

## AGENDA

### **BOROUGH COUNCIL AGENDA** **REGULAR MEETING FEBRUARY 25, 2019** **7:30 P.M.**

#### READING OF SUNSHINE NOTICE

#### INVOCATION

#### FLAG SALUTE

#### ROLL CALL

#### AGENDA SESSION

#### REGULAR MEETING

- A. EMS Report
- B. Approve Council Meeting Minutes of February 11, 2019

#### PUBLIC COMMENT

#### ORDINANCE – PUBLIC HEARING

Ordinance 2019-04

An Ordinance Amending the Land Development Ordinances of the Borough of Metuchen, Specifically, Chapter 110, Article 5, Entitled “Application and Escrow Fees” and Chapter 110, Article 23, Entitled “Supplementary Regulations”

#### COMMUNICATIONS CONSENT AGENDA – ITEM A - E

- A. Receive and Accept Block Party-Street Closing Request – Metuchen Little League – Saturday, June 8, 2019 (Rain Date: Sunday, June 9, 2019) – Oakland Avenue between Grove Avenue & Hollywood Avenue
- B. Receive and Accept Metuchen Arts Council Meeting Minutes of January 28, 2019
- C. Receive and Accept Metuchen Library Meeting Minutes of January 8, 2019
- D. Receive and Accept Metuchen Recreation Meeting Minutes of January 15, 2019
- E. Receive and Accept Metuchen Zoning Board of Adjustment Meeting Minutes of January 10, 2019

REPORTS OF COUNCILMEMBERS

REPORTS OF OFFICERS

REPORT OF THE MAYOR

NEW BUSINESS CONSENT AGENDA – R2019-77 TO R2019-78

R2019-77	Resolution Authorizing Acceptance of an Additional Amount of \$25,000.00 from the Middlesex County Urban County's Community Development Block Grant (CDBG) Program
R2019-78	Resolution Amending Certain Salaries for Calendar Year 2019

OTHER NEW BUSINESS – R2019-X79

R2019-79	Resolution Authorizing the Payment of the Bill List in the amount of <b>\$490,452.67</b>
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ORDINANCE – INTRODUCTION

Ordinance 2019-05	Ordinance of the Borough of Metuchen ("Borough") Authorizing the Acquisition of the Forum Theater, located at 312-316 Main Street, Identified as Block 183.02 and Lots 1, 2, 3, 4, 31 & 32
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ADJOURNMENT

The Borough of Metuchen does not discriminate against persons with disabilities. Those individuals requiring auxiliary aids and services were necessary must notify the ADA Coordinator of the Borough of Metuchen at least seventy-two (72) hours in advance of the meeting or scheduled activity.

**ORDINANCE 2019-04**

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

**AN ORDINANCE AMENDING THE LAND DEVELOPMENT ORDINANCES OF THE BOROUGH OF METUCHEN, SPECIFICALLY, CHAPTER 110, ARTICLE 5, ENTITLED “APPLICATION AND ESCROW FEES” and CHAPTER 110, ARTICLE 23, ENTITLED “SUPPLEMENTARY REGULATIONS”**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Metuchen that Chapter 110 of the Code of the Borough of Metuchen be amended as follows:

**SECTION 1.** Chapter 110, Article 5, Application and Escrow Fees, of the Code of the Borough of Metuchen is hereby amended to delete and add the following to Section 110-14 – Fee Schedule:

**§ 110-14. Fees.**

Every application for development and informal request for reviews by the Borough Engineer, Board Planner and Board Attorney as to zone change or other questions regarding the implementation, enforcement or application of this chapter shall not be acted upon unless and until:

- A. Accompanied by cash, check or money order made payable to the Borough of Metuchen for the application and escrow fees prescribed below; and
- B. The party seeking the application for development or informal request executes an agreement to pay for services to be rendered by the Board professionals or the Borough Attorney.

