

AGENDA

**BOROUGH COUNCIL AGENDA
REGULAR MEETING MARCH 5, 2018**

7:30 P.M.

MEETING CALLED TO ORDER

READING OF SUNSHINE NOTICE

INVOCATION

FLAG SALUTE

ROLL CALL

PROCLAMATION

James Connolly – Sergeant of Patrol - Retirement

OATH OF OFFICE

Christopher John Lewandowski – Metuchen Police Officer

AGENDA SESSION

REGULAR MEETING

- A. Metuchen Downtown Main Street Minute Report
- B. Approve Council Meeting Minutes of February 5, 2018 and February 20, 2018

PUBLIC COMMENT

COMMUNICATIONS CONSENT AGENDA – ITEM A - C

- A. Receive and Accept Metuchen Environmental Commission Meeting Minutes of January 17, 2018
- B. Receive and Accept Metuchen Recreation Commission Meeting Minutes of January 16, 2018
- C. Receive and Accept Block Party-Street Closing for Kinder Kastle, Factory Street, May 6, 2018 – 10:00 AM to 2:00 PM

OTHER COMMUNICATIONS

REPORTS OF COUNCILMEMBERS

Council President Koskoski
Councilwoman Inserro
Councilman Grayzel
Councilman Leibfried
Councilman Pagel
Councilwoman Rasmussen

REPORTS OF OFFICERS

Borough Attorney
Borough Administrator

REPORT OF THE MAYOR

NEW BUSINESS CONSENT AGENDA – R2018-78 – R2018-90

R2018-78	Resolution Authorizing Refund of 2017 Taxes
R2018-79	Resolution Authorizing Settlement of the 2013 Tax Appeal Entitled Bren Realty, Inc, V. Borough of Metuchen, Docket No.: 002993-2013, Block 37, Lots 11 & 12, Commonly known as 250 Liberty Street and 260 Liberty Street
R2018-80	Resolution to Reapply 2017 Tax Overpayment and Refund Balance
R2018-81	Resolution Authorizing Shared Services Agreement for Animal Control Services
R2018-82	Resolution Authorizing Shared Services Agreement with the Township of Manchester for the Use of the Manchester Township Firearms Range Facility and Property
R2018-83	Resolution Authorizing Submission of the 2018 Community Development Block Grant Application
R2018-84	Resolution Authorizing Release of Street Opening Bond#1074 – Durham Avenue – Redco Engineering
R2018-85	Resolution Authorizing the Award of a Professional Services Contract to CME Associates to Perform a

Feasibility Analysis for the Replacement of the
Borough of Metuchen Sewage Pump Station Project

R2018-86	Resolution to Amend the 2018 Temporary Budget
R2018-87	Resolution Authorizing Refund of Escrow Balance
R2018-88	Resolution Authorizing Refund of Escrow Balance
R2018-89	Resolution Authorizing Refund of Escrow Balance
R2018-90	Resolution Authorizing Refund of Escrow Balance

OTHER NEW BUSINESS – R2018-91

R2018-91	Resolution Authorizing the Payment of the Bill List in the amount of \$392,985.91
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ORDINANCE – INTRODUCTION

Ordinance 2018-03	An Ordinance to Amend the Code of the Borough of Metuchen, Various Chapters, to Amend Certain Application, License and Permit Fees
Ordinance 2018-04	An Ordinance Amending Chapter 166 of the Code of the Borough of Metuchen, Entitled “Streets and Sidewalks”

ADJOURNMENT

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 2018-78

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

RESOLUTION AUTHORIZING REFUND OF 2017 TAXES

WHEREAS, the following has made an overpayment of taxes,

Name	Block/Lot	Address	Amount		Year
Traci Gerckens	98.1/44	17 Mark Circle	5,001.58	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 \$5,001.58.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
GRAYZEL					LEIBFRIED				
INSERRO					PAGEL				
KOSKOSKI					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 March 5, 2018

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2018-79

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

**RESOLUTION AUTHORIZING SETTLEMENT OF THE 2013 TAX APPEAL
ENTITLED BREN REALTY, INC, V. BOROUGH OF METUCHEN, DOCKET NO.:
002993-2013, BLOCK 37, LOTS 11 & 12, COMMONLY KNOWN AS 250 LIBERTY
STREET AND 260 LIBERTY STREET**

WHEREAS, an appeal of the real property tax assessment for tax year 2013 Block 37, Lots 11 & 12 has been filed by the taxpayer, Bren Realty, Inc.; and

