

Special Meeting Agenda 6.28.18

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| Ord. 2018-16 | Ordinance Amending Chapter 124 of the Code of the Borough of Metuchen Regulating the Use of the Metuchen Town Plaza |
| Ord. 2018-17 | Ordinance to Amend Chapter 185 of the Code of the Borough of Metuchen to Provide for Additional Payment Methods for Parking |
| Ord 2018-18 | An Ordinance to Amend Salary Ranges for Certain Officers and Employees of the Borough of Metuchen |

ADJOURNMENT

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

RESOLUTION 2018-170

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

RESOLUTION AUTHORIZING BID AWARD FOR 2018 ROAD PROGRAM

WHEREAS, three (3) bids were received by the Borough Clerk and Borough Engineer on or before June 26, 2018 for the 2018 Road Program for the Borough of Metuchen; and

WHEREAS, the Borough Council has reviewed the recommendation made by the Borough Engineer on said bids; and

WHEREAS, the maximum amount of award for the 2018 Road Program is \$1,281,979 for Proposal A - Main Street Improvements-Transit Village FY 2017 State Aid Program, Proposal B - Leonard Street Improvements-NJDOT MU FY2017, Proposal C - Mason Drive & Norris Avenue Improvements-NJDOT MU FY 2016, Proposal D - Borough Hall Parking Lot Improvements and Proposal E - Division Street Improvements only. Funds are available in the 2017 and 2018 Capital Ordinances and CDBG funds as certified by the Chief Finance Officer and there are sufficient funds as follows: C-04-55-989-003 - \$375,000.00, C-04-55-989-004 - \$200,000.00, C-04-55-989-005 - \$325,000.00, C-04-55-971-002 - \$470,600.00 and T-16-56-880-883 - \$47,452.00

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Metuchen, County of Middlesex, State of New Jersey that the contract for the 2018 Road Program be and the same is hereby awarded to lowest responsive bidder, JADS Construction Company, P.O. Box 513, South River, NJ 08882.

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

BE IT FURTHER RESOLVED THAT, the certified check or bid bond of the successful bidder and the next lowest bidders be returned upon the receipt of a fully executed contract and other required documents to:

1. JADS Construction Company, PO Box 513, South River, NJ 08882
2. Stilo Excavation, Inc., 2907 South Clinton Avenue, South Plainfield, NJ 07080
3. Black Rock Enterprises, 1316 Englishtown Road, Old Bridge, NJ 08857

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a special meeting held on June 28, 2018

Susan D. Jackson, RMC
Borough Clerk

RESOLUTION 2018-171

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

AUTHORIZING AN EXECUTIVE SESSION WHICH EXCLUDES THE PUBLIC

BE IT RESOLVED that the Council of the Borough of Metuchen hereby moves to go into Executive Session on March 19, 2018 on or after 7:00 PM during the general meeting in Borough Hall located at 500 Main St., Metuchen that will be limited only to consideration of an item or items with respect to which the public may be excluded pursuant to section 7b of the Open Public Meetings Act.

The general nature of the subject or subjects to be discussed:

Pending Tax Appeal Litigation and Attorney-Client Privileges

Stated as precisely as presently possible the matter discussed in and minutes of the closed session shall be disclosed to the public when the reason for confidentiality no longer exists.

The public is excluded from said meeting, and further notice is dispensed with, all in accordance with sections 8 and 4a of the Open Public Meetings Act.

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

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a special meeting held on June 28, 2018

Susan D. Jackson, RMC
Borough Clerk

ORDINANCE 2018-15

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

**AN ORDINANCE AMENDING CHAPTER 110 - THE LAND DEVELOPMENT
ORDINANCES OF THE BOROUGH OF METUCHEN, SPECIFICALLY, CHAPTER
110, ARTICLE 2, ENTITLED “ZONING PERMITS, ARTICLE 5, ENTITLED
“APPLICATION AND ESCROW FEES AND ARTICLE 48, ENTITLED “SIGNS
REGULATIONS”**

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

SECTION 1 Chapter 110, Article 2 of the Code of the Borough of Metuchen is hereby amended to add the following to Section 110-7 – Exemption from Site Plan Review:

§ 110-7. Exemption from site plan review.

- A. Applications which involve minor alterations to the site, inclusive of the addition or removal of parking areas no greater than two parking spaces or 500 square feet, to one or more of the building elevations, structural changes, inclusive of awnings, canopies, and dormers to buildings without adding additional usable floor area for which parking is required under the provisions of § 110-154, or the construction of an accessory structure consisting of no greater than 100 square feet in floor area may be exempt from obtaining site plan approval at the determination of the Zoning Officer. The Zoning Officer may issue a zoning permit after consultation with the Chairperson of the Planning Board and after the application has been reviewed by the Borough Planner and Borough Engineer to verify and confirm that no variances are required and that the site improvements and/or facade changes conform to applicable Borough design standards.
- B. An applicant may request an exemption upon application for a zoning permit by submitting four copies of an application for development and a statement setting forth reasons for the exemption and providing sufficient plan information as determined by the Zoning Officer to verify that an exemption may be granted.
- C. Pop-up businesses shall be exempt from obtaining site plan approval.

§110-7.1. Exemption from site plan review for signs.

- A. Applications which involve deviation from Article 48, Sign Regulations, limited to the following: one (1) additional sign in addition to the number of signs that are permitted, any sign with a dimension that is no more than 25% greater than the maximum permitted area, height, width, thickness of signboard, height of letters, numbers or other characters or images, any blade sign that projects no more than 25% greater than the maximum projection from building wall, or any internally illuminated blade sign may be exempt from obtaining site plan approval at the determination of the Zoning Officer. The Zoning Officer may issue a zoning permit after consultation with the Chairperson of the Planning Board and the Executive Director of the Metuchen Downtown Alliance and after the application has been reviewed by the Borough Planner to verify and confirm that no variances are required and that the applications generally

conform to applicable Borough design standards. All other deviations from Article 48, Sign Regulations, shall be subject to minor site plan approval.

B. An applicant may request an exemption upon application for a zoning permit by submitting four (4) copies of an application for development and a statement setting forth reasons for the exemption and providing sufficient plan information as determined by the Zoning Officer to verify that an exemption may be granted.

SECTION 2 Chapter 110, Article 5 of the Code of the Borough of Metuchen is hereby amended to revise the following to Section 110-14 – Fee Schedule:

§ 110-14. Fees.

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

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

Fee Schedule

Application for Development	Application Fee	Escrow Fee
Subdivisions		
Minor subdivision	\$200	\$2,000
Preliminary major subdivision	\$300	\$3,000
Final major subdivision	\$200	\$2,000
Informal presentation (1 appearance only)	\$50	\$500
Concept plat for review		
Minor subdivision	\$50	\$500
Major subdivision	\$100	\$1,000
Upon approval of minor or major final subdivision for amendment of Borough Tax Map	\$500 per new lot created	
Site plans		
Minor site plan	\$25	\$250