**Fee Schedule**

<b>Application for Development</b>	<b>Application Fee</b>	<b>Escrow Fee</b>
<hr/>		
Subdivisions		
Minor subdivision	\$200	\$2,000
Preliminary major subdivision	\$300	\$3,000
Final major subdivision	\$200	\$2,000
Informal presentation (1 appearance only)	\$50	\$500
Concept plat for review		
Minor subdivision	\$50	\$500
Major subdivision	\$100	\$1,000
Upon approval of minor or major final subdivision for amendment of Borough Tax Map	\$500 per new lot created	
Site plans		
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Minor site plan	\$25	\$250
Change of use	\$50	\$500
Preliminary site plan	\$300	\$3,000
Final site plan	\$200	\$2,000
PURD and PUCD	\$750	\$1,500 per acre or part thereof plus \$50 per dwelling unit
Informal presentation (1 appearance only)		
Concept plat for review	\$50	\$500
Minor site plan	\$25	\$250
Major site plan	\$500	\$500
Technical assistance, design review and completeness review at Technical Review Committee		
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Residential uses	\$25	\$250
Nonresidential uses	\$50	\$500
Variances		
<hr/>		
Appeals (N.J.S.A. 40:55D-70a)	\$75	\$750
Interpretation (N.J.S.A. 40:55D-70b)	\$75	\$750
Bulk (N.J.S.A. 40:55D-70c)		
First variance for principal structures	\$75	\$750
First variance for accessory structures	\$50	\$500
Each additional variance	\$25	\$250
Use (N.J.S.A. 40:55D-70d)		
d(1) or d(2) variances	\$200	\$2,000
d(3) variance	\$150	\$1,500
d(4), d(5) or d(6) variances	\$100	\$1,000
Permits (N.J.S.A. 40:55D-34 and 40:55D-35)	\$75	\$750
Miscellaneous requests for reviews, meetings or consultations involving planning, engineer or other professional review, including request for zoning changes	Hourly rates as set forth on an annual basis by the approving authority's retained professional, which are available in the Borough Clerk's office	As required by applicable Board and/or professional
Certified list of property owners	\$0.25 per name or \$10,	None

	whichever is greater	
Copy of minutes/transcripts of decisions	\$1 per page for first copy, plus \$0.25 per page for each additional copy or as required by transcription service	As required by transcription service
<b>Legal reviews</b>		
<b>Guaranty review</b>		
Review of performance guaranty by Borough Attorney	\$150 per review	None
Review of maintenance guaranty by Borough Attorney	\$150 per review	None
Preparation of developer's agreement by Borough Attorney	\$400 minimum per agreement, plus \$125 per hour after first 3 hours	As required by Borough Attorney
Miscellaneous reviews: master deed, certificate of incorporation, bylaws, unit deeds, etc.	\$150 per review	None
Appeal of any determination by Borough official to the applicable Board	\$50 per appeal, plus hourly rates as set forth on an annual basis by the approving authority's retained professional, which are available in the Borough Clerk's office	As required by applicable Board and/or professional
Special meeting	\$750 per meeting, plus hourly rates as set forth on an annual basis by the approving authority's retained professional, which are available in the Borough Clerk's office	As required by applicable Board and/or professional
Continuation of hearing	\$250 per appeal, plus hourly rates as set forth on an annual basis by the approving authority's retained professional, which are available in the Borough Clerk's office	As required by applicable Board and/or professional
<b>Zoning Permit Applications</b>	<b>Application Fee</b>	<b>Escrow Fee</b>
<u>Grading and drainage – plan review</u>	<u>\$50</u>	<u>\$500*</u>
<u>Grading and drainage – inspection</u>		<u>\$250*</u>

