

revitalization of their downtown buildings and commercial districts. She explained the process that was taken to apply to the program. Metuchen was accepted into the Associate level. The conference last week was well attended and a brief overview of the material covered. There is a meeting scheduled for March 15th at the Senior Center, with the time to be announced shortly. This meeting is to give a short overview of the program is for Metuchen residents and business owners only. If any businesses are interested in the next all-day program, it will be presented in Montclair in either April or May. Businesses can check the NJ Main Street website for more information.

Councilman Muldoon explained that the conference was an orientation and learning session into what Main Street NJ does and how they help the communities. The four point approach that was presented was Orientation, Economic Restructuring, Design and Promotion:

Council President Grayzel thanked Councilwoman Inzerro, Councilman Muldoon, Councilwoman Rasmussen and the Development Commission for this initiative of bringing these creative, new ideas to Metuchen.

Agenda Session

Council President Grayzel made a motion to open the Agenda Session, second by Councilwoman Rasmussen, with all in favor; the Agenda Session was opened.

Denis Murphy, Borough Attorney, explained the amendments and the suggested procedure to accept Ordinance 2015-04, PILOP, and the reason for R2015-70. He reminded the Council that all payments for work completed on this project comes from the escrow account that is posted by the applicant.

With no other items, Council President Grayzel made a motion to close the Agenda Session, second by Councilwoman Rasmussen, with all in favor; the Agenda Session was closed.

Regular Meeting

Council President made a motion to approve the Council minutes of May 19, 2014, February 17, 2015 and Executive minutes of February 17, 2015, second by Councilwoman Rasmussen, with five in favor and one abstention of the May 19, 2014 minutes and all in favor of the 2015 minutes; the motion carried.

Discussion

Planning Board to Undertake a Preliminary Investigation to Determine Whether the Area Known as Block 71, Lot 37.01 is in Need of Redevelopment.

There was a brief discussion as to the process that needs to be taken by the Planning Board to make a determination on the property.

Public Comment

Mayor Vahalla opened Public Comment to any members of the public wishing to speak.

George Stafford, 16 Kichal Ave, Wharton, NJ. He is the Outreach Director for the NJ Highland Coalition. He explained that he goes around to communities that receive water from the Highlands. He explained that the Environmental Protection states that communities must receive up to 20% of its water from the Highland sources and the Delaware Raritan Canal is the major source for Metuchen. The Highlands' Master Plan is under review at this time. He explained the impact of the requested changes to

the plan and the 244 municipalities that receive their water from the Highlands. He explained the issues with the infrastructure. He is asking the Council to take a look at the resolution he has presented for their consideration. The resolution requests the NJ Highlands Coalition to not make any changes to the Highlands' Master Plan.

Mayor Vahalla asked that this be distributed to the Councilmembers before the next meeting and asked Councilwoman Rasmussen to bring it to the Environmental Commission to discuss it with them.

Grace Shackney, 110 Colombia Avenue, Metuchen asked that street addresses be included on the agenda along with Block and Lots in the future.

Seeing no one else wishing to speak, Mayor Vahalla closed the Public Comment.

Communications Consent Agenda – Items A through D

Council President Grayzel made a motion to receive and accept Communications Consent Agenda Items A through D, second by Councilwoman Rasmussen, with all in favor, the motion carried.

- A. Receive and Accept Metuchen Traffic and Transportation Committee Meeting Minutes of January 14, 2015.
- B. Receive and Accept Metuchen Board of Health Minutes of April 23, 2014 and September 17, 2014
- C. Receive and Approve Middlesex County Mosquito Extermination Commission use of the St. Joseph's High School Helicopter landing site.
- D. Receive and Accept Resignation from Environmental Commission – Sharon Burke

Reports of Councilmembers

Mayor Vahalla opened Reports of Councilmembers at this time.