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Change of use	\$50	\$500
Preliminary site plan	\$300	\$3,000
Final site plan	\$200	\$2,000
PURD and PUCD	\$750	\$1,500 per acre or part thereof plus \$50 per dwelling unit
Informal presentation (1 appearance only)		
Concept plat for review	\$50	\$500
Minor site plan	\$25	\$250
Major site plan	\$500	\$500
Technical assistance, design review and completeness review at Technical Review Committee		
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Residential uses	\$25	\$250
Nonresidential uses	\$50	\$500
Variances		
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Appeals (N.J.S.A. 40:55D-70a)	\$75	\$750
Interpretation (N.J.S.A. 40:55D-70b)	\$75	\$750
Bulk (N.J.S.A. 40:55D-70c)		
First variance for principal structures	\$75	\$750
First variance for accessory structures	\$50	\$500
Each additional variance	\$25	\$250
Use (N.J.S.A. 40:55D-70d)		
d(1) or d(2) variances	\$200	\$2,000
d(3) variance	\$150	\$1,500
d(4), d(5) or d(6) variances	\$100	\$1,000
Permits (N.J.S.A. 40:55D-34 and 40:55D-35)	\$75	\$750
Miscellaneous requests for reviews, meetings or consultations involving planning, engineer or other professional review, including request for zoning changes	Hourly rates as set forth on an annual basis by the approving authority's retained professional, which are available in	As required by applicable Board and/or professional

	the Borough Clerk's office	
Certified list of property owners	\$0.25 per name or \$10, whichever is greater	None
Copy of minutes/transcripts of decisions	\$1 per page for first copy, plus \$0.25 per page for each additional copy or as required by transcription service	As required by transcription service
<u>Legal reviews</u>		
Guaranty review		
Review of performance guaranty by Borough Attorney	\$150 per review	None
Review of maintenance guaranty by Borough Attorney	\$150 per review	None
Preparation of developer's agreement by Borough Attorney	\$400 minimum per agreement, plus \$125 per hour after first 3 hours	As required by Borough Attorney
Miscellaneous reviews: master deed, certificate of incorporation, bylaws, unit deeds, etc.	\$150 per review	None
Appeal of any determination by Borough official to the applicable Board	\$50 per appeal, plus hourly rates as set forth on an annual basis by the approving authority's retained professional, which are available in the Borough Clerk's office	As required by applicable Board and/or professional
Special meeting	\$750 per meeting, plus hourly rates as set forth on an annual basis by the approving authority's retained professional, which are available in the Borough Clerk's office	As required by applicable Board and/or professional
Continuation of hearing	\$250 per appeal, plus hourly rates as set forth on an annual basis by the approving authority's	As required by applicable Board and/or professional

retained professional,
 which are available in
 the Borough Clerk's
 office

Zoning Permit Applications	Application Fee	Escrow Fee
Principal structures		
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New principal structures (inclusive of all other improvements associated with its construction)	\$250	\$500*
Additions and alterations		
Greater than 1,000 square feet	\$100	
Greater than 500, up to 1,000 square feet	\$75	
500 square feet or less	\$50	
Porches and decks		
Greater than 250 square feet	\$25	
250 square feet or less	\$10	
Stoops, landings and steps	\$10	
Accessory structures		
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Retaining walls 4 feet or greater in height and in-ground swimming pools	\$50	\$250*
Detached garages, and any other structure deemed to be accessory structures greater than 100 square feet	\$50	
Retaining walls less than 4 feet in height, parking lots, driveways, sport courts, fences, walls, sheds and patios greater than 100 square feet, above-ground swimming pools, rooftop solar panels, A/C condenser units, generators, tanks and any other structure deemed to be accessory structures 100 square feet or less	\$25	
Sheds and patios 100 square feet or less, and private walkways	\$10	
Construction trailers, construction fences and any other structure deemed to be temporary structures	\$10	

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Home occupation	\$25
<u>Change of occupancy or use</u>	
Greater than 3,000 square feet	\$75
Greater than 500, up to 3,000 square feet	\$50
Greater than 250, up to 500 square feet	\$25
250 square feet or less	\$10
Pop-up business	\$10
Alterations to facade	\$25
<u>Signage</u>	
Primary business sign	\$25
Primary window sign	\$10
Outdoor displays of retail merchandise and sidewalk cafes	\$0
Exemption from site plan review	\$250 <u>400</u>
<u>Exemption from site plan review for signs</u>	<u>\$150</u>
Other zoning permits	\$25

NOTES:

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

SECTION 3 Chapter 110, Article 48 of the Code of the Borough of Metuchen is hereby amended to revise the following to Section 110-185 – Permitted Signs:

§ 110-185. Permitted signs.

The following signs shall be permitted, pursuant to the following provisions based on type of use, location of use and district such use is located in:

A. Signs for residential uses located in any district:

- (1) Single- and two-family dwellings and three- and four-family apartments shall be permitted one identification sign indicating the name and/or address of the occupants; the maximum size of which shall not exceed 60 square inches in area. In addition, one informational sign indicating the private nature of a driveway, no trespassing or other such similar private property usage shall be permitted; the maximum size of which shall not exceed one square foot in area.

(2) Apartments, townhouses and other multifamily residential uses shall be permitted one identification sign; the maximum size of which shall not exceed two square feet in area. In addition, the following shall be permitted:

- (a) Two wall-mounted signs per building identifying the name or number of the same; the maximum size of which shall not exceed one square foot in area per sign.
- (b) One wall-mounted directional sign indicating the location of the management office; the maximum size of which shall not exceed one square foot in area.

B. Signs for business uses located in residential districts: one identification sign; the maximum size of which shall not exceed three square feet in area. Such sign shall not exceed five feet in standing height from ground level, including any posts, brackets and other such supporting elements. No such sign shall be illuminated after 10:00 p.m.

C. Additional signs for ground floor business uses located in business districts:

(1) Ground floor business uses having either a wall-mounted or ~~projecting-blade~~ sign as a primary sign may display additional signs on awnings, provided that the following standards are met:

- (a) Maximum size of such additional sign shall not exceed four square feet in area per use.
- (b) Such awning shall be constructed of canvas, cloth or vinyl.
- (c) Maximum height of lettering shall not exceed six inches.
- (d) The color(s) of the awning shall be compatible with the architectural color scheme of the entire building and consistent with the approved Metuchen Downtown Colors.

(2) Ground floor retail or personal service business uses having either a wall-mounted, ~~projecting-blade~~ or awning/canopy sign may display an additional sign painted on the inside of a window, provided that the following standards are complied with:

- (a) Maximum size of such additional sign shall not exceed 10% of the total window area, not to exceed four square feet in area per business use.
- (b) The color(s) of the window painted sign shall be consistent with the approved Metuchen Downtown Colors.
- (c) Maximum height of lettering shall not exceed six inches.

- (3) Ground floor business uses having a side or rear facade fronting on a parking lot shall be permitted to have one (1) additional wall-mounted sign on the facade of the building facing the parking lot, provided that such sign does not exceed 12 square feet in area and/or one (1) additional blade sign projecting from the façade of the building facing the parking lot, provided that such sign meets all of the standards of this article. This provision shall not apply in situations where a parking lot is located between a building and a public street.
 - (4) Ground floor business uses located on corner lots, therefore having a second facade fronting on a public street, shall be permitted to have one (1) additional wall-mounted sign on the facade of the building facing the side street and/or one (1) additional blade sign projecting from the façade of the building facing the side street, provided that such sign meets all of the standards of this section.
- D. Signs for upper story businesses in business districts: one directory sign for each ground floor entrance to a building shall be permitted, whether such entrance fronts on a street or parking lot; the maximum size of which shall not exceed six square feet in area; however, any individual business shall not occupy greater than one square foot in area of such sign.
- E. Signs for institutional uses in any district: two signs for each such use shall be permitted; the maximum size of which shall not exceed 16 square feet in total area for both signs.
- F. Any use in a LI Light Industrial District: one sign, the maximum size of which shall not exceed 24 square feet in area, shall be permitted.

SECTION 4 Chapter 110, Article 48 of the Code of the Borough of Metuchen is hereby amended to revise the following to Section 110-186 – Dimensional Standards for Primary Business Signs:

§ 110-186. Dimensional standards for primary business signs.

Where any standard contained in this section is more restrictive than another applicable standard found elsewhere in this article, the standard contained herein shall be the final determining standard for such sign.

