



Borough of Middlesex
Mayor and Council Regular Meeting
~ Agenda ~

1200 Mountain Ave
Middlesex, NJ

Linda Chismar
732 356-7400 x238
www.middlesexboro-nj.gov

Tuesday, March 10, 2020

7:00 PM

Municipal Building

1. **MAYOR'S STATEMENT:** Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of an annual meeting notice to the Star Ledger, Courier News and Home News, and posted at Borough Hall.
2. **SALUTE TO FLAG**
3. **ROLL CALL**

Attendee Name	Present	Absent	Late	Arrived
Mayor John Madden	☐	☐	☐	
Council President Jack Mikolajczyk	☐	☐	☐	
Councilman Jeremiah Carnes	☐	☐	☐	
Councilman Jason Carr	☐	☐	☐	
Councilman James Eodice	☐	☐	☐	
Councilwoman Amy Flood	☐	☐	☐	
Councilman Douglas Rex	☐	☐	☐	
Administrator Marcia Karrow	☐	☐	☐	
Borough Attorney Christopher Corsini	☐	☐	☐	

4. **PRESENTATIONS**
 1. Rockefeller Group
5. **APPOINTMENTS**
6. **PROCLAMATIONS**
 1. Elks Youth Week - March 9 - March 13, 2020
 2. National Poison Prevention Week
7. **ORDINANCE(S) FOR INTRODUCTION**
 1. **Ordinance 1993-20** AN ORDINANCE REPEALING CHAPTER 26 (ECONOMIC DEVELOPMENT COMMITTEE) OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX
 2. **Ordinance 1994-20** AN ORDINANCE AMENDING CHAPTER 224-12 IN THE BOROUGH CODE OF THE BOROUGH OF MIDDLESEX ENTITLED "FLOOD DAMAGE PREVENTION" TO SET FEES FOR JURISDICTIONAL DETERMINATIONS AND DEVELOPMENT PERMITS

3. **Ordinance 1995-20** AN ORDINANCE CREATING A NEW CHAPTER 24 OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX ENTITLED "REDEVELOPMENT COMMITTEE"

8. **ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION**

1. **Ordinance 1992-20** AN ORDINANCE AMENDING CHAPTER 407 (VEHICLES AND TRAFFIC), ARTICLE VI (PARKING RESTRICTED), SECTION 407-18 ENTITLED FURTHER RESTRICTIONS OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX SO AS TO EXTEND THE PARKING PROHIBITION ALONG LINCOLN BOULEVARD FROM C STREET TO ASHLAND BOULEVARD

9. **ADOPTION OF MINUTES**

10. **MAYOR'S REPORT**

11. **COUNCIL MEMBER REPORTS**

1. Council President Mikolajczyk
2. Councilman Carnes
3. Councilman Carr
4. Councilman Eodice
5. Councilwoman Flood
6. Councilman Rex

12. **ADMINISTRATOR'S REPORT**

13. **PRIVILEGE OF THE FLOOR**

During the conduct of the meeting, unless a Public Hearing is held or the Regular Order of Business is waived, the audience does not participate. A Public Portion is held at the end of the meeting. Individuals commenting from the audience will be provided an opportunity to address the Council but will not be permitted to speak again until everyone has had an opportunity to speak. If a group is represented by an attorney, the attorney will be given an opportunity to speak on behalf of all of the members of the group. The Council, pursuant to the Open Public Meeting Act, will not publicly discuss personnel matters and may choose not to respond to comments made by members of the public during this portion of the meeting; however, the Council will give all comments appropriate consideration and will refer all individual complaints to the Mayor or appropriate Borough representative for resolution.

14. **NEW BUSINESS/CONSENT AGENDA/RESOLUTIONS:** Matters listed within the Consent Agenda have been referred to members of the Borough Council for reading and study, are considered to be routine and will be enacted by one motion of the Council. If separate discussion is desired, the item may be removed from the Consent Agenda by Council action. The Resolutions listed below were submitted to the Borough Council for review and will be adopted by one motion.

