEREAS, the Mayor and Council of the Borough of Metuchen determined that it was in the best interest of the Borough to appoint Jay Muldoon as Interim Borough Administrator, temporarily to permit the Mayor and Council to seek to fill the position of Borough Administrator on a permanent basis; and

WHEREAS, the Personnel Committee publicly advertised for the position, received and reviewed resumes of potential candidates; and

WHEREAS, Jay Muldoon expressed an interest and requested consideration by the Personnel Committee and the Mayor and Council to serve as the Borough Administrator on a permanent basis; and

WHEREAS, Chapter 3 of the Code of the Borough of Metuchen provides that the “Borough Administrator shall be appointed by the Mayor with the advice and consent of the Council...”; and

WHEREAS, the Mayor and Council of the Borough of Metuchen have determined that it is in the best interest of the Borough to appoint Jay Muldoon to serve as Borough Administrator and the Class II appointment to the Planning Board for the Borough of Metuchen effective immediately for an annual salary of \$130,000.00.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen that the it hereby appoints and confirms Jay Muldoon as Borough Administrator for the Borough of Metuchen and the Class II Member of the Planning Board at an annual salary of \$130,000.00 and other terms and conditions of employment agreed upon by the Mayor and Council President; and

BE IT FURTHER RESOLVED that the term of the within appointment shall be consistent with that set forth in *N.J.S.A. 40A:9-137*.

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 December 4, 2017.

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2017-297

*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 **\$3,998,929.93**

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 December 4, 2017.

Susan D. Jackson, RMC
Borough Clerk

ORDINANCE 2017-19

*BOROUGH OF METUCHEN
COUNTY OF MIDDLESEX
STATE OF NEW JERSEY*

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF METUCHEN, CHAPTER 185, VEHICLES AND TRAFFIC, SECTION 23, MULTIWAY STOP INTERSECTIONS

BE IT ORDAINED, by the Mayor and Council of the Borough of Metuchen, County of Middlesex, State of New Jersey, that:

SECTION 1. Section 185-23 is hereby supplemented, amended and revised to reflect:

Lake Avenue and Brunswick Avenue: stop signs shall be installed on all approaches

SECTION 2. In accordance with N.J.S.A. 39:4-197(1)j., the Borough Engineer has certified (attached hereto and made a part thereof) the following information regarding the Lake Avenue & Brunswick Avenue: (i) that all intersecting streets are under municipal jurisdiction; (ii) that the intersection is within 500 feet of a school, or a playground or a youth recreational facility as defined therein; and (iii) the intersections are on streets contiguous to a school, or playground or youth recreational facility.

SECTION 3. The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged invalid and shall not be deemed to effect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION 4. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 5. This Ordinance shall take effect immediately upon final passage and publication according to law.

Date of 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 December 4, 2017

Susan D. Jackson, RMC
Borough Clerk

Date of Adoption:
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 December 18, 2017

Susan D. Jackson, RMC
Borough Clerk

ATTEST:

BOROUGH OF METUCHEN

Susan D. Jackson, RMC
Borough Clerk

By: _____
Peter Cammarano
Mayor

ORDINANCE 2017-20

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

ORDINANCE AMENDING CHAPTER 37 OF THE CODE OF THE BOROUGH OF METUCHEN ENTITLED “POLICE DEPARTMENT” TO DESIGNATE THE ADMINISTRATOR OF THE BOROUGH OF METUCHEN AS THE “APPROPRIATE AUTHORITY” PURSUANT TO N.J.S.A. 40A:14-118

WHEREAS, the Borough of Metuchen has established a Police Department pursuant to N.J.S.A 40A:14-118 as is set forth in Chapter 37 of the Code of the Borough of Metuchen;

WHEREAS, pursuant to N.J.S.A. 40A:14-118 a municipality shall provide for a line of authority relating to the police function and for the adoption and promulgation by the appropriate authority of rules and regulations for the government of the force and for the discipline of its members;

WHEREAS, the Code of the Borough of Metuchen currently designates the Borough Mayor to serve as the “Appropriate Authority” of the Police Department;

WHEREAS, pursuant to N.J.S.A 40A:14-118 a municipality may elect to have the Administrator of the Borough of Metuchen serve as the Appropriate Authority;

WHEREAS, the Council of the Borough of Metuchen believes that the designation of the Administrator of the Borough of Metuchen as the Appropriate Authority will allow the Borough to achieve greater efficiencies and will improve the communications and oversight of the Police Department with the governing body;

WHEREAS, the Council of the Borough of Metuchen deems it in the best interest of the residents to amend Chapter 37 of the Code of the Borough of Metuchen, entitled, “Police Department” to designate the Administrator of the Borough of Metuchen as the Appropriate Authority, pursuant to N.J.S.A. 40A:14-118.

