

**BOROUGH OF MILLTOWN
ORDINANCE 19-1470
AN ORDINANCE OF THE BOROUGH COUCIL OF THE BOROUGH OF
MILLTOWN AMENDING THE REDEVELOPMENT PLAN KNOWN AS THE
“MILLTOWN FORD AVENUE REDEVELOPMENT PLAN.”**

WHEREAS, on April 22, 2002, the Mayor and Borough Council of the Borough of Milltown adopted Ordinance No. 02-1120 approving the Redevelopment Plan entitled “Milltown Ford Avenue Redevelopment Plan for the Ford Avenue Redevelopment Area” dated March 15, 2002; and

WHEREAS, on August 23, 2004, the Mayor and Borough Council of the Borough of Milltown adopted Ordinance 04-1185 amending the Redevelopment Plan entitled “Milltown Ford Avenue Redevelopment Plan for the Ford Avenue Redevelopment Area”; and

WHEREAS, on June 8, 2009, the Mayor and Borough Council of the Borough of Milltown adopted Ordinance 09-1292 further amending the Redevelopment Plan; and

WHEREAS, on July 23, 2012, the Mayor and Council of the Borough of Milltown adopted an Amended Ford Avenue Redevelopment Plan by Ordinance 12-1354; and

WHEREAS, the Mayor and Council for the Borough of Milltown (“Borough”), is considering the amendment to the Redevelopment Plan that are subject to this Ordinance (“Amendment”) and in doing so recognizes that pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-4(b)(2) and N.J.S.A. 40A:12A-8.K-1., the Borough of Milltown Planning Board (“Planning Board”) may study and make recommendations to the Mayor and the Council for the redevelopment of a redevelopment area and the Mayor and Council has referred the proposed amendment to the Planning Board for its review and recommendation; and

WHEREAS, pursuant to NJSA 40A:12A-7(e), the Planning Board has reviewed the proposed amendment to the Redevelopment Plan to determine, among other things, whether the proposed amendment is consistent with the Borough’s Master Plan; and

WHEREAS, the Planning Board of the Borough of Milltown found that the Amendment to Subsection 5. “Utilities” in Section E, “Other Provisions/Requirements Applicable to the Redevelopment Project”, of the Milltown Redevelopment Plan is consistent with the Master Plan and Off-Tract Improvement Ordinance and the Planning Board recommends adoption of the Ordinance to the Mayor and Council, as its report to the Mayor and Council; and

WHEREAS, the Mayor and Council of the Borough of Milltown hereby determine that it is appropriate to adopt the proposed amendment to the Redevelopment Plan.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Milltown, County of Middlesex, State of New Jersey as follows:

SECTION 1. The Milltown Ford Avenue Redevelopment Plna is amended and supplement so as to eliminate the current Subsection 5 “utilities” in Section E “Other provisions/requirements applicable to the Redevelopment Project and substitute the following:

The cost of improving infrastructure (i.e., water, sewer drainage, roadway, traffic lights) on the Redevelopment Site (i.e., “onsite” as that term is defined in N.J.S.A. 40:55D-5) or directly adjacent to the Redevelopment Site (i.e., “offsite” as that term is defined in N.J.S.A. 40:55D-5) shall be borne by the Redeveloper.

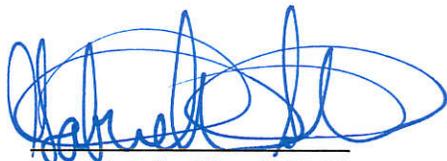
Upon a determination by the Planning Board that off-tract improvements are necessary in accordance with standards set forth in an off-tract Improvement Ordinance adopted by the Borough, the Redeveloper’s required pro-rata share of off-tract improvements shall be determined by the Planning Board in accordance with the standards set forth in such off-tract Improvement Ordinance and shall be paid by the Redeveloper.

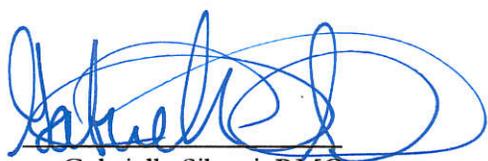
The terms and conditions for payment of the Redeveloper’s pro-rata share and for implementation of any required off-tract improvements, in accordance with an adopted off-tract Improvements Ordinance, shall be memorialized in a separate Development Agreement between the Redeveloper and the Borough.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

Motion/ Second	Roll Call	Aye	Nay	Abstain	Absent	Adopted on First Reading Dated: February 11, 2019
Second	Council President Dixon	X				 Gabriella Siboni, RMC Borough Clerk
	Councilman Farkas	X				
Motion	Councilwoman Kerber	X				
	Councilman Ligotti	X				
	Councilwoman Mehr	X				
	Councilman Revolinsky	X				

Motion/ Second	Roll Call	Aye	Nay	Abstain	Absent	Adopted on Second Reading Dated: March 11, 2019
	Council President Dixon	X				 Gabriella Siboni, RMC Borough Clerk
	Councilman Farkas	X				
Second	Councilwoman Kerber	X				
Motion	Councilman Ligotti	X				
	Councilwoman Mehr	X				
	Councilman Revolinsky	X				

Approval by the Mayor this 12th day of March, 2019


 Eric A. Steeber, Mayor