

AGENDA

**BOROUGH COUNCIL AGENDA
REGULAR MEETING DECEMBER 18, 2017
7:30 P.M.**

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

ELECTION OF INTERIM MAYOR

R2017-314

Resolution Appointing the Mayor of the Borough of Metuchen

OATH OF INTERIM MAYOR

AGENDA SESSION

REGULAR MEETING

- A. Approve Council Meeting Minutes of December 4, 2017

PUBLIC COMMENT

ORDINANCE – PUBLIC HEARING

Ordinance 2017-19

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

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

COMMUNICATIONS CONSENT AGENDA – ITEM A -C

- A. Receive and Accept Metuchen Historic Preservation Committee Meeting Minutes of April 27, 2017, May 25, 2017 and June 22, 2017
- B. Receive and Accept Karen Logan’s Resignation – Metuchen Pool Commission.
- C. Receive and Accept Metuchen Zoning Board of Adjustment Meeting Minutes of November 9, 2017

OTHER COMMUNICATIONS

REPORTS OF COUNCILMEMBERS

December 18, 2017

REPORTS OF OFFICERS

REPORT OF THE MAYOR

NEW BUSINESS CONSENT AGENDA – R2017-298 through R2017-312

| | |
|-----------|--|
| R2017-298 | Resolution Refunding Sidewalk Escrow Fee #17-023 28 Bounty Street |
| R2017-299 | Resolution Refunding Sidewalk Escrow Fee #17-026 16 Beechwood Avenue |
| R2017-300 | Resolution Refunding Sidewalk Escrow Fee #17-030 24 Hickory Street |
| R2017-301 | Resolution Refunding Sidewalk Escrow Fee #17-032 Shree Ram Mandir, Inc. |
| R2017-302 | Resolution Refunding Sidewalk Escrow Fee #17-034 200 Midland Avenue |
| R2017-303 | Resolution Authorizing Temporary Appointment of Acting Fire Inspector/Fire Subcode Official |
| R2017-304 | Resolution Authorizing Bond Reduction for Pearl Street Piazza – Block 115, Lot 36.01 - Woodmont Properties |
| R2017-305 | Resolution Authorizing the Release of the Performance Bond and Guarantee for the 2017 Oakland Park Improvements for Whirl Construction upon the Posting of s Maintenance Bond |
| R2017-306 | Resolution Authorizing Cancellation of Tax Overpayment |
| R2017-307 | Resolution Amending R2017-23 Authorizing the Award of a Contract for Borough Labor Relations Attorney |
| R2017-308 | Resolution Authorizing 2017 Budget Transfers |

December 18, 2017

R2017-309 Resolution Requesting Approval of Items of Revenue and Appropriation - Drunk Driving Enforcement Fund

R2017-310 Resolution Requesting Approval of Items of Revenue and Appropriation NJS 40A:4-87 - Recycling Tonnage Grant

R2017-311 Resolution Requesting Approval of Items of Revenue and Appropriation NJS 40A:4-87 - Click it or Ticket Grant

R2017-312 Resolution Authorizing Funding of Police Outside Overtime Escrow Balances

OTHER NEW BUSINESS – R2017-313

R2017-313 Resolution Authorizing the Payment of the Bill List in the amount of \$3,595,125.96

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 2017-314

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

**RESOLUTION APPOINTING THE MAYOR OF THE BOROUGH OF
METUCHEN**

WHEREAS, due to the resignation of the Honorable Peter F. Cammarano, a vacancy was created in the Office of Mayor of the Borough of Metuchen; and

WHEREAS, pursuant to *N.J.S.A. 40A:16-5(b)*, the vacancy in the Office of Mayor shall be filled for the unexpired term (December 31, 2019) at the next general election scheduled in November, 2018, and, until such time, the Borough Council may fill the vacancy temporarily by appointment; and

WHEREAS, pursuant to *N.J.S.A. 40A:16:11*, the Metuchen Democratic Committee has presented the names of three (3) nominees to the Borough Council for the selection of a Mayor to serve the Borough of Metuchen until such time as the results of the next general election scheduled in November, 2018 are certified and a successor is sworn in for the remainder of the unexpired term; and