A. Wall-mounted signs.

- (1) Maximum size of signboard shall not exceed 24 square feet in area.
- (2) Maximum height of signboard shall not exceed three feet.
- (3) Maximum width of signboard shall not exceed 12 feet.
- (4) Maximum height of letters, numbers or other characters or images on the signboard shall not exceed two feet.

- (5) No portion of such sign shall extend above or beyond the limits of the wall to which it is affixed.

B. Freestanding signs.

- (1) Maximum size of signboard shall not exceed 16 square feet in area.
- (2) Maximum height from ground level to uppermost portion of sign, including any posts, brackets and other supporting elements, shall not exceed five feet.
- (3) Maximum height of signboard shall not exceed four feet.
- (4) Maximum width of signboard shall not exceed six feet.
- (5) Maximum height of letters, numbers or other characters or images on the signboard shall not exceed 1 1/2 feet.
- (6) No portion of such sign shall be located within five feet of any lot line or within any clear sight triangle area.
- (7) Such sign shall not project or extend over sidewalks, walkways, driveways or parking lots.
- (8) Freestanding signs shall be considered structures requiring minor site plan approval under the provisions of this chapter.

C. ~~Projecting Blade~~ signs.

- (1) Maximum size of signboard shall not exceed 10 square feet in area, exclusive of supports, brackets, hardware, finials or other decorative features. Only one side of such sign shall be used for the purposes of calculating the permitted sign area.
- (2) Minimum distance from another blade sign shall be eight (8) feet.
- ~~(3)~~ Minimum height from ground level to lowermost portion of sign shall be ~~12~~ eight (8) feet.
- ~~(34)~~ Maximum height from ground level to uppermost portion of sign shall not exceed the height of the sill or bottom of any second story windows in the case of multiple-story buildings or the top of wall from which it projects in the case of single-story buildings.
- ~~(45)~~ Maximum horizontal projection, inclusive of supports, brackets, hardware, finials or other decorative features, from building wall shall not exceed 3 1/2 five (5) feet. Signs No portion of such sign shall project or extend over any portion of a public right-of-way, except for such signs located in the B-1, ~~or~~ B-2, B-3 and D-1 ~~Business~~

~~D~~istricts shall be permitted to, where such may project or extend over a public sidewalk only within a public right-of-way, provided that such shall be no closer than two (2) feet from the face of curb.

(~~56~~) Maximum width of signboard shall not exceed ~~three-four~~ (4) feet.

(~~67~~) Maximum height of signboard shall not exceed ~~five-four~~ (4) feet.

(8) Maximum thickness of signboard shall not exceed eight (8) inches.

(~~79~~) ~~Maximum~~ Minimum height of letters, numbers or other characters or images on the signboard shall ~~not exceed~~ be one foot ~~three (3) inches.~~

(10) External illumination shall be from above or beside the signboard and be directly attached to the support, bracket or hardware and no greater than one (1) foot from the signboard. Illumination shall be directed to the signboard, not directly visible and limited as to intensity. Internally illuminated blade signs are not permitted.

D. Awning/canopy signs.

(1) Maximum size of such sign shall not exceed 10 square feet in area per awning/canopy up to a maximum of two awning/canopy signs per business use.

(2) Maximum height of lettering shall not exceed one foot.

Introduction:

Date of Publication:

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

I hereby certify the foregoing to be a true copy of an ordinance introduced by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a special meeting held on June 28, 2018

 Susan D. Jackson, RMC
 Borough Clerk

Adopted:
 Date of Publication:

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

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on July 16, 2018

 Susan D. Jackson, RMC
 Borough Clerk

ATTEST:

BOROUGH OF METUCHEN

 Susan D. Jackson, RMC
 Borough Clerk

By: _____
 Jonathan M. Busch
 Mayor

ORDINANCE 2018-16

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

**ORDINANCE AMENDING CHAPTER 124 OF THE CODE OF THE BOROUGH
OF METUCHEN REGULATING THE USE OF THE METUCHEN TOWN
PLAZA**

WHEREAS, Borough of Metuchen is the owner of certain real property known and designated as Block 115, Lot 36.03, consisting of approximately .46 acres, on the Official Tax Map of the Borough of Metuchen, commonly known as “the Borough of Metuchen Town Plaza” (hereinafter referred to as the “Town Plaza”); and

WHEREAS, the Mayor and Council of the Borough of Metuchen wish to establish guidelines, rules and regulations relating to the use of the Town Plaza; and

WHEREAS, Chapter 124 of the Code of the Borough of Metuchen, entitled “Parks and Recreation Areas” governs, *inter alia*, the use of the Borough of Metuchen Parks and Recreation Areas; and

WHEREAS, the Mayor and Council deem it in the best interest of the Borough of Metuchen to create a subsection of Chapter 124 regulating the use of the Metuchen Town Plaza and establishing permitting for the same.

NOW, THEREFORE BE IT ORDAINED, by the Council of the Borough of Metuchen, County of Middlesex and State of New Jersey that the Chapter 124 of the Code of the Borough of Metuchen is hereby amended to include ARTICLE 3 entitled “Metuchen Town Plaza” in the Code of the Borough of Metuchen, to state the following:

ARTICLE 3

METUCHEN TOWN PLAZA

§ 124-15 Intent

The Town Plaza is a publicly owned space which is managed and operated by the Borough of Metuchen. It is the intent of the Borough that the Town Plaza is a welcoming, safe, flexible, public gathering space for residents and visitors to downtown Metuchen. The Borough promotes the use of the Plaza for Metuchen based civic, non-profits, associations, school groups, for events where the public is welcome to attend. Formal Events as defined herein as “Special Events” require a use permit to be issued by the Borough of Metuchen as provided for herein. The Town Plaza is not available for private events where members of the public are excluded, or an admission is charged.

The Town Plaza is not available for private events including, but not limited to, weddings, birthday parties or any other private event.

§ 124-16 Hours of Operation

The Town Plaza shall be open daily to the public for informal and scheduled events from 7:00 a.m. to 10:00 p.m. All Town Plaza events, both scheduled and/or informal must be open to the public, free of charge, and not on an invitation only or restricted basis. Access to and through the Plaza must be maintained at all times including during set-up and clean-up for an event. Sidewalk and tenant access must also be maintained at all times.

§ 124-17 Prohibited Acts and Conduct

No person in the Town Plaza shall:

- A. Willfully mark, deface, disfigure, injure, tamper with or displace or remove any tables, benches, pavings or paving materials, or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts, or other boundary markers, or other structures or equipment, facilities or Plaza property or appurtenances whatsoever either real or personal. Plaza tables and chairs should not be stacked on top of each other.
- B. Dig or remove any soil, rock, sand, stones, pavers, trees, shrubs or plants or other wood or materials or make any excavation by tool, equipment, blasting or other means or agency.
- C. Construct or erect any structures of whatever kind, whether permanent or temporary, or run or string any public service utility into, upon or across such lands, except on special written permit issued hereunder.
- D. Damage, carve, transplant or remove any tree or plant or injure the bark, or pick flowers or seed of any tree or plant, dig in or otherwise disturb grass areas or in any other way injure the natural beauty or usefulness of any Plaza area.
- E. Climb any tree or walk, stand or sit upon monuments, vases, planters, fountains, railings, fences or upon any other property not designated or customarily used for such purposes.
- F. Tie or hitch any animal or leash to any tree, plant or bench.
- G. Throw, discharge or otherwise place or cause to be placed in the waters of any fountain, storm sewer or drain flowing into such water any substance, matter or thing, liquid or solid, which will or may result in the pollution of the waters.

