

**AGENDA**

**BOROUGH COUNCIL AGENDA  
REGULAR MEETING APRIL 16, 2018  
7:30 P.M.**

MEETING CALLED TO ORDER

READING OF SUNSHINE NOTICE

INVOCATION

FLAG SALUTE

ROLL CALL

AGENDA SESSION

PROCLAMATION

Parkinson Awareness Month – April 2018

REGULAR MEETING

- A. Approve Council Meeting Minutes of April 2, 2018

PUBLIC COMMENT

BUDGET HEARING – PUBLIC HEARING

R2018-108

Municipal Budget for the Borough of Metuchen,  
County of Middlesex, for the Fiscal Year 2018

COMMUNICATIONS CONSENT AGENDA – ITEM A - C

- A. Receive and Accept Little League Street Closing Request – June 9, 2018 – Oakland Avenue between Upland and Hazelwood Avenues – 6:00 AM to 4:00 PM
- B. Receive and Accept Shade Tree Commission Meeting Minutes of January 2, 2018 and February 6, 2018
- C. Receive and Accept Traffic & Transportation Commission Meeting Minutes of March 14, 2018

OTHER COMMUNICATIONS

## REPORTS OF COUNCILMEMBERS

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

## REPORTS OF OFFICERS

Borough Attorney  
Borough Administrator

## REPORT OF THE MAYOR

### NEW BUSINESS CONSENT AGENDA – R2018-119 – R2018-129

|           |  |
|-----------|--|
| R2018-119 | Governing Body Certification of Compliance with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions under Title VII of the Civil Rights Act of 1964” |
| R2018-120 | Resolution Appointing Firefighter – Jaclyn Navara  |
| R2018-121 | Resolution Awarding Bid for 2018 Municipal Pool Maintenance Contract   |
| R2018-122 | Resolution Approving Health Insurance Third Party Administrator and Network  |
| R2018-123 | Resolution Refunding Sidewalk Escrow Fee #18-004 - 7 Roosevelt Court   |
| R2018-124 | Resolution Refunding Sidewalk Escrow Fee #17-036 - 100 Prospect Street   |
| R2018-125 | Resolution Refunding Sidewalk Escrow Fee #17-033 - 74 Newman Street  |
| R2018-126 | Resolution Refunding Sidewalk Escrow Fee #17-029 - 20 Desser Place   |

R2018-127 Resolution Refunding Sidewalk Escrow Fee #17-027 - 10-A Mayfield Place

R2018-128 Resolution Refunding Sidewalk Escrow Fee #17-004 - 36 Hickory Street

R2018-129 Resolution Refunding Sidewalk Escrow Fee #17-003 - 35 Rector Street

OTHER NEW BUSINESS – R2018-130

R2018-130 Resolution Authorizing the Payment of the Bill List in the amount of **\$3,657,021.79**

ORDINANCE – INTRODUCTION

Ordinance 2018-07 Ordinance Amending Part III of Chapter 37 of the Code of the Borough of Metuchen Entitled, “Off-Duty Police Work”

Ordinance 2018-08 An Ordinance Amending and Supplementing Chapter 93 of the Borough Code Entitled “Fire Prevention”, Specifically Section 93-13 Entitled “Additional Required Inspection and Fees”

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 2018-119**

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

**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE  
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION’S  
“Enforcement Guidance on the Consideration of Arrest and Conviction Records in  
Employment Decisions under Title VII of the Civil Rights Act of 1964”**

**WHEREAS**, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit’s hiring practices comply with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

**WHEREAS**, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

**NOW, THEREFORE BE IT RESOLVED**, That the *Borough Council* of the *Borough of Metuchen*, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit’s hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

| 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 April 16, 2018

---

Susan D. Jackson, RMC  
Borough Clerk

**RESOLUTION 2018-120**

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

**RESOLUTION APPOINTING FIREFIGHTER – JACLYN NAVARA**

**WHEREAS**, the Mayor and Borough Council have been notified by Robert Donnan, Chief of the Metuchen Fire Department, that Jaclyn Navara 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, **Jaclyn Navara** be and she is hereby elected, approved, and confirmed as a permanent member of the Fire Department of the Borough of Metuchen.