WHEREAS, the Borough of Metuchen desires to settle the tax appeal for the tax year 2013 and the proposed settlement agreement has been reviewed and recommended by the Borough Special Tax Counsel and Tax Assessor; and

WHEREAS, settlement of said matter as more fully set forth below is in the best interests of the Borough of Metuchen;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Metuchen that the tax appeal settlement for the property and tax year herein is hereby authorized as follows:

1. Settlement of the 2013 tax appeals are hereby authorized as follows:

250 Liberty Street
Block 37, Lot 11

	<u>Original Assessment</u>	<u>County Tax Board Judgment</u>	<u>Requested Tax Court Judgment</u>
Land	\$ 252,000	N/A	\$ 252,000
Improvements	\$ 1,323,500	N/A	\$ 1,218,800
Total	\$ 1,575,500	N/A	\$ 1,470,800

260 Liberty Street
Block 37, Lot 12

	<u>Original Assessment</u>	<u>County Tax Board Judgment</u>	<u>Requested Tax Court Judgment</u>
Land	\$ 285,000	N/A	
Improvements	\$ 944,200	N/A	WITHDRAW
Total	\$ 1,229,200	N/A	

2. The Mayor, Borough Clerk and Special Tax Counsel are hereby authorized and directed to execute and deliver such agreements, pleadings stipulations or other documentation as is reasonably necessary and/or appropriate to memorialize the settlement authorized herein;

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

I, Susan Jackson, Municipal Clerk of the Borough of Metuchen, in the County of Middlesex, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Metuchen, County of Middlesex, State of New Jersey at a regular meeting of said Council held March 5, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Borough of Metuchen in the County of Middlesex and State of New Jersey this 6th day of March, 2018.

Susan Jackson
 Municipal Clerk

RESOLUTION 2018-80

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

RESOLUTION TO REAPPLY 2017 TAX OVERPAYMENT AND REFUND BALANCE

WHEREAS, an overpayment of 2017 taxes was made to Block 181 Lot 75 as a result a duplicate bank service tax payment in the amount of \$2,830.30, and

WHEREAS, the Tax Collector received a letter of request to transfer a portion of the overpayment from quarter 3, 2017 to quarter 1, 2018, along with sufficient proof of payment of taxes, with the remaining overpayment refunded to the property owner of record, and,

WHEREAS, the Tax Collector requests that the Mayor and Council approve the transfer of overpayment for Block 181, Block 75 in the amount of \$1,184.20 from quarter 3, 2017 to quarter 1, 2018, and,

WHEREAS, the Tax Collector requests that the Mayor and Council approve the refund of the remaining overpayment for Block 181, Lot 75 in the amount of \$1,646.10 be refunded to the property owners of record for 56 Woodbridge Avenue,

NOW, THEREFORE, BE IT RESOLVED, that the overpayment of property taxes in the amount of \$2,830.30 be applied to quarter 1, 2018 in the amount of \$1,184.20 and refunded as described above in the amount of \$1,646.10.

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

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Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2018-81

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

RESOLUTION AUTHORIZING SHARED SERVICES AGREEMENT FOR ANIMAL CONTROL SERVICES

WHEREAS, The Borough of Metuchen and the Township of Edison wish to enter into a Shared Services Agreement, a copy of which is attached hereto and made a part hereof, for the Township of Edison to provide animal control and shelter services to the Borough of Metuchen for the time period beginning January 1, 2018 and ending December 31, 2020; and

WHEREAS, a Shared Services Agreement may be entered into without competitive bidding pursuant to the Local Public Contract Law, N.J.S.A. 40A:11-5(2); and

WHEREAS, pursuant to the authority contained in the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et. seq., the Borough of Metuchen deems it to be in the public interest of the residents of the Borough to enter into a Shared Services Agreement with the Township of Edison for the purposed of providing animal control and shelter services; and

WHEREAS, the maximum amount of the Shared Services Agreement for the Borough of Metuchen is a total of \$81,399.05 for a three (3) period from January 1, 2018 through December 31, 2020, of which the 2018 portion cannot exceed \$26,597.52 and funds are available in the 2018 Budget as certified by the CFO and that there is sufficient funds for such award of \$20,597.52 in line item 8-01-30-806-001 and funds available in Animal Control Trust Fund as certified by the CFO in the amount of \$6,000 in line item D-12-56-852-852.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Metuchen that the Mayor and Clerk be and they are hereby authorized to enter into an Animal Control Agreement between the Township of Edison and the Borough of Metuchen; and

BE IT FURTHER RESOLVED that the final form of said agreement shall be subject to the review and approval of the Borough Attorney