- H. Have brought in or shall dump in, deposit or leave any bottles, broken glass, paper, boxes, cans, dirt, rubbish, waste, garbage or refuse or other trash. No such refuse or trash shall be left anywhere on the Plaza but shall be placed in the proper receptacles where these are provided. Where receptacles are not provided, all such rubbish or waste shall be carried away from the Plaza by the person responsible for its presence and properly disposed of elsewhere.
- K. Leave a bicycle in a place other than a bicycle rack or dock when such is provided and there is space available.
- L. Leave a bicycle lying on the ground or paving or set against trees or in any place or position where other persons may trip over or be injured by them.
- M. Set up tents, canopies or any other temporary shelter unless specifically permitted to do so by the Borough as set forth in this Chapter.
- N. Take part in or abet the playing of any games involving thrown or otherwise propelled objects, that could cause a risk or danger to other occupants of the Plaza, including handball or ball throwing.
- O. Ride a bicycle, skateboard, scooter or horse, roller skate, roller blade and/or hoverboard through the Plaza. Walking a bicycle, skateboard, scooter, hoverboard through the Plaza is permitted. Exceptions to the herein may be made for Borough related safety events, i.e., safety demonstrations performed by the Metuchen Police Department or groups like Bike Walk Metuchen.
- P. Bring or possess alcoholic beverages with an intent to consume the same within the Plaza, or to publicly consume alcoholic, with the exception being when a permitted special event takes place with the required security, the required State of NJ Division of Alcohol Beverage Control and Borough permits and insurance coverage is provided. All events where alcohol is served shall be in full compliance with the NJ Division of Alcoholic Beverage Control rules and regulations.
- Q. Drive or park a vehicle onto the Plaza. Vehicles are only permitted onto the Plaza for purposes of loading and unloading and only after all necessary safety precautions are established during said times. Vehicles are not permitted to idle while on the Plaza.
- R. Permit a pet to walk or run in or on the Plaza without a leash. All persons walking a pet must clean up after all pets.
- S. Have in his or her possession, or set or otherwise cause to explode or discharge or burn, any firecrackers, torpedo rockets or other fireworks, firecrackers or explosives of inflammable material or discharge them or throw them into any such areas from lands or highways adjacent thereto. This prohibition includes any substance, compound, mixture or article that in conjunction with another substance or

compound would be dangerous from any of the foregoing standpoints. At the discretion of the Borough Administrator and Recreation Director, permits may be given for conducting properly supervised fireworks in designated Town Plaza areas.

- T. Build or attempt to build a fire. Fire pits are not permitted. No person shall drop, throw or otherwise scatter burning cigarettes or cigars, tobacco paper or other inflammable material within the Plaza.
- U. Enter an area of the Plaza posted as "Closed to the Public," nor shall any person use or abet in the use of any area in violation of posted notices.
- V. Gamble, or participate in or abet any game of chance, except in such areas and under such regulations as may be designated by the Recreation Commission.
- W. Sleep or protractedly lounge on the seats or benches or other areas or engage in loud, boisterous, threatening, abusive, insulting or indecent language or engage in any disorderly conduct or behavior tending to breach the public peace.
- X. Fail to produce and exhibit any permit issued from the Borough claimed to have upon request of any authorized person who shall desire to inspect the same for the purpose of enforcing compliance with any ordinance or rule.
- Y. Disturb or interfere unreasonably with any person or party occupying any area or participating in any activity under the authority of a permit issued by the Borough.
- Z. Expose or offer for sale any article or thing, nor shall a station or place any stand, cart or vehicle for the transportation, sale or display of any such article or thing. Exception is here made as to any regularly licensed concessionaire acting by and under the authority and regulation of the Borough.
- AA. Paste, glue, tack or otherwise post any sign, placard, advertisement or inscription whatever, nor shall any person erect or cause to be erected any sign whatsoever on Plaza without specific authorization to do so. Signs belonging to stores, offices or retailers located on the Plaza must only be displayed in front of the business and no place else on the Plaza.

Nothing herein shall permit activities and/or conduct that are prohibited in the existing Ordinances. §§124-1, 124-2 and Chapter 158 shall apply to the Town Plaza. Smoking, as defined in § 158-1 shall be prohibited in the Town Plaza.

§ 124-19. Special Events and Permit Requirement

A group or gathering of twenty (20) or more persons shall constitute a Special Event requiring a permit to be issued by the Borough for the use of the Town Plaza. No group of twenty (20) or more persons shall utilize the Town Plaza for an event, gathering or outing without first having obtained a use permit in advance from the Borough. Groups

of less than twenty people gathering for the same purpose or intent are not permitted to use the Plaza without a permit. Permits are not required by individuals using the Plaza for casual, informal gatherings. Adult supervision of children's groups requiring a permit is required at all times. No person shall call or hold any public meeting or give any concert or entertainment of any kind or erect any structure, stand, tent, or platform, utilize any loudspeaker, public address system, or amplifier except by the specific written authority of the Borough, as authorized by permit. Although all events shall be opened to the public, no other organized group or persons other than the one holding the use permit shall interfere with permit holder's use of the Town Plaza during the time covered by the permit issued by the Borough. All permits that are granted must be produced upon demand.

§ 124-20. Use Permit

All permits for the Town Plaza shall be approved by the Borough Administrator in consultation with the Recreation Director, with further approval of the Chief of Police or his designee, Fire Chief or his designee, and or the Superintendent of Public Works or his designee as deemed necessary by the Borough Administrator. The issuance of use permits shall be limited to Metuchen based public, school, civic and non-profit associations, groups or entities and Metuchen based for-profit businesses or entities.

Permits for special events in the Town Plaza shall be obtained by application to the Recreation Department in accordance with the following procedure:

- A. A person, entity or group seeking issuance of a permit hereunder shall file an application with the Recreation Department providing:
 - (1) The name and address of the applicant.
 - (2) The name and address of the person, persons, corporation or association sponsoring the activity, if any.
 - (3) The day and hours for which the permit is desired and the type of event planned.
 - (4) The estimated size and number of attendees of the event.
 - (5) A detailed map of the Plaza must be submitted showing the desired area or location in the Town Plaza sought to be used for the event and a detailed description of all equipment, vendors, vehicles and associated items for use during the event.
 - (6) Any other information which the Borough Administrator or Recreation Director shall find reasonably necessary to a fair determination as to whether a permit should be issued hereunder.

B. In addition to the completed application, a person, entity or group seeking issuance of a permit hereunder shall also provide the following:

(1) A security deposit in the amount of two hundred fifty dollars (\$250.00) made payable to the “Borough of Metuchen”, unless waived by the Borough Administrator.

(2) Adequate Insurance Information demonstrating that it will provide the Borough with a Certificate of Liability Insurance and additional insured endorsement, such information shall also state the specific dates and limits of coverage.

C. Application for a permit for an event can be submitted up to one year in advance of the event date. Date selection will not be transferred upon request after approval is provided. All applications for a permit for an event shall be submitted no later than sixty (60) days prior to the requested use, unless sufficient good cause is shown and there is no other event proposed for said date. However, under no circumstances will the Borough issue a permit for an event less than thirty (30) days prior to the prosed date of the event.

D. Rain dates will not be held in addition to the requested event date for all events. Requests can be made for one rain date, in addition to the scheduled event date. The Borough Administrator will decide if a rain date can be approved on a case by case basis.

E. Standards for issuance of a use permit by the Borough Administrator and Recreation Director shall include the following findings:

(1) That the proposed activity or use of the Town Plaza will not unreasonably interfere with or detract from the general public enjoyment of the Town Plaza.

(2) That the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation.

(3) That the proposed activity or uses that are reasonably anticipated will not include violence, crime or disorderly conduct.

(4) That the proposed activity will not entail extraordinary or burdensome expense or police operation by the Borough.

(5) That the proposed activity will not resolute in a breach of this Ordinance, another ordinance, or law, or may be adverse to the public interest, to public health and/or safety, or the protection of persons and/or property.