Council President Grayzel –

- Arts Council met on February 23, 2015 and went over its programming for the coming year. The Rotunda Gallery is featuring the works of Lauren Rabinowitz. Her work will be on display through the month of April in Borough Hall. Currently the Annex Gallery at Borough Hall is displaying art works by the students from Edgar Middle School.
- The second phase of the Metuchen Mud Making Project is going to resume in March. This project is a four year art project to create four ceramic murals, each one representing a season of the year. The walls will be installed on the small storage facility near the tennis courts on Grove Avenue. The first panel is near completion and needs to be installed. The next mural represents autumn and is scheduled to begin in March. The cost is \$25.00 per person with two work sessions available. One is on Saturday morning and the other is Sunday afternoon. To sign up call Nancy Goldberg at (732) 632-8502. More details are available on Facebook at "Mud Making Magic a Community Mural Project.
- "Peter and the Wolf" was held at St. Luke's on Sunday, February 1, 2015. It was a huge success with a standing room only crowd.
- The Song House Writer series continues on Saturday, March 28th at 8 PM the Old Franklin School featuring local song writers Sarah Donner, Sharon Goldman, Anton Mulcahy and Marin Swinger. Tickets are \$10.00 at the door. Doors open at 7:30 PM.

- The Accessibility Committee met on February 25, 2015 and discussed their priorities for the year. The committee is planning a Town Hall meeting in April to provide a forum for physically disabled citizens of Metuchen and their families to voice their concerns and express their opinions on parking accessibility issues in the Downtown. More information will be forthcoming.
- The Cable/Technology Committee met on February 26, 2015 and discussed proposals from technology firms with the Borough Administrator about the Borough website.
- The Finance Committee met tonight and discussed the upcoming budget process.

Councilwoman Inzerro –

- The Board of Health met and went over the restaurant reports with the Board of Health Inspector and will meet again in May.
- Senior Citizens can sign up to attend the special dinner and dress rehearsal for the High School musical “Seussical Musical”. The dinner and dress rehearsal is March 25th starting at 5:30 PM. To register call the Senior Center at (732) 632-8524.
- The Parkinson Support Group will Wednesday, March 11th, from 1 and 2 PM.
- Metuchen Municipal Alliance will be hosting its annual Magic Show on March 13th at Campbell School at 7 PM. The cost is \$10.00 per adult with one child free and each additional child is \$3.00.

Councilman Leibfried –

- Library Committee is meeting next week. He attended the Chinese New Year event held at the Library on March 1st.
- The grand opening of the Metuchen Makery at the Library is scheduled for March 21st at 11:00 AM.
- The Pool Commission is meeting tonight.

Councilman Muldoon –

- He attended the NJ Bike-Walk Summit on February 21, 2015. He was part of the panel that spoke about the Middlesex Greenway. It was an all-day conference where he attended discussions on how other municipalities and counties are making their streets more pedestrian and bike friendly and safer.

Councilwoman Rasmussen –

- Upcoming Chamber of Commerce events are: The Borough-wide Garage Sale on April 25th and the Golf Outing on May 4th. Family membership to the Chamber of Commerce is \$75.00 for the year and that includes a \$25.00 Chamber gift certificate that can be used at any of the Metuchen businesses and free sign-up to participate in the Borough-wide Garage Sale.

Reports of Professionals and Administrator

Denis Murphy, Esq. – No report at this time.

Jennifer Maier, Administrator –

- Went over the meetings that she attended with Borough staff and other officials. She gave reports of each meeting.