Principal structures

New principal structures <del>(inclusive of all other improvements associated with its construction)</del>	\$250	\$500*
Additions and alterations		
Greater than 1,000 square feet	\$100	
Greater than 500, up to 1,000 square feet	\$75	
500 square feet or less	\$50	
Porches and decks		
Greater than 250 square feet	\$25	
250 square feet or less	\$10	
Stoops, landings and steps	\$10	
Accessory structures		
Retaining walls 4 feet or greater in height and in-ground swimming pools <u>– plan review</u>	\$50	\$250*
<u>Retaining walls 4 feet or greater in height and in-ground swimming pools – inspection</u>		\$150*
Detached garages, and any other structure deemed to be accessory structures greater than 100 square feet	\$50	
Retaining walls less than 4 feet in height, parking lots, driveways, sport courts, fences, walls, sheds and patios greater than 100 square feet, above-ground swimming pools, rooftop solar panels, A/C condenser units, generators, tanks and any other structure deemed to be accessory structures 100 square feet or less	\$25	
Sheds and patios 100 square feet or less, and private walkways	\$10	
Construction trailers, construction fences and any other structure deemed to be temporary structures	\$10	
Home occupation	\$25	
Change of occupancy or use		
Greater than 3,000 square feet	\$75	

Greater than 500, up to 3,000 square feet	\$50
Greater than 250, up to 500 square feet	\$25
250 square feet or less	\$10
Pop-up business	\$10
Alterations to facade	\$25
<u>Signage</u>	
Primary business sign	\$25
Primary window sign	\$10
Outdoor displays of retail merchandise and sidewalk cafes	\$0
Exemption from site plan review	\$400
Exemption from site plan review for signs	\$150
Other zoning permits	\$25

**NOTES:**

- \* Escrow accounts for grading and drainage, new single- and two-family dwellings, retaining walls four feet or greater in height and in-ground swimming pools are for engineering plan review and inspections only.

**SECTION 2.** Chapter 110, Article 23, Supplementary Regulations, of the Code of the Borough of Metuchen is hereby amended by moving and renaming Section 110-112.8. – Antennas. to new Section 110-112.1.1. – Television, radio and satellite dish antennas:

**§ 110-112.81.1. Television, radio and satellite dish Antennas.**

Television, radio and satellite dish antennas shall be permitted in any district and require minor site plan approval and/or an approved zoning permit prior to construction. Type and location of such shall be as follows:

A. Conventional television and/or radio antennas shall be permitted as follows:

- (1) Such antennas may be located either attached to a permitted principal building or permitted accessory structure or freestanding in a rear yard.
- (2) The maximum height of an attached antenna shall be 10 feet above the existing height of the building or structure to which it is attached, not to exceed 10 feet above the maximum permitted height for the district in which such building or structure is located. The maximum height of freestanding antennas shall not exceed the permitted height of accessory structures for the district in which it is located.

(3) The minimum setback distances for an attached antenna or any part thereof shall be the requirements regularly applicable for principal buildings or accessory structures for the district in which such building or structure is located.

(4) Not more than one such antenna shall be permitted to be located on a lot.

B. Radio antenna structures to be operated by a holder of a Federal Communications Commission amateur radio license shall be permitted as follows:

(1) Such antennas may be located either attached to a permitted principal building or permitted accessory structure or freestanding in a rear yard.

(2) The maximum height of such attached antennas shall be 10 feet above the existing height of the building or structure to which it is attached, not to exceed a maximum of 10 feet above the maximum permitted height for the district in which such building or structure is located. The height of freestanding antennas shall not exceed 70 feet.

(3) The minimum setback distances for an attached antenna or any part thereof shall be the requirement regularly applicable for principal buildings or accessory structures for the district in which such building or structure is located. The minimum side and rear yard setback distances for a freestanding antenna shall be 50% of the total height of such antenna.

(4) Not more than one such antenna shall be permitted to be located on a lot.

C. Satellite dish antennas shall be permitted as follows:

(1) Such antennas shall be located either attached to a permitted principal building or permitted accessory structure or freestanding in a rear yard.

