



Borough of Middlesex
Mayor and Council Regular Meeting
~ Agenda ~

1400 Mountain Avenue
Middlesex, NJ

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

Tuesday, June 23, 2020

7:00 PM

Recreation Center

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**
5. **APPOINTMENTS**
6. **PROCLAMATIONS**
7. **BUDGET HEARING**
8. **ORDINANCE(S) FOR INTRODUCTION**
 1. **Ordinance 2002-20** BOND ORDINANCE PROVIDING VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, APPROPRIATING \$2,031,210 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,442,149.50 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY
9. **ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION**
 1. **Ordinance 2000-20** AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 158, CERTIFICATES, RESALE/LEASED

2. **Ordinance 2001-20** ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING THE LINCOLN BOULEVARD REDEVELOPMENT PLAN, SPECIFICALLY AS TO THE TRANSITIONAL ZONE SUB-AREA A

10. ADOPTION OF MINUTES

1. Approval of the June 9, 2020 Regular Meeting Minutes

11. MAYOR'S REPORT

12. COUNCIL MEMBER REPORTS

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

13. ADMINISTRATOR'S REPORT

14. 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.

- 15. 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 150-2020** Adoption of the 2020 Municipal Budget
2. **Resolution 151-2020** At the Recommendation of the Purchasing Agent, the Governing Body hereby Awards the Bid for Tree Removal/Trimming and Stump Grinding to Predator Tree Service from June 1, 2020 - May 31, 2022
3. **Resolution 152-2020** The Tax Collector approves the Tax Title Lien Redemptions be Refunded for Block 331, Lot 7 Calculated effective June 23, 2020

4. **Resolution 153-2020** Accepting the Resignation of Part Time Seasonal Employee (Crossing Guards) Nick DiGrazia and Lewis McDougal from the Middlesex Police Department
5. **Resolution 154-2020** Approving the Mayor to Execute the MCUA Temporary Discharge Approval Application from the Pumping Services Site to the MCUA Central Treatment Plant via the Borough's Wastewater Collection System and MCUA Middlesex Meter Chamber
6. **Resolution 155-2020** Approval for the Residents of 300 Greene Avenue to Conduct a Block Party on Delaware Avenue between Melrose Avenue and Greene Avenue on July 4, 2020 between the Hours of 10 A.M. and 9 P.M.
7. **Resolution 156-2020** Approval of the Towing Licenses for 2020/2021 (Expiring 5/31/2021)
8. **Resolution 157-2020** Authorizing the Mayor to Execute the Department of the Army Environmental Surveys Investigations and Remediation Right of Entry for Parcels Adjacent to 1200 Mountain Avenue
9. **Resolution 158-2020** Promoting Kelsey Meixner to Full Time Administrative Assistant to the Departments of Recreation, Finance & Administration effective July 6, 2020
10. **Resolution 159-2020** Salary and Compensation for Officers and Employees of the Borough of Middlesex
11. **Resolution 160-2020** Authorizing Reimbursement of Medicare Premiums for Certain Eligible Pensioners under Chapter III, Public Law 1973, NJ Health Benefits Plans
12. **Resolution 161-2020** Terminating Alberto Garcia from the Department of Public Works effective June 15, 2020
13. **Resolution 162-2020** Termination of Josephmy Nazario as the Joint Land Use Board Secretary effective June 9, 2020
14. **Resolution 163-2020** Advancing Eleazar Garcia to Sanitation Truck Driver in the Department of Public Works effective July 6, 2020
15. **Resolution 164-2020** Advancing the following Employees to Full Time Status as Permanent Laborers in the DPW Effective July 6, 2020: Jacob Wright, Adam Wick, Steven Tarbous, Alex Augusztin, Domenick DelVecchio & Brian Donohue
16. **Resolution 165-2020** Accepting the Resignation of Lisbeth Lopez-Fortich from the Municipal Court effective July 2, 2020
16. **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 166-2020** Executive Session

2. **Resolution 167-2020** Pay All Claims

17. AGENDA WORKSHOP ITEM

18. 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.