WHEREAS, the Council of the Borough of Metuchen have determined that it is in the best interest of the Borough to appoint a Mayor to temporarily fill the vacancy in the Office of the Mayor of the Borough of Metuchen until such time as the results of the next general election scheduled in November, 2018 are certified and a successor is sworn in for the remainder of the unexpired term; and

WHEREAS, the Council of the Borough deem it in the best interest of the Borough to appoint Jonathan Busch as the Mayor of the Borough of Metuchen to temporarily fill said vacancy.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Metuchen that Jonathan Busch is hereby appointed to fill the vacancy in the Office of Mayor of the Borough of Metuchen until such time as the results of the next general election scheduled in November, 2018 are certified and a successor is sworn in for the remainder of the unexpired term – December 31, 2019; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be filed with the Municipal Clerk 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 18, 2017.

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2017-314

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

**RESOLUTION APPOINTING THE MAYOR OF THE BOROUGH OF
METUCHEN**

WHEREAS, due to the resignation of the Honorable Peter F. Cammarano, a vacancy was created in the Office of Mayor of the Borough of Metuchen; and

WHEREAS, pursuant to *N.J.S.A. 40A:16-5(b)*, the vacancy in the Office of Mayor shall be filled for the unexpired term (December 31, 2019) at the next general election scheduled in November, 2018, and, until such time, the Borough Council may fill the vacancy temporarily by appointment; and

WHEREAS, pursuant to *N.J.S.A. 40A:16:11*, the Metuchen Democratic Committee has presented the names of three (3) nominees to the Borough Council for the selection of a Mayor to serve the Borough of Metuchen until such time as the results of the next general election scheduled in November, 2018 are certified and a successor is sworn in for the remainder of the unexpired term; and

WHEREAS, the Council of the Borough of Metuchen have determined that it is in the best interest of the Borough to appoint a Mayor to temporarily fill the vacancy in the Office of the Mayor of the Borough of Metuchen until such time as the results of the next general election scheduled in November, 2018 are certified and a successor is sworn in for the remainder of the unexpired term; and

WHEREAS, the Council of the Borough deem it in the best interest of the Borough to appoint Edmund O'Brien as the Mayor of the Borough of Metuchen to temporarily fill said vacancy.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Metuchen that Edmund O'Brien is hereby appointed to fill the vacancy in the Office of Mayor of the Borough of Metuchen until such time as the results of the next general election scheduled in November, 2018 are certified and a successor is sworn in for the remainder of the unexpired term – December 31, 2019; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be filed with the Municipal Clerk 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 18, 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: December 4, 2017

Date of Publication: December 7, 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 | | | LEIBFRIED | | |
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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 | | | | |
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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: December 4, 2017
 Date of Publication: December 7, 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 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 | | | | |
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Susan D. Jackson, RMC
Borough Clerk

ATTEST:

Susan D. Jackson, RMC
Borough Clerk

BOROUGH OF METUCHEN

By: _____
Peter Cammarano
Mayor

RESOLUTION 2017-298

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

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #17-023
28 BOUNTY STREET**

WHEREAS, Robert Harrison posted \$296.00 for apron and sidewalk escrow fees at 28 Bounty Street; and

WHEREAS, the Planning Office has requested that the escrow fees be refunded to Robert Harrison,

NOW, THEREFORE, BE IT RESOLVED, that Robert Harrison be refunded \$296.00 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 2017-299

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

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #17-026
16 BEECHWOOD AVENUE**

WHEREAS, David L. Lathroum has posted \$336.00 for apron and sidewalk escrow fees at 16 Beechwood Avenue; and

WHEREAS, the Planning Office has requested that the escrow fees be refunded to David L. Lathroum,

NOW, THEREFORE, BE IT RESOLVED, that David L. Lathroum be refunded \$336.00 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 2017-300