NOW THEREFORE BE IT ORDAINED by the Council of the Borough of Metuchen that it hereby amends Chapter 37 the Code of the Borough of Metuchen entitled, “Police Department” designating the Administrator of the Borough of Metuchen as the “Appropriate Authority” of the Police Department pursuant to N.J.S.A. 40A:14-118; and

BE IT FURTHER ORDAINED by the Council of the Borough of Metuchen that it hereby specifically amends § 37-5 entitled “Responsibilities” and § 37-88 entitled, “Disciplinary actions” to read as follows:

§ 37-5 Responsibilities

A. The Chief of the Police Department shall be the executive head of the police force, and he or she shall be directly responsible to the appropriate authority for the efficiency and routine day-to-day operations thereof, and he or she shall, pursuant to policies established by the appropriate authority, and in accordance with the statutory mandate of *N.J.S.A. 40A:14-118*:

(1) Administer and enforce rules and regulations and special emergency directives for the disposition and discipline of the force and its officers and personnel.

(2) Have, exercise and discharge the functions, powers and duties of the force.

(3) Prescribe the duties and assignments of all subordinates and other personnel.

(4) Delegate such of his or her authority as he or she may deem necessary for the efficient operation of the force to be exercised under his or her direction and supervision.

B. Report at least monthly to the appropriate authority in such form as shall be prescribed by such authority on the operation of the force during the preceding month and make such other reports as may be requested by such authority. The Administrator of the Borough of Metuchen is designated as the appropriate authority for all matters relating to the police function. The Administrator of the Borough of Metuchen shall, from time to time, adopt, revise and amend the rules and regulations for the government of the Police Department and for the discipline of its members.

[Amended 8-16-2010 by Ord. No. 2010-15]

C. Nothing herein contained shall prevent the appointment by the governing body of such committees or commissions as shall be necessary to conduct investigations of the operation of the police force, which committees or commissions shall have such powers of inquiry as the governing body deems necessary to conduct any such hearing or investigation as authorized by law. [Added 8-16-2010 by Ord. No. 2010-15]

§ 37-88 Disciplinary actions.

Any member of the Police Department may be suspended, removed, fined or reduced from his or her office or employment therein for just cause only after written charges of the cause of complaint shall have been preferred against such employee of the Police Department, signed by the person making such charges, filed in the office of the Chief of Police, and served upon the member charged. The member charged may request a hearing on the charges and will receive an opportunity to make his or her defense, if any he or she has, or chooses to make, as provided by law; provided, however, that for any dereliction of duty by a member of the Police Department for which a penalty less than suspension, removal, fine, or reduction from office or employment, as may be appropriate, the Chief of Police may impose such appropriate penalty. The Administrator of the Borough of Metuchen, or his or her designee, shall sit as Hearing Officer for the Borough on any complaint against a permanent member of the Police Department charging a violation of *N.J.S.A. 40A:14-147* or violation of the internal rules and regulations of the Police Department and on which is sought a suspension, removal, fine or demotion. In the event the Administrator does not act as Hearing Officer, the individual so designated to hear the disciplinary matter shall, at the conclusion of the

hearing, forward his/her findings and recommendations to the Administrator who shall make the final determination. The Administrator's decision shall be reviewable only as provided by N.J.S.A. 40A:14-150, as amended from time to time. In the event an individual not employed by the Borough is considered by the Administrator to act as the Hearing Officer, the alternate Hearing Officer shall be appointed by the Borough Council.

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

BE IT FURTHER ORDAINED by the Council of the Borough of Metuchen that should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portions 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.

BE IT FURTHER ORDAINED by the Council of the Borough of Metuchen that all ordinances or parts of ordinances inconsistent with this amending ordinance are hereby repealed to the extent of their inconsistencies only.

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:

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 December 4, 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 December 18, 2017

Susan D. Jackson, RMC
Borough Clerk

ATTEST:

Susan D. Jackson, RMC
Borough Clerk

BOROUGH OF METUCHEN

By: _____
Peter Cammarano
Mayor