19. EXECUTIVE SESSION

1. OLMV
2. Claremont/US Dept. of Energy Property
3. Cell Tower Lease

20. ADJOURNMENT

1. The next Regular Meeting will be July 14, 2020

ORDINANCE #2002-20

BOND ORDINANCE PROVIDING VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, APPROPRIATING \$2,031,210 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,442,149.50 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

BE IT ORDAINED by the BOROUGH COUNCIL OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of Middlesex, in the County of Middlesex, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$2,031,210, said sum being inclusive of all appropriations heretofore made therefor, including the sum of \$525,000 grant proceeds expected to be received by the New Jersey Department of Transportation, and \$64,060.50 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$1,442,149.50, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the obligations are to be issued consist of:

i) the acquisition of capital equipment for the Police Department, including but not limited to, a vehicle fleet uplift equipment/install, vehicle fleet graphic/install, mobile data terminal with docking stations, mobile vision digital recording system, police mobile radios, alcohol measurement instrument, and a ballistic measurement instrument, with a total appropriation and estimated cost of \$181,500, estimated amount of bonds and notes therefor of \$172,425, and an average period of usefulness of five (5) years; and

ii) the acquisition of equipment for the Fire Department, including but not limited to, bunker gear, SCBA air pack frames, AMKUS Honda Mini-Simo Boost, Speaker microphone 500F, and Ric Packs, with a total appropriation and estimated cost of \$220,000, estimated amount of bonds and notes therefor of \$209,000, and an average period of usefulness of 5 years; and

iii) the acquisition of a garbage truck, with a total appropriation and estimated cost of \$50,000, estimated amount of bonds and notes therefor of \$47,500, and an average period of usefulness of ten (10) years; and

iv) the acquisition of various equipment for the Road Department, including but not limited to pick-up and dump trucks, with a total appropriation and estimated cost of \$61,710, estimated amount of bonds and notes therefor of \$58,624.50, and an average period of usefulness of five (5) years; and

v) the acquisition of an oven for the Meals on Wheels Vehicle for Senior Services Department, with a total appropriation and estimated cost of \$13,000, estimated amount of bonds and notes therefor of \$12,350, and an average period of usefulness of five (5) years; and

vi) the acquisition of playground equipment for the Recreation Department, with a total appropriation and estimated cost of \$10,000, estimated amount of bonds and notes therefor of \$9,500, and an average period of usefulness of five (5) years; and

vii) various capital improvements and acquisitions for the Buildings and Grounds Department, including but no limited to, office furniture, above ground fuel tanks, municipal building parking lot repaving, and building maintenance, with a total appropriation and estimated cost of \$300,000, estimated amount of bonds and notes therefor of \$285,000, and an average period of usefulness of eleven (11) years; and

viii) the repair of the sewer line through MCUA, with a total appropriation and estimated cost of \$100,000, estimated amount of bonds and notes therefor of \$95,000, and an average period of usefulness of twenty (20) years; and

ix) Hawk Beacon - Union Avenue/Lorraine Avenue repairs, with a total appropriation and estimated cost of \$15,000, estimated amount of bonds and notes therefor of \$14,250, and an average period of usefulness of ten (10) years; and

x) Road construction, including but not limited to, Sherman Avenue, Chestnut Street and Hazelwood Avenue, with a total appropriation and estimated cost of \$750,000, estimated amount of bonds and notes therefor of \$225,000, and an expected grant in the amount of \$525,000 from the Department of Transportation, and an average period of usefulness of twenty (20) years; and

xi) upgrades to Mountainview Park, with a total appropriation and estimated cost of \$100,000, estimated amount of bonds and notes therefor of \$95,000, and an average period of usefulness of fifteen (15) years; and

xii) IT Service upgrades and acquisitions, with a total appropriation and estimated cost of \$130,000, estimated amount of bonds and notes therefor of \$123,500, and an average period of usefulness of five (5) years; and

xiii) Architectural expenses in connection with Municipal Building and DPW garage projects, with a total appropriation and estimated cost of \$100,000, estimated amount of bonds and notes therefor of \$95,000, and an average period of usefulness of 5 years

together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$1,442,149.50, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$2,031,210, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$2,031,210 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$64,060.50 down payment for said purposes, and the sum of \$525,000 grant proceeds expected to be received by the New Jersey Department of Transportation.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10.39 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,442,149.50 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$350,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto.

Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond 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 June 23, 2020.

INTRODUCED: June 23, 2020

DATE OF PUBLICATION:
OF INTRODUCTION June 26, 2020

ORDINANCE #2000-20

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 158, CERTIFICATES, RESALE/LEASED

WHEREAS, pursuant to N.J.S.A. 40:48-1, the governing body of a municipality may make, amend, repeal, and enforce ordinances to manage regulate and control the finances and property of the municipality; and

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Middlesex, County of Middlesex, State of New Jersey as follows:

SECTION ONE. The Code of the Borough of Middlesex, Middlesex County, New Jersey is hereby amended to the following:

Article I Resale or Leased Certificates for Residential Uses

158-2 Fee.

The fee for a residential Resale/Leased Certificate shall be \$100 \$150 in the event that only one inspection is required of the designated official inspector(s) but in the event that the inspector is required to make more than one inspection of the premises before issuing a Resale/Leased Certificate, there shall be an additional charge of \$50 per each inspection of the premises made by the official inspector after the initial inspection.

SECTION TWO. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

SECTION THREE. This Ordinance may be renumbered for codification purposes.

SECTION FOUR. In the event that any section, part or provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION FIVE. This Ordinance shall take effect 20 days after passage and publication as 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 June 23, 2020.

INTRODUCED: June 9, 2020

DATE OF PUBLICATION:
OF INTRODUCTION June 12, 2020

ORDINANCE #2001-20

ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING THE LINCOLN BOULEVARD REDEVELOPMENT PLAN, SPECIFICALLY AS TO THE TRANSITIONAL ZONE SUB-AREA A

WHEREAS, the Borough of Middlesex (the “Borough”), a public body corporate and politic of the State of New Jersey, is authorized pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”), to determine whether certain parcels of land within the Borough constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

WHEREAS, on July 25, 2006, pursuant to Resolution 179-06, the Borough Council of the Borough (the “Borough Council”) designated certain property (the “Property”) as an Area in Need of Rehabilitation in accordance with the Redevelopment Law and directed that a redevelopment plan be prepared; and

WHEREAS, on September 18, 2007, in accordance with all applicable provisions of the Redevelopment Law, the Borough Council duly adopted the Lincoln Boulevard Redevelopment Plan (the “Redevelopment Plan”); and

WHEREAS, the Redevelopment Plan was subsequently amended on August 9, 2011, pursuant to Ordinance No. 1798-11; and

WHEREAS, on December 17, 2013, pursuant to Resolution 324-13, the Borough Council directed the Planning Board to further study the Property in order to determine whether it qualified as a non-condemnation area in need of redevelopment (“Non-Condensation Redevelopment Area”) and, after multiple public hearings, the Planning Board recommended that the Property be designated as a Non-Condensation Redevelopment Area and the Borough Council accepted the Planning Board’s recommendation and, on June 12, 2014, adopted Resolution 158-14, designating the Property, as set forth in the Redevelopment Plan, as a Non-Condensation Redevelopment Area, pursuant to the Redevelopment Law; and

WHEREAS, the Redevelopment Plan was subsequently amended on December 27, 2016, pursuant to Ordinance 1903-16; on December 12, 2017, pursuant to Ordinance No. 1929-17; on March 12, 2019, pursuant to Ordinance No. 1955-19; and on January 28, 2020, pursuant to Ordinance No. 1989-20; and