(2) The maximum height of an attached antenna shall be 10 feet above the existing height of the building or structure to which it is attached, not to exceed a maximum of 10 feet above the maximum permitted height for the district in which such building or structure is located. The height of freestanding antennas shall not exceed 15 feet.

(3) The minimum setback distance of such antennas or any part thereof shall be 10 feet from any side or rear lot line.

D. Provisions applicable to all antennas shall include the following:

(1) All antennas shall employ materials and colors that are consistent with and visually blend into the surrounding landscape to the greatest extent possible.

(2) All freestanding antennas shall be screened from view from all adjacent properties and public rights-of-way in order that a six-foot-tall person, with an eye level from grade of approximately 5 1/2 feet, is not able to see the lowest 20% of the total antenna height from a distance of 25 feet from the lot line containing such antenna. In no instance, however, shall such screening be less than six feet in height; however, any fence greater than six feet in height shall require a variance from the provisions of § 110-112.2. Such screening may utilize a solid wooden fence, earth berms, closely spaced evergreen plantings or some



combination of these devices. If evergreen plantings are utilized, such shall be sufficiently dense as to achieve 75% of the required screening at time of planting.

- (3) All lots containing freestanding antennas shall be enclosed with a minimum four-foot-high fence that must be kept secured and locked to prevent entry at all times, except to those using the premises.
- (4) All applications for zoning permits for freestanding antennas shall include certification by a New Jersey licensed professional engineer that the proposed installation:
  - (a) Complies with those standards of the BOCA National Building Code for radio and television towers and radio and television antennas listed in Sections 614.0 and 615.0 of the BOCA Basic Building Code.
  - (b) Can withstand wind speeds of a maximum of 70 miles per hour.

**SECTION 3.** Chapter 110, Article 23, Supplementary Regulations, of the Code of the Borough of Metuchen is hereby amended to add a new Section 110-112.8. – Grading and Drainage Provisions:

**§110-112.8. Grading and Drainage Provisions.**

- A. **Applicability.** A permit for grading and drainage shall be required prior to the construction of any structure or improvements which the Borough Engineer, Construction Official or Zoning Officer have determined may cause an adverse impact to any adjoining property or public right-of-way.
- B. **Zoning Permit Requirements.** Prior to the issuance of a zoning permit for the construction of any structure or improvements delineated under §110-112.8 herein, the applicant for the permit shall submit to the Zoning Officer three (3) copies of a plot plan accompanied by a certification from a New Jersey licensed professional engineer that the plan has been prepared by said engineer and includes all of the items as delineated herein. Said certification shall further set forth that the proposed grading and floor elevation will not impact detrimentally upon any adjoining owner and public right-of-way; and further that the plan provides for proper on-site runoff that is adequate to prevent ponding, severe erosion and positive drainage away from the proposed building construction and improvements in accordance with this chapter.
- C. **Plot Plan Requirements.** The plot plan prepared based on survey measurements, drawn to a scale of not more than one-inch equals 10 feet or less than one-inch equals 40 feet, shall include the following, as applicable to the proposed construction:
  - 1) Property lines and dimensions based upon a current (within last two (2) years) outbound survey prepared by a New Jersey licensed land surveyor.
  - 2) The width of street rights-of-way, the width of street pavements and the material composition of the street surface.
  - 3) The location and identification of flood zones, conservation easements, and wetland areas.