(6) That the Town Plaza or portions thereof desired have not been reserved for other use at the date and hour requested in the application.

F. The Borough of Metuchen Recreation Department shall maintain a final schedule of events which have received approval for a use permit as well as a proposed schedule of applications pending approval. Events sponsored by the Borough or other public entities, shall have a preference over all other requests, thereafter, Metuchen based civic, non-profits, associations, school groups, for events shall have preference over business or

requests made by for-profit entities and/or groups. The Borough will use its best efforts to provide all parties seeking to utilize the Town Plaza for an event has a fair opportunity to do so.

G. The Borough Administrator may approve a permit with modifications or special conditions as the Borough Administrator deems necessary under the circumstances. Some examples of the conditions which the Borough Administrator may require at the applicant sole cost and expense include but are not limited to the provision of onsite event security coverage or traffic control which must be provided by the Metuchen Police Department and/or portable bathrooms for the event.

H. Appeal.

(1) Within five days after the receipt of the denial for a permit any aggrieved person, entity or group shall have the right to appeal to the Mayor and Council President by submitting a formal written request. The Mayor and Council President shall consider the request for an appeal and shall provide the applicant with a decision in writing no later than fourteen (14) days in advance of the proposed date for the Special Event.

(2) In considering the request for appeal, the Borough Officials may request further information from the applicant or from any other person or entity. Borough Council by serving written notice thereof on the Borough Clerk within five days of the refusal.

(3) In addition to the criteria set forth in § 124-20(B), the following will be considered in the review of the request to appeal:

- a. A report of the Borough Administrator or other Borough Official providing for the reasons for the denial and any information provided by the applicant;
- b. Whether the application form and/or the information provided by the applicant was complete and accurate;
- c. Whether the Applicant is able to provide the Borough with the adequate protection for the public health, safety, welfare and protection of property.

(4) The decision of the Mayor and Council President shall be final.

I. Notwithstanding any other section, the Borough shall refuse to issue a permit if the Finance Department notes that the applicant or any principal, director or officer of the applicant has an outstanding and unpaid debt to the Borough including a debt relating to a special event regardless of whether such debt was incurred through another organization or legal entity in relation to a special event.

- J. A permittee shall be bound by all Borough rules and regulations and all applicable ordinances fully as though the same were inserted in the permits.
- K. The person or persons to whom the permit is issued shall be liable for all loss, damage or injury sustained by any person whatever by reason of the negligence of the person or persons to whom such permit shall have been issued. The Recreation Commission shall have the right to require any permittee to submit evidence of liability insurance covering injuries to members of the general public arising out of such permitted activities in such amounts as may be from time to time determined by the Commission prior to the commencement of any activity or issuance of any permit
- L. Revocation. The Borough Administrator, in consultation with the Recreation Director, and/or the Chief of Police or his designee shall have the authority to revoke a permit if there is reasonable grounds to believe that the holding or continuation of the special event
 - (1) poses a danger to the health and safety of any person;
 - (2) poses a danger to property;
 - (3) is not in the public interest; or
 - (4) is in contravention of this ordinance, rule or policy of the Borough or for the failure to comply with a condition of the permit.

To the extent permissible, in the case of a revocation prior to the date and time of the proposed event, the Borough Official shall immediately inform the permit holder or the permit representatives of the revocation and the reasons for it by means of contacting the permit holder at the address or at the telephone number provided in the permit application. Nothing herein shall limit the Borough's right to revoke a permit during the course of the event if determined by the Borough Official that the above criteria apply. In such a case, the Borough Official shall immediately advise the designated Supervisor of the event of the revocation and the event shall be immediately terminated and the person, entity or group shall forfeit its deposit.

§ 124-21. Permit Fee, Security Deposit and Insurance Requirements

- A. There shall be a Permit Fee of \$300.00 for a full day use of the Town Plaza. Full day shall be the use of the Town Plaza for over five (5) hours. There shall be a Permit Fee of \$150.00 for a half day use of the Town Plaza Both set-up and clean-up time shall be factored into the time required and which permit is required. The Permit Fee shall be waived by the Borough for all public entites and Metuchen based school, civic, community, non-profit, charitable, associations, entities or groups.

- B. A security deposit of \$250.00 in the form of a check made payable to the “Borough of Metuchen” shall be submitted with the Application for a use permit. The security deposit shall be refunded, without interest, to the applicant within thirty (30) days of the event date with any deductions made for any damage and/or failure to comply with clean-up policies after an event. The required security deposit may be waived by the Borough Administrator.
- C. No permit shall be issued for the use of the Town Plaza unless the applicant shall provide the Borough with satisfactory proof of the following:
 - (1) Proof of insurance coverage as follows:
 - a. For bodily injury to any one person in the amount of \$1,000,000 and any occurrence in the aggregate amount of \$3,000,000;
 - b. For property damage for each occurrence in the aggregate amount of \$500,000; and
 - (2) A certificate of insurance shall be delivered to the Borough Administrator which shall name the Borough of Metuchen, its officers, employees, agents and representatives and the Metuchen Downtown Alliance, its officers, agents and representatives as an additional insureds on the policy.

§ 124-22. Miscellaneous Use Permit Requirements and Conditions

- A. Any organization, entity or group utilizing the Town Plaza shall be solely responsible for cleaning up the Town Plaza during and upon the conclusion of an event, whether formal or informal. The Department of Public Works of the Borough of Metuchen shall not be responsible for the clean-up or maintenance of the Town Plaza both during and after an event. Any organization, entity or group utilizing the Town Plaza are also responsible for moving Plaza furniture, to the extent necessary and approved by permit for their event. Do not stack Plaza tables and chairs on top of each other. Upon the conclusion of the event, any organization, entity or group utilizing the Town’s Plaza shall return all of the Plaza furniture to its original location. Failure to maintain, clean-up and/or return Plaza furniture will result in the loss or deduction of the security deposit
- B. Permittees, upon approval by the Borough, are allowed to utilize the electrical outlets available in the planting beds, and those located throughout the Plaza. Unless, specifically authorized, Permittee shall not utilize an extraordinary amount of electricity for or during any event.
- C. Any tent or canopy utilized in the Town Plaza must be properly weighted for wind resistance. Tents or canopies greater than 10 X 10 must be weighted with concrete. Spikes cannot be hammered into the Plaza surface to secure tents, canopies or other equipment. The Plaza surface cannot be damaged or altered in any way whatsoever. Permittees and/or occupants of the Plaza will be responsible for any damage to the Plaza sustained during an event, whether scheduled or informal.

- D. All applicants for a permit must agree to be responsible for indemnifying and holding harmless both the Borough of Metuchen, its officers, employees agents and representatives from any claim whatsoever arising out of, or in connection with the use of the Town Plaza in order to obtain a use permit.
- E. It shall be the Applicant and/or Permittee's sole responsibility, at it sole cost and expense, to obtain all necessary inspections, permits and approvals for the proposed event to comply with all State, County or local regulations. Applicant must provide to the Borough copies of all necessary permits issued prior to receiving the Town Plaza Event Use Permit. The Borough reserves the right to impose further conditions upon the Use Permit in the event that necessary approvals are not provided.
- F. If the Permittee leaves any item(s) at the Plaza after the completion of the event breakdown and/or load-out, Permittee will be charged a minimum of \$40.00 per day for storage including the hourly rates set forth below for the transportation of the item/s.
- G. Additional fees may be deemed necessary by the Borough of Metuchen based upon the nature and/or size of item(s) left onsite and all security deposit funds will be forfeited. Items may be held at Metuchen DPW for pickup for a reasonable period of time. However, under no circumstances shall the Borough of Metuchen, its employees, officials, agents or representatives shall be held liable for any damage to items left on the premises after the prescribed permit hours.
- H. Repairs for damages, maintenance and/or clean-up shall be calculated at a minimum of \$65.00 per man-hour plus the cost of materials. Additional costs may be deemed necessary by the Borough based upon the nature of repairs and/or replacements. Failure to pay within thirty (30) days will require forfeit of the deposit. In the event that the security deposit is insufficient to cover the costs to the Borough and the permittee fails to make a timely payment therefor, an action by Borough to recover the fees will be instituted and the permittee will be responsible for all collection costs, including attorneys' fees, and disqualification from consideration for issuance of future permits.