1. **Resolution 88-2020** Acceptance of Standing Reports
2. **Resolution 89-2020** Appointment of Prosecutor
3. **Resolution 90-2020** Cancelling Small Sewer Balances

4. **Resolution 91-2020** Acknowledging the Change in Status for Certain Properties Under the Senior Citizen/Disabled Person Tax Deductions
5. **Resolution 92-2020** Authorizing the Tax Collector to Refund Overpayment of Property Taxes on Block 84, Lot 19
6. **Resolution 93-2020** Approval to Advance Patrolman Scott Christofides to Patrolman Class "A" at an Annual Salary of \$114,364 Effective March 12, 2020
7. **Resolution 94-2020** Approval to Advance Patrolman Paul Steffanelli to Patrolman Class "A" at an Annual Salary of \$114,364 Effective March 12, 2020
8. **Resolution 95-2020** Accepting the Resignation of Karen Wick from the Construction Office Effective March 6, 2020
9. **Resolution 96-2020** Accepting the Resignation of Tania Trovato from the Office of Aging & Senior Services Effective February 26, 2020
10. **Resolution 97-2020** Increasing the Engineering Fees for Remington & Vernick Engineers for Additional Engineering Work Needed in an Amount not to Exceed \$20,000 for the Sanitary Sewer Main Improvements
11. **Resolution 98-2020** Waiving the Mountain View Park Permit Fees for the Fire Department Carnival from April 19, 2020 - April 26, 2020
12. **Resolution 99-2020** Authorizing the Mayor and Deputy Clerk to Execute the Stormwater Management Agreement with Pipeline Realty Middlesex LLC
13. **Resolution 100-2020** Authorizing the Mayor and Deputy Clerk to Execute the Developer's Agreement with Pipeline Realty Middlesex LLC for Block 351, Lot 2
15. **NON-CONSENT AGENDA/RESOLUTIONS:** Matters listed within the Non-Consent Agenda will be individually addressed and acted upon accordingly. Council reserves the right to refer an item to Committee for further review and discussion. The Resolutions listed below were submitted to the Borough Council for review and will be adopted individually by motion.
 1. **Resolution 101-2020** Executive Session
 2. **Resolution 102-2020** Pay All Claims
16. **AGENDA WORKSHOP ITEM**
 1. Borough Fees
17. **PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS**

During the conduct of the meeting, unless a Public Hearing is held or the Regular Order of Business is waived, the audience does not participate. A Public Portion is held at the end of the meeting. Individuals commenting from the audience will be provided an opportunity to address the Council but will not be permitted to speak again until everyone has had an opportunity to speak. If a group is represented by an attorney, the attorney will be given an opportunity to speak on behalf of all of the members of the group. The Council, pursuant to the Open Public Meeting Act, will not publicly discuss personnel matters and may choose not to respond to comments made by members of the public during this portion of the

meeting; however, the Council will give all comments appropriate consideration and will refer all individual complaints to the Mayor or appropriate Borough representative for resolution.

18. EXECUTIVE SESSION

1. OLMV Litigation
2. Straight Edge Site Plan Issues - Potential Litigation

19. ADJOURNMENT

1. The next Regular Meeting will be March 24, 2020

PROCLAMATION

Elks Youth Week - March 9 - March 13, 2020

WHEREAS, the Benevolent and Protective Order of Elks has designated the week of March 9, 2020 as Elk's Youth Week to honor America's Junior Citizens for their accomplishments, and to give fitting recognition to their services to Community, State and Nation; and

WHEREAS, Middlesex Elks 1488 will sponsor an observance during that week in tribute to the Junior Citizens of this Community; and

WHEREAS, no event could be more deserving of our support and participation than one dedicated to these young people who represent the nation's greatest resource, and who in the years ahead will assume the responsibility for the advancement of our free society; and

WHEREAS, our Youth need the guidance, inspiration and encouragement which we alone can give in order to help develop those qualities of character essential for future leadership; and go forth to serve America; and

WHEREAS, to achieve this worthy objective we should demonstrate our partnership with Youth, our understanding of their hopes and aspirations and a sincere willingness to help prepare them in every way for the responsibilities and opportunities of citizenship.