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
GRAYZEL					LEIBFRIED				
INSERRO					PAGEL				
KOSKOSKI					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 March 5, 2018

Susan D. Jackson
Borough Clerk

RESOLUTION 2018-82

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

RESOLUTION AUTHORIZING SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF MANCHESTER FOR THE USE OF THE MANCHESTER TOWNSHIP FIREARMS RANGE FACILITY AND PROPERTY

WHEREAS, the Township of Manchester owns and operates a Firearms Range Facility and Property for training, competition and other purposes within the Township, and

WHEREAS, the New Jersey Uniform Shared Services and Consolidation Act, *N.J.S.A. 40A:65-1, et seq.*, authorizes municipalities to enter into Shared Services Agreements in order to reduce local expenses; and

WHEREAS, the Borough of Metuchen desires to enter into a Shared Services Agreement with the Township of Manchester for the use of the Manchester Township Firearms Range Facility and Property for Metuchen Police Department training; and

WHEREAS, it is the desire of the Borough Council to authorize a Shared Services Agreement between the Borough of Metuchen and the Township of Manchester, 1 Colonial Drive, Manchester, New Jersey 08759 for the Borough of Metuchen Police Department to use the Manchester Township Firearms Range Facility and Property on a per diem basis.

WHEREAS, the maximum amount of the Shared Services Agreement for the Borough of Metuchen is an amount not to exceed \$300.00 for three days of training in 2018 and funds are available in the 2018 Budget as certified by the CFO and that there is sufficient funds for such award of \$300.00 in line item 8-01-25-745-028.

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

1. The Mayor and Borough Clerk of the Borough of Metuchen are hereby authorized and directed to execute a Shared Services Agreement with the Township of Manchester for the Borough of Metuchen Police Department's use of the Manchester Township Firearms Range Facility and Property for training purposes for a fee of one hundred (\$100.00) per day.
2. The Shared Services Agreement shall remain in effect for three (3) years commencing January 1, 2018 and ending December 31, 2020.
3. The Borough of Metuchen Police Department is hereby authorized to use the Manchester Firearms Range Facility and Property for three (3) days in 2018 pursuant to the terms and conditions of the executed Agreement and any additional use of the Firearms Range Facility shall be subject to request by Borough of Metuchen Police Department and additional approval and Resolution of the Borough Council.
4. The Borough Clerk is hereby directed to forward a certified copy of this Resolution together with the executed agreement to the Township of Manchester, the Chief of Police, and Borough's Chief Financial Officer.

R2018-82
 March 5, 2018

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

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Susan D. Jackson
 Borough Clerk

RESOLUTION 2018-83

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

RESOLUTION AUTHORIZING SUBMISSION OF THE 2018 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

WHEREAS, the Metuchen Community Development Advisory Committee met and made a recommendation for the use of the 2018 Community Development Block grants funds to provide for the ADA Compliance for ADA Accessibility and Safety Improvements Metuchen Library - Entrance Walkway/Ramp, Sidewalk and Curb Rehabilitation in the Borough of Metuchen,

WHEREAS, the needs identified by the Metuchen Community Development Advisory Committee concerning the above referenced improvements are applicable to the ADA Accessibility requirements and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen that on the basis of input from the Metuchen Community Development Advisory Committee and the input from the public hearing, the Borough Administrator is hereby authorized to prepare an application to be submitted for the utilization of the 2018 Community Development Block Grant to provide for the ADA Accessibility ADA Accessibility and Safety Improvements Metuchen Library - Entrance Walkway/Ramp, Sidewalk and Curb Rehabilitation in the designated target area in the Borough of Metuchen.

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

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Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2018-84

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

**RESOLUTION AUTHORIZING RELEASE OF STREET OPENING BOND
#1074 – DURHAM AVENUE – REDCO ENGINEERING**

WHEREAS, in accordance with the Borough of Metuchen Ordinance, \$500.00 was posted by Redco Engineering as the required Performance Guarantee for Street Opening Bond #1074 – Durham Avenue; and

WHEREAS, the Director of Public Works advises that said work has been completed in a manner satisfactory to his department; and

WHEREAS, the Director of Public Works advises it is in order to release the monies previously deposited.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Metuchen that the Chief Financial Officer be and is hereby authorized to release said funds in the amount of \$500.00 to: Redco Engineering, 433 North Avenue East, Westfield, New Jersey 07090 as recommended by the Director of Public Works.