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

**RESOLUTION 2018-121**

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

**RESOLUTION AWARDING BID FOR 2018 MUNICIPAL POOL MAINTENANCE CONTRACT**

**WHEREAS**, the Borough of Metuchen advertised for the receipt of bids on April 5, 2018 for 2018 Municipal Pool Maintenance for the Municipal Pool; and

**WHEREAS**, one (1) bid package was requested and distributed to potential bidder; and

**WHEREAS**, one (1) bid was received by the Borough Clerk on or before April 5, 2018; and

**WHEREAS**, said bid was reviewed by the Borough Administrator and Borough Clerk for the Borough of Metuchen and has found that the bid appears to be reasonable and is in substantial compliance and has recommended an award of the contract to Aquatic Service, Inc.; 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 Pool Operating Budget, Line Item 8-09-55-501-508 in the amount not to exceed \$40,777.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Metuchen, County of Middlesex, State of New Jersey that the contract for the 2018 Municipal Pool Maintenance be and the same is hereby awarded to most responsive bidder, Aquatic Service, Inc., 170 Burlington Avenue, Spotswood, NJ 08884.

**BE IT FURTHER RESOLVED**, that the Mayor and the Borough Clerk are hereby authorized and directed to execute the contract for the same.

| 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 2018-122**

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

**RESOLUTION APPROVING HEALTH INSURANCE THIRD PARTY ADMINISTRATOR AND NETWORK**

**WHEREAS**, the Borough Council of Metuchen adopted a self-insurance program for the Borough's Group Medical, Reinsurance, and Prescription Coverage which shall renew effective on **May 1, 2018**; and

**WHEREAS**, this self-insurance program shall require a renewal of Qualcare as the Third Party Administrator and the renewal of Qualcare as the Insurance Network for in-state members and Fairview Insurance Agency Associates, Inc. as Stop Loss Administrators and US Fire as Reinsurer and ProAct as Prescription Plan; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Metuchen do hereby authorize the appointment of the above stated for all currently existing medical, reinsurance and prescription programs offered for Borough employees and retirees.

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

**RESOLUTION 2018-123**

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

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #18-004  
7 ROOSEVELT COURT**

**WHEREAS**, LoChiatto Paving & Masonry Company has posted \$128.00 for sidewalk escrow fees at 7 Roosevelt Court; and

**WHEREAS**, the Planning Office has requested that the escrow fees be refunded to LoChiatto Paving & Masonry Company,

**NOW, THEREFORE, BE IT RESOLVED**, that LoChiatto Paving & Masonry Company be refunded \$128.00 from the Sidewalk Inspection Escrow account.

| 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 2018-124**

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

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #17-036  
100 PROSPECT STREET**

**WHEREAS**, Amergy Solar Inc. has posted \$452.00 for sidewalk escrow fees at 100 Prospect Street; and

**WHEREAS**, the Planning Office has requested that the escrow fees be refunded to Amergy Solar Inc.,

**NOW, THEREFORE, BE IT RESOLVED**, that Amergy Solar Inc. be refunded \$452.00 from the Sidewalk Inspection Escrow account.

| 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 2018-125**

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

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #17-033  
74 NEWMAN STREET**

**WHEREAS**, LoChiatto Paving & Masonry Co. has posted \$120.00 for sidewalk escrow fees at 74 Newman Sreet; and

**WHEREAS**, the Planning Office has requested that the escrow fees be refunded to LoChiatto Paving & Masonry Co.,

**NOW, THEREFORE, BE IT RESOLVED**, that LoChiatto Paving & Masonry Co. be refunded \$120.00 from the Sidewalk Inspection Escrow account.