Report of the Mayor-

- On March 12th the Fire Task Force will be meeting at 7:00 PM.
- The Fire Chief filmed a PowerPoint presentation with METV
- There was a meeting with Edison on the combined Edison/Metuchen Dog Park Committee

- The Interchange of 287 improvements talks are moving forward.
- JFK Wellness program for Metuchen residents are still in discussions.
-

New Business – Consent Agenda – Resolutions R2015-48 and R2015-66 through R2015-72

Council President Grayzel moved Consent Agenda Resolutions R2015-48 and R2015-66 through R2015-72 for approval, seconded by Councilwoman Rasmussen, with all in favor, Resolutions R2015-48 and R2015-66 through R2015-72 were approved.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
LEIBFRIED	X				MULDOON	X			
GRAYZEL	X				RASMUSSEN	X			
INSERRO	X				WALLACE				X
MOTION	GRAYZEL			SECOND			RASMUESSEN		
X – INDICATES VOTE				AB- ABSENT			NV- NOT VOTING		

RESOLUTION 2015-48

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

RESOLUTION AUTHORIZING THE PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE AREA KNOWN AS BLOCK 71, LOT 37.01 IS IN NEED OF REDEVELOPMENT.

WHEREAS, N.J.S.A. 40A:12A-1, et seq., the Local Redevelopment and Housing Law (LRHL), sets forth the criteria for a determination of whether a delineated area may be designated as an area in need of redevelopment; and

WHEREAS, by L.2013, c. 159, the LRHL was amended to provide for an Area in Need of Redevelopment (“Redevelopment Area”) to be delineated as a Non-Condemnation Redevelopment Area (NCRA) where the use of eminent domain is not to be authorized by the municipality; and

WHEREAS, the LRHL provides a procedure for the investigation of whether a delineated area is an area in need of redevelopment; and

WHEREAS, the Governing Body of the Borough of Metuchen deems it advisable to investigate whether the area commonly known as 700 Middlesex Avenue, in the Borough of Metuchen, County of Middlesex and the State of New Jersey, known and designated as Block 71, Lot 37.01 as shown on the official Tax Map of the Borough of Metuchen, is an area in need of redevelopment as an NCRA, in accordance with N.J.S.A. 40A:12A-1, et seq.;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen that the Planning Board of the Borough of Metuchen be and is hereby authorized to undertake a preliminary investigation to determine whether the area in the Borough of Metuchen, known and designated as Block 71, Lot 37.01 as shown on the official Tax Map of the Borough of Metuchen, is an Area in Need of Redevelopment to be so delineated according to the criteria set forth in N.J.S.A. 40A:12A-1, et seq., as amended; and

BE IT FURTHER RESOLVED that use of eminent domain is not to be authorized by the municipality and that if so delineated, the delineated area shall be deemed a Non-Condensation Redevelopment Area (NCRA) in accordance with L. 2013, c. 159; and

BE IT FURTHER RESOLVED that the Planning Board be and is hereby authorized to undertake said investigation in accordance with N.J.S.A. 40A:12A-1, *et seq.*, and is hereby directed that the notice of hearing shall specifically state that a redevelopment area determination shall not authorize the municipality to exercise the power of eminent domain to acquire any property in the delineated area.

RESOLUTION 2015-66

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

RESOLUTION AUTHORIZING THE CANCELLATION OF TAX SALE LIENS

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

<u>Cert #</u>	<u>Block/Lot</u>	<u>Address</u>	<u>Lienholder</u>
12-00010	172/53	34 Jonesdale Ave	Phoenix Funding, Inc.

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

RESOLUTION 2015-67

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

RESOLUTION AUTHORIZING 2015 TEMPORARY EMERGENCY APPROPRIATIONS

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 2015, effective March 2, 2015:

Administrative & Executive	OE	15,000.00
Mayor & Council	OE	700.00
METV	OE	6,000.00
Group Insurance	OE	200,000.00
Uniform Fire Safety	S&W	4,000.00
Municipal Clerk	OE	500.00

Fire Department	OE	6,000.00
Streets & Roads	OE	20,000.00
Buildings & Grounds	OE	5,000.00
Forestry	OE	4,000.00
Library Consortium		3,000.00
Senior Citizen Center	OE	1,000.00
Municipal Court	OE	1,000.00
Utilities		10,000.00
Bond Interest		186,000.00
	TOTAL	462,200.00