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

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Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2018-85

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

RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO CME ASSOCIATES TO PERFORM A FEASIBILITY ANALYSIS FOR THE REPLACEMENT OF THE BOROUGH OF METUCHEN SEWAGE PUMP STATION PROJECT

WHEREAS, the Borough of Metuchen is in need of professional engineering services for a feasibility analysis for the replacement of the Borough of Metuchen Sewage Pump Station project; and

WHEREAS, CME Associates, submitted a proposal dated February 22, 2018 to the Borough to render engineering services for a feasibility analysis for the replacement of the Borough of Metuchen Sewage Pump Station project for a cost not to exceed twenty-five thousand, one hundred seventy-two dollars (\$25,172.00) and an additional monthly flow metering allowance of four thousand, three hundred twelve dollars and fifty cents (\$4312.50) per month, to a maximum additional flow metering not to exceed eight thousand, six hundred twenty-five dollars (\$8,625.00); and

WHEREAS, the proposal was reviewed and evaluated and it is the recommendation of the Borough Administrator that a contract for engineering services for a feasibility analysis for the replacement of the Borough of Metuchen Sewage Pump Station project be awarded to CME Associates, of Parlin, 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 CME Associates, of Parlin, New Jersey to render engineering services for a feasibility analysis for the replacement of the Borough of Metuchen Sewage Pump Station Project; and

WHEREAS, the cost for the proposed services shall not exceed the base cost of twenty-five thousand, one hundred seventy-two dollars (\$25,172.00), and additional flow metering not to exceed eight thousand, six hundred twenty-five dollars (\$8,625.00) 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 2016 Capital Bond Ordinance Account number C-04-55-988-008 for these services.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Metuchen that it hereby awards a contract to CME Associates, 3141 Bordentown Avenue, Parlin, New Jersey 08859-1162 on the basis of the proposal dated February 22, 2018, to provide professional engineering services to the Borough of Metuchen for a feasibility analysis for the replacement of the Borough of Metuchen Sewage Pump Station Project in the base cost amount not to exceed twenty-five Thousand, one hundred seventy-two dollars (\$25,172.00) and additional flow metering not to exceed eight thousand, six hundred twenty-five dollars (\$8,625.00); 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					
GRAYZEL					LEIBFRIED									
INSERRO					PAGEL									
KOSKOSKI					RASMUSSEN									
MOTION					SECOND									
X – INDICATES VOTE					AB- ABSENT					NV- NOT VOTING				

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Susan D. Jackson, RMC
 Borough Clerk

RESOLUTION 2018-86

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

RESOLUTION TO AMEND THE 2018 TEMPORARY BUDGET

WHEREAS, N.J.S.A. 40A:4-19 of the Local Budget Act provides that temporary appropriations shall be made for the purposes and amounts required in the manner and time therein provided;

NOW, THEREFORE BE IT RESOLVED that the following additional temporary emergency appropriations shall be made for the year 2018, effective March 5, 2018:

Police	OE	10,000.00
Sewers	OE	10,000.00
Forestry	OE	1,000.00
Senior Citizen Center	OE	5,000.00
Library Consortium		8,000.00
Joint Insurance Fund		120,000.00
Street Lighting		20,000.00
Utilities		20,000.00
Social Security		20,000.00
Clerk	S & W	9,000.00
Mayor & Council	S & W	600.00
Financial Administration	S & W	38,100.00
Tax Assessment	S & W	8,800.00
Planning	S & W	10,100.00
METV	S & W	14,500.00
Zoning	S & W	6,500.00
Construction Code	S & W	52,000.00
Police	S & W	525,000.00
Emergency Management	S & W	1,000.00
Fire	S & W	1,100.00
Uniform Fire Prevention	S & W	11,800.00
Public Works	S & W	30,100.00
Streets & Roads	S & W	62,100.00
Sewers	S & W	400.00
Garbage & Trash	S & W	40,600.00
Senior Bus	S & W	4,100.00
Senior Citizen Center	S & W	6,300.00
Recreation	S & W	7,700.00
Parks & Playgrounds	S & W	16,900.00
Municipal Court	S & W	23,700.00
	TOTAL	1,084,400.00
Pool	OE	100,000.00

R2018-86
 March 5, 2018

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

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Susan D. Jackson, RMC
 Borough Clerk

RESOLUTION 2018-87

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

RESOLUTION AUTHORIZING REFUND OF ESCROW BALANCE

WHEREAS, the Planning Office has requested that the following escrow account be closed and the balance be refunded to the depositor,

WHEREAS, the Planning Office has received a request in writing to close an escrow account by the depositor,

WHEREAS, the project 03-642, 45 Robins Place, was an application that was granted approval but the Applicant did not go forward with the construction,

BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen for the Chief Financial Officer/Tax Collector is instructed to refund, in the amount indicated, the following escrow balance to the depositor, as the project has been determined to be closed:

ESCROW ACCOUNT	AMOUNT	DEPOSITOR
03-642 E	368.82	Fern Abbott 45 Robins Place

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

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Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2018-88

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

RESOLUTION AUTHORIZING REFUND OF ESCROW BALANCE

WHEREAS, the Planning Office has requested that the following escrow account be closed and the balance be refunded to the depositor,

WHEREAS, the project 16-1099 was opened under the incorrect address of 97 Center Street,

BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen for the Chief Financial Officer/Tax Collector is instructed to refund, in the amount indicated, the following escrow balance to the depositor.

ESCROW ACCOUNT	AMOUNT	DEPOSITOR
16-1099 I	500.00	Meena Kanthan 97 Center Street

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

RESOLUTION 2018-89

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

RESOLUTION AUTHORIZING REFUND OF ESCROW BALANCE

WHEREAS, the Planning Office has requested that the following escrow accounts be closed and the balance be refunded to the depositors,

WHEREAS, the Planning Office has contacted the Board Engineer, Planner and Attorney for authorization to release the funds and determine the projects are closed,

WHEREAS, the Planning Office has provided a list to the Chief Finance Officer with a sign-off from the Board Professionals, that the following escrow projects are complete and can be closed, and that no further billing from the professionals for these projects will be paid.

BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen for the Chief Financial Officer/Tax Collector is instructed to refund, in the amount indicated, the following escrow balances to the depositors, as the project has been determined to be closed:

ESCROW ACCOUNT	AMOUNT	DEPOSITOR
15-1069 E	69.75	Thomas Mullins, Jr. 67 Oak Avenue
16-1100 E	945.64	Manju Upadhyay 50-52 Liberty Street
16-1116 I	172.50	Fox & Foxx Development LLC 21 Lowell Avenue
17-1122 II	45.00	Arsis, LLC 62 Christol Street

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

RESOLUTION 2018-90

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

RESOLUTION AUTHORIZING REFUND OF ESCROW BALANCE

WHEREAS, the Planning Office has requested that the following escrow accounts be closed and the balance be refunded to the depositors,

WHEREAS, the Planning Office has contacted the Board Engineer, Planner and Attorney for authorization to release the funds and determine the projects are closed,

WHEREAS, the Planning Office has provided a list to the Chief Finance Officer with a sign-off from the Board Professionals, that the following escrow projects are complete and can be closed, and that no further billing from the professionals for these projects will be paid.

BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen for the Chief Financial Officer/Tax Collector is instructed to refund, in the amount indicated, the following escrow balances to the depositors, as the project has been determined to be closed:

ESCROW ACCOUNT	AMOUNT	DEPOSITOR
16-1092 E	105.37	Oliver Street Holdings, LLC 5 Pennsylvania Avenue
16-1107 E	494.00	Edward Muller 122 Woodbridge Avenue
16-1115 E	462.00	John Mills 131 Oak Avenue

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

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Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2018-91

*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 **\$392,985.91**

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
GRAYZEL					LEIBFRIED				
INSERRO					PAGEL				
KOSKOSKI					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 March 5, 2018.

Susan D. Jackson, RMC
Borough Clerk

ORDINANCE 2018-03

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

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF METUCHEN,
VARIOUS CHAPTERS, TO AMEND CERTAIN APPLICATION, LICENSE AND
PERMIT FEES**

BE IT ORDAINED by the Borough Council of the Borough of Metuchen, as follows:

Section 1. Section 169-3 of Chapter 169, **Swimming Pools**, of the Code of the Borough of Metuchen, is hereby amended to add/change the following fees to read as follows:

RESIDENT MEMBERSHIPS RATES: (Prior to ~~April 15~~May 1)

(1)	Resident Family; (equivalent membership: one)	\$330.00 <u>\$360.00</u>
(2)	Resident Family Plus	\$420.00 <u>\$455.00</u>
(3)	Resident Individual	\$185.00 <u>\$190.00</u>
(4)	Resident Senior	\$ 65.00 <u>70.00</u>

RESIDENT RATES (On and after April 15May 1)

(1)	Resident Family (equivalent membership: one)	\$390.00 <u>\$395.00</u>
(2)	Resident Family Plus	\$480.00 <u>\$485.00</u>
(3)	Resident Individual	\$195.00
(4)	Resident Senior	\$ 65.00 <u>75.00</u>

NON RESIDENT RATES: (Prior to ~~April 15~~May 1)