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

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #17-030
24 HICKORY STREET**

WHEREAS, Lingtzy Y. Huang has posted \$96.00 for sidewalk escrow fees at 24 Hickory Street; and

WHEREAS, the Planning Office has requested that the escrow fees be refunded to Lingtzy Y. Huang,

NOW, THEREFORE, BE IT RESOLVED, that Lingtzy Y. Huang be refunded \$96.00 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 2017-301

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

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #17-032
SHREE RAM MANDIR, INC.**

WHEREAS, Shree Ram Mandir, Inc. has posted \$628.00 for apron and sidewalk escrow fees at 10 Carlton Road; and

WHEREAS, the Planning Office has requested that the escrow fees be refunded to Shree Ram Mandir, Inc.,

NOW, THEREFORE, BE IT RESOLVED, that Shree Ram Mandir, Inc. be refunded \$628.00 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 2017-302

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

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #17-034
200 MIDLAND AVENUE**

WHEREAS, Diana K. Lee-Cary posted \$463.00 for curb, apron and sidewalk escrow fees at 200 Midland Avenue; and

WHEREAS, the Planning Office has requested that the escrow fees be refunded to Diana K. Lee-Cary,

NOW, THEREFORE, BE IT RESOLVED, that Diana K. Lee-Cary be refunded \$463.00 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 2017-303

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

**RESOLUTION AUTHORIZING TEMPORARY APPOINTMENT OF
ACTING FIRE INSPECTOR/FIRE SUBCODE OFFICIAL**

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Metuchen that Robert Latherow (License #003017) is hereby appointed as the Acting Fire Inspector/Fire Subcode Official for the Borough of Metuchen, effective December 20, 2017 until April 3, 2018 due to illness of the Borough's Fire Inspector/Fire Subcode Official, Ray Colandrea (License #003372); and

BE IT FURTHER RESOLVED, that the Borough Clerk shall transmit a certified copy of this resolution to the New Jersey Department of Community Affairs.

| COUNCILMEMBER | YES | NO | NV | AB | COUNCILMEMBER | YES | NO | NV | AB |
|--------------------|-----|------------|----|----|----------------|-----|----|----|----|
| LEIBFRIED | | | | | KOSKOSKI | | | | |
| GRAYZEL | | | | | PAGEL | | | | |
| INSERRO | | | | | RASMUSSEN | | | | |
| MOTION | | | | | SECOND | | | | |
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Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2017-304

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

**RESOLUTION AUTHORIZING THE REDUCTION OF THE PERFORMANCE
GUARANTY FOR PEARL STREET PIAZZA – BLOCK 115, LOT 36.01 - WOODMONT
PROPERTIES**

WHEREAS, Woodmont Properties has requested a reduction in the performance guaranty for various site improvements for Block 115, Lot 36.01 – Pearl Street Piazza; and

WHEREAS, the Borough Engineer has reviewed the status of the site improvements and in a letter dated December 12, 2017 has agreed and recommended a partial reduction of the original performance guaranty amount as the improvements performed have been completed in an acceptable manner; and

WHEREAS, on January 28, 2016, Woodmont Properties posted a Letter of Credit in the amount of \$938,543.40 as a Performance Guaranty for certain site improvements; and

WHEREAS, based upon the above, the Borough Engineer recommends a 62% reduction of the original letter of credit, to be reduced by \$486,069.50 for a new remaining balance Performance Guaranty of \$356,646.49; and

WHEREAS, Woodmont Properties, LLC shall post a revised/update or new Letter of Credit in the amount of \$356,646.49.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen that it hereby authorizes, pursuant to the recommendations of the Borough Engineer, the reduction of the Performance Guaranty for various site improvements for Block 115, Lot 36.01 – Pearl Street Piazza from \$938,543.40 to \$356,646.49, and the Borough Clerk is hereby authorized and directed to accept a revised/updated or new Letter of Credit or other acceptable performance guaranty which shall be in a form suitable to the Borough Attorney and Borough Clerk.

| 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 18, 2017.