§ 124-23. Cancellation

- A. Cancellation of any event, after a permit is issued, must be provided to the Borough Administrator, in writing. Cancellations of events received more than sixty (60) days in advance may be rescheduled within three hundred sixty five (365) days of cancellation date upon the submission of a written request and approval by the Borough Administrator without an adverse consequence. If the cancellation occurs thirty (30) days or less before the date of the event, the permittee must submit of new application for a use permit. Any Applicant seeking a permit shall notify the Borough, in writing, in the event that the event for which the party seeks a permit is cancelled or a permit is no longer sought.

Repeated cancellations shall be considered as negative criteria in considering future requests for use permits.

- B. Rain dates and requests therefor shall be governed by are governed by § 124-20(D) above.

§ 124-24. Enforcement

A. The Borough Administrator, Recreation Director, Fire Chief or his designee, and or the Superintendent of Public Works or his designee and all members of the Metuchen Police Department shall, in connection with their duties imposed by law, diligently enforce the provisions of this article.

B. The Borough Administrator, Recreation Director, Fire Chief or his designee, and or the Superintendent of Public Works or his designee and all members of the Metuchen Police Department shall have the authority to eject from the Town Plaza any person or persons acting in violation of this article.

C. The Borough Administrator, Recreation Director, Fire Chief or his designee, and or the Superintendent of Public Works or his designee and all members of the Metuchen Police Department shall have the authority to seize and confiscate any property, thing or device in the Town Plaza used in violation of this article.

§ 124-25. Violation and penalties

Any person, persons, organization, entity or group violating any of the provisions of this article or any rule or regulation promulgated pursuant hereto, shall upon conviction be subject to penalties as provided in Chapter 1, General Provisions, Art. 1.

§ 124-26. Severability

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

§ 124-27. Effective Date

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Introduction:

Date of Publication:

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

I hereby certify the foregoing to be a true copy of an ordinance introduced by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a special meeting held on June 28, 2018

Susan D. Jackson, RMC
Borough Clerk

Adopted:

Date of Publication:

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

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on July 16, 2018

Susan D. Jackson, RMC
Borough Clerk

ATTEST:

BOROUGH OF METUCHEN

Susan D. Jackson, RMC
Borough Clerk

Jonathan M. Busch
Mayor

ORDINANCE 2018-17

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

**ORDINANCE TO AMEND CHAPTER 185 OF THE CODE OF THE BOROUGH OF
METUCHEN TO PROVIDE FOR ADDITIONAL PAYMENT METHODS FOR
PARKING**

WHEREAS, the Parking Authority of the Borough of Metuchen has purchased new street parking meters for the Borough of Metuchen that will provide the ability to accept coins, credit and debit cards and other methods of payment for parking; and

WHEREAS, Section 185-12 of the Code of the Borough of Metuchen governs the installation and operation of parking meters in the Borough; and

WHEREAS, at the request of the Parking Authority, the Council of the Borough of Metuchen has determined to amend Section 185-12 to provide for the acceptance of coins, credit and debit cards and other methods of payment for parking.

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Metuchen that the following subsections of Chapter 185-12 of the Code of the Borough of Metuchen, are hereby amended to state as follows:

D. Installation of parking meters. In said parking meter zones, the Parking Authority shall cause parking meters to be installed upon the curb, sidewalk or area immediately adjacent to the parking spaces provided in this section. No parking meters shall be installed in areas where parking is prohibited pursuant to the provisions of N.J.S.A. 39:4-138. The Parking Authority shall be responsible for the regulation, control, operation, maintenance and use of such parking meters. Each device shall be so set as to display a signal showing legal parking upon the deposit of the appropriate coin or currency, lawful money of the United States of America, credit or debit card or other acceptable method of payment as determined by the Parking Authority, for the period of time prescribed in this section. Each device shall be so arranged that upon the expiration of the lawful time limit, it will indicate by a proper, visible signal that the lawful parking period has expired, and in such case the right of such vehicle to occupy such space shall cease, and the operator, owner, possessor or manager thereof shall be subject to the penalties provided.

E. Operation of parking meters. Except in a period of emergency determined by an officer of the Police or Fire Department, or in compliance with the directions of a police officer or traffic control sign or signal, when any vehicle shall be parked in any parking space alongside or next to which a parking meter is located, the operator of such vehicle shall, upon entering said parking meter space, immediately deposit or cause to be deposited in said meter such proper coin or currency, lawful money of the United States

of America, credit or debit card or other acceptable method of payment as determined by the Parking Authority as is required for such parking meter and as is designated by proper directions on the meter, and when required by the directions on the meter, the operator of such vehicle, after the deposit of the proper coin, or currency, or lawful money of the United States of America, credit or debit card or other acceptable payment methods as determined by the Parking Authority shall also set in operation the timing mechanism on such meter in accordance with directions properly appearing thereon, and failure to deposit such proper coin, currency, or lawful money of the United States of America, credit or debit card or other acceptable payment method as determined by the Parking Authority and to set the timing mechanism in operation when so required shall constitute a violation of this chapter. Upon the deposit of such coin, currency, lawful money of the United States of America, credit or debit card or other acceptable payment method as determined by the Parking Authority (and the setting of the timing mechanism in operation when so required), the parking space may be lawfully occupied by such vehicle during the period of time which has been prescribed for the part of the street in which said parking space is located, provided that any person placing a vehicle in a parking meter space adjacent to a meter which indicates that unused time has been left in the meter by the previous occupant of the space shall not be required to deposit a coin, currency or other method of payment so long as his occupancy of said space does not exceed the indicated unused parking time. If said vehicle shall remain parked in any such parking space beyond the parking time limit set for such parking space and if the meter shall indicate such illegal parking, then and in that event such vehicle shall be considered as parking overtime and beyond the period of legal parking time, and such parking shall be deemed a violation of this chapter.

* * * * *

I. Purpose of meter deposits. The coins, currency, lawful money of the United States of America, credit or debit card or other acceptable payments required to be deposited in parking meters as provided herein minus any Parking Authority approved third-party transaction fees are hereby levied and assessed as fees to provide for the proper regulation and control of traffic upon the public streets and also the cost of supervising and regulating the parking of vehicles in the parking meter zones created thereby, and to cover the cost of the purchase, supervision, protection, inspection, installation, operation, maintenance, control and use of the parking meters described herein.

J. Collection of coins, currency, lawful money of the United States of America, credit or debit card or other acceptable payments from meters; disposition thereof. It shall be the duty of the Borough Council to designate some proper person or persons to make regular collections of the moneys deposited in said meters and/or other methods of payments received, and to verify and record the same. ~~and~~ It shall also be the duty of such person or persons so designated to remove from the parking meters the locked containers therein containing the coins, currency, lawful money of the United States or other necessary payment method information so deposited or entered in said meters and to deliver such locked containers to the Treasurer, or his/her designee who shall unlock

them, ~~and~~ count and record the funds, so collected and arrange for the proper deposit of said funds in the appropriate depository as approved by the Borough Council. In addition, said person or persons as designated by the Borough Council shall also verify and record the credit or debit card payment information or other approved payment method by the Parking Authority from the meters with the amount of funds deposited into the appropriate depository, as well as those retained by such Parking Authority approved third parties and to provide such record and accounting to the Treasurer, or his/her designee in ~~contained in such containers and deposit such funds in~~ the usual manner provided by law.