NOW THEREFORE, I John L. Madden, Mayor of the Borough of Middlesex do hereby proclaim the week of March 9, 2020 as Elk's Youth Week and urge all departments of government, civic, fraternal and patriotic groups and our citizens generally, to participate wholeheartedly in its observance.

DATED: March 10, 2020

Linda Chismar, RMC

Mayor John L. Madden

PROCLAMATION

National Poison Prevention Week

WHEREAS, Congress designated the third full week in March to be National Poison Prevention Week (NPPW) in 1961 and since then this week has helped to raise national awareness of the dangers of potentially dangerous medicines, household products and chemicals, environmental contaminants, and other substances; and

WHEREAS, poison centers across the country will focus the public's attention on the free, lifesaving services provided by poison centers, as well as, educating the public on ways to prevent poisoning exposures; and

WHEREAS, the New Jersey Poison Control Center, a division of the Department of Emergency Medicine at Rutgers New Jersey Medical School provides 24/7 expert poisoning treatment advice, drug information, and prevention education at no cost to the public accessing center services through the Poison Help number at 1-800-222-1222, chat (www.njpies.org <<http://www.njpies.org>>), or text 973-339-0712; and

WHEREAS, specialized medical professionals (doctors, pharmacists, and nurses) provide accessible, free, and confidential healthcare to all; and

WHEREAS, poison center services save healthcare dollars by eliminating thousands of unnecessary emergency department/room visits and decreasing lengths of stays for patients hospitalized for poisoning through telemedicine services/capabilities; and

WHEREAS, the poison center is instrumental in the surveillance and management of poisoning exposures across the state, including the use, misuse, and abuse of; medications, legal and illicit drugs, environmental contaminants, bioterrorism agents, and common household products and chemicals; and

WHEREAS, the state's poison control center is involved in New Jersey's efforts in homeland defense, counterterrorism, emergency preparedness and response, and biosurveillance; and

WHEREAS, unintentional poisoning is the leading cause of unintentional injury death in New Jersey outnumbering deaths by motor vehicles and firearms; and

WHEREAS, a poison is defined as anything that can cause harm if taken in the wrong amount, in the wrong way or by the wrong person; and

WHEREAS, although most reported poison exposures involve children five (5) years old and younger; most poisoning deaths occur in adults aged 20 to 59; and

WHEREAS, overdose deaths from prescription opioids, over-the-counter medications, and illegal drugs remain at epidemic proportions for both New Jersey and the United States; and

WHEREAS, lead exposure and carbon monoxide (CO) poisoning remain major public health concerns; and

WHEREAS, vaping and e-cigarette devices pose a serious risk of nicotine poisoning, as well as serious potentially deadly vaping associated lung illnesses, also referred to as EVALI; and

WHEREAS, poison center experts encourage the public not to guess, wait for symptoms, or waste time looking up medical information online when potential poisoning exposures occur; and

WHEREAS, all residents should save the Poison Control Center's number, 1-800-222-1222, in their cell, home, and office phones because a fast response can make all the difference in preventing serious injury and saving lives;

NOW, THEREFORE, I, John Madden, Mayor of Middlesex Borough do hereby proclaim the week of March 15-21, 2020 as National Poison Prevention Week in New Jersey and encourage all citizens to pledge their commitment to ensuring the safety of themselves, their families, and their community.