WHEREAS, at the direction of the Borough Council, the Borough Redevelopment Planner, was asked to prepare certain further amendments to the Redevelopment Plan, which included permitting warehouse and distribution facility uses within certain portions of the Non-Condensation Redevelopment Area, establishing standards for the development of such uses as well as additional changes to clarify standards and to clarify desired building practices; and

WHEREAS, the Borough Redevelopment Planner prepared revisions to the Redevelopment Plan, specifically as to the Transitional Zone Sub-Area A (Block 318, Lots 1A [partial], 4A [partial], 21, 38A, 43, 44, 45, 48 and Block 319, Lots 24, 26, 28, 45, and 47) of the

Non-Condemnation Redevelopment Area, as well as clarifying language and said revisions have been prepared and incorporated into a proposed amended Redevelopment Plan, with a revision date of April 1, 2020 (the “2020 Revised Redevelopment Plan”), a copy of which is attached hereto as **Exhibit A**; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7(e), the Borough Council has referred the 2020 Revised Redevelopment Plan to the Joint Land Use Board for its review and recommendations; and

WHEREAS, the Joint Land Use Board, by Resolution adopted [**insert date**], found that the 2020 Revised Redevelopment Plan is not inconsistent with the Master Plan of the Borough.

NOW, THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Middlesex, County of Middlesex, State of New Jersey, that:

1. The aforementioned recitals are incorporated herein as if fully set forth at length.
2. The 2020 Revised Redevelopment Plan, attached hereto as **Exhibit A**, is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7.
3. The Zoning District Map included in the Zoning Ordinance of the Borough is hereby amended to specifically identify Transitional Zone Sub-Area A, as described in the aforesaid 2020 Revised Redevelopment Plan.
4. To the extent that any provisions of any prior ordinance, including, but not limited to, Ordinance Nos. 1955-19 and 1989-20, are inconsistent with the provisions of the 2020 Revised Redevelopment Plan, said provisions are hereby repealed, replaced and superseded by the applicable provisions of the 2020 Revised Redevelopment Plan.
5. Upon adoption of this Ordinance, the 2020 Revised Redevelopment Plan shall be deemed adopted and the 2020 Revised Redevelopment Plan shall identify the date of adoption of this Ordinance amending same.
6. Should any section, paragraph, sentence, or clause of this Ordinance be declared unconstitutional or invalid for any reason, 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.

7. A copy of this Ordinance and the 2020 Revised Redevelopment Plan shall be available for public inspection at the Office of the Borough Clerk during regular business hours.
8. This Ordinance shall take effect twenty (20) days after final passage, adoption and publication as mandated 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 June 23, 2020.

INTRODUCED: June 9, 2020

DATE OF PUBLICATION:
OF INTRODUCTION June 12, 2020

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

Resolution #150-2020

ADOPTION OF THE 2020 MUNICIPAL BUDGET

BOROUGH OF MIDDLESEX
MIDDLESEX COUNTY, NEW JERSEY

RESOLUTION TO ADOPT 2020 MUNICIPAL BUDGET

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Middlesex, County of Middlesex, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

\$13,391,306.58	(Item 2 below) for Municipal Purposes
\$ 513,606.00	(Item 5 below) Minimum Library Tax

Current Fund:

SUMMARY OF REVENUES

Surplus	\$1,100,000.00
Anticipated	
Miscellaneous Revenues Anticipated	\$5,501,259.01
Receipts from Delinquent Taxes	\$419,000.00
Amount to be Raised by Taxation	
for Municipal Purposes	\$13,391,306.58
Amount to be Raised by Taxation	
Minimum Library Tax	\$513,606.00
Total Revenues	\$20,925,171.59

SUMMARY OF APPROPRIATIONS

General Appropriations within "CAPS"	
Operations Including Contingent	\$12,860,873.00
Deferred Charges & Statutory	\$1,771,879.00
Expenditures	
General Appropriations Excluded from "CAPS"	
Operations	\$3,388,815.48
Capital Improvements	\$80,000.00
Municipal Debt Service	\$2,073,604.11

Deferred Charges - Municipal	\$0.00
Reserve for Uncollected	\$750,000.00
Taxes	

Total Appropriations	\$20,925,171.59
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It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 23rd day of June 2020. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2020 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

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 June 23, 2020.