- 4) Existing/proposed buildings including projections such as porches, entrance platforms and steps, decks, and any accessory or other structures, building dimensions and proposed setback dimensions.
- 5) Existing structures on the property and within 50 feet of the property.
- 6) Existing and proposed contour lines at one-foot intervals with reference datum to NGVD 1988 for the property upon which the building is to be constructed. Proposed grades shall include sufficient spot elevations at the building corners, driveway, parking areas and yard areas and extend 20 feet in all directions from the property to clearly show impact of grading.
- 7) Finished floor elevations of all buildings, description of the building (ranch, bi-level, two story, masonry, frame), applicable critical grades, and the seasonal high-water table elevation.
- 8) A description of the building to be constructed (basement, cellar, crawl space or slab construction).
- 9) Where applicable, sufficient information to show impact, if any, on adjoining properties.
- 10) Total area of the tract and the total area upland or buildable area.
- 11) Existing/proposed total area and percentage of building coverage and impervious coverage.
- 12) Schedule showing zoning of property, zoning requirements and plan provisions in relation to each zoning requirement.
- 13) Existing/proposed private walkway, other walkways, paths, stairs, steps, trash and recycling pads, fence locations and the sidewalk/curb within the public right-of-way, including the type of material to be used for construction.
- 14) Existing/proposed driveway locations, parking areas, patios, sport courts, pools, water features and other site improvements and impervious surfaces, including the type of material to be used.
- 15) Existing/proposed terraced areas and retaining wall location and routing including top and bottom elevations of wall at the beginning and end of each wall segment and at any grade change.
- 16) All trees and their associated drip lines, including trees from adjacent property which have drip lines onto the subject property.
- 17) Location of all existing utilities and proposed connections thereto, and any utility relocations.
- 18) Construction details for all improvements on the lot and in the public right-of-way.

- 19) Any proposed stormwater management elements such as drainage swales, rain barrels, recharge facilities such as dry wells, perforated pipe or similar system, rain gardens or similar methods.
- 20) Stormwater flow direction arrows must be provided for both on-site and off-site conditions.
- 21) Drainage system routing and termination details and specifications.
- 22) A North arrow shall be shown with datum referenced.
- 23) United States Army Corps of Engineers or New Jersey Department of Environmental Protection approved wetlands and wetlands buffer delineations by metes and bounds, if applicable. Calculated wetland and wetland buffer areas shall be noted.
- 24) Submission of a zoning permit application in accordance with Article 24, Flood Damage Prevention, of this chapter for any development within flood hazard areas.

D. Plan Review. The Borough Engineer shall review and provide either an approval or rejection of the plot plan in writing to the applicant a maximum of 10 business days after receipt of the plot plan by the Zoning Officer.

E. Specific Requirements.

- 1) A minimum of two (2) soil borings shall be completed for up to 5,000 square feet in building footprint, and at least one (1) additional soil boring shall be completed for each additional 5,000 square feet in building footprint, or part thereof.
- 2) Soil borings shall be completed at or near the perimeter of the proposed lowest finished floor elevation, slab construction, and within the area of any proposed recharge facilities such as dry wells, perforated pipe or similar system
- 3) Soil borings shall extend to a depth of at least 7 feet below the water table, or at least 20 feet below existing grade, whichever is lower in elevation. The results of the soil borings and permeability tests for recharge facilities shall indicate the nature of the subsoil conditions, the permeability test results and the seasonal high water table elevation shall be provided in a report that is signed and sealed by a New Jersey licensed professional engineer.
- 4) The distance between the seasonal high water table elevation and the lowest finished floor elevation, slab construction, and the bottom of any recharge facility shall be a minimum of two (2) feet.
- 5) The distance between the finished floor elevation of the first floor and the average finished grade, or pre-construction grade, whichever is lower in elevation, as measured along the front wall of the building closest to the street, shall be a maximum of four (4) feet.
- 6) Where the seasonal high water table is less than six (6) feet below pre-construction grade on any portion of the lot, basements or cellars shall not be permitted.

