

## **BOROUGH OF METUCHEN COUNCIL MINUTES**

**May 2, 2016**

**7:30 PM**

The Regular Meeting of the Borough Council was held in the Council Chambers of Borough Hall on Monday, May 2, 2016.

The Meeting was called to order at 7:30 p.m. by Mayor Cammarano.

Adequate notice of this meeting has been given in accordance with the Open Public Meeting Act, pursuant to Public Law 1975, Chapter 231. Said notice was sent to the Home News Tribune and Star Ledger on January 4, 2016, posted in Borough Hall and on file in the Clerk's Office. All requirements of the "Open Public Meetings Act" have been satisfied.

The Invocation was given by Mayor Cammarano and followed by the Pledge of Allegiance.

Present were Councilmembers Inserro, Leibfried, Muldoon, Rasmussen, Wallace, Council President Grayzel and Mayor Cammarano. Also present were Jennifer Maier, Borough Administrator, Denis Murphy, Esq. and Susan Jackson, Borough Clerk.

### **Agenda Session**

Council President Grayzel made a motion to open the Agenda Session, second by Councilman Leibfried, with all in favor, motion carried, 6-0.

Mayor Cammarano has asked to amend the agenda by adding R2016-114, Fair Housing Indorsement Plan, to the agenda. All are in favor.

Councilman Muldoon wanted to inform the public that there is a meeting schedule on May 10<sup>th</sup> on the Complete Street Implementation Town Meeting. The meeting will be at Campbell School between 4 PM to 7 PM for anyone who is interesting in stopping by. It is a public workshop to get input from the public regarding bicycle and pedestrian safety initiatives for the Borough.

With no further actions taken Mayor Cammarano asked for a motion to close the agenda session.

Council President Grayzel made a motion to close the Agenda Session, second by Councilwoman Rasmussen, with all in favor, motion carried, 6-0.

### **Public Comment**

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

Daniel Lebar, 581 Middlesex Avenue, Middlesex stated that the new blinking crosswalk pole is back in place but asked that someone go out to adjust the timing of the lights. Each side is blinking independently and should be blinking at the same time. Mayor Cammarano stated that he would have DPW go out and make the adjustment.

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



can do under the direction of a new director. He doesn't feel that there needs to be another layer of bureaucracy. He is against the Ordinance.

Walter Zjawin, 218 Center Street, Metuchen believes that another level of bureaucracy isn't necessary. There are already many organizations in place to do what is being proposed. Many towns in New Jersey are in the same position with vacant stores. Approving this ordinance isn't going to solve anything.

Andrew Zagoren is a property owner in Downtown Main Street within the proposed Business District. His family has been property owners for many years within Metuchen. They have seen many changes throughout the years. He read the Conclusion and Policy Recommendation from a report put out by the Department of Political Science at University of Louisville named "An Analysis and Evaluation of Business Improvement Districts". He doesn't believe that having a BID as being totally transparent. He believes that there are missing parameters in the proposal at this time. He would like to see a term length to see if this will work or not.

Laura Bolton, 15 Franklin Place, Metuchen, wanted to thank all the Stakeholders for all the time that they have given to the proposal. She agrees with Ernie Docs about the duplication of many of the efforts that are already done by the DPW, Chamber of Commerce and the Police Department. The only thing she would like to see added is the goal to work to retain existing businesses by avoiding any increases of the real-estate taxes on commercial properties owned in the proposed BID. Her concern is that the proposed increases will be passed on to the businesses through their rent.

Muriel Bell, 106 Christol Street, Metuchen, stated that times have changed. Brick and mortar is not the way to go anymore with the age of the internet. There has been no transparency in the hiring of an executive Director. There will be duplicity with creating the MDA. She wants to see more support for the existing entities in downtown. She feels that there will not be enough parking for anyone who will be coming into town to shop. She still has questions that she believes need to be answered. She is opposed to MDA.

Linda Lastella, 242 Amboy Avenue, Metuchen, believes that the MDA will be another layer taking over what the Chamber and other entities already do. She stated that the Chamber and Development Commission do marvelous work but are overworked and can't take on more. This is a new world and need to move forward and hope that the person that will be hired will be able to know what is needed and move forward to help improve the downtown District which is in need of help.

Nicholas Lamicella, 47 New York Avenue, Metuchen, stated that there are new developments being built in Metuchen and at this point there is no way to know what these developments will bring to Metuchen. If the MDA is approved how are they going to filter out what is being brought in? The two issues that affect Metuchen the most is the traffic and the additional taxes being imposed on the property owners. He is against SID.

Jason Monday, 14 Redfield Village, Metuchen, stated that businesses shouldn't be pandered to and if businesses fail then they fail. Imposing taxes on property owners would harm the businesses. He believes that this money should be put in better places in Metuchen like the Fire House.

Martin Perverick, 431 Main Street, Metuchen stated that he already pays enough taxes to run his business. This ordinance is another form of taxation and will hurt the businesses. He is speaking out against this ordinance and shouldn't be passed.

Debbie Zupan, 212 Midland Avenue, Metuchen, was part owner of Marafiki Fair Trade, which closed a couple of months ago. They closed not because of high taxes but because of lack of foot traffic and visitors from outside of Metuchen. The amount of a tax increase on the businesses is about \$10 to \$15 per month which they would have gladly paid for any help from this organization. She believes that anyone who says that the downtown is doing fine the way it is, is out of touch with what it is like today. She is strongly in favor of this Ordinance and hopes that it is passed.

Joe Bernheimer, 7 Talmadge Avenue, Metuchen, is an owner of property in town and is in favor of the ordinance. He stated that "a bad plan now is better than a perfect plan to late". He would like to see a sunset clause that if this isn't working or hitting the milestones that are expected it would die on its own and/or reaffirmed every five years.

Grace Hammesfar, 240 Main Street, Metuchen, doesn't understand why her property on the south side of Amboy Avenue is included in the proposed plan because there are only two pieces of property on that side. She is also on the list for property along Main Street and wants to know what the boundry lines are for the district. She is paying enough in taxes and doesn't get anything for it. She is objecting to this ordinance on her personal feelings.

Gary Tilbor, Middlesex Avenue, Metuchen, Owner of Seemore TV is against the ordinance. He believes that it is hard enough for businesses to survive in Metuchen and there is no need to have another level of bureaucracy to help run private businesses. He is against tax increases and feels that each business should know what they need better than some person that is hired to do the job of Director.

Daniel Lebar, 581 Middlesex Avenue, Metuchen asked that the vote be postponed for another 2 weeks as he just received his notice on May 27<sup>th</sup> even though it was sent on May 21<sup>st</sup>. He wants to know if the Renaissance Properties has representation on the Board of Trustees and if not why not? Why hasn't the Development Commission been used to head this up and use an executive secretary out of the municipality offices to professionalize the organization? The Master Plan review for the Central Business District should be reexamined as to whether a pure retail on the first floor can be expanded to include other types of high impact customer uses. He also feels that a complete sidewalk plan needs to be implemented to allow stores to utilize the full sidewalks and make the stores more attractive for the businesses.

Richard Plechner, 62 Oak Avenue, Metuchen believes that the major problem along Main Street is the taxes and/or rents. He feels that this is something that should be handled by a volunteer committee. He knows that there is nothing that can be done to compete with the use of computers to order products but there are ways to help keep taxes down and give a reason for business owners to want to open a business in Metuchen.

Dottie Winhold, President of the Chamber of Commerce and an owner of a business in Metuchen, stated that the Chamber is made up of volunteers and one paid position of Executive Director. They each have their own businesses and are aware of what is going on in Metuchen. It is a different world now and we need to be viable and be pro-active. What has been tried in the past isn't working. This plan has been studied with months of research and interviews with all the towns that have Main Street Organizations. There is documentation of what has worked and what hasn't worked and the MDA will move forward learning from the mistakes of others and hopefully by-passing them. The MDA will work on this in the proper way so that the small tax increase assessment on the property/business owners in the business district will be worth it with all they receive through the organization. The Chamber isn't capable of being in charge of this organization and it is imperative to hire an individual that has the expertise. There

hasn't been anyone who has been hired yet and when that does happen it will be transparent and must go through all the proper channels.

Linda Koskoski, 3 Goodwill Place, Metuchen is a past owner of Marafiki Fair Trade and is for the ordinance. Anything that will bring foot traffic is worth any small amount of increase of taxes. A downtown manager would be a benefit to the support of businesses in Metuchen. She attended a conference and spoke with many owners within SIDs who stated how beneficial it is to have a Business Manager to help them whenever they had a need and having the Business Manager organize any functions to bring in the foot traffic is a huge benefit. She also stated that there does need to be one person with the experience to manage the downtown. Most of the people that volunteer have full time jobs and just cannot give the extra time it would take to manage the downtown efficiently. She is for having a Downtown Alliance.

Grace Shackley, 110 Columbia Avenue, Metuchen is part of the Metuchen Downtown Alliance Stakeholder Committee and wanted to clarify some of the comments. The point of having a solid business plan is a very good comment but this is a form that is being recommended. The business plan and the five year plan will be voted on by the people who are part of the District. The members include the property owners and business owners will both have an equal representation on the Board of Trustees and it will be up to them to hire the Executive Director. It will be a responsive plan to everyone involved in the Business District. This isn't going to take place over night because it will have to be put into place. It has to be supported financially and by the community as a whole. The people who are the members will be the ones to determine its path, structure and goals of the organization. It will not be a government body or part of the Metuchen Borough Council. It will be its own non-profit entity. She stated that to hire someone on the Borough level would increase all the resident taxes. It would be more of a burden on the government to have another layer.

Scott Brooks, 19 Overlook Place, Metuchen stated that on-line shopping only counts for 7.3% of all total sale which means that 92.7% of all sales happen in a store. He feels that you need someone who can help generate the foot traffic for the businesses in the Borough. He is in favor of the passing the ordinance.