DATED: March 10, 2020

Linda Chismar, RMC

Mayor John L. Madden

ORDINANCE #1993-20**AN ORDINANCE REPEALING CHAPTER 26 (ECONOMIC DEVELOPMENT COMMITTEE) OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX**

WHEREAS, the Mayor and Council of the Borough of Middlesex desires to disband the Borough's Economic Development Committee as incorporated in Chapter 26 (Economic Development Committee) of the Municipal Code of the Borough of Middlesex; and

WHEREAS, Chapter 26 was created pursuant to the Borough's plenary ordinance authority as established in N.J.S.A. 40A:48-2, and can thus be disbanded pursuant to that same authority; and

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Middlesex, in the County of Middlesex, State of New Jersey, that Chapter 26 of the Municipal Code of the Borough of Middlesex be repealed in its entirety.

SECTION I.

All ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION II.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to this section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

SECTION III.

This ordinance shall take effect upon adoption and publication in the manner required by New Jersey general law.

I Hereby Certify that the above Ordinance was introduced by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 10, 2020.

INTRODUCED: March 10, 2020

DATE OF PUBLICATION:
OF INTRODUCTION March 13, 2020

ORDINANCE #1994-20

AN ORDINANCE AMENDING CHAPTER 224-12 IN THE BOROUGH CODE OF THE BOROUGH OF MIDDLESEX ENTITLED "FLOOD DAMAGE PREVENTION" TO SET FEES FOR JURISDICTIONAL DETERMINATIONS AND DEVELOPMENT PERMITS

WHEREAS, the Borough Council of the Borough of Middlesex seeks to amend its Flood Damage Prevention ordinance to set fees for jurisdictional determination and Development Permits; and

BE IT ORDAINED, by the Borough Council of the Borough of Middlesex in the County of Middlesex and State of New Jersey that Chapter 224 of the Municipal Code thereof is hereby amended as follows, with additions marked thusly and deletions marked ~~thusly~~:

Section I

Chapter 224-12 is hereby amended and shall appear in its entirety as follows:

A Development Permit shall be obtained before construction or development begins, including placement of manufactured homes, within any area of special flood hazard established in § 224-7A. Application for a Development Permit shall be made on forms furnished by the Construction Official and may include, but not be limited to; plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

- a) Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;
- b) Elevation in relation to mean sea level to which any structure has been floodproofed.
- c) Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in § 224-17B(2); and
- d) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- e) Upon completion of the project, an elevation certificate and a topographical as-built survey.**

The following fees shall be applicable:

- a) If it cannot, in the sole discretion of the Local Administrator or their designee, be readily determined from the information provided to the municipality whether the proposed activity takes place within an area of special flood hazard and therefore requires a Development Permit, then a fee of \$50 shall be charged in order to investigate and make such determination.
- b) In all cases where a Development Permit is required, a fee of \$300 shall be submitted with the Application.
- c) In all cases where a Development Permit is required, there shall be an additional fee of \$300 for final review of the elevation certificate and survey, which shall be paid prior to the issuance of a Certificate of Occupancy or

Certificate of Approval from the Construction Department.

Section II

All ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section III

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to this section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

Section IV

This ordinance shall take effect upon adoption and publication in the manner required by New Jersey general law but, in no event, less than 20 days after its final passage by the Borough Council, where such approval is required pursuant to N.J.S.A. 40:69A-181(b).

I Hereby Certify that the above Ordinance was introduced by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 10, 2020.

INTRODUCED: March 10, 2020

DATE OF PUBLICATION:
OF INTRODUCTION March 13, 2020

ORDINANCE #1995-20

AN ORDINANCE CREATING A NEW CHAPTER 24 OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX ENTITLED "REDEVELOPMENT COMMITTEE"

WHEREAS, it is the desire of the Mayor and Council of the Borough of Middlesex to create a committee of Borough elected officials and professionals to review and evaluate potential redevelopment projects; and

WHEREAS, the Borough is empowered to create such a committee pursuant to authority granted thereto by N.J.S.A. 40:48-2; and