- 7) The average finished grade elevation within the proposed building footprint and all areas 10 feet beyond such building footprint shall not be increased by greater than one (1) foot over the average pre-construction grade.
- 8) No fill shall be permitted within five (5) feet from a property line, unless such area being graded is to be used for the management of stormwater runoff, as approved by the Borough Engineer.
- 9) The minimum slope for drainage swales shall be 1 1/2%.
- 10) After review of existing conditions, the design engineer shall incorporate one or a combination of the following techniques:
  - (a) Roof drain runoff and sump pump discharge water shall be retained and recharged on the lot using recharge facilities such as dry wells, perforated pipe or similar system, rain gardens or similar methods. All recharge facilities shall be designed by a New Jersey licensed professional engineer, shall be designed in accordance with NJDEP and RSIS stormwater management design standards and shall be subject to the review and approval of the Borough Engineer.
  - (b) Any overflow from the above recharge facilities and/or in the event that recharge is not possible, the roof drain runoff and sump pump discharge water may be piped to and connected to the stormwater collection system subject to the review and approval of the Borough Engineer.
  - (c) Should connecting to the stormwater collection system not be possible, any overflow from the above recharge facilities and/or the roof drain runoff and sump pump discharge water may drain on the rear lawn, or on the front lawn towards the street subject to the review and approval of the Borough Engineer.
  - (d) Sump pump discharge water may be piped through a curb penetration within the public right-of-way only if there is no other viable option subject to the review and approval of the Borough Engineer.
- 11) Roof drain runoff and sump pump discharge water shall not be directed onto adjoining properties or within 10 feet of the public right-of-way.
- 12) Separate systems shall be provided for roof drain runoff and sump pump discharge.
- 13) Recharge facilities for roof drain runoff shall be designed for the 25-year storm event. Recharge facilities for sump pump discharge shall be designed based upon monitoring well data, groundwater modeling or similar design criteria.

**SECTION 4.** Chapter 110, Article 23, Supplementary Regulations, of the Code of the Borough of Metuchen is hereby amended to add a new Section 110-112.9. – Foundation as-built plan:

**§110-112.9. Foundation as-built plan.**

- A. Prior to framing or placing the modular units or pre-fab units on the foundation as constructed, a New Jersey professional land surveyor shall submit to the Zoning Officer three copies of a plan showing the setbacks and elevations as to said as-built foundation and specifically showing the top of block elevation and any other critical floor elevation.
- B. The foundation as-built plan shall be accompanied by a certificate from the preparer that same conforms with the above-listed items under §110-112.8.

**SECTION 5.** Chapter 110, Article 23, Supplementary Regulations, of the Code of the Borough of Metuchen is hereby amended to add a new Section 110-112.10. – Final as-built plan:

**§110-112.10. Final as-built plan.**

- A. Prior to the issuance of a certificate of occupancy, the Zoning Officer shall require three (3) copies of an as-built plan be submitted, signed and sealed by a New Jersey professional land surveyor for a final zoning permit review. The plans utilized for a request for a final zoning permit review shall be accompanied by a copy of the initial review plans. The Borough Engineer will, in addition to said review, cause an onsite inspection and submit a written report to the Zoning Officer and Construction Code Official as to the status of all improvements required and as-built conditions that conform satisfactorily to the approved plans and that a certificate of occupancy may be issued. In the event that the final as-built plan does not conform to the requirements herein set forth, a report shall be prepared by the Borough Engineer indicating conditions, which must be satisfied prior to the issuance of a certificate of occupancy. The as-built plans shall include the following:
  - (1) Property lines and dimensions.
  - (2) As-built elevations of the lot and adjacent roadway, building corners grades, lot corner grades, drainage swale grades, as well as contours and critical spot elevations to clearly define surface flow.
  - (3) Finished floor grades of all buildings, description of the building (ranch, bi-level, two story, masonry, frame), and applicable critical grades.
  - (4) All distances from structures in relation to property lines, height of structures.
  - (5) Describe building constructed; basement, crawl space or slab construction.
  - (6) Where applicable, sufficient information to show impact, if any, on adjoining properties.