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2017-305

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

**RESOLUTION AUTHORIZING THE RELEASE OF THE PERFORMANCE
BOND AND GUARANTEE FOR THE 2017 OAKLAND PARK
IMPROVEMENTS FOR WHIRL CONSTRUCTION UPON THE POSTING OF A
MAINTENANCE BOND**

WHEREAS, Whirl Construction has posted, pursuant to the requirements of the Borough of Metuchen a Performance Bond Guarantee, guaranteeing the site improvements in conjunction with the improvements at the location; and

WHEREAS, Whirl Construction has complete said improvements and has requested the release of said performance guarantees posted; and

WHEREAS, the Borough Engineer has made an inspection of the improvements and the Borough Engineer by letter dated October 2, 2017, a copy of which is attached hereto, and made part hereof, made a determination that all bonded improvements have been completed and are satisfactory and recommended the release of the performance guarantee in the amount of \$349,201.00 (Surety Bond) upon the posting of a maintenance guarantee in the amount of \$32,272.60 for a period of one year from the date of October 6, 2017 to insure against the defects in the bonded improvements acceptable in form by the Borough Attorney.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Metuchen that it hereby authorizes the release of the aforementioned performance guarantees in the amount of \$349,201.00 (Surety Bond) to Whirl Construction, 194 Main Street, Port Monmouth, New Jersey, 07758 upon satisfaction October 2, 2017, including but not limited to the posting of a one (1) year maintenance guarantee in the amount of \$32,272.60 to insure against defects in the bonded site improvements in the form acceptable by the Borough Attorney; and

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

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 18, 2017.

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2017-306

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

RESOLUTION AUTHORIZING CANCELLATION OF 2016 TAX OVERPAYMENTS

WHEREAS, the following parcels have overpayment of taxes,

| Block/Lot | Address | Amount | Year |
|---------------|------------------------|-----------|----------|
| 29.2/1 | 6 Salem Court | 3,131.31 | 2016/Q2 |
| 33/5 | 383 Waltham Ave | 2,679.95 | 2016/Q2 |
| 38/21 | 340 Durham Ave | 2,327.32 | 2016/Q2 |
| 45/4 | 12 Norcross Ave | 2,015.01 | 2016/Q4 |
| 51.5/37 | 401 W. Chestnut Ave | 1,705.30 | 2016/Q1 |
| 51.11/1.1 | 208 Columbia Ave | 1,410.50 | 2016/Q3 |
| 51.11/1.1 | 208 Columbia Ave | 1,410.50 | 2016/Q4 |
| 54/30 | 136-140 Durham Ave | 2,397.85 | 2016/Q3 |
| 54/30 | 136-140 Durham Ave | 2,397.85 | 2016/Q4 |
| 57/15 | 18 Desser Place | 609.78 | 2016/Q2 |
| 57.1/14 | 19 Desser Place | 2,454.27 | 2016/Q2 |
| 78/3.02 | 29 Hampton Street | 652.61 | 2016/Q4 |
| 78/36 | 6 Lynn Circle | 3,190.55 | 2016/Q2 |
| 82.01/5 C013 | 13 Central Square Park | 2,361.83 | 2016/Q4 |
| 85/62 | 49 School Street | 472.27 | 2016/Q2 |
| 93/129 | 15B Mayfield Place | 1,318.92 | 2016/Q4 |
| 93.2/18 | 15 Roosevelt Court | 1,283.55 | 2016/Q2 |
| 93.2/24 | 3 Roosevelt Court | 299.26 | 2016/Q3 |
| 98.1/29 | 331 Grove Ave | 2,427.47 | 2016/Q1 |
| 98.1/38 | 1 Mark Circle | 4,948.03 | 2016/Q2 |
| 114/42.1 | 68 Pearl Street | 1,128.40 | 2016 /Q3 |
| 114/42.1 | 68 Pearl Street | 1,128.40 | 2016 /Q4 |
| 125.2/19 | 19 Beverly Court | 1,419.91 | 2016/Q4 |
| 126/66 | 45 Lexington Drive | 3,321.50 | 2016/Q3 |
| 126.5/27 | 428 Wakefield Drive | 3,097.50 | 2016/Q4 |
| 126.5/29 | 442 Wakefield Drive | 180.49 | 2016/Q3 |
| 131/4.1 C004B | 40-4 Prospect Street | 860.40 | 2016/Q2 |
| 131/4.1 C005A | 30-5 Prospect Street | 860.41 | 2016/Q1 |
| 131.1/6 C-408 | 165-408 Essex Ave | 1,506.10 | 2016/Q4 |
| 142/44 | 49 Essex Ave | 99.24 | 2016/Q4 |
| 142/48.3 | 3 Grant Court | 2,893.66 | 2016/Q4 |
| 143/20 | 22 Cliffwood Place | 381.40 | 2016/Q2 |
| 151/15 | 231 Main Street | 2,031.12 | 2016/Q3 |
| 151/15 | 231 Main Street | 2,031.12 | 2016/Q4 |
| 153.1/4 C203D | 192 Newman Street | 151.21 | 2016/Q3 |
| 158/1.1 | 195 Main Street | 12,567.56 | 2016/Q3 |
| 158/1.1 | 195 Main Street | 12,567.56 | 2016/Q4 |
| 159/19 | 23 Brunswick Ave | 1,812.91 | 2016/Q1 |
| 166/4.1 | 60 Homer Place | 312.67 | 2016/Q2 |
| 166/10.2 | 33 Barnstable Street | 2,076.03 | 2016/Q3 |
| 166/10.2 | 33 Barnstable Street | 2,070.17 | 2016/Q4 |
| 166/22.1 | 22 Homer Place | 429.09 | 2016/Q3 |
| 183/31 | 71 Home Street | 2,000.00 | 2016/Q3 |