BE IT THEREFORE ORDAINED, by the Borough Council of the Borough of Middlesex in the County of Middlesex and State of New Jersey that Chapter 24 of the Municipal Code of the Borough of Middlesex, County of Middlesex, State of New Jersey entitled "Redevelopment Committee" is created and inserted into the Municipal Code pursuant to the provisions hereof:

Section I:

A new chapter shall be inserted into the Municipal Code of the Borough of Middlesex as Chapter 24, shall be entitled as "Redevelopment Committee," and shall contain the following provisions:

Chapter 24: Redevelopment Committee

24-1 Establishment

Pursuant to the power conferred to this municipality in N.J.S.A. 40:48-2, there is hereby established a Redevelopment Committee to review and evaluate potential redevelopment projects within the Borough of Middlesex. The term "Committee," when used by itself in this Chapter, shall refer to the Middlesex Borough Redevelopment Committee.

24-2 Appointment; Membership; Term

- A. The Committee shall consist of five (5) members, and shall consist of the following five individuals: 1) the Mayor; 2) the chairperson of the Joint Land Use Board; 3) the Class III member of the Middlesex Borough Joint Land Use Board; 4) a member of the Borough Council as selected thereby; 5) the Borough's Redevelopment Attorney as selected and duly appointed by the Borough Council.
- B. The Mayor shall serve on the Committee for the length of his term in office. The four (4) other members of the Committee shall serve for their respective period of appointments to their qualifying positions.

24-3 Organization; Meetings

- A. The Mayor shall serve as the chairperson of the Committee, but may designate another member to serve as an interim member of the Committee in his absence or upon his

recusal from a matter. The Mayor may, at his discretion, also appoint a member of the Borough's staff to serve as a secretary of the committee.

- B. The Mayor may convene the Committee on an as-needed basis for the review and evaluation of redevelopment projects that are pending in the Borough. The Committee shall provide adequate notice of its meetings pursuant to the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq, shall provide an agenda and keep minutes and records of its meetings to the greatest extent practicable, and shall set aside a public comment portion for each meeting as contemplated in N.J.S.A. 10:4-6 et seq.

19-4 Duties and Functions

- A. The Committee shall, at the request of the Mayor, convene to review and evaluate potential redevelopment projects that are pending in the Borough. The Committee may enact its own procedures and requirements to conduct this review and evaluation and may also utilize such forms and require such submissions as it deems necessary.
- B. The Committee may, as determined by its membership and in the course of its review and evaluation of potential redevelopment projects, meet with individual developers, land use board members, members of the public, and other stakeholders to obtain information and procure differing viewpoints.
- C. The Committee may, as necessary and upon its own initiative, issues such reports memorializing its conclusions and recommendations (if any) either at the conclusion of its review and evaluation of potential redevelopment projects, or at any stage prior to said conclusion that may seem practicable.

Section II

All ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section III

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to this section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

Section IV

This ordinance shall take effect upon adoption and publication in the manner required by New Jersey general law.

I Hereby Certify that the above Ordinance was introduced by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 10, 2020.

INTRODUCED:

March 10, 2020

DATE OF PUBLICATION:
OF INTRODUCTION

March 13, 2020

ORDINANCE #1992-20

AN ORDINANCE AMENDING CHAPTER 407 (VEHICLES AND TRAFFIC), ARTICLE VI (PARKING RESTRICTED), SECTION 407-18 ENTITLED FURTHER RESTRICTIONS OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX SO AS TO EXTEND THE PARKING PROHIBITION ALONG LINCOLN BOULEVARD FROM C STREET TO ASHLAND BOULEVARD

SECTION I. NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Middlesex that Chapter 407, Article VI of the Municipal Code of the Borough of Middlesex, County of Middlesex, State of New Jersey, is hereby modified through this amendment to Section 407-18 entitled Further Restrictions so as to extend the parking prohibition along Lincoln Boulevard, which pursuant to the current ordinance commences at the Bound Brook border and extends to C Street, from the Bound Brook border to Ashland Road.