(1)	Nonresident family	\$510.00 <u>\$545.00</u>
(2)	Nonresident Family Plus	\$590.00 <u>\$620.00</u>
(3)	Nonresident Individual	\$275.00 <u>\$300.00</u>

(4) Nonresident senior	\$ 170.00 <u>175.00</u>
Non Resident Rates: (<u>On and after April 15</u>May 1)	
(1) Nonresident family	\$ 560.00 <u>570.00</u>
(2) Nonresident Family Plus	\$ 635.00 <u>645.00</u>
(3) Nonresident Individual	\$ 305.00 <u>315.00</u>
(4) Nonresident senior	\$ 170.00 <u>180.00</u>

Guest Fees:

	<u>Weekday</u>	<u>Weekend/Holidays</u>	<u>After 5PM</u>
<u>Adults</u>	<u>\$ 7.00</u>	<u>\$ 10.00</u>	<u>\$ 4.00</u>
<u>Under 10</u>	<u>\$ 5.00</u>	<u>\$ 6.00</u>	<u>\$ 4.00</u>
<u>Seniors</u>	<u>\$ 3.00</u>	<u>\$ 3.00</u>	<u>\$ 2.00</u>

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Miscellaneous Fee Schedule:

Teen Dances - Members	\$ 1.00
- Non-Members	\$ 3.00
Movie Nights - Kids	\$ 2.00
- Adults	\$ 3.00
General Event	\$ 5.00
Swim Lessons	\$ 30.00 per 6 Lessons
Swim Clinic	\$ 75.00
Masters Swim	\$ 25.00 per Season
Camp Rentals	\$ 140.00 <u>160.00</u> per hour
Long Course Rentals	\$ 125.00 <u>150.00</u> per hour

Introduction:
Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
GRAYZEL					KOSKOSKI				
INSERRO					PAGEL				
LEIBFRIED					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 February 20, 2018

Susan D. Jackson, RMC
Borough Clerk

Adopted:
Date of Publication:

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

ATTEST:

BOROUGH OF METUCHEN

Susan D. Jackson, RMC
Borough Clerk

By: _____
Jonathan M. Busch
Mayor

ORDINANCE 2018-04

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

**AN ORDINANCE AMENDING CHAPTER 166 OF THE CODE OF THE
BOROUGH OF METUCHEN, ENTITLED “STREETS AND SIDEWALKS”**

WHEREAS, Chapter 166 of the Code of the Borough of Metuchen regulates Streets and Sidewalks within the Borough of Metuchen; and

WHEREAS, the Borough of Metuchen has determined to revise its permit requirements relating to the repair and construction of sidewalks, curbs, aprons and ADA ramps within the Borough

NOW THEREFORE BE IT ORDAINED by the Council of the Borough of Metuchen that it hereby amends Chapter 166 of the Code of the Borough of Metuchen entitled, “Streets and Sidewalks”, specifically § 166-34, 166-35, § 166-36, § 166-37, § 166-39, and § 166-40 and to create—§ 166-41, entitled “Enforcement” and § 166-42, entitled “Violations and penalties” to read as follows:

Article 4. Construction and Maintenance of Sidewalks

[Adopted 9-26-1966 as Article III of Ch. 22 of 1966 Code; amended in its entirety 1988 by Ord. No. 88-7]

§ 166-34. Permit required.

Prior to the work of laying or repairing any sidewalk or curb, a permit therefor shall be obtained from the Construction Code Official by the owner of the premises or the person performing such work. Dependent upon the proposed work, one of the following two permits shall be required: (1) Partial Sidewalk/Curb/Apron Permit or (2) Entire Sidewalk/Curb/Apron Construction, Replacement and/or an ADA Ramp Permit.

§ 166-35. Information; fees; deposit.

A. Applications for Ssaidueh permit shall state the location of the proposed work, the name of the owner and the name of the contractor, if any. In addition, a refundable security deposit will be required before any such permit is issued. The amount of the deposit will be determined in accordance with the following schedule:

- (1) Concrete sidewalks: \$2.00 per square foot.
- (2) Concrete curb: \$2.50 per linear1 foot.

(3) Driveway apron: \$4.00 per square foot. [Added 2-7-2001 by Ord. No. 2001-2]

(4) ADA Ramp: \$4.00 per square foot.

B. These deposits shall be held by the Borough ~~Clerk~~ and all remaining amounts, if any, shall be returned to the permittee upon a satisfactory inspection by the Borough Engineer in accordance with § 166-40.