| 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 2018-126**

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

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #17-029  
20 DESSER PLACE**

**WHEREAS**, B & W Construction Co. of NJ Inc. has posted \$200.00 for sidewalk escrow fees at 20 Desser Place; and

**WHEREAS**, the Planning Office has requested that the escrow fees be refunded to B & W Construction Co. of NJ Inc.,

**NOW, THEREFORE, BE IT RESOLVED**, that B & W Construction Co. of NJ Inc. be refunded \$200.00 from the Sidewalk Inspection Escrow account.

| 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 2018-127**

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

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #17-027  
10-A MAYFIELD PLACE**

**WHEREAS**, LoChiatto Paving & Masonry Co. has posted \$186.00 for apron and sidewalk escrow fees at 10-A Mayfield Place; and

**WHEREAS**, the Planning Office has requested that the escrow fees be refunded to LoChiatto Paving & Masonry Co.,

**NOW, THEREFORE, BE IT RESOLVED**, that LoChiatto Paving & Masonry Co. be refunded \$186.00 from the Sidewalk Inspection Escrow account.

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

**RESOLUTION 2018-128**

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

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #17-004  
36 HICKORY STREET**

**WHEREAS**, American Residential Services, LLC has posted \$32.00 for sidewalk escrow fees at 36 Hickory Street; and

**WHEREAS**, the Planning Office has requested that the escrow fees be refunded to American Residential Services, LLC,

**NOW, THEREFORE, BE IT RESOLVED**, that American Residential Services, LLC be refunded \$32.00 from the Sidewalk Inspection Escrow account.

| 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 2018-129**

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

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #17-003  
35 RECTOR STREET**

**WHEREAS,** LoChiatto Paving & Masonry Co. has posted \$298.00 for curb, apron and sidewalk escrow fees at 35 Rector Street; and

**WHEREAS,** the Planning Office has requested that the escrow fees be refunded to LoChiatto Paving & Masonry Co.,

**NOW, THEREFORE, BE IT RESOLVED,** that LoChiatto Paving & Masonry Co. be refunded \$298.00 from the Sidewalk Inspection Escrow account.

| 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 2018-130**

*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 **\$3,657,021.79**

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.

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Rebecca Cuthbert, CFO

| 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

**ORDINANCE 2018-07**

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

**ORDINANCE AMENDING PART III OF CHAPTER 37 OF THE CODE OF THE  
BOROUGH OF METUCHEN ENTITLED, “ OFF-DUTY POLICE WORK”**

**WHEREAS**, Part III of Chapter 37 of the Code of the Borough of Metuchen regulates Off-Duty Police Work within the Borough of Metuchen; and

**WHEREAS**, the Borough of Metuchen has determined to award a contract to a third party consultant to assist in the administrative functions of the provision of Off-Duty Police Work within the Borough; and

**WHEREAS**, the Borough of Metuchen has determined that is necessary to revise and amend its Code to reflect that a third party consultant may assist the Borough in the administrative functions for the provision of Off-Duty Police Work within the Borough.

**NOW THEREFORE BE IT ORDAINED** by the Council of the Borough of Metuchen that it hereby amends Chapter 37 of the Code of the Borough of Metuchen, Part III entitled, “Off-Duty Police Work”, specifically §37-101, §37-102, §37-103, §37-104, and §37-105, to state as follows:

**§ 37-101. Requirements.**

Prior to any Borough police officer being employed by another governmental unit, commercial enterprise or other third party for traffic control, security or other police related functions, the following procedures apply:

A.    All requests for such employment of off-duty police officers shall be directed to and handled by the Chief of Police, ~~or~~ his designated officer or through a third-party designated by the Chief of Police.

**AB.** The Chief of Police or his designated officer shall satisfy himself that the request is appropriate and reasonable.

**BC.** The Chief of Police or his designated officer must approve all requests for employment of off-duty municipal police officers covered under this policy.

**CD.** The Chief of Police or his designated officer shall approve each individual officer's request to be assigned for off-duty employment and satisfy himself that the assignment would not jeopardize the proper and efficient operations of the department.