- (7) All completed improvements, including but not limited to walks, drives, curbs and landscaping, shall be shown.
  - (8) Compliance with Article 24, Flood Damage Prevention, of this chapter for all development within flood hazard areas.
  - (9) Submission of a certified FEMA elevation certificate in flood hazard areas and in accordance with Article 24, Flood Damage Prevention.
- B. The final as-built plan shall be accompanied by a certificate from the preparer that same conforms with the above-listed items and is substantially in conformance with the plan previously submitted for initial review for a building permit. One copy of each of the previously submitted plans shall be attached. If alterations have been made, same shall be explained by notes or attachments, with an explanation of how the changes are different from the approval and that there are no significant impacts to adjoining properties.

**SECTION 6.** Chapter 110, Article 23, Supplementary Regulations, of the Code of the Borough of Metuchen is hereby amended to add a new Section 110-112.11 – Temporary certificate of occupancy (TCO).

**§110-112.11. Temporary certificate of occupancy (TCO).**

- A. If, in the opinion of the Borough Engineer, inclement weather prohibits the completion of the improvements required on the approved plot plan and proposed building construction and improvements in accordance with this chapter, a temporary certificate of occupancy (TCO) may be issued by the Construction Official. The issuance of the TCO shall be conditioned upon the following items:
- (1) The estimated construction costs to complete the improvements are placed in the applicant's attorney escrow account by the builder. The estimated costs for the incomplete improvements shall be determined by the Borough Engineer.
  - (2) Written proof of the escrow amount must be given to the Zoning Official by the applicant's attorney.
  - (3) Proof of receipt of a conditional or permanent report of compliance from the Freehold Soil Conservation District, where applicable, shall be submitted to the Construction Official.
  - (4) All escrowed improvements shall be completed and ready for final inspection no later than May 1 next occurring, unless an extension is granted by the Borough Engineer, Construction Official and/or Zoning Officer.

Introduction: February 11, 2019  
 Date of Publication: February 15, 2019

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
DELIA	X				PAGEL	X			
HIRSCH	X				RASMUSSEN	X			
KOSKOSKI	X				RUBIN	X			
MOTION	<b>KOSKOSKI</b>				SECOND	<b>RASMUSSEN</b>			
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 February 11, 2019.

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

Adopted:  
 Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
DELIA					PAGEL				
HIRSCH					RASMUSSEN				
KOSKOSKI					RUBIN				
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 25, 2019.

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

ATTEST:

BOROUGH OF METUCHEN

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

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

**RESOLUTION 2019-77**

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

**RESOLUTION AUTHORIZING ACCEPTANCE OF AN ADDITIONAL AMOUNT OF \$25,000.00 FROM THE MIDDLESEX COUNTY URBAN COUNTY’S COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM**

**WHEREAS**, the Borough of Metuchen is a participating municipality in the Urban County designation formed with 19 municipalities within Middlesex County for the purpose of receiving federal funding from the U.S. Department of Housing and Urban Development (HUD) under the Community Development Block Grant (CDBG) program; and

**WHEREAS**, the Borough of Metuchen has made application to the Middlesex County Division of Housing, Community Development, and Social Services for reallocated Community Development Block Grant (CDBG) funds; and

**WHEREAS**, Middlesex County has awarded the Borough of Metuchen \$25,000.00 in reallocated CDBG funds for its ADA Municipal Building project based on adherence to the timely expenditure and vouchering to Middlesex County of these funds as indicated on their submitted application.

**NOW, THEREFORE, BE IT RESOVLED THAT** the Borough of Metuchen accept the additional \$25,000.00 in reallocated CDBG funds from Middlesex County for its ADA Municipal Building project and direct appropriate municipal staff to take necessary measures to complete the project and submit vouchers and required project documentation to Middlesex County based its submitted application; and

**BE IT FURTHER RESOLVED THAT** a copy of this resolution be sent to the Middlesex County Division of Housing, Community Development, and Social Services.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
DELIA					PAGEL				
HIRSCH					RASMUSSEN				
KOSKOSKI					RUBIN				
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 February 25, 2019