C. Correction of any deficiencies shall be done by the permittee. In the event that the permittee shall fail to correct any cited deficiencies within 45 days, or such additional period as agreed to by the Director of Public Works or the Borough Engineer based on a good cause request for an extension, the Borough may take action using the deposit funds to effect such repairs. Nothing contained herein shall limit the liability of the permittee to the Borough for the correction of these deficiencies to the amount of the security deposit. Should the cost of correction exceed the deposit, the permittee shall be liable to the Borough for the remainder which excess sum shall be deemed to be a lien on the appurtenant private property of the permittee to the extent allowed by law.

D. The permit fees shall be ~~-\$150~~ as follows:

(1) The permit fee for a Partial Sidewalk/Curb Apron Permit shall be \$150.00 (\$50.00 Permit/Application Fee and \$100.00 Inspection Fee). The Inspection Fee is the cost of the inspection pursuant to this Chapter and is not to be construed as an escrow account, subject to a return. An additional inspection fee of \$75.00 shall be assessed for a Partial Sidewalk/Curb Apron Permit for each inspections after the initial two inspections due to a failed inspection.

~~(1)~~(2) The permit fee for an Entire Sidewalk/Curb/Apron Construction, Replacement and/or ADA Ramp Permit shall be \$550.00 (\$50.00 permit/application fee and \$500.00 Inspection Fee Escrow). The \$500.00 Inspection Fee Escrow shall be replenished in the event that multiple inspections are required and the cost of which exceeds the \$500.00 Inspection Fee Escrow. In the event that there remains Inspection Fees in escrow after the final approval required herein by the Borough, said amounts shall be returned to the person or entity who made said payment to the Borough for the Inspection Fee Escrow.

[Added 2-7-2001 by Ord. No. 2001-2; amended 6-7-2004 by Ord. No. 2004-7; 11-21-2005 by Ord. No. 2005-22]

§ 166-36. Expiration of permit.

The permit required by § 166-34 shall expire at the expiration of one (1) year~~90 days~~ from the date of issuance thereof.

§ 166-37. Specifications.

Any new sidewalk or curb constructed after January 1, 1988, or any present sidewalk or curb repaired thereafter shall conform with the specifications for such work as contained herein.

A. Curbs shall be constructed of concrete and shall extend, in depth, twenty inches from top to bottom.

B. Curb thickness shall be nine inches at the finished grade of the street and thence downward the entire depth. The thickness shall taper from the grade of the street toward the property line so that, at its top, the curb shall be eight inches thick.

C. The height of the curb above street grade at the curblines shall be six inches.

D. There shall be a 1 1/4 inch radius on the top of the curb facing the street and a 1 1/2 inch radius on the top of the curb toward the property.

E. The front face of the curb shall have a smooth rubbed finish to the street grade line.

F. Expansion joints shall be placed approximately every 20 feet; however, no expansion joints shall be placed in any driveway depression. A one-half-inch bituminous expansion joint shall be provided at least once in every one-hundred-foot section length of curb. Sawed joints two inches in depth may be provided in every other twenty-foot section of curb, in lieu, of the bituminous expansion joint.

G. In case of private driveways' crossing any sidewalk the curb may be depressed across the entire width of the driveway by providing a sloping section at either side with a slope of five inches per foot. The depressed portion of the curb shall maintain a full 20 inches of concrete.

H. All curb construction shall comply with current New Jersey Department of Transportation Standard Specifications for Road and Bridge Construction and the Borough of Metuchen drawings pertaining thereto in design, materials, construction and workmanship.

I. Concrete shall be 4,500 pounds per square inch, air entrained.

J. In cases where downspout water is discharged at the curb, three-inch pipe must be placed under the sidewalk and a three-inch plastic insert through the entire thickness of the curb. This will outlet the water into the gutter. Outlet openings shall be placed three inches from the top of the curb in areas designated by the Borough Engineer.

K. Curb radii of less than a fifty-foot arc and all driveway curb depressions shall be reinforced with a minimum of two, one-half-foot reinforcement rods. Reinforcement rods shall be constructed in a manner acceptable to the Borough Engineer. Curb radii exceeding a fifty-foot arc shall be installed without reinforcement rod.

L. All sidewalks and curbing shall be constructed, reconstructed and repaired in accordance with this article and according to the following specifications:

(1) New sidewalks constructed on streets of the Borough of Metuchen shall be of concrete construction and shall comply with the current New Jersey Department of Transportation Standard Specifications for Road and Bridge Construction. Sidewalks shall be scored in general into four-foot sections. A one-half-inch bituminous expansion joint shall be provided at least once in every five-

section length of sidewalks. A one-half-inch bituminous expansion joint shall be provided where the sidewalk meets a curb, driveway, concrete private walkway or building and at such other places as may be directed by the Borough Engineer. All utility poles, traffic posts, water hydrants, fire hydrants, sign posts and other objects positioned within the sidewalk must be separated with a one-half-inch bituminous expansion joint providing a clearance of six inches of concrete for each object positioned within the sidewalk.