Tyreen Reuter, 16 Durham Avenue, Metuchen stated that she loves Metuchen and will give it just about anything that she can. She gave her work and volunteer history and had done just about anything. Today she started her job as Executive Director of the Chamber of Commerce but she knows that no matter how much she does and what her job at the Chamber entails there is no physical way she will be able to also take on the task as Director of the MDA with the limited resources of the Chamber. The members are all volunteers and have businesses of their own; they don't have the authority or the resources. The Chamber has a defined mission. What needs to happen with this is way outside the scope of the Chamber. If the organization fails, the Chamber fails and everyone fails. She is in favor of the ordinance and wants to see it passed.

Jonathan Busch, 204 E. Chestnut Avenue, Metuchen feels that to hear the way some of the residents are speaking tonight, the feeling is that Metuchen is out to destroy the fundamental character of the Borough. The reality is far different. He believes that there are many residents who are afraid of change. He wants the Council to give the MDA a try because he would like to work and live in a place where there is action. He is very concerned with the future of Metuchen. The success of the Borough is entwined with the future success of Downtown. All businesses in Downtown will benefit tremendously from the increase of foot traffic. This is simply too important of a task to leave to volunteers. We all love the Brainy Borough and encourage the Council to adopt the ordinance.

Daniel Cea, 58 Robbins Place, Metuchen does want to see the downtown to succeed so that his family has someplace to go. He feels that having a Downtown Coordinator for the MDA is the correct way to go about it. He believes that the MDA will be a benefit to all the Downtown businesses.

Sharon Goldman, 184 Highland Avenue, Metuchen moved to Metuchen because of the Downtown area. She feels that the MDA will improve the Downtown and make it better. She is involved with several programs through volunteerism and feels that some people believe that the MDA wouldn't allow a place for volunteerism but it is her understanding that the MDA would create an environment for volunteers to thrive.

Keith Timko, 57 Carson Avenue, Metuchen stated that his understanding is that the governmental structure of the MDA will represent a number of the organizations that were mentioned tonight. He believes that it is an exciting opportunity for this entity to coordinate a number of efforts that have been taken place. This is the time to invest in an organization with some paid staff that will be able both to coordinate the work of the many volunteer organizations and take advantage of all the passion that was presented tonight, the civic pride of Metuchen. This has the potential of taking Metuchen from good to great. Now is the time to take action instead of waiting to see what happens. He is in support of the MDA.

Richard Mackiewicz, 140 Plainfield Road, Metuchen stated in all the years that he has lived in Metuchen one of the best things it has to offer is the picturesque downtown feel. He believes that moving forward with the MDA is premature. He would like to see what happens before moving forward with the MDA especially because of all the new construction that is happening in the Borough. He stated that this is happening all over New Jersey and that this is a result of internet shopping. He would like the Council to make the town more bicycle friendly to allow people to have access to the downtown. He also stated that all people should join the Chamber and participate in making the businesses thrive by shopping locally.

John Sweatman, 24 Franklyn Place, Metuchen is a former business owner and is against the MDA. It is another layer of government management. Small businesses are overtaxed on all levels of government. He feels that most businesses will thrive because of word of mouth and if you have a great product then people will continue to come back. He would like the Council to wait until the new stores open before making a decision.

Lauren Yassine, 127 University Avenue, Metuchen hopes that Metuchen continues to be the vibrant community it was while she was growing up here. It is important to realize that things have changed and it is important to support the businesses and the growth of the town. She believes that now is the ideal moment to move forward with this plan and allow someone to utilize the resources provided to help consolidate the development of the entire area. This will allow all the small businesses to utilize one resource to help promote and draw people to the downtown. She is in support of the MDA.

Mirjana Novkovic, 141 Oak Avenue, Metuchen stated that after some research she believes that this isn't a bureaucracy. The Stakeholders have given all their time to work diligently over the last year or so and has given so much of themselves that she believes that they are truly people who believe in this town and want to see the vibrancy brought back to Metuchen that hasn't been seen in a long time. One person can be the voice for all businesses. Volunteers are beneficial to the Borough but there needs to be one central person that can take the time to figure out what is needed, how it is needed and who Metuchen truly is. She is in favor of the MDA and hopes to work alongside the MDA in support of the local businesses.

Ruchir Mewawala, 111 Clarendon Court, Metuchen attended a National Main Street conference in Atlanta, GA. He heard many stories on how SIDs has made huge impact all over the country. Special

Improvement Districts are happening in all types of communities. The many resources that Metuchen can tap into are far greater than what is already in place. We need to think outside Main Street, we need to think outside the box and realize that there is more to this opportunity. The tax is nothing in the scheme of things. Take this opportunity to make Metuchen better for the future. He believes that if nothing is done today that the future will be even tougher and is in favor of the MDA.

Jason Delia, 51 Talmadge Avenue, Metuchen is here tonight to put his full support behind the MDA. When he sees something that he loves in need of help, he helps it. MDA is the way to help the downtown. Currently we are not realizing the full potential of our downtown and MDA will help to promote its assets. He takes offense that people are thinking that volunteerism will dry up and as a volunteer himself that helps run many functions in town believes that volunteerism will help support the MDA. He provided a quote that made him think of this situation: *“Best time to plant a tree was 20 years ago. The second best time to plant a tree is now”* and he hopes that this plan is passed.

Martin Jessen, 98 Union Avenue, Edison is representing Victoria Office Rentals in Metuchen. He spoke about the capital improvement portion of the Metuchen Downtown Alliance, specifically curbs and sidewalks. He believes that the businesses are going to be taxed and still the businesses will get little in way of new curbs and sidewalks. He spoke about an existing issue he had with getting approvals from Middlesex County for sidewalks along Main Street. He doesn't think that having another level of bureaucracy to impose taxes on the businesses is the way to go.

Rob DeFilippis, owner of Runner's High on Main Street and has been in Metuchen for 16 years stated that it is time to band together to make downtown better and thrive. With the new construction there will be an influx of people and the opportunity is now; a new foundation and a new life for Metuchen. The objective is not to bring people once but repeatedly and with a central foundation that is possible. He stated that it isn't about the small increase of taxes imposed if it will bring more people into his store monthly. He is favor of the MDA.

Jerry Yarls, 67 Voorhees Place, Metuchen stated that there are two main issues. One is the business property taxes and the second is the amount of traffic.

Ed Colandra, 5 Juniper Street, Metuchen stated that the answer to foot traffic isn't about putting up signs. It is about using the tools to sell your business that are available to via the internet.

John Shersick is totally against any type of additional tax. He believes that the study doesn't work in a small town.

Angela Sielski, 180 Norris Avenue, Metuchen plans on living here for at least another 15 or so years and is very involved in volunteer work in Metuchen. The Chamber is a membership and volunteer driven organization. People have to choose to join. There are no more resources that can be committed with the state of the Chamber presently. As a past Executive Director of the Chamber there were times that she worked 40 to 60 hours during all event season for \$30,000 per year. The Chamber can support the MDA but is not capable of making the changes that need to be done. She also stated that this is the first time that she has ever been slightly intimidated by coming to a Council meeting. People are standing outside in the Rotunda telling people that if they are not for the MDA to go right ahead and speak and intimidating those that are for the MDA. She has an opinion and will not be intimidated by people who are against the MDA. It is unacceptable to boo. It is time to get rid of the division and all work together to make Metuchen great. She is 100% in support of the MDA.

Will Thompson, 46 Hillside Avenue, Metuchen just moved into Metuchen two years ago. They moved to Metuchen because of the downtown and revival is the key in making it great. He does have concerns with how things are going to be applied. He believes that there will be too much power in one person's hand but he also thinks that there needs to be a simplified process for businesses in order to prosper. He spoke that he will not go into any business that doesn't have a google rating. He feels that there needs to be investments in the downtown but make sure that it is a simple process and make sure it is clear for businesses.

Samantha Monday, Metuchen resident and owner of Gardenia Flower Shop, feels that it is unfair for anyone to determine the amount of taxes that will need to be paid no matter the amount. She thinks that it is a lot of money to pay when that money can be used for her business and does not agree with the MDA.

Andrew Rosenblum, 118 Christol Avenue, Metuchen stated that most of what he knows about the MDA was through tonight's meeting. He does have four issues of concern that he would like to address. One – he has listened to people say that this is another level of bureaucracy. His understanding is that all the Stakeholders are Metuchen residents and/or business owners and they aren't getting any pay to be on the MDA. There is a common interest in revitalizing Metuchen and making it thrive. Therefore it isn't a bureaucracy. Two – it was stated that this will be a duplication of effort, that it will simply duplicate what the Chamber or other volunteer groups have been doing. If what other committees have been doing and it is working then there wouldn't be a reason for the MDA. This proposal has been developed by people who are associated with volunteer committees and are recognizing that there needs to be a dedicated organization to the downtown that will identify methods that can revitalize it. Third point that has been voiced is that it will fail. There is never 100% assurance that the MDA will be successful in what it strives to achieve but the Borough needs to try to make it successful. The last there has been concerns with accountability and he agrees with that. He asks the Borough to assure that the MDA is held accountable to the people of Metuchen.

Rozanna Marinucci, 6 Lawrence Street, Metuchen, owner of Sakula Yoga Studio, voiced her concern that all she hears is downtown and most people think of downtown are not thinking about anything beyond the train trestle. She wants to know how she as a business owner is going to benefit from being a member of the MDA. She also stated that while the Street Smart Program campaign was being held, all the signs were in the bus stops and downtown. Not one sign was posted by her store and beyond the bridge.

Councilman Muldoon addressed her concerns and stated that the Downtown District will need to be defined and labeled. He said that now is the time to stop thinking in the past and start looking to the future for a different downtown area.

Ms. Marinucci also heard that the fees are higher in Westfield and would like to have someone check into that and let her know.

Nancy Zerbe, 81 Rector Street, Metuchen, She is a member of the Stakeholders and fully supports the initiative. She would like to clarify one issue that this initiative will allow Metuchen to become a full member of Main Street NJ Program. She explained that this program helps small downtown municipalities like Metuchen.