RESOLUTION 2015-68

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

RESOLUTION AUTHORIZING REFUND OF PREVIOUSLY CANCELLED TAXES

WHEREAS, the following has made an overpayment of taxes that has been previously cancelled by the Borough,

WHEREAS, proper documentation has been filed with the Collector of Taxes so that the following amount(s) can be released:

Name	Block/Lot	Address	Amount		Year
Elena Kholina	93/101	47 Victory Court	927.31	Duplicate payment previously cancelled	3 rd qtr 2013
Elena Kholina	93/101	47 Victory Court	1,180.37	Duplicate payment previously cancelled	4 th qtr 2013

NOW, THEREFORE, BE IT RESOLVED, that the above listed property owner or agent be refunded \$2,107.68.

RESOLUTION 2015-69

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

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE BOND GUARANTEE – SUBURBAN SQUARE, LLC – PHASE II – BLOCK 82, LOTS 1.01, 1.02, 8 & 16.01 AND BLOCK 83, LOTS 1-8, 9.01, 9.02, 28 & 29

WHEREAS, Suburban Square, LLC., has requested a refund of the performance bond for site improvements on Phase II – Block 82, Lots 1.01, 1.02, 8 & 16.01 and Block 83, Lots 1-8, 9.01, 9.02, 28 & 29 located at 85/95 Central Avenue; and

WHEREAS, the Borough Engineer in a letter dated July 2, 2014 and a memo from the Zoning Officer dated December 12, 2014 has reported that the contract has been completed in an acceptable manner; and

WHEREAS, Maser Consulting, P.A. and the Borough of Metuchen Zoning Officer recommended the full release of the Performance Guarantee in the amount of \$185,717.15 (Surety Bond), \$18,862.73 plus Interest (10% Cash Bond – PG09-8692) and \$3,423.33 (10% Cash Bond – 12-967) and that a Maintenance Surety Bond of \$27,857.57 has been posted on July 3, 2014; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen that the Chief Financial Officer and Borough Clerk are hereby authorized and directed to release said Performance Bonds in the amount of \$185,717.15 (Surety Bond), \$18,862.73 plus interest, (10% Cash Bond – PG09-8692) and \$3,423.33 (10% Cash Bond – 12-967) as recommended and directed by the Borough Engineer and Zoning Official to Suburban Square Development, LLC., 228A Pierson Avenue, Edison, NJ 08837 upon final approval of the Borough Administrator and Legal Counsel.

R2015-70

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

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH DW SMITH ASSOCIATES, LLC FOR THE PROVISION OF ENGINEERING SERVICES TO THE BOROUGH OF METUCHEN

WHEREAS, the Zoning Board of Adjustment of the Borough of Metuchen (the “Zoning Board”) awarded a contract to R3M Engineering, Inc. to provide professional engineering services to the Board in connection with the application for site plan approval and ancillary relief relating to construction at St. Joseph’s High School, Metuchen, New Jersey; and

WHEREAS, the Zoning Board has completed its review and determination relating to the relief sought in the application of St. Joseph’s High School and Kathy Hering, P.E. was primarily involved in the St Joseph’s application and is intimately familiar with the Zoning Board’s approval and relief sought by St. Joseph’s; and

WHEREAS, over the course of the engagement Kathy Hering, P.E. reviewed and analyzed various plans, specifications and documents and made recommendations related to the approval of the construction at St. Joseph’s High School; and

WHEREAS, Kathy Hering, P.E. resigned from R3M effective February 19, 2015 and is currently employed by DW Smith Associates, LLC; and

WHEREAS, in light of the Zoning Board’s completion of the review and determination of the application relating to the construction at St. Joseph’s High School and necessity for the oversight of the subsequent phases of the construction, the Mayor and Council of the Borough of Metuchen determined that it is necessary to retain engineering services for the Construction Inspection of Various Site Improvements to St. Joseph High School; and

WHEREAS, said services are of the nature of a professional service pursuant to N.J.S.A.