BE IT FURTHER ORDAINED by the Mayor and Council of the Borough of Metuchen that the following subsections of Chapter 185-12 of the Code of the Borough of Metuchen, is hereby added as follows:

K. For purposes of clarification, to the extent the term “Coin” and/or “Coins” is referenced in this Section of the Code as it relates to the deposit of monies in parking meters, the term shall include payments by coins or currency of the United States of America, credit or debit card payments or other payments as determined by the Parking Authority described on the parking meter.

BE IT FURTHER ORDAINED that the remaining sections of Chapter 185-12 of the Code of the Borough of Metuchen, not specifically referenced above shall remain in full force and effect; and

BE IT FURTHER ORDAINED that all Ordinances or parts thereof inconsistent herewith are hereby repealed or amended to the extent of such inconsistency; and

BE IT FURTHER ORDAINED that the provisions of this Ordinance are severable. If any part of this Ordinance is for any reason held to be invalid by any court of competent jurisdiction, such determination or judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not affect the operation or validity of the remaining portions of this Ordinance; and

BE IT FURTHER ORDAINED by the Mayor and Council of the Borough of Metuchen that this Ordinance shall take effect after passage and publication as required by law.

Introduction:
Date of Publication:

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

I hereby certify the foregoing to be a true copy of an ordinance introduced by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a special meeting held on June 28, 2018

 Susan D. Jackson, RMC
 Borough Clerk

Adopted:
 Date of Publication:

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

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on July 16, 2018

 Susan D. Jackson, RMC
 Borough Clerk

ATTEST:

BOROUGH OF METUCHEN

 Susan D. Jackson, RMC
 Borough Clerk

By: _____
 Jonathan M. Busch
 Mayor

ORDINANCE 2018-18

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

AN ORDINANCE TO AMEND ORDINANCE 2018-10 SALARY RANGES FOR CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF METUCHEN

(STATEMENT OF PURPOSE: TO SET THE MINIMUM AND MAXIMUM WAGE RANGES FOR CERTAIN BOROUGH EMPLOYEES)

BE IT ORDAINED, by the Mayor and Council of the Borough of Metuchen that Ordinance 2017-11 be repealed and replaced with this ordinance to set the salary authorizations for the calendar year 2018, effective January 1, 2018.

1. The following official employment designations are hereby confirmed and the range of compensation of each officer and employee of the Borough of Metuchen shall be:

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>	<u>PER</u>
Mayor	\$ 2,000.00	\$ 2,000.00	year
Councilmember	\$ 1,200.00	\$ 1,200.00	year
Borough Administrator	\$73,000.00	\$137,000.00	year
Borough Clerk	\$43,000.00	\$ 74,000.00	year
Chief Financial Officer/Tax Collector	\$58,000.00	\$134,400.00	year
Tax Assessor	\$48,000.00	\$ 84,000.00	year
Public Works Director	\$58,000.00	\$134,400.00	year
Public Works Supervisor	\$50,000.00	\$ 90,000.00	year
Chief of Police	\$68,000.00	\$148,500.00	year
Police Captain	\$58,000.00	\$138,000.00	year
Police Lieutenant	\$53,000.00	\$128,000.00	year
Court Administrator	\$43,000.00	\$ 74,000.00	year
Recreation Director	\$48,000.00	\$ 84,000.00	year
Senior Citizen Director	\$43,000.00	\$ 84,000.00	year
Administrative Secretary	\$30,000.00	\$ 52,000.00	year
Zoning Officer	\$30,000.00	\$ 54,000.00	year
Administrative Officer	\$32,000.00	\$ 63,000.00	year
Clerk Typist	\$18,000.00	\$ 42,000.00	year
Secretary	\$18,000.00	\$ 42,000.00	year
Deputy Court Administrator	\$18,000.00	\$ 48,000	year
Office Assistance	\$18,000.00	\$ 42,000.00	year
Head Telecommunications Operator	\$21,000.00	\$ 51,000.00	year
Telecommunications Operator	\$19,000.00	\$ 41,000.00	year
Accounting/Tax Clerk	\$20,000.00	\$ 55,000	year

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>	<u>PER</u>
Video Coordinator	\$ 10.00	\$ 30.00	hour
Asst. Video Coordinator	\$ 10.00	\$ 18.00 21.00	hour
Bus Drivers	\$ 10.00	\$ 17.00	hour
Part-Time Clerk and Secretaries	\$ 8.00	\$ 20.00	hour
Janitors, Firehouse	\$ 10.00	\$ 12.00	hour
Fire Official (Fire Prevention)	\$ 3,000	\$ 12,000	year
Fire Inspectors (Fire Prevention)	\$ 3,000	\$ 10,000	year
Office of Emergency Management Director	\$ 6,000	\$ 9,000	year
Registrar	\$ 3,000	\$ 12,000	year
Deputy Registrar	\$ 1,000	\$ 6,000	year
School Crossing Guards	\$ 10.00	\$ 18.00	hour
Municipal Alliance Coordinator	\$ 5,000	\$ 8,000	year
C-3 Sanitary Sewer Collection System Operator	\$ 6,000	\$ 8,000	year
Per Diem Dispatcher	\$ 12.00	\$ 15.00	hour
Public Works Summer Help	\$ 8.50	\$ 11.00	hour
Parking Enforcement Officer	\$ 12.00	\$ 15.00	hour

CONSTRUCTION INSPECTORS/OFFICIALS

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>	<u>PER</u>
Construction Official	\$ 50.00	\$110.00	day
Plumbing Subcode Official	\$ 30.00	\$ 50.00	day
Plumbing Inspector	\$ 90.00	\$120.00	day
Electrical Subcode Official	\$ 30.00	\$ 50.00	day
Electrical Inspector	\$ 90.00	\$120.00	day
Fire Subcode Official	\$ 28.00	\$ 48.00	day
Fire Inspector	\$ 86.00	\$114.00	day
Bulding Subcode Official	\$ 30.00	\$ 50.00	day
Building Inspector	\$ 90.00	\$120.00	day
Alternate Subcode Officials	\$ 28.00	\$ 50.00	day
Alternate Inspectors	\$ 86.00	\$120.00	day
Special Inspections	\$ 20.00		day

RECREATION SEASONAL

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>	<u>PER</u>
Tennis Instructor	\$ 9.00	\$15.00	hour
Tennis Director	\$75.00	\$85.00	hour
Art Director	\$50.00	\$75.00	hour
Cooking Director	\$40.00	\$50.00	hour

Field Hockey Director	\$30.00	\$40.00	hour
Field Hockey Coach	\$20.00	\$30.00	hour
Field Hockey Referees	\$10.00	\$15.00	game
Drama Director	\$50.00	\$75.00	hour
T-ball/Softball Instructor	\$15.00	\$30.00	hour
Field Hockey Instructors	\$ 8.00	\$20.00	hour
Recreation Specialist	\$ 7.25	\$10.00	hour
Senior Counselor	\$ 8.25	\$ 9.25	hour
Recreation Assistant	\$ 7.25	\$ 8.25	hour
Junior Counselor	\$ 7.25	\$ 8.25	hour
Camp Director	\$18.00	\$25.00	hour
Wrestling Counselor	\$200	\$300	week
Sports Program Director	\$600	\$700	week
Wrestling Trainer	\$300	\$350	week
Soccer Camp Director	\$725	\$850	week
Soccer Counselor	\$150	\$400	week
Soccer Trainer	\$350	\$550	week
Track Camp Director	\$550	\$800	week
Track Advisor	\$500	\$600	week
Track Specialist	\$300	\$500	week
Basketball Director	\$600	\$750	week
Umpires	\$30.00	\$ 50.00	game