Councilman Leibfried clarified the notion that this initiative isn't for large downtowns in urban areas only. He pointed out that Highland Park and Red Bank have identical population as Metuchen and both have Special Improvement Districts.

Ken McPherson, managing member of a number of entities in the Borough, has concerns with the ordinance and the fees. He would like it to be clarified as to what the actual fees are going to be in 2017 and beyond. He also asked where people are going to park because there is limited parking already.

Mr. Murphy went over how the budget is to be determined and that the fees for 2017 and beyond cannot be determined at this time. There was further discussion on how the budget is to be determined. The difference between the amounts is anticipated to be coming from Woodmont and Renaissance Properties. Those two projects are not fully assessed yet and that will be the largest amount of money to be added to the MDA's budget. The reason that this will work is that the small businesses in town will not have the full burden because Woodmont and Renaissance will bear the majority of the assessments. Now is the time to do this initiative.

Margaret Inglese, 27 Irongate, Metuchen stated that she is proud to be a part of the Stakeholder group. She believes in looking to the future to make a better future. With all the meetings, one of the things that had been discussed is strengthening the core. This initiative is the core that will help make Metuchen the best community as a whole. Sitting back and waiting doesn't accomplish anything.

Sean Massey, 93 Highland Avenue, Metuchen is speaking out in favor of the MDA and encourage the Council to adopt the ordinance. As a property owner, he can fix the small issues but with the MDA in place will help move the businesses forward for a better future. He thanked the stakeholders for all their time and effort in moving this initiative forward throughout the past year and looks forward to the implementation all the different ideas that have been presented.

Resident stated that it hurts him when speaking about the taxes. The word tax is used as an instrument for the collection of money from the merchants to help them in the creation of this community. What is not understood that the atmosphere of the shopping malls is created by the merchants through payment of the rents. In Menlo Park when a tenant enters into a lease there is a clause that states every five years the businesses must cleanup and upgrade of their stores. The benefit of paying is that the Mall promotes the stores. This is what the ordinance will do for the merchants in Metuchen. The idea is to create a great and pleasant atmosphere for people to want to come and shop downtown Metuchen. He told a story about traffic and the benefits of traffic.

Nancy Jessen, 48 Graham Avenue, Metuchen started a petition against Metuchen Downtown Alliance. She stated that there were 572 people signed but not all Metuchen residents but foot traffic at the stores. The petition on Change.org had 96 people sign for a total of 668 signatures against Downtown Alliance. She spoke about the sign, "I Love the Brainy Borough" and addressed that signs were put on some lawns that did not want it but she made sure to have permission from the residents who have signs on their lawns. She spoke about the signs that were put on gravesites at Hillside Cemetery.

Jan Margolis, 181 Maple Avenue, Metuchen owns a business in Metuchen and a Stakeholder in the MDA. She is addressing the petition that was just mentioned. If she saw a petition that "oppose Government regulation that hurt small businesses" she would sign it. The petition is misleading and wasn't explained to the business owners properly. Ms. Margolis stated that she loves the Brainy Borough and if the sign didn't represent opposition to the MDA, she would have it sitting on her lawn. She went on to explain why MDA isn't a bureaucracy. MDA is a partnership with separate volunteer organizations. MDA is important and the time is now to move forward. She is in favor of the ordinance and would like to see the Council approve it.

Muriel Bell, 106 Christol Avenue, Metuchen stated that she doesn't think that the petition was misleading. She is against the ordinance. She believes that the information coming from the Alliance wasn't forthcoming or clear.

Nancy Jessen, 48 Graham Avenue, Metuchen wanted to respond to the comment made about the petition. She talked about the Main Street NJ and Main Street America programs, which are different programs from the Special Improvement District. They are free and don't tax property owners.

Nancy Zerbe, 81 Rector Street, Metuchen responded that in order to participate in Main Street NJ one of the requirements is to have a full time Downtown Manager because it is a proven record. Main Street NJ is different than SID but will allow Metuchen to become a full member of Main Street NJ.

Shannon Wagner, 184 Highland Avenue, Metuchen stated that the best way to justify increasing rents is to show that there is better business prospects in the town. This proposal is going to support the right reasons for any increases in rent.

Stanley Zelehoski, 247 Central Avenue, Metuchen believes that any additional taxes on the businesses will hurt and the way to help is to decrease the taxes.

Seeing no one else wishing to speak, Mayor Cammarano closed the Public Hearing session.

Council President Grayzel made a motion to pass Ordinance 2016-10 on second reading and be published according to law, second by Councilwoman Rasmussen.

With no discussion from the Council, Mayor Cammarano asked for a roll call vote.

Roll Call: Inserro, Leibfried, Muldoon, Rasmussen, Wallace and Grayzel voted yes.

Councilman Muldoon read a statement before voting:

*"Like many of you here tonight, my wife and I have lived in Metuchen a long time – 36 years and were fortunate to raise our kids in a great town. Our downtown was one of the reasons we moved here. Metuchen has its challenges, but is still a great town with many assets. Our downtown is a strategic and valuable asset for Metuchen, but it needs investment in order to flourish. The state of our downtown district today is not great - too many vacant stores, a poor retail mix, tired streetscape and facades to name a few problems. It has struggled in this condition for too long. Improving our downtown was one of the primary reasons I agreed to join the Borough Council almost 6 years ago to fill a vacant seat at the time. I have done a lot of research, attending numerous workshops and conferences about downtown revitalization, talked to officials from NJ towns that have successful, vibrant downtowns, and talked to Metuchen residents, businesses, landlords and civic organizations in an effort to figure out what can we do here in Metuchen to improve our downtown.*

*Most thriving downtowns in NJ and around the country have an organization in place to proactively and professionally manage and market their downtown. That is what the MDA will do for Metuchen. The Director will work with the volunteer Board and businesses to develop a strategic plan, identify new retail and other businesses to recruit to Metuchen, connect new businesses with landlords that have vacancies, do proactive marketing & promotions using traditional, digital and social media to promote Metuchen and our businesses. These things are not being done today and that is a big reason for our struggling downtown.*

*The plan is to create a public/private partnership to revitalize our downtown and to leverage, manage and integrate the new downtown development with Main St. The Borough will demonstrate its*

*commitment by contributing funds from the proceeds from the sale of the Pearl St parking lot. Over the initial 5 years, \$650,000 (about 10% of the Pearl St proceeds) will be contributed to support the programs and initiatives of the MDA. Additional funding will come from the assessment/tax on commercial properties located within the downtown Special Improvement District (SID). The money will be spent to address the problems I identified above and to increase foot traffic and customers for our businesses. The Parking Authority will continue to make an annual contribution to the Borough which is used to offset property tax increases. No residential taxes will be paid to support the MDA despite claims to the contrary being made by some people.*

*I know change is difficult. I see the concern and fear in some of your faces tonight. There are uncertainties for sure, but one thing I believe is certain - if we continue doing what we've been doing for the past 20+ years on Main St. we'll continue to get the same, or perhaps worse, results. The status quo is unacceptable in my view. Downtown Metuchen can and should be so much better, cleaner, attractive and successful. Someone mentioned tonight about our downtown going "from good to great." I think that captures what we're trying to do. We can have a great downtown, but we won't reach our full potential by chance."*

Councilwoman Rasmussen also made a comment before voting:

Jay and Councilwoman Rasmussen had dreams of improving the Downtown and had a conversation at several years ago that money would be allocated to put new benches downtown. Look where we are today through a program that has received interest from people in the Borough, from landowners, landlords, business owners, regular citizens, Chamber of Commerce, and other Committees. It is amazing with the amount of work that has been done in the last year or so from these groups that want change to make things better and this is the right time to do it. There is no benefit in waiting to see what will happen with the new developments. This is the time to integrate the old Main Street with the new developments. Things have to be merged together and this is the best way to give Metuchen Borough a chance at success.

Council President Grayzel stated that if people would like to see how Metuchen got the nickname "Brainy Borough" they can tune in and watch what he thought was a highly principled, well thought out debate tonight. He appreciates the fact that the public came out and held this discussion tonight. He thinks that what is being done tonight is to empower a group of volunteers to make collective efforts to improve our downtown. That a Metuchen model that has worked in many different avenues and endeavors.

Ordinance 2016-10 was adopted, 6-0

**ORDINANCE 2016-10**

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

**ORDINANCE CREATING A SPECIAL IMPROVEMENT DISTRICT WITHIN THE  
BOROUGH OF METUCHEN**

**WHEREAS**, an advisory committee (the "Committee") was duly formed to investigate the feasibility and structure of a special improvement district ("SID") and to meet with the members of the public and owners and occupants of the property included in the proposed district and furnish their recommendations or comments; and

**WHEREAS**, the Committee has, since early April of 2015, intensively studied the

efficacy of a SID, met with other municipal SIDs and conferred with stakeholders; and

**WHEREAS**, the Committee had several small group meetings with real estate owners and businesses to solicit input in the Fourth Quarter of 2015; and

**WHEREAS**, the Committee has presented its findings to the public at meetings on January 19 and January 26, 2016, and to property owners in the proposed district on February 24, 2016; and

**WHEREAS**, the Committee made a presentation to the Metuchen Borough Council (the "Council") on March 21, 2016 at which it presented detailed findings and recommendations (the "Report"); and

**WHEREAS**, the Committee has found that Metuchen would benefit from the creation of a SID in four (4) substantial respects, to wit:

1. Beautification, Cleanliness, Maintenance and Design Standards
2. Integration of new development with existing business district
3. Marketing, Advertising, Public Relations and Events
4. Business Recruitment and Retention; and

**WHEREAS**, the Committee has recommended the creation of a SID, the limits of which are described by lot and block on Exhibit A attached, and the designation of a District Management Corporation.