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

Resolution #151-2020

AT THE RECOMMENDATION OF THE PURCHASING AGENT, THE GOVERNING BODY HEREBY AWARDS THE BID FOR TREE REMOVAL/TRIMMING AND STUMP GRINDING TO PREDATOR TREE SERVICE FROM JUNE 1, 2020 - MAY 31, 2022

WHEREAS, three bids were received on May 28, 2020 for the proposal for tree removal/trimming and stump grinding; and

WHEREAS, the bid received by the Borough from M&A Tree Service, contains a transcription error for Item #3, and is thus rendered invalid as non-responsive and non-responsible pursuant to 40A:11-4; and

WHEREAS, listed below are the responsive and responsible bids received for this project:

	<u>Predator Tree Svc</u>	<u>Rich Tree Svc</u>
Item #1 Tree Removal/Trimming	150.00	300.00
Item #2 Stump Grinding	4.00	5.00
Item #3 Daily Rate	1,000.00	1,600.00

WHEREAS, the Purchasing Agent recommends that Predator Tree Service LLC of Green Brook, New Jersey, be awarded this contract for the amounts listed above.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex that:

1. At the recommendation of the Purchasing Agent, the Mayor and Council hereby award the bid for the proposal for tree removal/trimming and stump grinding to Predator Tree Service LLC of Green Brook, New Jersey for the period of 6/1/2020 - 5/31/2022, subject to the appropriation of funds in the 2020, 2021 and 2022 budget.

NOW FURTHER BE IT RESOLVED, that the Treasurer hereby certifies funds are appropriated in the 2020 adopted budget.

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 June 23, 2020.

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

Resolution #152-2020

**THE TAX COLLECTOR APPROVES THE TAX TITLE LIEN REDEMPTIONS BE
REFUNDED FOR BLOCK 331, LOT 7 CALCULATED EFFECTIVE JUNE 23, 2020**

WHEREAS, said liens have been redeemed by the owners or those persons having an interest, and the purchasers of said property are legally entitled to receive redemption funds in the following specific amounts, and;

WHEREAS, the interest and payments on the following Tax Title Lien Redemptions were calculated for June 23, 2020, and;

NOW, THEREFORE, BE IT RESOLVED the Tax Collector is hereby authorized to issue a check to the said individual in the following amount(s):

<u>Date of Sale:</u>	3/20/2019
<u>Block/Lot:</u>	331 / 7
<u>Amount:</u>	\$176.05
<u>Premium:</u>	\$300.00
<u>Certificate:</u>	18-00008
<u>Payable To:</u>	US Bank Cust Actlien
	50 South 16 th St.
	Suite 2050
	Philadelphia, PA 19102

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 June 23, 2020.

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

Resolution #153-2020

**ACCEPTING THE RESIGNATION OF PART TIME SEASONAL EMPLOYEE
(CROSSING GUARDS) NICK DIGRAZIA AND LEWIS MCDUGAL FROM THE
MIDDLESEX POLICE DEPARTMENT**

The Governing Body hereby accepts the resignation of Nick DiGrazia and Lewis McDougal as Crossing Guards for the Middlesex Police Department effective immediately.

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 June 23, 2020.