40A:11-5(1)(a)(i), and, therefore, a contract for the services may be negotiated and awarded by the Borough without public advertising for bids and bidding; and

WHEREAS, said services are of the type contemplated by the New Jersey Local Unit Pay-To-Play Law (N.J.S.A. 19:44A-20.4, et. seq.), and, therefore, a contract for the services must be awarded pursuant to a “fair and open” or “non-fair and open” process, both of which are defined in the law; and

WHEREAS, based upon the above, Kathy Hering, P.E. and DW Smith Associates, LLC are uniquely qualified to oversee the construction at St. Joseph’s High School, and

WHEREAS, based upon Kathy Hering’s prior experience related to the construction at St. Joseph’s High School, the Borough has determined that it is in its best interests to proceed in a non-fair and open manner to obtain said services; and

WHEREAS, the Borough requested and received a proposal from DW Smith, Associates, LLC to perform said services for the Borough of Metuchen at a cost not to exceed \$17,500.00 (which is attached hereto and made part hereof); and

WHEREAS, the Borough has determined it to be in its best interests to enter into an Agreement for professional engineering services for the oversight of the construction at St. Joseph’s High School to be performed by DW Smith Associates, LLC for amount not to exceed \$17,500.00 and said funds shall be paid from an escrow account that has been established by the Applicant of the St. Joseph’s High School Construction Project; and

WHEREAS, in accordance with Code of the Borough of Metuchen, DW Smith Associates, LLC submitted a certification that it had not made a contribution that would bar the award of the agreement pursuant to *N.J.S.A. 19:44A-1, et seq.* or the Code of the Borough of Metuchen.

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

1. The Mayor and Council of the Borough of Metuchen hereby award a contract for professional engineering services for the oversight of the construction at St. Joseph’s High School to be performed by DW Smith Associates, LLC consistent with the proposal submitted and for amount not to exceed \$17,500.00 and said funds shall be paid from an escrow account that has been established by the Applicant of the St. Joseph’s High School Construction Project.
2. The foregoing contract is awarded in accordance with the Local Public Contracts Law and as the result of a non-fair and open process.
3. A copy of this Resolution shall be filed with the Municipal Clerk of the Borough of Metuchen and forwarded to the Clerk of the Zoning Board of Adjustment.

R2015-71

Borough of Metuchen
County of Middlesex
State of New Jersey

RESOLUTION TO GRANT EXEMPTION FOR DISABLED VETERAN
AND TO REFUND 2015 TAXES

4.

WHEREAS, the Tax Assessor of the Borough of Metuchen has been provided sufficient proof that the owner of the property known as 116 Newman Street, Block 153.1, Lot 6 C304C, in the Borough of Metuchen is owned by a 100% Permanently & Totally Disabled Veteran, as noted in a letter from the Department of Veterans Affairs dated February 13, 2015, and

WHEREAS, the property owner John Volkland, being determined to be totally and permanently disabled by the Department of Veteran Affairs applied to the Borough of Metuchen for the tax exemption on February 24, 2015, for Block 153.1, Lot 6 C304C,

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Metuchen that the Chief Financial Officer/Tax Collector is hereby authorized to refund the homeowner the monies already paid for the 2015 1st quarter taxes, prorated for the period of exemption in the amount of \$420.08, and cancel the remaining taxes for 2015 as levied.

RESOLUTION 2015-72

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

RESOLUTION AUTHORIZING THE TAX ASSESSOR AND TAX APPEAL ATTORNEY TO FILE COUNTERCLAIMS AND/OR DIRECT CLAIMS AND PETITION OF APPEAL

WHEREAS, it is anticipated that certain taxpayers of the Borough of Metuchen will file tax appeals disputing their assessed valuation for the year 2015; and

WHEREAS, The Tax Assessor is of the opinion that certain properties, in some cases, are under assessed and that the assessed value of said properties should be increased and not decreased; and

WHEREAS, the law permits a Municipality to counterclaim against the property owner to seek an increase in the assessed value and also to file direct appeals (Petitions and Complaints) with the County Board of Taxation and/or the Tax Court of New Jersey to seek an increase in the assessed value; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Metuchen that the Tax Assessor, Anand Verma and the Tax Appeal Attorney of the Borough of Metuchen, Bruce Samuels, Esq., are authorized and directed to take whatever steps necessary and appropriate to file counterclaims and/or direct claims and petitions against the property in question seeking to raise the assessed value of said properties to the value which the Tax Assessor deems to more properly reflect the value of said property for the tax year 2015.