E. The Borough of Metuchen may enter into a contract with a third party consultant to assist in the administrative functions for the provision of off-duty police work within the Borough of Metuchen. Said contract shall be approved by the Mayor and Council of the Borough of Metuchen in coordination with the Chief of Police.

**§ 37-102. Rate of compensation for officers assigned.**

Any officer assigned to outside employment will be compensated at the following rate schedule:

A. Traffic duty or outdoor work:

|     |   |                                      |
|-----|---|--------------------------------------|
| (1) | Between the hours of 6:00 a.m. and 6:00 p.m. (weekdays)                       | \$75.00 per hour<br>(4-hour minimum) |
| (2) | Between the hours of 6:00 p.m. and 6:00 a.m. or Saturday and Sunday (all day) | \$85.00 per hour<br>(4-hour minimum) |
| (3) | Security or indoor work   | \$55.00 per hour<br>(3-hour minimum) |

B. Minimum hours of compensation:

(1) The minimum compensation will be for four hours at the applicable hourly rate.

(2) If the assignment is more than four hours but less than eight hours, the officer will be compensated for eight hours.

(3) If the Borough or the designated third party consultant is notified less than 16 hours before the contract is to begin, an emergency rate of \$10 per hour will be added to the normal rate.

(4) Prior notice of cancellation of assignment within 1 1/2 hours prior to the scheduled start of the assignment requires compensation of four hours.

(5) The Borough, or the third party consultant, if applicable, shall be paid directly from the individual, corporation or entity requesting the services, and from such funds will compensate the officers for the time expended. ~~The Borough shall also be entitled to collect an administrative fee of 10% per hour for the processing of these payments.~~

C. In addition, to the compensation of the officers provided above, persons or entities seeking off-duty police services~~Contractors~~ shall pay the Borough of Metuchen or the third party consultant the sum of \$12 per hour for each vehicle required for off-duty use.

D. In addition to the aforementioned fees to be collected by the Borough of Metuchen or third party consultant for the payment of said off-duty police officers, there shall be an administrative fee of eighteen percent (18%) of the invoiced amounts. Said fees shall be used to off-set all of the administrative costs associated with the assignment of Borough police officers by the Borough of Metuchen and third party consultant, if applicable.

**§ 37-103. Billing.**

A. The officer employed off duty shall record such employment time on a designated form established by the Chief of Police or his designated officer ~~immediately upon completion of said detail and will have the shift supervisor to~~ verify his/her attendance.

B. The party seeking off-duty police services ~~contractor~~ shall forward ~~at the~~ deposit ~~with to~~ the Borough of Metuchen or designated third party consultant if applicable, by check or money order payable in the amount equal to the costs expressed in the police services agreement as ~~required below outlined in paragraphs one and seven~~, payable to the Borough of Metuchen or designated third party consultant, prior to any officer being scheduled.

**§ 37-104. Agreement.**

The requesting agency or entity shall receive a copy of this Part III and shall execute an agreement with the Borough of Metuchen, or third party consultant if applicable, prior to the assignment of any off-duty officer to the agency or entity.

**§ 37-105. General policy.**

A. Any police officer employed off duty shall be bound to follow all rules, regulations, procedures, orders, directives or their equivalent of the Police Department. This includes, but is not limited to, the use of deadly force, pursuits, reporting of injuries, reporting of property damages, proper conduct, etc.

B. It is the intention of this Part III to set forth the requirements for all parties involved in the hiring of off-duty municipal police officers. The Borough of Metuchen views such work as a necessary and logical extension of the law

enforcement officer's job and is, therefore, deemed in the public's best interest. At all times, the officer shall be subject to the same rules of conduct and performance as if performing his regular duty assignment.

C. This Part III is not applicable to outside employment in fields unrelated to police work, such as landscaping, electrical, radio repair, umpiring, consulting, etc., where the employee's law enforcement skills will not be required. However, police officers remain held to the high standard of good conduct and duty bound to the rules and regulations, where appropriate, while off duty.