POOL SEASONAL

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>	<u>PER</u>
Pool Manager	\$6,000	\$10,500	season
Assistant Managers	\$3,500	\$ 7,100	season
Assistant Managers (Experienced 3 rd year & up)	\$3,500	\$ 8,300.	season
Pre-Season Rate	\$ 5.75	\$ 5.75	hour
Aquatics Director	\$2,000	\$4,000	season
Head Swim Team Coach *	\$2,000	\$3,500	season
Assistant Swim Team Coach	\$1,000	\$3,000	season
Swim Team Assistant	\$ 300	\$1,300	season
Head Diving Coach	\$1,000	\$2,500	season
Assistant Diving Coach	\$1,000	\$2,000	season
Activities Director	\$1,000	\$2,000	season
Senior Lifeguard	\$7.75	\$10.00	hour
Head Lifeguard (1 st & 2 nd year)	\$8.50	\$10.50	hour
Head Lifeguard (3 rd year & up)	\$8.50	\$11.00	hour
Lifeguard (1 st year)	\$6.75	\$8.00	hour
Lifeguard (2 nd & 3 rd year)	\$6.75	\$8.25	hour
Lifeguard (4 th year and up)	\$6.75	\$9.00	hour
Head Gate Attendant (1 st & 2 nd year)	\$8.00	\$8.25	hour
Head Gate Attendant (3 rd year & up)	\$8.00	\$8.50	hour
Gate Attendant (1 st year)	\$5.15	\$6.25	hour

Gate Attendant (2 nd & 3 rd year)	\$5.15	\$6.50	hour
Gate Attendant (4th year & up)	\$5.15	\$7.50	hour
Head Maintenance	\$8.00	\$11.00	hour
Maintenance (1 st year)	\$5.75	\$6.50	hour
Maintenance (2 nd & 3 rd year)	\$5.75	\$6.75	hour
Maintenance (4 th year & up)	\$5.75	\$7.50	hour
Swim Instructor (1 st year)	\$5.75	\$7.00	hour
Swim Instructor (2 nd & 3 rd year)	\$5.75	\$7.25	hour
Swim Instructor (4 th year & up)	\$5.75	\$7.50	hour

*Position not filled when Aquatics Director position is filled and acts as Head Coach.

COURT ADMINISTRATION

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>	<u>PER</u>
Municipal Court Judge	\$15,000	\$30,000	Yearly
Municipal Public Defender	\$ 7,500	\$19,000	Yearly

LIBRARY PERSONNEL-SALARY ADJUSTMENT AND INCREASE PER LIBRARY BOARD OF TRUSTEES

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>	<u>PER</u>
FT Library Assistant	\$ 23,000.00	\$ 33,000.00	year
FT Senior Library Assistant	\$ 23,000.00	\$ 33,000.00	year
FT Principal Library Assistant	\$ 35,000.00	\$ 55,000.00	year
FT Librarian (Youth Services)	\$ 48,000.00	\$ 64,000.00	year
FT Senior Librarian (Youth Services)	\$ 48,000.00	\$ 64,000.00	year
FT Librarian	\$ 48,000.00	\$ 64,000.00	year
FT Senior Librarian	\$ 48,000.00	\$ 64,000.00	year
FT Principal Librarian	\$ 55,000.00	\$ 72,000.00	year
FT Library Director	\$ 70,000.00	\$ 95,000.00	year
Library Bookkeeper	\$ 20.50	\$ 30.00	hour
PT Library Assistant	\$ 12.50	\$ 18.00	hour
Senior Library Assistant	\$ 12.50	\$ 18.00	hour
PT Library Page	\$ 8.52	\$ 10.00	hour
PT Librarian	\$ 26.00	\$ 35.00	hour
PT Senior Librarian	\$ 26.00	\$ 35.00	hour
PT Librarian (Youth Services)	\$ 26.00	\$ 35.00	hour
PT Senior Librarian	\$ 26.00	\$ 35.00	hour

A. The hourly range of compensation for the public works positions hereinafter named shall be as follows, all payable in bi-weekly installments except as otherwise provided for:

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Pump Operator	\$ 29.18	\$ 30.51
Maintenance Repairman	\$ 28.96	\$ 30.28
Master Mechanic	\$ 28.73	\$ 30.04
Heavy Equipment Operator	\$ 28.73	\$ 30.04
Head Forestry	\$ 28.73	\$ 30.04
Assistant Equipment Operator	\$ 27.74	\$ 29.01
Forestry	\$ 27.74	\$ 29.01
Assistant Mechanic	\$ 27.74	\$ 29.01
Assistant Pump Operator	\$ 27.74	\$ 29.01
Parks Worker	\$ 27.74	\$ 29.01
Drivers	\$ 26.85	\$ 28.08
Custodian	\$ 26.49	\$ 27.74
Laborer	\$ 26.07	\$ 27.27

Additional compensation by way of holiday pay, longevity, overtime, sick days, personal days, insurance benefits and other matters related thereto are fully set forth in the collective bargaining agreement and are hereby incorporated in this ordinance.

A The salary range of compensation of all officers of the police department hereinafter named shall be as follows, all payable in equal bi-weekly installments except as otherwise provided for:

POSITION	MINIMUM	MAXIMUM
Sergeant	\$100,575.00	\$105,947.00
Detective	\$ 94,983.00	\$100,057.00
Patrolman	\$ 44,259.00	\$ 96,992.00
Academy	\$ 25,000.00	\$ 25,000.00

Additional compensation by way of Corporal assignment, holiday pay, longevity, overtime, sick days, personal days, insurance benefits and other matters related are fully set forth in the collective bargaining agreement and are hereby incorporated in this ordinance.

2. Additional compensation by way of holiday pay, longevity, overtime, sick days, personal days, insurance benefits for full time employees not covered in collective bargaining agreements are fully set forth in the Personnel Resolution and amendments thereto previously adopted by the Borough Council and are hereby incorporated in this Ordinance.

3. No officer or employee shall be paid at a base rate which is above the maximum rate for any salary range in any of the aforementioned groups. Unless otherwise provided for all new employees or newly promoted employees shall be paid at the minimum rate of the salary range for the position to which they are hired. However, the Borough Administrator may hire a prospective employee who possesses qualifications that are greater than the minimum qualifications for the position at a

rate above the minimum rate, but in no case shall a new employee be hired at a rate which is greater than that of a current employee in the same group.

4. This Ordinance shall supersede and replace any and all prior Salary Ordinances and Amendments thereto. Upon the effective date of this Ordinance, any and all prior Salary Ordinances and Amendments thereto and all salaries and compensation authorized therein shall have no further effect. The within Ordinance represents the salaries and compensation to be received by all current, exiting employees and offices or those anticipated to be filled in the near future. In the event that an existing office or position is currently vacant and a salary or compensation is not set forth in this Ordinance, this Salary Ordinance shall be amended to create a salary and/or salary range for such position or office prior to said position or office being filled.

5. If any portion of this ordinance is in conflict with any portion of a collective bargaining agreement, then the collective bargaining agreement shall take precedence.

6. All ordinances and parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

7. This ordinance shall take effect after its publication according to law and the amendments contained herein shall be retroactive to January 1, 2018.

Introduction:

Date of Publication:

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

I hereby certify the foregoing to be a true copy of an ordinance introduced by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a special meeting held on June 28, 2018

 Susan D. Jackson, RMC
 Borough Clerk

Adopted:

Date of Publication:

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

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on July 16, 2018

 Susan D. Jackson, RMC
 Borough Clerk

ATTEST:

BOROUGH OF METUCHEN

 Susan D. Jackson, RMC
 Borough Clerk

By: _____
 Jonathan M. Busch
 Mayor