Amendment to the existing Section referenced above denoted in boldface and strikethrough.

407-18 Further Restrictions

A. Parking of vehicles is hereby prohibited on:

- (1) Marlborough Avenue, both sides, from its intersection with Bound Brook Road to its intersection with Wellington Avenue.
- (2) Lincoln Boulevard, south side, Madison Avenue to the Bound Brook Borough line.
- (3) Lincoln Boulevard, north side, ~~C Street~~ **Ashland Road** to the Bound Brook Borough line.
- (4) South Lincoln Avenue, both sides, from the southerly curblin of Bound Brook Road to a point 230 feet south thereof.
- (5) North Lincoln Avenue, west side, from the northerly curblin of Bound Brook Road to a point 125 feet north thereof.
- (6) Wellington Avenue, south side, Marlborough Avenue to Pomander Walk.
- (7) Hawthorne Avenue, north side, Marlborough Avenue to Pomander Walk.
- (8) Lydecker Place, west side, for its entire length.
- (9) Cedar Avenue, both sides, between Harris Avenue and Voorhees Avenue.
- (10) Harris Avenue, south side, from Cedar Avenue east for a distance of 212 feet.
- (11) South Lincoln Avenue between Denton Place and Martin Street.
- (12) Denton Place, north side, between South Lincoln Avenue and Coleman Street.
- (13) Ramsey Road, northwest side, for a distance of 100 feet from Greenbrook Road.
- (14) Shearn Drive, west side, for a distance of 130 feet from Union Avenue.
- (15) Shearn Drive, east side, for a distance of 50 feet from Union Avenue.

B. No-parking signs in accordance with law shall be installed to afford proper notice to the public.

SECTION II. 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 the ordinance.

SECTION III. Should any section, paragraph, sentence, or clause of this ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this ordinance shall not be

affected thereby and shall remain in full force and effect and, to this end, the provisions of this ordinance are hereby declared severable.

SECTION IV. This ordinance shall take effect in the time and manner provided by law.

I Hereby Certify that the above Ordinance was introduced by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 10, 2020.

INTRODUCED: February 25, 2020

DATE OF PUBLICATION:
OF INTRODUCTION February 28, 2020

Be it Resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #88-2020

ACCEPTANCE OF STANDING REPORTS

The Governing Body hereby accepts the following Reports itemized below:

1. Acceptance of the January, 2020 Fire Chief's Report
2. Acceptance of the Board of Fire Officer's Report which includes:
 - a. Joe Eckert has returned from a leave of absence effective 1/7/20.
 - b. Matthew Gould has taken a 3 month leave of absence effective 2/11/20.
 - c. Sean Kaplan is a qualified driver of Engine 23 and Truck 18.
 - d. Chris DuBois is a qualified driver of Engine 23, Truck 18 & Truck 25.
 - e. Mike Lane is a qualified driver of Truck 24.
 - f. Jonathan Poltorak has been accepted as an active member of the Middlesex Fire Department.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 10, 2020.

Be it Resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #89-2020

APPOINTMENT OF PROSECUTOR

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 10, 2020.

Be it Resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #90-2020

CANCELLING SMALL SEWER BALANCES

WHEREAS, the Governing Body of the Borough of Middlesex, County of Middlesex, finds and declares that N.J.S.A. 40A:5-17.1 empowers authorized municipal employees to process the cancellation of tax refunds and/or delinquencies of less than Ten (\$10.00) Dollars, and

WHEREAS, the Governing Body of the Borough of Middlesex, further finds and declares that the Municipal Tax Collector is qualified to process the cancellation of tax refunds and/or delinquencies of less than Ten (\$10.00) Dollars, and

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Middlesex that the Municipal Tax Collector is authorized to process the cancellation of sewer delinquencies of less than ten (\$10.00) Dollars for the 2019 billing year in accordance with N.J.S.A. 40A:5-17.1.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 10, 2020.