D. It is the intention of the Borough to provide, or arrange for the provision of, insurance coverage, including worker's compensation coverage, to officers accepting off-duty employment under this policy to the full extent permissible under the relevant statutes and ordinances consistent with the applicable policies of insurance which are in force. The Borough reserves the right to seek indemnification from any third party tort-feasor or reimbursement from the officer for the sums he or she receives from a third party tort-feasor in accordance with applicable law.

E. The Chief of Police or his designee shall have the authority to order any member of the Police Department engaged in employment authorized by this Part III to respond to emergency situations requiring a response by the Metuchen Police Department. The Chief or his designee shall be authorized to terminate any employment authorized by this Part III whenever such employment creates an unacceptable risk to the health, safety and welfare of the officer or the citizenry. In the event that the employment authorized by this Part III is interrupted by emergency or terminated because it has created an unacceptable risk, then the private person or entity shall not be required to pay during the period of interruption or termination.

F. Nothing contained herein shall be construed as affecting or changing the provision of any mutual aid agreements between the Borough and any other municipality.

**BE IT FURTHER ORDAINED** that all provisions of Chapter 37 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            |     |    |    |    | 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 an ordinance introduced by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 16, 2018

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

Adopted:  
Date of Publication:

| 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 an ordinance adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on May 7, 2018

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

ATTEST:

BOROUGH OF METUCHEN

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

By: \_\_\_\_\_  
Jonathan M. Busch  
Mayor

**ORDINANCE 2018-08**

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

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 93 OF THE BOROUGH CODE ENTITLED “FIRE PREVENTION”, SPECIFICALLY SECTION 93-13 ENTITLED “ADDITIONAL REQUIRED INSPECTION AND FEES”**

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

**Section 13, Additional Required Inspection and Fees**, of the Code of the Borough of Metuchen, is hereby amended to increase the permit fees to read as follows:

**§ 93-13 – Additional required inspection and fees**

In addition to the inspections and fees required pursuant to the Uniform Safety Act and the regulations of the Department of Community Affairs, the following additional inspections and fees shall be required.

A. The application fees for the permits listed in N.J.A.C. 5:70-2.7(b) shall be as provided by state regulation and are currently as follows:

| Type | Fee                    |
|------|------------------------|
| 1    | <del>\$4254.00</del>   |
| 2    | <del>\$616214.00</del> |
| 3    | <del>\$331427.00</del> |
| 4    | <del>\$497641.00</del> |

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B. The cost for the issuance of a certificate of fire code status shall be \$35.

C. The in-lieu-of-inspection application fee for a certificate of smoke detector (no substitution allowed for smoke detectors) and carbon monoxide alarm compliance (one on every level) (CSDCMAC), as required by N.J.A.C. 5:70-2.3, and portable fire extinguisher requirements in accordance with the New Jersey Law § 1 of P.L. 1991, c. 92 (N.J.S.A. 52:27D-198.1) (located within 10 feet of kitchen area), shall be based upon the amount of time remaining before the change of occupant is expected, as follows:

- (1) Requests for CSDCMAC received more than 10 business days prior to the change of occupant: ~~\$3545.00~~.
- (2) Requests for CSDCMAC received four to 10 business days prior to the change of occupant: ~~\$7990.00~~.

Ordinance 2018-08

- (3) Requests for CSDCMAC received fewer than four business days prior to the change of occupant: ~~\$125~~161.00.
- (4) Reinspection fee: \$25 each time.

Introduction:  
Date of Publication:

| 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 an ordinance introduced by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on , 2018

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

Adopted:  
ate of Publication:

| COUNCILMEMBER      | YES | NO | NV | AB | COUNCILMEMBER | YES | NO             | NV | AB |
|--------------------|-----|----|----|----|---------------|-----|----------------|----|----|
| GRAYZEL            |     |    |    |    | LEIBFRIED     |     |                |    |    |
| INSERRO            |     |    |    |    | MULDOON       |     |                |    |    |
| KOSKOSKI           |     |    |    |    | 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

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

ATTEST:

BOROUGH OF METUCHEN

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

By: \_\_\_\_\_  
Jonathan M. Busch  
Mayor