**NOW THEREFORE, BE IT ORDAINED** by the Council of Metuchen Borough, in the County of Middlesex, State of New Jersey, pursuant to N.J.S.A. 40:56-65 et seq., as follows:

**Section 1. Findings**

Pursuant to N.J.S.A. 40:56-68b the Council makes the following findings with respect to the area described in attached Exhibit A ("District"):

- A. The Area, will benefit from being designated as a special improvement district;
- B. A district management corporation will provide administrative and other services to benefit the businesses, employees, residents and consumers should the Area be declared a SID pursuant to N.J.S.A. 40:56-65 et seq. (the "Act");
- C. That a special assessment shall be imposed and collected by the municipality with the regular property tax payment or payment in lieu of taxes or otherwise, and that all or a portion of these payments shall be transferred to the district management corporation to effectuate the purposes of the Act and to exercise the powers given to it by this ordinance; and
- D. That it is in the best interests of the Borough of Metuchen (the "Borough") and the public to create a SID and to designate a district management corporation.

**Section 2. Creation of a Special Improvement District**

Pursuant to the Act, a SID is hereby created and designated within the Borough.

- A. The goals of the SID are as follows:
- (1) Beautification, Cleanliness, Maintenance and Design Standards
  - (2) Marketing, Advertising, Public Relations and Events
  - (3) Business Recruitment and Retention;
  - (4) Coordination of downtown activities and clearinghouse for information; and
  - (5) Integration of new developments with existing business district.
- B. Except as noted in subsection C of this section, the SID shall consist of the properties designed and listed on Schedule B by tax block and lot numbers and by street addresses. The District shall be subject to special assessments on all affected properties within the District, which assessment shall be imposed by the Borough for the purposes authorized by the Act.
- C. All commercial properties, multi-family rental properties with four (4) or more units and mixed use properties within the District are deemed included in the assessing and taxing provisions of this ordinance and are expressly subject to assessment and payment of taxes for SID purposes, including properties making payments in lieu of taxes. Specifically exempted from such assessment and payment are all properties which are only improved with less than four (4) residential units and no commercial space, plus properties otherwise exempt from the payment of taxes on real property.

**Section 3. Creation of Business Improvement District**

There is hereby created and designated with the Borough of Metuchen a Special Business Improvement Zone that shall be described as the same area as the SID Area established by this Ordinance. The Corporation, as hereinafter defined, shall NOT have the power of eminent domain.

**Section 4. Composition of District Management Corporation**

- A. General Powers. The business and affairs of the District Management Corporation shall be managed by a Board of Trustees which may exercise all powers of the Corporation and perform all lawful acts for a corporation pursuant to the laws of the state of New Jersey governing “not for profit” corporations.
- B. Number, Selection and Tenure of Trustees. The Corporation shall be governed by a Board of Trustees consisting of thirteen (13) voting members and one (1) ex-officio non-voting member. The thirteen (13) voting members shall consist of:
- (1) four (4) representatives of District Owners. “District Owner” shall be defined as an owner of real estate within the District. A “District Owner” may or may not operate a business within the District in order to be considered a “District Owner”;
  - (2) four (4) representatives of District Businesses. “District Business” shall be defined as a person, corporation or other business entity operating a business within the District. A “District Business” may or may not own real estate within the District in order to be considered a “District Business”;

- (3) one member of the Borough Council of Metuchen appointed by the Mayor with the advice and consent of the Borough Council,
- (4) one member of the Metuchen Area Chamber of Commerce Board of Directors to be appointed by and serves at the pleasure of the Metuchen Area Chamber of Commerce Board of Directors;
- (5) one Metuchen resident who does not own commercial real estate and/or operate a business in the District and who is not on the Borough Council nor employed by the Borough;
- (6) one member of the Metuchen Arts Council to be appointed by and serves at the pleasure of the Metuchen Arts Council; and
- (7) one board member of the Metuchen Parking Authority to be appointed by and serves at the pleasure of the Metuchen Parking Authority.

In addition, to the thirteen (13) voting members, the Administrator of the Borough of Metuchen or his/her designee, shall be an ex-officio member of the Board with all powers and authority of a regular Board member, however, shall not be entitled to vote on matters.

In the event that any category(ies) of a voting Board member cannot be filled for any reason whatsoever, the District Management Corporation shall set forth in its bylaws, the terms and methods to fill all seats on the Board of Trustees.

C. Terms and Appointment of Board of Trustees. The District Management Corporation shall provide for, in its bylaws, the terms and appointment or election of the four (4) District Owners, (4) District Businesses and the Metuchen resident voting members of the Board of Trustees

The initial appointments and terms thereof to the Board of Trustees shall be as set forth in Exhibit C hereto. It shall not necessary for the initial composition of the Board of Trustees to be in full compliance with Section 4(B) above. However, after the initial appointments and expiration of terms, the composition of the Board shall be comprised as set forth in Section 4(B) above.

### **Section 5. Designation of a District Management Corporation**

Metuchen Downtown Alliance, a NJ Non-Profit Corporation is hereby designated as the District Management Corporation as defined in N.J.S.A. 40:56-66c (the "Corporation"). The Corporation shall have all powers necessary and requisite to effectuate its purposes, including, but not limited to, the power to:

- (1) Adopt and amend bylaws for the regulation of its affairs and the conduct of its business and to prescribe rules, regulations, and policies in connection with the performance of its functions and duties;

- (2) Employ such persons as may be required, and fix and pay their compensation from funds available to the Corporation;
- (3) Apply for, accept, administer and comply with the requirements respecting an appropriation of funds or a gift, grants, loans, or donation of property or money, however any application for a grant requiring matching funds or loan from the Borough of Metuchen or from the Metuchen Parking Authority, including but not limited to those set forth in N.J.S.A. 40:56-71.3, et seq., must be approved by the Mayor and Council of the Borough of Metuchen;
- (4) Make and execute agreements which may be necessary or convenient to the exercise of the powers and functions of the Corporation, including contracts with any person, firm, corporation, governmental agency or other entity;
- (5) Administer and manage its own funds and accounts and pay its own obligations;
- (6) Borrow money from private lenders and from governmental entities, but only as may be specifically approved by the Council in a plan and budget pursuant to N.J.S.A. 56:65-80 and 84;
- (7) Fund the improvement of the exterior appearance of properties in the district through grants or loans;
- (8) Fund the rehabilitation of properties in the District;
- (9) Accept, purchase, rehabilitate, sell, lease or manage property in the District;
- (10) Enforce the conditions of any loan, grant, sale or lease made by the Corporation;
- (11) Provide security, sanitation and other services to the District, supplemental to those provided normally by the municipality;
- (12) Undertake improvements designed to increase the safety or attractiveness of the District to businesses which may wish to locate there or to visitors to the District, including, but not limited to, litter cleanup and control, landscaping, recreational and rest area facilities and artistic endeavors;
- (13) Publicize the District and the businesses included within the District boundaries;
- (14) Recruit new businesses to fill vacancies in, and to balance the business mix of, the District;
- (15) Organize special events in the District;
- (16) Provide special parking arrangements for the District, on a temporary basis and with the approval of the Metuchen Parking Authority. Properties operated by the Metuchen Parking authority are exempt from all regulatory authority of the Corporation; and/or

(17) Provide temporary decorative lighting in the District.

**Section 6. Assessments**

- A. All of the monies collected by assessment pursuant to this ordinance shall be spent solely to benefit the District consistent with the goals and objectives set forth herein.
- B. The Borough shall transfer assessed payments to the Corporation, quarterly on the fifteenth day of February, May, August and November, as collected.
- C. Failure of any property owner to pay annual assessments shall be treated in the same manner as a failure to pay property taxes, as provided for in Title 54 of the New Jersey Statutes.
- D. The SID assessment shall be a percentage of the quarterly real estate taxes due on each District block and lot calculated as follows: as determined by the approved budget.. There shall be no 2016 SID assessments.

**Section 7. Municipal Services**

The municipal services currently provided to the District and paid for through the general fund of the Borough shall continue to be provided by the Borough, and the cost of such services shall not be transferred to the budget of the Corporation. Notwithstanding the foregoing, such services may, in whole or in part, be provided by the Corporation at municipal expense, in which event the services shall be detailed in a plan of coordination which shall be developed by the Corporation in consultation with the Council and approved annually by the Corporation and the Council. The plan of coordination shall specify how the services are to be provided and how the cost thereof shall be reimbursed.

**Section 8. Annual Budget Hearing and Assessments**

The initial and subsequent annual budgets shall be established as provided for in this section.

- A. The fiscal year of the Corporation shall be January 1 to December 31.
- B. The 2016 estimate of initial operating expenses of the Corporation required by N.J.S.A. 40:56-80 is set forth on Exhibit B. The Council hereby approves of the transfers of \$150,000 from the Borough to the Corporation to fund the 2016 expenses
- C. In years subsequent to 2016, the Corporation shall submit its annual budget for approval no later than September 1 of the year preceding the year for which budget approval is sought. In all subsequent years the budget shall be processed and adopted by the Council in accordance with procedures set forth in N.J.S.A. 40:56-84 and concurrently with the procedures established in N.J.S.A. 40:56-80 respecting annual estimates of cost and the preparation of the assessment roll.
- D. The budget shall be submitted with a report that explains how the budget contributes to the goals and objectives for the SID. The budget shall be reasonably itemized as follows:

1. All projected revenues and proposed expenditures.
  2. Each source of revenue shall be separately designated for the fiscal year
  3. A five year projection of the goals and a strategy for the implementation of these goals of the Corporation (the "Strategic Plan") for the district.
- E. The Borough and Corporation shall strictly follow the procedures set forth in N.J.S.A. 56-80 and 84 with respect to the adoption of budgets, amendments thereof and the issuance of the assessment roll, including public advertising, public hearing and adoption by resolution.
- F. The Corporation shall be responsible to refund the share of any refund, resulting from a tax appeal and attributable to an assessment made pursuant to this Ordinance.