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

Resolution #154-2020

APPROVING THE MAYOR TO EXECUTE THE MCUA TEMPORARY DISCHARGE APPROVAL APPLICATION FROM THE PUMPING SERVICES SITE TO THE MCUA CENTRAL TREATMENT PLANT VIA THE BOROUGH'S WASTEWATER COLLECTION SYSTEM AND MCUA MIDDLESEX METER CHAMBER

WHEREAS, Prestige Environmental Inc. on behalf of Pumping Services Inc. has provided a copy of the Temporary Discharge Approval Application for a Dual Phase Extraction (DPE) remediation system that will remove both shallow groundwater and soil vapor using a single high vacuum process with a discharge of treated groundwater, to the MCUA Central Treatment Plant, via the Middlesex Borough wastewater collection system and the MCUA Middlesex Meter Chamber, from the Pumping Services Inc. location at 201 Lincoln Boulevard; and

WHEREAS, Prestige Environmental Inc. is required to have the Borough's approval on a yearly basis for discharge of treated groundwater from the Pumping Services Site to the MCUA Central Treatment Plant via the Borough of Middlesex wastewater collection system and MCUA Middlesex Meter Chamber.

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

1. Middlesex Borough hereby approves the Mayor to execute of the Middlesex County Utilities Authority Temporary Discharge Approval Application for the discharge of treated groundwater from the Pumping Services Site to the MCUA Central Treatment Plant via the Borough of Middlesex wastewater collection system and MCUA Middlesex Meter Chamber.
2. This resolution shall take effect immediately.

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 June 23, 2020.

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

Resolution #155-2020

APPROVAL FOR THE RESIDENTS OF 300 GREENE AVENUE TO CONDUCT A BLOCK PARTY ON DELAWARE AVENUE BETWEEN MELROSE AVENUE AND GREENE AVENUE ON JULY 4, 2020 BETWEEN THE HOURS OF 10 A.M. AND 9 P.M.

WHEREAS, the residents of 300 Greene Avenue have requested to have a block party on Delaware Avenue between Melrose Avenue and Greene Avenue on July 4, 2020 between the hours of 10 a.m. and 9 p.m.; and

WHEREAS, all the designated officials have given approval for this block party.

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

1. The Governing Body hereby grants approval to the residents of 300 Greene Avenue to conduct a block party on Delaware Avenue between Melrose Avenue and Greene Avenue on July 4, 2020 between the hours of 10 a.m. and 9 p.m.
2. This resolution shall take effect immediately.

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 June 23, 2020.

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

Resolution #156-2020

APPROVAL OF THE TOWING LICENSES FOR 2020/2021 (EXPIRING 5/31/2021)

The following applications for Towing Licenses for 2020/2021 have been approved by the Police Department and met all borough requirements, and the Borough Clerk is hereby authorized to issue the license in consideration of the fees which have been paid.

1. Hart's Auto Body
2. Tierno's Automotive Inc.
3. M&W Towing Service
4. Mike's Towing

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 June 23, 2020.

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

Resolution #157-2020

AUTHORIZING THE MAYOR TO EXECUTE THE DEPARTMENT OF THE ARMY ENVIRONMENTAL SURVEYS INVESTIGATIONS AND REMEDIATION RIGHT OF ENTRY FOR PARCELS ADJACENT TO 1200 MOUNTAIN AVENUE

The Governing Body hereby approves the Mayor execute the Department of the Army Environmental Surveys Investigations and Remediation Right of Entry Agreement. This document is for an irrevocable right of entry upon the property at Parcels adjacent to 1200 Mountain Avenue, Middlesex New Jersey known as Block 219, Lot 2, Block 221, Lot 1 and Block 280, Lots 1, 3, 7, and 18.

This Right of Entry Agreement is granted for the purpose of performing surveys and investigations, collecting samples and making test borings and remediating radiological, chemical and metals contamination of soils groundwater, and structures including, but not limited to, the right to store, move and remove equipment and supplies, excavate and dispose of contaminated soil and water and backfill with suitable soil certified in accordance with applicable regulatory standards, and restore the property to its previous condition; and perform such other work as may be necessary and incident to implementation of FUSRAP for a period not to exceed sixty (60) months and beginning on the date of execution of this document.

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 June 23, 2020.