Be it Resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #91-2020

**ACKNOWLEDGING THE CHANGE IN STATUS FOR CERTAIN PROPERTIES
UNDER THE SENIOR CITIZEN/DISABLED PERSON TAX DEDUCTIONS**

WHEREAS, certain Senior Citizens/Disabled Persons were the owners of property in the Borough of Middlesex on or before October 1, 2018, and

WHEREAS, said Senior Citizens/Disabled Persons did file their claims for the Senior Citizen/Disabled Person deduction with the proper official of the Borough of Middlesex, Middlesex County prior to December 31, 2019; and

WHEREAS, the Tax Collector has disallowed the following Senior Citizen/Disabled Person deduction for the 2019 year totaling \$23.29.

Name: Errickson, Kimberley
Block/Lot: 283/41
Amount: \$23.29
Reason: Sale of Property
Year: 2019

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Middlesex, Middlesex County, that the Chief Financial Officer of the Borough of Middlesex, Middlesex County be instructed to post to the books the collection of taxes receivable as detailed.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 10, 2020.

Be it Resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #92-2020

**AUTHORIZING THE TAX COLLECTOR TO REFUND OVERPAYMENT OF
PROPERTY TAXES ON BLOCK 84, LOT 19**

WHEREAS, the owner of 24 Ramsey Road, Block 84 Lot 19, has been declared a 100% Disabled Veteran, and;

WHEREAS, 100% Disabled Veterans are exempt from property taxes, and;

WHEREAS, 1st Qtr. 2020 payment in the amount of \$1,828.20 was made on 1/24/2020, by the mortgage company prior to the passing of Resolution # 73-2020, and;

WHEREAS, the mortgage company has requested and is entitled to a refund, and;

NOW THEREFORE, a check in the amount of \$1,828.20 should be made payable to:

Lereta
901 Corporate Center Dr.
Pomona, CA 91768

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 10, 2020.

Be it Resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #93-2020

APPROVAL TO ADVANCE PATROLMAN SCOTT CHRISTOFIDES TO PATROLMAN CLASS "A" AT AN ANNUAL SALARY OF \$114,364 EFFECTIVE MARCH 12, 2020

WHEREAS, Police Officer Scott Christofides is eligible for advancement in grade pursuant to Article XV of the Police Department Ordinance; and

WHEREAS, On March 2, 2020 Chief Geist recommended Police Officer Scott Christofides be advanced in grade.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that Police Officer Scott Christofides be and is hereby advanced in grade to Patrolman Class "A" effective March 12, 2020 at an annual salary of \$114,364.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 10, 2020.

Be it Resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #94-2020

APPROVAL TO ADVANCE PATROLMAN PAUL STEFFANELLI TO PATROLMAN CLASS "A" AT AN ANNUAL SALARY OF \$114,364 EFFECTIVE MARCH 12, 2020

WHEREAS, Police Officer Paul Steffanelli is eligible for advancement in grade pursuant to Article XV of the Police Department Ordinance; and

WHEREAS, On March 2, 2020 Chief Geist recommended Police Officer Paul Steffanelli be advanced in grade.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that Police Officer Paul Steffanelli be and is hereby advanced in grade to Patrolman Class "A" effective March 12, 2020 at an annual salary of \$114,364.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 10, 2020.

Be it Resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #95-2020

**ACCEPTING THE RESIGNATION OF KAREN WICK FROM THE CONSTRUCTION
OFFICE EFFECTIVE MARCH 6, 2020**

The Governing Body hereby accepts the resignation of Karen Wick from the Construction Office effective March 6, 2020.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 10, 2020.

Be it Resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #96-2020

**ACCEPTING THE RESIGNATION OF TANIA TROVATO FROM THE OFFICE OF
AGING & SENIOR SERVICES EFFECTIVE FEBRUARY 26, 2020**

The Governing Body hereby accept the resignation of Tania Trovato as a substitute Meals on Wheels Driver for the Office on Aging and Senior Services effective February 26, 2020.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 10, 2020.