(2) The thickness of all finished walks shall be at least four inches, except where crossing a driveway in which case the thickness shall be six inches, laid on an approved four-inch to eight-inch stone base. All sidewalks shall maintain a 1/4 inch per foot slope toward the curb. The front edge of the sidewalk shall be elevated one inch above the top of the curb and the back edge shall be one inch higher than the front edge. Finished sidewalks shall have a broomed abrasive surface.

(3) Sidewalks shall not be constructed with a curb as a single integral unit.

M. Where sidewalks are a part of the driveway the sidewalk shall maintain grade, with no depression, as to provide a safe and easy walkway. That portion of the driveway that provides access to private property between the curb and the sidewalk shall be constructed of concrete with a minimum thickness of six inches reinforced with wire mesh. A one-half-inch bituminous expansion joint shall be provided where the driveway abuts the sidewalk and/or curb. That portion of the sidewalk that constitutes the driveway shall be six inches in thickness and reinforced with six by six #10/10 wire mesh. Driveways shall be installed as directed in Chapter 110, Land Development.

N. All details of construction not mentioned in this article shall be in accordance with approved engineering specifications.

§ 166-38. Establishment of grade.

All sidewalks shall be laid at the grade established by ordinances of the Borough.

§ 166-39. Line and grade.

In all cases where requested, the line and grade for any sidewalk shall be approved by the Borough Engineer, ~~at no expense to the property owner.~~

§ 166-40. Inspections.

The construction and repair of all sidewalks and curbs shall be subject to an inspection by the ~~Director of the Department of Public Works or the~~ Borough Engineer and shall be finished to the reasonable satisfaction of the ~~Director of Public Works or the~~ Borough Engineer ~~as the case may be~~. The ~~Director of Public Works or the~~ Borough Engineer shall prepare a list of deficiencies, if any, and shall forward or hand a copy to the permittee.

§ 166-41. Maintenance.

Sidewalks and curbs shall be maintained at all times in a safe condition and in such a manner and condition as to avoid any hazard or damage to any pedestrian, person or vehicle lawfully using same. The maintenance of the curb and sidewalk immediately adjacent to a property is the responsibility of the owner of that adjacent property.

§ 166-42. Construction or repair by Borough.

The Mayor and Council shall have the authority to construct or repair any sidewalks or curb adjacent to any property located in the Borough so that the same conforms with this article and to assess the cost thereof to the adjacent owner. Such action by the Mayor and Council shall be in conformity with state law regarding special assessments.

§ 166-43. Enforcement.

The Zoning Officer, Director of the Department of Public Works, the Borough Engineer, the Building Code Official, Police Department, or other Sub-Code or Code Official, as their jurisdiction may arise, shall be responsible for the enforcement of these subsections of this Chapter.

§ 166-44. Violation and Penalties.

Any person who shall violate any of the provisions of this article or any order promulgated hereunder shall, upon conviction, be punished by at least a minimum fine of \$100.00 and a maximum fine not exceeding \$2,000.00 in addition to compliance with the requirement of applying and obtaining the required permit. Each day on which a violation of this ordinance exists shall be considered a separate and distinct violation and shall be subject to imposition of a separate penalty for each day of the violation as the Municipal Court Judge may determine. Nothing herein shall limit the rights and remedies of the Borough of Metuchen for a violation of this Ordinance pursuant to this Chapter and prescribed by law.

BE IT FURTHER ORDAINED that all provisions of Chapter 166 not specifically amended herein shall remain in full force and effect; and

BE IT FURTHER ORDAINED that all provisions of this Ordinance are severable. If for any reason, any provision of this Ordinance is held to be invalid, the validity of the remainder of the Ordinance shall not be affected; and

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon adoption, final approval and publication, pursuant to law.

Introduction:

Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
GRAYZEL					KOSKOSKI				
INSERRO					PAGEL				
LEIBFRIED					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 February 20, 2018

Susan D. Jackson, RMC
Borough Clerk

Adopted:
Date of Publication:

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

ATTEST:

BOROUGH OF METUCHEN

Susan D. Jackson, RMC
Borough Clerk

By: _____
Jonathan M. Busch
Mayor