**Section 9. Annual Audit of the Corporation**

The Corporation shall cause an annual audit of its books, accounts and financial transactions to be made and filed with the Council together with an annual financial statement, and for that purpose the Corporation shall employ a certified public accountant of New Jersey. The annual audit shall be prepared in accordance with accepted accounting standards for nonprofit corporations and completed and filed with the Council within four months after the close of the fiscal year of the Corporation. A certified duplicate copy of the audit shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs within five days of the filing of the audit with the Council. Copies of forms CRI-200, CRI-200R and IRS 990, as necessary, shall be filed with the Council no later than six months after the closing of the Corporation's fiscal year-end.

**Section 10. Annual Report**

The Corporation shall, within thirty (30) days after the close of each fiscal year, prepare an annual report of its activities for the preceding fiscal year to be submitted to the Borough Mayor and Council.

**Section 11. Municipal Powers Retained**

Notwithstanding the creation of the District and the designation of the Corporation, the Borough and Council shall retain police powers relating to the District. The Council may at any time hereafter by ordinance amend this Ordinance.

**Section 12. Severability**

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such holding shall not affect other provisions or application of this Ordinance and to that end the provisions of this Ordinance are severable.

**Section 13. Effective Date**

This ordinance shall take effect upon passage and publication as required by law.

**ATTACHMENTS**

- Exhibit A - District designation
- Exhibit B - Estimate of 2016 expenses
- Exhibit C - Initial Board of Trustees

EXHIBIT A  
DISTRICT DESIGNATION

Borough Council Meeting  
May 2, 2016

Metuchen Downtown Alliance				2015						
Block	Lot	Location	CL#	Owner	Assessment	2015 Tax	2017 Fee	2018 Fee	2019 Fee	2020 Fee
71	37.01	700 Middlesex Avenue	4A	Metuchen III LLC	\$940,000	\$53,035	\$1,697	\$2,015	\$2,334	\$2,652
71	37.02	215 Durham Avenue	4A	Metuchen I LLC	\$2,672,000	\$150,754	\$4,824	\$5,729	\$6,633	\$7,538
83	1.01	85 Central Avenue	4A	Suburban Square LLC	\$1,080,000	\$60,934	\$1,950	\$2,315	\$2,681	\$3,047
83	10	83 Central Avenue	4A	Mary E. Heim	\$187,000	\$10,551	\$338	\$401	\$464	\$528
83	18	640 Middlesex Avenue	4A	Zacharias Moros	\$556,000	\$31,370	\$1,004	\$1,192	\$1,380	\$1,568
83	22	652 Middlesex Avenue	4A	Gregory Kabinak	\$160,400	\$9,050	\$290	\$344	\$398	\$452
83	24.01	656-660 Middlesex Avenue	4A	District At Metuchen II, LLC	\$700,000	\$39,494	\$1,264	\$1,501	\$1,738	\$1,975
90	18.01	568-584 Middlesex Avenue	4A	Costello Ruman Funeral Home, Inc.	\$1,440,000	\$81,245	\$2,600	\$3,087	\$3,575	\$4,062
91	1.03	515 Main Street	4A	Bell Atlantic	\$705,000	\$39,776	\$1,773	\$1,511	\$1,750	\$1,989
91	1.1	495 Main Street	4A	495 Main Associates	\$533,100	\$30,078	\$962	\$1,143	\$1,323	\$1,504
91	1.2	499-505 Main Street	4A	499 Main Street Partners LLC	\$555,000	\$31,313	\$1,002	\$1,190	\$1,378	\$1,566
91	2	532 Middlesex Avenue	4A	Gill Petroleum Inc.	\$313,000	\$17,659	\$565	\$671	\$777	\$883
91	9	542 Middlesex Avenue	4A	540 Middlesex Avenue LLC	\$320,000	\$18,054	\$578	\$686	\$794	\$903
91	11	544 Middlesex Avenue	4A	Cairo Prop 2 LLC	\$530,000	\$29,903	\$957	\$1,136	\$1,316	\$1,495
91	17.01	552-566 Middlesex Avenue	4A	RIC Metuchen, LLC	\$297,000	\$16,757	\$536	\$637	\$737	\$838
91	18.05	William Street	4A	Costello Ruman Funeral Home, Inc.	\$97,000	\$5,473	\$175	\$208	\$241	\$274
110	39.01	Middlesex Avenue	4A	District At Metuchery/Bluestone	\$3,000,000	\$169,260	\$5,416	\$6,432	\$7,447	\$8,463
111	2.01	349 Lake Avenue	4A	District At Metuchery/Bluestone	\$725,000	\$40,905	\$1,309	\$1,554	\$1,800	\$2,045
111	4	319 Lake Avenue	4A	MacPherson Realty LLC	\$1,310,000	\$73,910	\$2,365	\$2,809	\$3,252	\$3,696
112	1.03	346 Lake Avenue	4A	Jojo Auto LLC	\$470,000	\$26,517	\$849	\$1,008	\$1,167	\$1,326
112	5	599 Middlesex Avenue	4A	Pearl Street Associates	\$422,000	\$23,809	\$762	\$905	\$1,048	\$1,190
112	10	338-342 Lake Avenue	4A	Jayde LLC	\$47,300	\$2,669	\$85	\$101	\$117	\$133
112	12	338-342 Lake Avenue	4A	Jayde LLC	\$430,000	\$24,261	\$776	\$922	\$1,067	\$1,213
112	13.1	19 Center Street	4A	Anastasi, Anastos & Anastadiou	\$80,000	\$4,514	\$144	\$172	\$199	\$226
112	16	330 Lake Avenue	4A	330 Lake Avenue LLC	\$312,000	\$17,603	\$563	\$669	\$775	\$880
113	1.2	561 Middlesex Avenue	4A	Mary Rossy	\$396,000	\$22,342	\$715	\$849	\$983	\$1,117
113	2	69 Pearl Street	4A	Boaz Rogan	\$258,000	\$14,556	\$466	\$553	\$640	\$728
113	4	67 Pearl Street	4A	Carmel V Fitzhenry	\$480,000	\$27,082	\$867	\$1,029	\$1,192	\$1,354
113	8	61 Pearl Street	4A	JNDE LLC	\$200,800	\$11,329	\$363	\$431	\$498	\$566
113	31.01	12 Center Street	4A	Metuchen Sister's LLP	\$412,000	\$23,245	\$744	\$883	\$1,023	\$1,162
113	37.01	22 Center Street	4A	Pearl Street Associates	\$137,000	\$7,730	\$247	\$294	\$340	\$386
113	39	587 Middlesex Avenue	4A	ME Dorf	\$96,000	\$5,416	\$173	\$206	\$238	\$271
113	43	581 Middlesex Avenue	4A	Daniel LeBar	\$153,600	\$8,666	\$277	\$329	\$381	\$433
113	45	577 Middlesex Avenue	4A	Berger & Associates II, LLC	\$104,300	\$5,885	\$188	\$224	\$259	\$294
113	50	567-569 Middlesex Avenue	4A	Double Diamond Real Estate LLC	\$256,200	\$14,455	\$463	\$549	\$636	\$723
113	53	45 Pearl Street	4A	Martha T Cole	\$800,000	\$45,136	\$1,444	\$1,715	\$1,986	\$2,257
113	54	Center Street	4A	Martha T Cole	\$350,000	\$19,747	\$632	\$750	\$869	\$987
114	1	475 Main Street	4A	JPM Chase	\$946,000	\$53,373	\$1,708	\$2,028	\$2,348	\$2,669
114	6	4658-467 Main Street	4A	Albert Hong	\$335,000	\$18,901	\$605	\$718	\$832	\$945
114	9.5	463 Main Street	4A	Berger & Associates I, LLC	\$334,000	\$18,844	\$603	\$716	\$829	\$942
114	11	457-459 Main Street	4A	DAG Holdings LLC	\$602,000	\$33,965	\$1,087	\$1,291	\$1,494	\$1,698
114	15.5	445-455 Main Street	4A	CGN Associates	\$487,000	\$27,477	\$879	\$1,044	\$1,209	\$1,374
114	17.5	439-443 Main Street	4A	Mongelli LLC	\$460,000	\$25,953	\$831	\$986	\$1,142	\$1,298
114	21	431-437 Main Street	4A	Lee Management	\$915,000	\$51,624	\$1,652	\$1,962	\$2,271	\$2,581
114	24	427-429 Main Street	4A	Metuchen Savings Bank	\$525,000	\$29,621	\$948	\$1,126	\$1,303	\$1,481
114	26	425 Main Street	4A	Metuchen Savings Bank	\$286,000	\$16,136	\$516	\$613	\$710	\$807
114	26.4	54-56 Pearl Street	4A	Metuchen Savings Bank	\$1,045,000	\$58,959	\$1,887	\$2,240	\$2,594	\$2,948
114	47	551 Middlesex Avenue	4A	Tilbor Realty	\$600,000	\$33,852	\$1,083	\$1,286	\$1,489	\$1,693
114	52	545 Middlesex Avenue	4A	Tilbor Realty	\$450,000	\$25,389	\$812	\$965	\$1,117	\$1,269
114	56	10-24 New Street	4A	Vicarious LLC	\$770,000	\$43,443	\$1,390	\$1,651	\$1,912	\$2,172
114	66	Pearl Street	4A	Metuchen Savings Bank	\$123,000	\$6,940	\$222	\$264	\$305	\$347
115	36.01	New Street	4A	Woodmont Metuchen LLC	\$2,200,000	\$124,124	\$3,972	\$4,717	\$5,461	\$6,206
116	3.2	419 Main Street	4A	Nassau Development II, L.P.	\$1,060,000	\$59,805	\$1,914	\$2,273	\$2,631	\$2,990
116	3.3	25 New Street	4A	Anton & Nikolina Realty	\$360,200	\$20,322	\$650	\$772	\$894	\$1,016
116	6	413-415 Main Street	4A	Nassa Development II, L.P.	\$452,000	\$25,502	\$816	\$969	\$1,122	\$1,275
116	8	411 Main Street	4A	Boys Realty LLC	\$275,000	\$15,516	\$496	\$590	\$683	\$776
116	10	407 Main Street	4A	First Fidelity Bank Corp.	\$1,110,000	\$62,626	\$2,004	\$2,380	\$2,756	\$3,131
116	14	401-403 Main Street	4A	Nassau Development, L.P.	\$587,000	\$33,119	\$1,060	\$1,259	\$1,457	\$1,656
116	18	399 Main Street	4A	Northeast Realty LLC	\$141,000	\$7,955	\$255	\$302	\$350	\$398
116	20	397 Main Street	4A	P&L Investment Co	\$173,000	\$9,761	\$312	\$371	\$429	\$488
116	25	383-389 Main Street/10 Pearl	4A	Salomone, Jerry	\$542,000	\$30,580	\$979	\$1,162	\$1,346	\$1,529
116	29.2	395 Main Street	4A	P&L Investment Co	\$218,000	\$12,300	\$394	\$467	\$541	\$615
116	31	12 Pearl Street	4A	P&L Investment Co	\$155,000	\$8,745	\$280	\$332	\$385	\$437
116	34	16 Pearl Street	4A	RIC Metuchen, LLC	\$835,000	\$47,111	\$1,508	\$1,790	\$2,073	\$2,356
117	50	Highland Avenue	4A	Highland Main Acquisition, LLC	\$90,000	\$5,078	\$162	\$193	\$223	\$254
117	52	13-15 Highland Avenue	4A	13-15 Highland Avenue LLC	\$250,000	\$14,105	\$451	\$536	\$621	\$705
117	54.01	470 Main Street	4A	Highland Main Acquisition, LLC	\$700,000	\$39,494	\$1,264	\$1,501	\$1,738	\$1,975
117	57.1	472-474 Main Street	4A	Stanley & June Lease	\$220,000	\$12,412	\$397	\$472	\$546	\$621
117	59	476 Main Street	4A	Datar Realty, LLC	\$292,000	\$16,475	\$527	\$626	\$725	\$824
117	61	507 Middlesex Avenue	4A	Datar Realty, LLC	\$175,100	\$9,879	\$316	\$375	\$435	\$494
118	23	422 Main Street	4A	AJW Andrew LLC	\$257,000	\$14,500	\$464	\$551	\$638	\$725
118	24	426 Main Street	4A	Giomar Properties LLC	\$250,000	\$14,105	\$451	\$536	\$621	\$705
118	25	428 Main Street	4A	Giomar Properties LLC	\$125,000	\$7,053	\$226	\$268	\$310	\$353