Be it Resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #97-2020

INCREASING THE ENGINEERING FEES FOR REMINGTON & VERNICK ENGINEERS FOR ADDITIONAL ENGINEERING WORK NEEDED IN AN AMOUNT NOT TO EXCEED \$20,000 FOR THE SANITARY SEWER MAIN IMPROVEMENTS

WHEREAS, Remington and Vernick has provided the Borough with Engineering, Design, Permitting & Construction Management Services for the Various Sanitary Sewer Main Improvements in the Borough in the amount of \$339,400, and

WHEREAS, the Borough desires to do further work using contract monies, including but not limited to investigative (camera) and additional lining work, for which the services of Remington and Vernick will be needed; and

WHEREAS, this additional work is also reimbursable through the same NJEIT Loan that the borough is presently using to pay for additional contract work; and

WHEREAS, Remington & Vernick is requesting that the current contract in an amount not to exceed \$339,400 be increased by \$20,000.

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

1. The Governing Body hereby approves increasing the budget for Remington & Vernick for the Engineering, Design, Permitting & Construction Management Services for the Various Sanitary Sewer Main Improvements in the Borough to an amount not to exceed \$359,400.
2. This resolution shall take effect immediately.

The Acting CFO hereby certifies funds in the amount of the additional \$20,000 are available in Account No. C-04-17-907-000-050.

Caroline Benson, Acting CFO

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 10, 2020.

Be it Resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #98-2020

**WAIVING THE MOUNTAIN VIEW PARK PERMIT FEES FOR THE FIRE
DEPARTMENT CARNIVAL FROM APRIL 19, 2020 - APRIL 26, 2020**

The Governing body hereby approves waiving the Mountain View Park Permit Fees in the amount of \$1500.00 for the Fire Department Annual Carnival.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 10, 2020.

Be it Resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #99-2020

**AUTHORIZING THE MAYOR AND DEPUTY CLERK TO EXECUTE THE
STORMWATER MANAGEMENT AGREEMENT WITH PIPELINE REALTY
MIDDLESEX LLC**

The Governing Body hereby authorizes the Mayor and Deputy Clerk to execute the Stormwater Management Agreement with Pipeline Realty Middlesex LLC.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 10, 2020.

Be it Resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #100-2020

**AUTHORIZING THE MAYOR AND DEPUTY CLERK TO EXECUTE THE
DEVELOPER'S AGREEMENT WITH PIPELINE REALTY MIDDLESEX LLC FOR
BLOCK 351, LOT 2**

The Governing Body hereby authorizes the Mayor and Deputy Clerk to execute the Developer's Agreement with Pipeline Realty Middlesex LLC for Block 351, Lot 2.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 10, 2020.

Be it Resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #101-2020

EXECUTIVE SESSION

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting; and

WHEREAS, the Governing Body of the Borough of Middlesex has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public; and

WHEREAS, the regular meeting of this Governing Body will reconvene.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Middlesex will go into closed session for the following reason listed below as outlined in N.J.S.A. 10:4-12 and the minutes will be kept, and once the matter involving the confidentiality of the items no longer require confidentiality, the minutes can be made public.

1. OLMV Litigation
2. Straight Edge Site Plan Issues - Potential Litigation

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 10, 2020.

Be it Resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #102-2020

PAY ALL CLAIMS

THE DISBURSING OFFICERS BE AND THEY ARE HEREBY AUTHORIZED TO PAY THE ATTACHED CLAIM LIST AS PRESENTED, IF FOUND CORRECT, AND APPROVED BY THE FINANCE COMMITTEE. EXCLUDED VOUCHERS MAY BE PAID UPON BEING FOUND ACCEPTABLE.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 10, 2020.