Other New Business

Council President Grayzel made a motion to approve R2015-73; Payment of the Bill List in the amount of \$3,386,079.13 second by Councilwoman Rasmussen, with all in favor, R2015-73 was approved.

RESOLUTION 2015-73

*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 **\$3,386,079.13**

Appointment

Mayor Vahalla appointed Lisa Gallina to the Shade Tree Commission.

Ordinance – Introduction

Ordinance 2015-04

Council President Grayzel made a motion to move Ordinance 2015-04 be amended to reflect the recommendations of the Planning Board and the Zoning Officer and re-introduce and pass on first reading, publish as amended according to law and a public hearing set down for March 16, 2015, second by Councilman Leibfried, with all in favor, Ordinance 2015-04 was re-introduced as amended and passed

ORDINANCE 2015-04

AN ORDINANCE ADDING A NEW SECTION TO THE LAND DEVELOPMENT ORDINANCE OF THE BOROUGH OF METUCHEN, CHAPTER 110, SECTION 110-154 PARKING REGULATIONS “PARKING IN THE DOWNTOWN AREA”

WHEREAS, the Borough of Metuchen is committed to promoting reinvestment in centrally located downtown properties including the use of innovative tools to facilitate continued growth and enhanced value for downtown properties; and

WHEREAS, there are situations where downtown properties have been unable to be efficiently utilized by potential tenants or cost-effectively developed with new construction because of a lack of on-site parking based on the strict requirements of the Land Development Ordinance; and

WHEREAS, prior to 30 years ago, when the downtown was at its peak as a retail center, Metuchen’s zoning ordinance did not require the provision of parking for any downtown land use located within 400 feet of a public parking lot; and

WHEREAS, the Metuchen Parking Authority completed a Downtown Parking Study in 2014 which determined that there exists a sufficient supply of downtown parking and recommended that the Land Development Ordinance be amended to reduce minimum parking requirements, establish maximum parking requirements, and permit payments in lieu of parking (“PILOP”) in the downtown, which recommendations were adopted by the Planning Board in an amendment to the Metuchen Master Plan on June 19, 2014; and

WHEREAS, allowing a PILOP will create a mechanism for Applicants to the Planning Board and Zoning Board of Adjustment to satisfy parking requirements without burdening resident taxpayers, while maximizing potential development opportunities in the downtown area in proximity to public parking facilities and mass transit; and

WHEREAS, permitting a PILOP will provide potential benefits such as stimulating

reinvestment in downtown properties that are too small or constrained to provide sufficient on-site parking on the property itself, establishing a funding mechanism for the improvement of public parking facilities for the public at large, and promoting sustainable development with shared parking; and

WHEREAS, the Borough of Metuchen shall use any PILOP payment as it deems necessary and appropriate in order to effectuate the goals and objectives of the Master Plan, Downtown Parking Plan and Complete Streets policies as it relates to circulation, accessibility, traffic and pedestrian safety and related issues in the Borough. These include, but are not limited to, the acquisition, development, expansion or capital repair of public and municipal parking facilities, traffic or transportation-related capital projects, the provision or operating expenses of transit facilities designed to reduce reliance on private automobiles, programs to facilitate carpooling or ride sharing, improve traffic and introduce context-sensitive design elements at intersections and corridors, creating a consistent streetscape for all user groups utilizing all modes of transportation, such as parking meters, wayfinding signage, kiosks, trails, sidewalks, crosswalks, streets and similar improvements that connect users to public and municipal parking facilities throughout the Borough.