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

Resolution #158-2020

**PROMOTING KELSEY MEIXNER TO FULL TIME ADMINISTRATIVE ASSISTANT TO
THE DEPARTMENTS OF RECREATION, FINANCE & ADMINISTRATION
EFFECTIVE JULY 6, 2020**

WHEREAS, the Governing Body hires Kelsey Meixner as the full time Administrative Assistant to the departments of Recreation, Finance & Administration effective July 6, 2020 at a salary of \$35,000 annually; and

WHEREAS, those job duties are set forth in the official Job Description on file in the Administrator's Office.

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

1. The Governing Body hereby hires Kelsey Meixner as the full time Administrative Assistant to the departments of Recreation, Finance & Administration effective 7/6/20 at a salary of \$35,000 annually.

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 June 23, 2020.

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

Resolution #159-2020

**SALARY AND COMPENSATION FOR OFFICERS AND EMPLOYEES OF THE
BOROUGH OF MIDDLESEX**

WHEREAS, the Mayor and Council has the sole discretion to fix and determine the salaries and compensation of the officers and employees of the Borough of Middlesex,

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following salaries and rates of compensation for the year 2020 be hereby fixed respectively as follows:

<u>Title</u>	<u>2020 Salary</u>
Deputy Borough Clerk	\$63,573.00
Purchasing Agent	\$54,023.00
Treasurer/Acting CFO	\$64,717.00
Tax Collector	\$63,653.00
Tax Assessor	\$26,910.00
DPW Supervisor	\$108,739.00
Recreation Director	\$66,874.00
Recreation Asst Director	\$12,717.00
Senior Services Director	\$63,653.00
Court Administrator	\$61,000.00
Zoning Officer/Code Enforcer	\$61,302.00
Construction Official	\$31,297.00
Electrical SubCode Official	\$14,015.00
Fire SubCode Official	\$13,048.00
Plumbing SubCode Official	\$18,546.00
Resale Certificate Inspector	\$16.31
Code Enforcement Assistant	\$13.04
Public Works Laborers	\$14.00
Court Admin Assistant	\$15.52
Recreation Admin Assistant	\$14.00
Custodian	\$16.31

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 June 23, 2020.

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

Resolution #160-2020

AUTHORIZING REIMBURSEMENT OF MEDICARE PREMIUMS FOR CERTAIN ELIGIBLE PENSIONERS UNDER CHAPTER III, PUBLIC LAW 1973, NJ HEALTH BENEFITS PLANS

WHEREAS, Chapter III of Public Laws 1973, which provided for reimbursement of Medicare premiums of certain eligible pensioners was adopted by the Mayor and Council by resolution on April 9, 1974; and

WHEREAS, certain retired employees of the Borough have applied for reimbursement.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex that the disbursing officers be and they are hereby authorized to draw checks, charged against Insurance (1) Group Insurance for Employees from the period January through June 2020, as follows:

Anello, John 108 Howard Ave Middlesex, NJ 08846	\$289.20	James L Benson 445 Harris Ave Middlesex, NJ 08846	\$687.60
Patricia A Benson 445 Harris Ave Middlesex, NJ 08846	\$867.60	Archie J Blood Jr 54 Lincoln Ave Barnegat, NJ 08005	\$578.40
Margie L Blood 54 Lincoln Ave Barnegat, NJ 08005	\$629.40	Cynthia Chomen 10 Oswego Ave Middlesex, NJ 08846	\$144.60
Anthony Cole 246 Oak Dr Middlesex, NJ 08846	\$867.60	Susan Cole 246 Oak Dr Middlesex, NJ 08846	\$867.60
Dorothy Coren 20 Mead Ave Middlesex, NJ 08846	\$663.00	Joseph Coren 20 Mead Ave Middlesex, NJ 08846	\$1,069.80
John Fuhrmann 38 Whitney Dr Middlesex, NJ 08846	\$813.00	Sheila Fuhrmann 38 Whitney Dr Middlesex, NJ 08846	\$813.00
John Giuliano 339 Second St	\$578.40	John A Haverstick 771 County Rt 16	\$867.60