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



**RESOLUTION 2019-78**

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

**RESOLUTION ADDING CERTAIN POSITIONS AND SALARIES FOR CALENDAR YEAR  
2019**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Metuchen that the pay of the employees whose pay range is established under Ordinance 2019-03 and amendments thereto and who is not covered by a collective bargaining agreement is hereby set for the calendar year commencing January 1, 2019 as follows:

**RECREATIONAL SEASONAL EMPLOYEES –**

	<u>Junior Referee</u>	<u>\$10.00/hr.</u>
	<u>Basketball Referee</u>	<u>\$25.00/hr.</u>

**BE IT FURTHER RESOLVED**, that no officer or employee shall be paid at a rate which is above the maximum rate for any salary range in any of the aforementioned groups; and

**BE IT FURTHER RESOLVED** that unless otherwise provided for all new employees or newly promoted employees shall be paid at the minimum rate of the salary range for the position to which they are hired. However, the Borough Administrator may hire a prospective employee who possesses qualifications for the position at a rate above the minimum rate, but in no case shall a new employee be hired at a rate which is greater than that of a current employee in the same range.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB					
DELIA					PAGEL									
HIRSCH					RASMUSSEN									
KOSKOSKI					RUBIN									
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 February 25, 2019.

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

**RESOLUTION 2019-79**

*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 **\$490,452.67**

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
DELIA					PAGEL				
HIRSCH					RASMUSSEN				
KOSKOSKI					RUBIN				
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 February 25, 2019.

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

**ORDINANCE 2019-05**

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

**ORDINANCE OF THE BOROUGH OF METUCHEN  
("BOROUGH") AUTHORIZING THE ACQUISITION OF THE FORUM THEATER,  
LOCATED AT 312-316 MAIN STREET, IDENTIFIED AS BLOCK 183.02  
AND LOTS 1, 2, 3, 4, 31 & 32**

**WHEREAS**, Marloe Enterprises, Inc. ("Marloe") is the fee simple owner of certain real property consisting of The Forum Theater located at 312-316 Main Street in the Borough of Metuchen ("Borough"), Middlesex County, New Jersey, designated as Block 183.02, Lots 1, 2, 3, 4, 31 & 32, on the Borough tax map (the "Property"); and

**WHEREAS**, the Borough desires to acquire the Property; and

**WHEREAS**, Marloe may make a non-cash contribution to the Borough of any additional value in the Property; and

**NOW, THEREFORE, BE IT ORDAINED**, the Township finds that Block 183.02, Lots 1, 2, 3, 4, 31 & 32 are needed for the public purpose of: redevelopment, recreation, parking and for the creation of an Arts District within the Borough and hereby authorizes the Township to acquire the subject Property; and

**IT IS FURTHER ORDAINED**, that the Council of the Borough of Metuchen hereby authorizes the acquisition of the Property; and

**IT IS FURTHER ORDAINED**, that the Mayor, Business Administrator, Borough legal counsel and other Borough Officials are hereby authorized and directed to take any action and to execute any documents as may be necessary to effectuate this Ordinance; and

**IT IS FURTHER ORDAINED**, if any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective; and

**IT IS FURTHER ORDAINED**, all Ordinance or parts of Ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency; and

**IT IS FURTHER ORDAINED**, by the Council of the Borough of Metuchen that this Ordinance and any requirement thereof shall take effect after each passage and publication as required by law.

Ord. 2019-05  
 March 11, 2019  
 Introduction:  
 Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
DELIA					PAGEL				
HIRSCH					RASMUSSEN				
KOSKOSKI					RUBIN				
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 February 11, 2019.

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

Adopted:  
 Date of Publication:

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
DELIA					PAGEL				
HIRSCH					RASMUSSEN				
KOSKOSKI					RUBIN				
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 25, 2019.

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

ATTEST:

BOROUGH OF METUCHEN

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

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