Borough Council Meeting  
May 2, 2016

118	26	430-438 Main Street	4A	430-438 Main Street LLC	\$490,000	\$27,646	\$885	\$1,051	\$1,216	\$1,382
118	29.01	442 Main Street	4A	Metuchen Savings & Loan Association	\$840,000	\$47,393	\$1,517	\$1,801	\$2,085	\$2,370
118	33.01	450-460 Main Street	4A	Main Street Metuchen Ltd.	\$848,000	\$47,844	\$1,531	\$1,818	\$2,105	\$2,392
118	40.02	20 Highland Avenue	4A	Cydana LLC	\$720,000	\$40,622	\$1,300	\$1,544	\$1,787	\$2,031
118	40.03	Highland Avenue	4A	Main Street Metuchen Ltd.	\$244,400	\$13,789	\$441	\$524	\$607	\$689
121	1	5 Station Place	4A	Sung Bong Oh	\$157,000	\$8,858	\$283	\$337	\$390	\$443
121	3	9 Pennsylvania Avenue	4A	Judy P Lee	\$199,000	\$11,228	\$359	\$427	\$494	\$561
121	5.1	396 Main Street	4A	Oliver Street Holdings LLC	\$255,000	\$14,387	\$460	\$547	\$633	\$719
121	6	398 Main Street	4A	Jos. C & Anne Piazza	\$225,000	\$12,695	\$406	\$482	\$559	\$635
121	7	400 Main Street	4A	Nassau Development III, L.P.	\$353,000	\$19,916	\$637	\$757	\$876	\$996
121	8	406 Main Street	4A	406 Associates LLC	\$567,000	\$31,990	\$1,024	\$1,216	\$1,408	\$1,600
121	8.1	402 Main Street	4A	Nassau Development III, L.P.	\$309,000	\$17,434	\$558	\$662	\$767	\$872
121	9	410 Main Street	4A	Phoenix 410 Main Street LLC	\$308,000	\$17,377	\$556	\$660	\$765	\$869
121	10	412 Main Street	4A	Omega Management LLC	\$361,000	\$20,368	\$652	\$774	\$896	\$1,018
121	13	414 Main Street	4A	Voree LLC	\$282,000	\$15,910	\$509	\$605	\$700	\$796
121	14	416 Main Street	4A	ETC-416 Main LLC	\$211,000	\$11,905	\$381	\$452	\$524	\$595
121	15	418 Main Street	4A	418 Main LLC	\$232,000	\$13,089	\$419	\$497	\$576	\$654
121	16	420 Main Street	4A	Main Hill Station LLC	\$157,000	\$8,858	\$283	\$337	\$390	\$443
121	17	31 Station Place	4A	Main Hill Station LLC	\$292,500	\$16,503	\$528	\$627	\$726	\$825
122	1	10 Station Place	4A	Thomas & Sara Sharlow	\$876,000	\$49,424	\$1,582	\$1,878	\$2,175	\$2,471
122	13	20 Hillside Avenue	4A	Hillside Ave Associates LLC	\$178,000	\$10,043	\$321	\$382	\$442	\$502
122	14	22-24 Hillside Avenue	4A	Hillside Ave Associates LLC	\$221,000	\$12,469	\$399	\$474	\$549	\$623
122	15.2	30 Hillside Avenue	4A	Hillside Ave Associates LLC	\$260,000	\$14,669	\$469	\$557	\$645	\$733
145	2	355 Main Street	4A	Arnolt Bros. Inc.	\$257,000	\$14,500	\$464	\$551	\$638	\$725
145	6	349 Main Street	4A	Arjess Corp	\$280,000	\$15,798	\$506	\$600	\$695	\$790
145	9	343 Main Street	4A	Martin Jessen & Nancy Arndry	\$223,600	\$12,616	\$404	\$479	\$555	\$631
145	18.2	325-329 Main Street	4A	Victorian Restoration Rentals, Inc.	\$436,000	\$24,599	\$787	\$935	\$1,082	\$1,230
145	21	323 Main Street	4A	Victorian Restoration Rentals, Inc.	\$146,000	\$8,237	\$264	\$313	\$362	\$412
145	23	315 Main Street	4A	Victorian Restoration Rentals, Inc.	\$194,000	\$10,945	\$350	\$416	\$482	\$547
145	27	280 Amboy Avenue	4A	Victorian Restoration Rentals, Inc.	\$321,000	\$18,111	\$580	\$688	\$797	\$906
146	9	331 Amboy Avenue	4A	Carm Stakel Associates	\$171,600	\$9,682	\$310	\$368	\$426	\$484
146	13	339 Amboy Avenue	4A	Carm Stakel Associates	\$243,400	\$13,733	\$439	\$522	\$604	\$687
146	17	359 Amboy Avenue	4A	Carm Stakel Associates	\$490,000	\$27,646	\$885	\$1,051	\$1,216	\$1,382
148	4	303 Amboy Avenue	4A	Fred Sbrilli	\$196,600	\$11,092	\$355	\$422	\$488	\$555
148	6	Amboy Avenue	4A	HDM Realty LLC	\$68,300	\$3,853	\$123	\$146	\$170	\$193
148	8	Amboy Avenue	4A	HDM Realty LLC	\$94,600	\$5,337	\$171	\$203	\$235	\$267
148	10.2	287 Amboy Avenue	4A	Alfred & Eleanor Peskoe	\$359,900	\$20,306	\$650	\$772	\$893	\$1,015
148	14	289 Amboy Avenue	4A	K&W Realty LLC	\$420,000	\$23,696	\$758	\$900	\$1,043	\$1,185
148	17	287 Main Street	4A	K&W Realty LLC	\$109,000	\$6,150	\$197	\$234	\$271	\$307
148	19	283 Main Street	4A	K&W Realty LLC	\$250,000	\$14,105	\$451	\$536	\$621	\$705
182	1	344 Main Street	4A	HSW Properties LLC	\$618,000	\$34,868	\$1,116	\$1,325	\$1,534	\$1,743
183.1	1	326 Main Street	4A	HDM Realty LLC	\$415,500	\$23,443	\$750	\$891	\$1,031	\$1,172
183.1	83	334 Main Street	4A	Hay Properties, LLC	\$517,000	\$29,169	\$933	\$1,108	\$1,283	\$1,458
183.2	1	314 & 316 Main Street	4A	Marloe Ent., Inc.	\$375,600	\$21,191	\$678	\$805	\$932	\$1,060
183.2	5.1	260-264 Amboy Avenue	4A	Roentgen Metuchen LLC	\$1,114,000	\$62,852	\$2,011	\$2,388	\$2,765	\$3,143
183.2	5.2	304 Main Street	4A	SGS and Dhind Inc.	\$164,700	\$9,292	\$297	\$353	\$409	\$465
183.2	18.2	240 Amboy Avenue	4A	Howard Qiu LLC	\$243,200	\$13,721	\$439	\$521	\$604	\$686
197	1	272 Main Street	4A	E&G Realty Inc.	\$249,400	\$14,071	\$450	\$535	\$619	\$704
197	10	276 Main Street	4A	E&G Realty Inc.	\$556,000	\$31,370	\$1,004	\$1,192	\$1,380	\$1,568
197	15.1	275 Amboy Avenue	4A	275 Amboy Ave Realty LLC	\$170,000	\$9,591	\$307	\$364	\$422	\$480
197	15.2	267 Amboy Avenue	4A	E&G Realty Inc.	\$593,800	\$33,502	\$1,072	\$1,273	\$1,474	\$1,675
197	20.1	265 Amboy Avenue	4A	E&G Realty Inc.	\$100,200	\$5,653	\$181	\$215	\$249	\$283
197	20.2	243 Amboy Avenue	4A	Sam & Perla Van Chama	\$214,000	\$12,074	\$386	\$459	\$531	\$604
				Total	\$58,049,300		\$104,805	\$124,455	\$144,106	\$163,757

Note: All calculations based upon 2015 assessments/tax rate. Actual fees for 2017 - 2020 shall be based upon assessments/tax rates for each year

EXHIBIT B

ESTIMATE OF 2016 EXPENSES (PARTIAL YEAR)

Personnel/Administration	\$ 75,000
Maintenance/Cleaning	\$ 7,500
Recruitment/Marketing Materials	\$ 3,750
Holiday Decorations	\$ 2,250
Plantings/Greenery	\$ 3,750
Capital Items	\$ 40,500
Total	\$150,000

**Personnel/Administration** includes staffing, office rental, utilities, administrative supplies, accounting/bookkeeping professionals, etc.