Middlesex, NJ 08846

Mexico, NY 13114-3193

Judith Lynch \$730.80
 359 Market St
 Middlesex, NJ 08846

Thomas Lynch \$629.40
 359 Market St
 Middlesex, NJ 08846

Charlie Nash \$783.00
 13 Homestead Terrace
 Scotch Plains, NJ 07076

Jerome Nowak \$578.40
 6544 North Kennedy Ave
 Fresno, CA 93720

Arthur Roberts \$578.40
 305 Harris Ave
 Middlesex, NJ 08846

Erica Schaefer \$629.40
 58 Joe-Ent Rd
 Flemington, NJ 08822

Jerry Schaefer \$629.40
 58 Joe-Ent Rd
 Flemington, NJ 08822

Maureen Schaefer \$813.00
 58 Joe-Ent Rd
 Flemington, NJ 08822

Charles Sebastian \$768.00
 512 Clinton Ave
 Middlesex, NJ 08846

James Tolomeo \$629.40
 45 Myrtle Ct
 Whitehouse Station, NJ 08889

Rita Wahler \$599.40
 16 Fitzsimmons Ave
 Middlesex, NJ 08846

Roger Wahler \$629.40
 16 Fitzsimmons Ave
 Middlesex, NJ 08846

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 June 23, 2020.

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

Resolution #161-2020

**TERMINATING ALBERTO GARCIA FROM THE DEPARTMENT OF PUBLIC WORKS
EFFECTIVE JUNE 15, 2020**

The Mayor and Council hereby concur with the termination of employment of Alberto Garcia, Department of Public Works, effective June 15, 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 June 23, 2020.

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

Resolution #162-2020

**TERMINATION OF JOSEPHMY NAZARIO AS THE JOINT LAND USE BOARD
SECRETARY EFFECTIVE JUNE 9, 2020**

The Mayor and Council hereby concur with the termination of employment of Josephmy Nazario, Joint Land Use Board Secretary, effective June 9, 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 June 23, 2020.

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

Resolution #163-2020

**ADVANCING ELEAZAR GARCIA TO SANITATION TRUCK DRIVER IN THE
DEPARTMENT OF PUBLIC WORKS EFFECTIVE JULY 6, 2020**

The Governing Body hereby concurs with the advancement of Eleazar Garcia, South Bound Brook, New Jersey to Sanitation Truck Driver in the Department of Public Works at \$38.46 per hour in accordance with the union contract. Effective July 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 June 23, 2020.

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

Resolution #164-2020

**ADVANCING THE FOLLOWING EMPLOYEES TO FULL TIME STATUS AS
PERMANENT LABORERS IN THE DPW EFFECTIVE JULY 6, 2020: JACOB
WRIGHT, ADAM WICK, STEVEN TARBOUS, ALEX AUGUSZTIN, DOMENICK
DELVECCHIO & BRIAN DONOHUE**

The Governing Body hereby concurs with the advancement of the following DPW employees to full time status as permanent laborers in the Department of Public Works for 40 hours per week at \$16.28 per hour in accordance with the union contract. These advancements are effective July 6, 2020, pending a satisfactory driving abstract:

Jacob Wright
Middlesex, NJ

Adam Wick
Middlesex, NJ

Steven Tarbous
Middlesex, NJ

Alex Augusztin
Middlesex, NJ

Brian Donohue
Middlesex, NJ

Dominick DelVecchio
Bound Brook, NJ

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 June 23, 2020.

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

Resolution #165-2020

**ACCEPTING THE RESIGNATION OF LISBETH LOPEZ-FORTICH FROM THE
MUNICIPAL COURT EFFECTIVE JULY 2, 2020**

The Mayor and Council hereby accept the resignation of Lisbeth Lopez-Fortich from the Municipal Court effective July 2, 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 June 23, 2020.

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

Resolution #166-2020

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
2. Claremont/US Dept. of Energy Property
3. Cell Tower Lease

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 June 23, 2020.

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

Resolution #167-2020

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 June 23, 2020.