| | | | |
|---------|--------------------|----------|---------|
| 184/39 | 192 Amboy Ave | 3,808.35 | 2016/Q3 |
| 184/39 | 192 Amboy Ave | 3,808.35 | 2016/Q4 |
| 194/11 | 48 Amboy Ave | 36.56 | 2016/Q3 |
| 211/65 | 70 Charles Street | 136.58 | 2016/Q3 |
| 215/6.1 | 6 Myrtle Ave | 1,622.08 | 2016/Q3 |
| 215/6.1 | 6 Myrtle Ave | 1,622.07 | 2016/Q4 |
| 217/103 | 37 E. Cedar Street | 23.71 | 2016/Q3 |
| 220/65 | 77 Hazelwood Ave | 84.54 | 2016/Q3 |

NOW, THEREFORE, BE IT RESOLVED, that the above listed tax overpayment balances by canceled, in the amount of \$105,563.22.

| 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 18, 2017.

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2017-307

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

**RESOLUTION AMENDING RESOLUTION 2017-23 AWARD OF CONTRACT FOR
BOROUGH LABOR RELATIONS ATTORNEY**

WHEREAS, the Borough of Metuchen has a need to acquire the services of an Attorney for Borough Labor Relations Attorney as a contract without competitive bidding (non-fair and open) pursuant to the provisions of <N.J.S.A. 19:44A-20.4; and,

WHEREAS, Requests for Qualifications were received and reviewed by the Borough Administrator; and,

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$15,000; and,

WHEREAS, the anticipated term of this contract is the calendar year 2017; and,

WHEREAS, the original agreement stipulated that the maximum amount of the contract shall not exceed \$20,000 and funds shall be available in the 2017 budget as evidenced by the Chief Financial Officer's Certification;

WHEREAS, the Borough deemed it necessary to dedicate an additional \$10,000 for continued services; and,

WHEREAS, the Chief Financial Officer's Certification of Funds is made authorizing the additional funds for Labor Relations Attorney from the 2017 budget line 7-01-20-712-027, not to exceed a grand total of \$30,000.00; and

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

- 1. The Chief Financial Officer is hereby authorized and directed to amend the agreement with Apruzzese, McDermott, Mastro and Murphy, 25 Independence Boulevard, Liberty Corner, NJ 07938.