NOW THEREFORE BE IT ORDAINED by the Borough Council of the Borough of Metuchen that a new section designated **110-154. F.** entitled, “**Parking in the downtown area**” be added to Article 36 of the Land Development Code of the Borough of Metuchen, that shall read in its entirety as follows:

§ 110-154. F. Parking in the downtown area. The following regulations shall apply to parking in the B-1 Central Business District, B-3 Office Business District and D-1 Downtown Development District:

- (1) Reduced parking requirements. The minimum parking requirements of Section 110-154. B. shall be reduced by 50% for all uses. For residential uses where parking is governed by the Residential Site Improvement Standards (RSIS), the Board may grant alternative parking standards in accordance with N.J.A.C. 5:21-4.14 (c).
- (2) Maximum parking requirements. The parking requirements of Section 110-154. B. shall be considered maximum permitted parking standards and exceeding such standards shall require an exception to be granted by the Board.
- (3) Payments in Lieu of Parking (PILOP). The Board may allow applicants whose application for development has insufficient on-site parking to meet the reduced parking requirements of Subsection (1) above, provided the following are satisfied:
 - (a.) Prior to granting a PILOP agreement to an applicant as part of final approval, the Board shall determine that circumstances exist which make the granting of a PILOP appropriate based on the type of use proposed and after due consideration of the impact that granting of a PILOP will have on the area surrounding the development site.
 - (b.) Nothing in this ordinance shall be deemed to serve as an automatic requirement to grant a PILOP agreement, nor in any way diminish the Board’s ability to grant full or partial parking exceptions.
 - (c.) The entry into a PILOP agreement with the Borough of Metuchen shall be a condition of any approval by appropriate Board. Such agreement shall indicate that the Metuchen Parking Authority has established that there are adequate available parking resources to provide any parking required under the PILOP.
 - (d.) The PILOP payment shall be established at \$5,000.00 per required parking space for all uses and \$2,500.00 per required parking space for any affordable housing unit. The established fees herein shall be reexamined, and may be modified, from time to time, in intervals no greater than once every two (2) years, to ensure that the fees are appropriate for intents and purposes of the PILOP program.
 - (e.) The PILOP shall be paid in full to the Borough of Metuchen prior to the issuance of any certificate of occupancy by the Borough in order to effectuate the goals and objectives of

- the Master Plan, Downtown Parking Plan and Complete Streets policies as it relates to circulation, accessibility, traffic and pedestrian safety and related issues in the Borough. The proceeds shall be deposited into a fund established solely for the acquisition, development, expansion or capital repair of public and municipal parking facilities, traffic or transportation-related capital projects, the provision or operating expenses of transit facilities designed to reduce reliance on private automobiles, programs to facilitate carpooling or ride sharing, and creating a consistent streetscape for all user groups utilizing all modes of transportation by introducing context-sensitive design elements at intersections and corridors, such as parking meters, wayfinding signage, kiosks, trails, sidewalks, crosswalks, streets and similar improvements that connect users to public and municipal parking facilities throughout the Borough. The proceeds of such fund shall not be considered a part of the municipal general fund.
- (f.) The PILOP shall not relieve the applicant or any users of the parking spaces covered under a PILOP agreement from paying any required parking fees to the Metuchen Parking Authority.

SECTION 2. This ordinance shall become effective immediately upon publication following final adoption, pursuant to law.

Public Session

Mayor Vahalla opened to Public Session to anyone wishing to speak.

Seeing no one wishing to speak, Mayor Vahalla closed the Public Session.

Adjournment

Council President Grayzel made a motion to adjourn the meeting, seconded by Councilwoman Rasmussen, with all in favor, the meeting was adjourned at 8:37 PM.

Respectfully Submitted,

Susan D. Jackson,
Metuchen Borough Clerk