**Capital Items** includes both improvements to the District as well as initial expenses of setting up office such as furniture, computers, phones, etc.

EXHIBIT C

INITIAL BOARD OF TRUSTEES

<u>NAME</u>	<u>TERM ENDS</u>	<u>Category</u>
Eric Berger	December 31, 2018	District Owner
Margaret Inglese	December 31, 2018	District Owner
Ruchir Mewawala	December 31, 2018	District Business
Chris Flynn	December 31, 2018	District Business
Barry Montalto	December 31, 2016	District Business
Deborah Zupan	December 31, 2016	District Business
Grace Shackney	December 31, 2017	Metuchen Arts Council
Allison Inserro	December 31, 2016	Borough Council
Jay Muldoon	December 31, 2016	Borough Council
Nelson Li	December 31, 2016	Resident
Bobbie Theivakumaran	December 31, 2016	Resident
Jan Margolis	December 31, 2016	Chamber of Commerce
Chris Crane	December 31, 2016	Chamber of Commerce
Joe Cascio	December 31, 2016	Chamber of Commerce
Dottie Winhold	December 31, 2016	Chamber of Commerce

Ordinance 2016-11

Council President Grayzel asked for the presentation of Affidavit of Publication for Ordinance 2016-11.

Borough Clerk presented the affidavit of publication stating that said Ordinance 2016-11 has been published one time in the Home News Tribune according to Law on April 21, 2016.

Council President Grayzel moved that the affidavit of publication be received and filed, second by Councilman Leibfried, with all favor, the motion carried, 6-0.



Borough Council Meeting  
 May 2, 2016

Full Day	\$199.00	\$215.00
Lego Flix/Animation/Film Making Flix/Action/Minecraft		
Half Day	\$150.00	\$155.00
Full Day (Combination of two of above)		\$290.00
Halloween Poster Painting	\$ 7.00	\$ 8.00
Pumpkin Float	\$ 9.00	\$ 10.00

**ADD:**

<b>Program</b>	<b>Fee</b>
Bricks4Kidz Camp:	
Minecraft	\$140.00
Galaxy	\$140.00
Computer Science	\$160.00
Bull Dog Soccer Travel Discount	\$120.00
Flag Football Camp	\$150.00
Philadelphia Bus Trip	\$ 73.00
Foundation Tennis	
3.5 Hours	\$205.00
1 Hour	\$120.00
USSI Tennis	\$125.00 Weekly
USSI Soccer	\$185.00 Weekly
Parent & Me/Total Sport Squirts/T-ball Squirts/ T-ball Senior Squirts 8-Week Program	\$159.00
Yoga/Art	\$100.00
Indoor Soccer	\$10
Bowling Program	\$80(10 week session) \$94(12 week session)
Christmas Story Bus Trips	\$50
1 <sup>st</sup> Play Tennis	\$190
Parent and Me Tennis Squirts	\$90.00
1 <sup>st</sup> Play Basketball	\$175.00
Mural Project Clay Tiles	\$25.00

**DELETE:**

<b>Program</b>	<b>Fee</b>
Flag Football Late Fee	\$20.00

Ordinance 2016-12

Council President Grayzel asked for the presentation of Affidavit of Publication for Ordinance 2016-12.

Borough Clerk presented the affidavit of publication stating that said Ordinance 2016-12 has been published one time in the Home News Tribune according to Law on April 21, 2016.

Council President Grayzel moved that the affidavit of publication be received and filed, second by Councilwoman Rasmussen, with all favor, the motion carried, 6-0.

Council President Grayzel asked Borough Clerk to read Ordinance 2016-12 by title.



The Recreation Commission heretofore created is continued with the functions, powers and duties prescribed by general law and the provisions of *N.J.S.A. 40:12-1, et seq.* The Commission shall consist of seven (7) members appointed by the Mayor. All members of the Commission, including the alternates set forth below, shall be residents of the Borough of Metuchen. Members of the Commission shall receive no compensation for their services.

**§ 10-42 Term and Vacancies**

Members of the Recreation Commission shall serve for a term of five (5) years and shall serve until their respective successors are appointed and shall qualify. Vacancies shall be filled for the member's unexpired term only.

**§ 10-43 Alternate Members**

- A. In addition to the seven (7) members provided above, there shall also be two (2) alternate members to be appointed by the Mayor. At the time of appointment. 4S Alternate members shall be designated as "Alternate No. 1" and "Alternate No. 2." Alternate members shall serve for a term of five (5) years. However, the initial appointment shall be for a term of four (4) years for "Alternate No. 1" and five (5) years for "Alternate No. 2." A vacancy occurring otherwise than by expiration of term shall be filled by the Mayor for the unexpired term only.
- B. No alternate member shall be permitted to act on any matter in which the alternate has either directly or indirectly any personal or financial interest. An alternate member may, after public hearing if he requests one, be removed by the governing body for cause.
- C. Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member of the board of recreation commissioners. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote.

**CHAPTER 29  
Officers and Employees**

**Article 3  
Recreation Director**

**§ 29-10 Recreation Director**

The position of Recreation Director heretofore created is continued. The Recreation Director shall be the administrative head of the Recreation Department and shall report to the Borough Administrator. The Recreation Director shall be appointed by the Mayor upon the advice and consent of the Council in consultation with the Recreation Commission.

**§ 29-11 Duties and Responsibilities**

The Recreation Director shall, under the supervision and control of the Borough Administrator, to the extent not prohibited by law, have the following duties and responsibilities:

- A. Prepare and submit annual department budget, subject to the approval of the Mayor and Council;

- B. Plan, organize, manage and administer all recreation and cultural arts programs and supervise their implementation, in coordination with the Borough Administrator, the Recreation Commission and Arts Council.
- C. Assess and plan for future needs, maintaining records, preparing reports.
- D. Plan and organize special events throughout the year and coordinate special events with other departments to secure necessary assistance.
- E. Supervise and direct the activities and use of public recreational facilities.
- F. Plan and develop recreational programs, approve activities, plans and procedures prepared by staff members, evaluate the adequacy of existing facilities for recreation and recommend methods to secure needed replacements, alterations and additions.
- G. Administer and operate municipal playgrounds, playfields and facilities for indoor and outdoor sports, athletics and recreational programs and activities for children and adults.
- H. Supervise, select, assign, and train part-time recreational personnel.
- I. Monitor the Department's expenditures to ensure compliance with budgetary constraints.
- J. Perform all other related recreation related tasks, set forth in the Borough's job description, and as may be requested, delegated or required by the Borough Administrator, Recreation Commission and/or Arts Council.
- K. Attend monthly meetings of the Recreation Commission and Arts Council.
- L. At each regular meeting of the Recreation Commission and Arts Council, report to the Commission/Council the status of recreation and cultural arts programming and park facilities and such other matters as the Commission/Council may request;

**BE IT FURTHER ORDAINED** that the within Ordinance shall not affect the current terms and membership of the existing Recreation Commission; and

**BE IT FURTHER ORDAINED** that if any part of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance; and

**BE IT FURTHER ORDAINED** that all ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed or amended to the extent of such inconsistency; and

**BE IT FURTHER ORDAINED** that his Ordinance shall take effect upon final passage and publication according to law.

**Communications Consent Agenda – Items A - C**

Council President Grayzel made a motion to move Communication Consent Agenda, Items A-C, Councilwoman Rasmussen second the motion, with all in favor, motion carried, 6-0

- A. Receive and Accept Shade Tree Commission Meeting Minutes of November 11, 2015, January 13, 2016 and February 2, 2016
- B. Receive and Accept Historic Preservation Commission Meeting Minutes of January 12, 2016, February 9, 2016 and March 8, 2016
- C. Receive and Accept Recreation Meeting Minutes of March 8, 2016

**Closed Session**

Council President Grayzel made a motion to go into Closed Session to discuss "Pending Litigation and

Matters of Attorney-Client Privilege”, second by Councilman Leibfried, with all in favor, motion passed, 6-0

R2016-103

Resolution Authorizing an Executive Session for the Purpose of Pending Litigation & Matters of Attorney-Client Privilege

Councilwoman Inzerro made a motion to reconvene to Public Session of the meeting at 11:01 PM, second by Councilwoman Rasmussen, with all in favor, motion passed, 6-0.

**Regular Meeting**

Fair Share Housing Endorsement Plan

R2016-114

Resolution Endorsing the 2016 Housing Element and Fair Share Plan

Council President Grayzel made a motion to R2016-114 for approval, second by Councilwoman Rasmussen, with all in favor, motion passes, 6-0

**New Business – Resolutions 2016-104 through 2016-112**

Council President Grayzel moved New Business Consent Agenda – Resolutions 2016-104 through R2016-112, second by Councilwoman Rasmussen, with all in favor, motion carried, 6-0

**RESOLUTION 2016-104**

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

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #15-035  
FIRST JEFFERSON CONDO ASSOCIATION**

**WHEREAS**, First Jefferson C.A., Inc. posted \$8,631.00 for apron and sidewalk escrow fees for High Street, Rose Street and Newman Street; and

**WHEREAS**, the Planning Board Secretary has requested that the escrow fees be refunded to First Jefferson C.A.,

**NOW, THEREFORE, BE IT RESOLVED**, that First Jefferson C.A. be refunded \$8,631.00 from the Sidewalk Inspection Escrow account.