| 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 18, 2017

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2017-308

*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 S&W | | 37,000.00 |
| Clerk S&W | | 1,000.00 |
| METV S&W | | 400.00 |
| Construction Code S&W | | 3,000.00 |
| FICA | | 3,000.00 |
| Defined Contribution Retirement Plan | | 1,000.00 |
| Buildings & Grounds OE | | 10,000.00 |
| Street Lighting | 11,200.00 | |
| Utilities | 11,200.00 | |
| Telephone | 10,000.00 | |
| Gasoline & Diesel | 10,000.00 | |
| Construction Code OE | 3,000.00 | |
| Planning OE | 5,000.00 | |
| Planning S&W | 5,000.00 | |
| TOTALS | 55,400.00 | 55,400.00 |

| 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 | | |

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 18, 2017.

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2017-309

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

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATION NJS 40A:4-87**

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 \$3,592.56, which is now available from the State of New Jersey Division of Motor Vehicles in the amount of \$3,592.56.

BE IT FURTHER RESOLVED, that the like sum of \$3,592.56 is hereby appropriated under the caption Drunk Driving Enforcement Fund; and

BE IT FURTHER RESOLVED that the above is the result of funds from State of New Jersey Division of Motor Vehicles in the amount of \$3,592.56.

| 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 18, 2017.

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2017-310

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

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATION NJS 40A:4-87**

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 \$19,146.29, which is now available from the State of New Jersey Department of Environmental Protection Recycling Tonnage Grant in the amount of \$19,146.29.

BE IT FURTHER RESOLVED, that the like sum of \$19,146.29 is hereby appropriated under the caption Recycling Tonnage Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from the State of New Jersey Department of Environmental Protection in the amount of \$19,146.29.

| 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 18, 2017.

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2017-311

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

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATION NJS 40A:4-87**

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 \$5,197.50, which is now available from the State of New Jersey Division Department of Law and Public Safety, Click it or Ticket in the amount of \$5,197.50.

BE IT FURTHER RESOLVED, that the like sum of \$5,197.50 is hereby appropriated under the caption Click it or Ticket Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from State of New Jersey Department of Law and Public Safety, Click it or Ticket in the amount of \$5,197.50.

| 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 18, 2017.

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2017-313

*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 **\$3,595,125.96**

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 18, 2017.

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2017-314

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

**RESOLUTION APPOINTING THE MAYOR OF THE BOROUGH OF
METUCHEN**

WHEREAS, due to the resignation of the Honorable Peter F. Cammarano, a vacancy was created in the Office of Mayor of the Borough of Metuchen; and

WHEREAS, pursuant to *N.J.S.A. 40A:16-5(b)*, the vacancy in the Office of Mayor shall be filled for the unexpired term (December 31, 2019) at the next general election scheduled in November, 2018, and, until such time, the Borough Council may fill the vacancy temporarily by appointment; and

WHEREAS, pursuant to *N.J.S.A. 40A:16:11*, the Metuchen Democratic Committee has presented the names of three (3) nominees to the Borough Council for the selection of a Mayor to serve the Borough of Metuchen until such time as the results of the next general election scheduled in November, 2018 are certified and a successor is sworn in for the remainder of the unexpired term; and

WHEREAS, the Council of the Borough of Metuchen have determined that it is in the best interest of the Borough to appoint a Mayor to temporarily fill the vacancy in the Office of the Mayor of the Borough of Metuchen until such time as the results of the next general election scheduled in November, 2018 are certified and a successor is sworn in for the remainder of the unexpired term; and

WHEREAS, the Council of the Borough deem it in the best interest of the Borough to appoint John Wiley as the Mayor of the Borough of Metuchen to temporarily fill said vacancy.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Metuchen that John Wiley is hereby appointed to fill the vacancy in the Office of Mayor of the Borough of Metuchen until such time as the results of the next general election scheduled in November, 2018 are certified and a successor is sworn in for the remainder of the unexpired term – December 31, 2019; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be filed with the Municipal Clerk 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 18, 2017.

Susan D. Jackson, RMC
Borough Clerk