**RESOLUTION 2016-105**

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

**RESOLUTION REFUNDING SIDEWALK ESCROW FEE #15-045**

**33 VICTORY COURT**

**WHEREAS**, Meridith Solvibile posted \$48.00 for sidewalk escrow fees at 33 Victory Court; and

**WHEREAS**, the Planning Board Secretary has requested that the escrow fees be refunded to Meridith Solvibile,

**NOW, THEREFORE, BE IT RESOLVED**, that Meridith Solvibile be refunded \$48.00 from the Sidewalk Inspection Escrow account.

**RESOLUTION 2016-106**

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

**RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE COUNTY OF MIDDLESEX, DIVISION OF SOLID WASTE MANAGEMENT AND THE BOROUGH OF METUCHEN FOR THE RECYCLING OF CERTAIN CONSUMER ELECTRONICS**

**WHEREAS**, Middlesex County is proactive in addressed environmental issues such as the proper recycling of consumer electronics; and

**WHEREAS**, effective January 1, 2011 recycling of certain consumer electronics is mandatory in the State of New Jersey; and

**WHEREAS**, the location of said container will greatly foster the implementation of the recycling programs of the County and the Municipality; and

**WHEREAS**, the County and Municipality are authorized to enter into this Agreement pursuant to N.J.S.A. 40A:11-5(2);

**NOW, THEREFORE, BE IT RESOLVED** that Middlesex County and the Borough of Metuchen are hereby directed to enter into an agreement concerning the recycling of certain consumer electronics in accordance with the attached contract.

**RESOLUTION 2016-107**

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

**RESOLUTION – REFUND ESCROW BALANCE**

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

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

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

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

<b>ESCROW ACCOUNT</b>	<b>AMOUNT</b>	<b>DEPOSITOR</b>
06-727 E	196.00	Metuchen I, LLC 700 Middlesex Avenue
14-1029 E	489.00	Richard Domingues 108 New York Avenue

**RESOLUTION 2016-108**

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

**RESOLUTION – REFUND ESCROW BALANCE**

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

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

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

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

<b>ESCROW ACCOUNT</b>	<b>AMOUNT</b>	<b>DEPOSITOR</b>
11-9321 E	579.65	DAG Holdings, LLC 457-459 Main Street
14-1018 E	349.42	Kumar Gas & Go Inc. 99 Middlesex Avenue
14-1024 I	185.00	LaPorta Builders Inc. 30 Kelly Street
14-1025 E	155.45	Chongyul Kim 48 Voorhees Place

14-1030 E	311.50	Stephen Armeli 114 Rutgers Street
14-1034 I	213.50	Anda Builders LLC 59 Charles Street

**RESOLUTION 2016-109**

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

**RESOLUTION AUTHORIZING REFUND OF 2016 TAXES**

**WHEREAS**, the following has made an overpayment of taxes,

Name	Block/Lot	Address	Amount		Year
Bruce & Judith Linsky	184/31	21 Bounty Street	2,615.12	Duplicate payment due to re-fi	1 <sup>st</sup> qtr 2016
Investor's Bank for Gerald & Marlene Yaros	185/14	67 Voorhees Place	2,763.17	Bank payment to incorrect parcel	2 <sup>nd</sup> qtr 2016

**NOW, THEREFORE, BE IT RESOLVED**, that the above listed property owner or agent be refunded property taxes as described in the amount of \$5,378.29.

**R2016-110**

*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
Ahluwalia, Sumit & Jayaramaish, Swathi	199/7	127 Amboy Ave	1,271.92	Duplicate payment previously cancelled (Refund to previous owner)	4 <sup>th</sup> qtr 2014

**NOW, THEREFORE, BE IT RESOLVED**, that the above listed property owner or agent be refunded \$1,271.92 in previously cancelled taxes.

**RESOLUTION 2016-111**

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

**RESOLUTION AUTHORIZING THE ENTRY INTO, AND THE EXECUTION OF, AN AMENDED AGREEMENT BETWEEN THE BOROUGH OF METUCHEN AND THE PARKING AUTHORITY OF THE BOROUGH OF METUCHEN FOR ANNUAL PAYMENTS TO THE BOROUGH OF METUCHEN FOR PAYMENTS IN LIEU OF TAXES**

**WHEREAS**, the Borough of Metuchen (“Borough”) and the Parking Authority (“Authority”) have previously entered into agreements in 1966, 1989, 1994, 2005 and 2015 relating to annual payments made by the Authority to the Borough in lieu of taxes as authorized by *N.J.S.A. 40A:11A-19* (“PILOT Agreement”); and

**WHEREAS**, over the course of the years, the financial circumstances of the Authority have since changed, to wit; the Authority operating cash reserve has remained relatively constant; the market value of Authority land has appreciated since 2005; the Authority has leased a portion of the Pearl Street lot for construction of a new public parking deck; and the Authority has also sold a portion of the Pearl Street Parking lot for mixed use residential/commercial development and a public plaza; and

**WHEREAS**, the Borough and the Authority desire to revise the 2015 agreement and formula to provide for payments by the Authority in lieu of taxes to the Borough; and

**WHEREAS**, representatives of the Borough and the Parking Authority have met and determined the payments equitable to, and in the best interest of both the Parking Authority and the Borough of Metuchen, which is set forth in the Agreement attached hereto.

**NOW THEREFORE BE IT RESOLVED** that the Borough of Metuchen hereby authorizes the entry into and the execution of an Amended Agreement between the Borough of Metuchen and the Parking Authority of the Borough of Metuchen for annual payments to the Borough as payment in lieu of taxes in the form consistent to the Agreement attached hereto; and

**BE IT FURTHER RESOLVED** that the Mayor and Borough officials and employees are hereby authorized to take all necessary actions in order to effectuate the terms and provisions of this Resolution, including but not limited to the execution of the Agreement consistent with the form attached hereto.

**RESOLUTION 2016-112**

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

**RESOLUTION AMENDING RESOLUTION 2016-101 FOR 2014 AND 2015 CDBG ADA IMPROVEMENTS AT THE METUCHEN LIBRARY TO LoCHIATTO PAVING AND MASONRY, INC**

**WHEREAS**, quotes were received by the Borough Administrator for the 2014 and 2015 CDBG ADA Improvements at Metuchen Library for the Borough of Metuchen; and

**WHEREAS**, the Borough Council has reviewed the recommendation made by the Borough Administrator on said quotes; and

**WHEREAS**, the Finance Officer has determined that sufficient funds will be available in the amount of \$39,970.50,

**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 2014 and 2015 CDBG ADA Improvements at Metuchen Library be and the same is hereby awarded to LoChiatto Paving and Masonry, Inc, 9 Orchid Court, Edison, New Jersey 08820.

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

**Other New Business**

Council President Grayzel made a motion to approve R2016-113; authorizing the Payment of the Bill List in the amount of \$5,362,866.16, second by Councilwoman Rasmussen, with all in favor, motion carried, 6-0.

**RESOLUTION 2016-113**

*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 **\$5,362,866.16**

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.

**Appointment**

Council President Grayzel made a motion to confirm the recommendation of Mayor Cammarano for the following appointments:

Keith O'Brien to the Office of Emergency Management for a term ending 12/31/2018  
Matthew Masturo to Metuchen Recreation Commission as Alternate 1 with a term ending 12/31/2019; and  
Liza Bruns to Metuchen Recreation Commission as Alternate 2 with a term ending 12/31/2020

Second by Councilman Leibfried, with all in favor, motion carried, 6-0

**Public Session**

Mayor Cammarano opened Public Session to anyone wishing to speak on new items only.

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

### **Reports of Councilmembers**

Mayor Cammarano opened Reports of Councilmembers.

Council President Grayzel – has no report at this time

Councilwoman Inserro –

- The Senior Citizen Center has a newly planted garden out front. She would like to thank, on behalf of the Senior Citizens Commission, Fred Hall and his staff at DPW. They planted the garden and there will be a dedication ceremony scheduled for some time later this month. The money was a memorial donation from a local family.
- She wants to make an extended comment on the vote tonight for Ordinance 2016-10. The volunteers on the Stakeholder team were one of the most wonderful experiences that she has had working with a group of people. She stated that not one of them was a very small part of the team but that isn't true and thanked them for all their hard work. She especially thanked Margaret Inglese and said that one of the things that Margaret had said one of the first times that they talked was, "The past is a lovely place to visit but I don't want to live there". She also said that Caldwell is passing an ordinance for a Special Improvement District but spent \$24,000 for a consultant in 2014 to do some of the same work that the Stakeholders did as volunteers. She closed her comments with a quote, "*Success is not an accident, you succeed when you do other successful people do over and over. Likewise you fail when you don't do what other successful people do*".

Councilman Leibfried – has no report at this time.

Councilman Muldoon – has no report at this time.

Councilwoman Rasmussen –

- She wants to recognize the High School students that helped celebrate Arbor Day with the Shade Tree Commission on Friday. Two trees were planted at the High School and the students were great and enthusiastic.
- Residents can go on-line to the Borough website to place their orders for free composters. Call the Borough Administrator when you make your choice. We will order the composter for you and have it delivered.

Councilman Wallace – has no report at this time.

### **Reports of Officers**

Denis Murphy, Esq. – has no report at this time

Jennifer Maier, Administrator – has no report at this time

**Report of Mayor** – has no report at this time

### **Adjournment**

Borough Council Meeting  
May 2, 2016

Council President Grayzel made a motion to adjourn the meeting, second by Councilwoman Rasmussen, with all in favor; the meeting was adjourned at 11:07 PM, 6-0.

Respectfully Submitted,

Susan D. Jackson, RMC  
Metuchen Borough Clerk