



Borough of Middlesex
Mayor and Council Regular Meeting
~ Minutes ~

1400 Mountain Avenue
Middlesex, NJ

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

Tuesday, July 14, 2020

7:00 PM

Recreation Center

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.

SALUTE TO FLAG

ROLL CALL

Council President Jack Mikolajczyk
Councilman Jeremiah Carnes
Councilman Jason Carr
Councilman James Eodice
Councilwoman Amy Flood
Councilman Douglas Rex
Mayor John Madden

Also Present:

Marcia Karrow Administrator
Christopher Corsini Borough Attorney

Others Absent:

2. Mayor Madden made a motion to add OLMV Litigation to the Executive Session Meeting

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jack Mikolajczyk, Council President
SECONDER:	Amy Flood, Councilwoman
AYES:	Mikolajczyk, Carnes, Carr, Eodice, Flood, Rex

PRESENTATIONS

APPOINTMENTS

PROCLAMATIONS

ORDINANCE(S) FOR INTRODUCTION

The Borough Clerk read ordinance 2003-20 by title:

ORDINANCE 2003-20

AN ORDINANCE FIXING AND DETERMINING THE SALARY RANGE OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF MIDDLESEX

TITLE	SALARY	RANGE
Full Time Employees		
Chief of Police	160,000	195,000
Borough Administrator	100,000	150,000
Borough Clerk	65,000	100,000
Deputy Borough Clerk	40,000	65,000
Tax Collector	50,000	75,000
DPW Superintendent	90,000	120,000
Director - Office on Aging	50,000	75,000
Treasurer/CFO	60,000	90,000
Recreation Director	55,000	75,000
Court Administrator	55,000	70,000
Administrative Clerk/Purchasing Agent	45,000	65,000
Human Resources/Payroll Clerk	45,000	60,000
Administrative Assistant	32,000	45,000
Part Time Employees		
Assistant Recreation Director	11,000	14,000
Recreation Commission Secretary	1,100	1,500
Tax Assessor	20,000	40,000
Code Enforcer/Zoning Official	30,000	65,000
Construction Official	10,000	15,000
Electrical Sub-Code Official	11,500	17,000
Building Sub-Code Official	20,000	25,000
Resale Certificate Inspector	2,500	7,500
Plumbing Sub-Code Official	10,000	25,000
Fire Sub-Code Official	10,000	15,000
Planning/Zoning Clerk (per meeting)	200	400
Shade Tree Secretary	2,350	3,000
Juvenile Conference Committee Secretary	1,500	2,500
Municipal Magistrate	35,000	50,000
Hourly Employees		
	Per Hour	Per Hour
Administrative Clerk	13.00	20.00
Construction/Code Inspectors	13.00	16.00
DPW Laborer	13.00	20.00
Meals on Wheels Driver	13.00	20.00
Medical Transportation Driver	13.00	20.00
Senior Transportation Driver	13.00	20.00
Pre-School Program Coordinator	14.00	20.00
Pre-School Program Instructor	13.00	18.00

Playground Coordinator (Seasonal)	12.00	20.00
Playground Site Supervisor (Seasonal)	11.00	16.00
Playground Counselor (Seasonal)	10.30	14.00
Police Matrons	15.00	20.00
Crossing Guards	14.00	20.00
Custodian	15.00	20.00

RESULT:	FIRST READING [UNANIMOUS]	Next: 8/11/2020 7:00 PM
MOVER:	Jack Mikolajczyk, Council President	
SECONDER:	James Eodice, Councilman	
AYES:	Mikolajczyk, Carnes, Carr, Eodice, Flood, Rex	

The Borough Clerk read ordinance 2004-20 by title:

ORDINANCE 2004-20

AN ORDINANCE AMENDING CHAPTER 420 ENTITLED "ZONING" SECTIONS 420-23, 420-61, 420-64; AND AMENDING CHAPTER 158 ENTITLED "CERTIFICATES, RESALE/LEASED" SECTION 158-14; AND AMENDING CHAPTER 359 ENTITLED "STREETS AND SIDEWALKS" SECTIONS 359-3, 359-4, 359-7 TO INCREASE VARIOUS FEES

WHEREAS, it is the desire of the Borough Council of the Borough of Middlesex to amend and revise the Borough's current ordinances for the assessment of certain fees collected thereby; and

WHEREAS, it is the Borough Council's specific intention to amend Chapters 420, 158, and 359 to increase various fees relating to construction and zoning; and

BE IT ORDAINED, by the Borough Council of the Borough of Middlesex in the County of Middlesex and State of New Jersey that Chapters 420, 158, and 359 of the Municipal Code of the Borough of Middlesex, County of Middlesex, State of New Jersey be and are hereby amended effective January 1, 2021 as follows:

Section I

Chapter 420, Section 23, Subsection D, Subsubsection (1) entitled "Outdoor storage restricted" shall be amended as follows:

D. Portable home storage units.

(1) One portable home storage unit may be placed upon any property only upon the issuance of a permit by the Zoning Officer. The application fee is \$25 ~~\$75~~.

Section II

Chapter 420, Section 61, Subsection D, Subsubsection (2), Subsubsection (h) entitled "Signs" shall be amended as follows:

D. Permitted signs. All permitted signs shall be classified as either freestanding signs, wall signs or window signs. The following regulations shall apply in the specific districts to all signs other than those specifically exempted.

(2) Commercial and industrial districts.

(h) Temporary signs. The placement of "sandwich board" or "A-frame" signs used to advertise a special sale or event on a commercial premises shall be

permitted upon approval of the Zoning Officer, **together with a fee of \$100 for the year**, under the following conditions:

[1] Only one sandwich board or A-frame sign per business not exceeding 10 square feet shall be permitted to be placed in front of the entranceway of the business. For businesses that front on more than one street, one sign per street may be permitted.

[2] An unobstructed pathway of at least four feet in width shall be maintained on the sidewalk at all times.

[3] All sandwich board or A-frame signs must be removed when said business is not opened to the public.

[4] All sandwich board or A-frame signs must be maintained at all times and may not be illuminated.

[5] No person shall construct, erect, replace or alter any sandwich board or A-frame sign under the provisions of this subsection without first obtaining an annual zoning permit. An application shall be made to the Zoning Officer upon forms provided by the Borough before any sign is permitted to be used.

Section III

Chapter 420, Section 61, Subsection D, Subsubsection (2), Subsubsection (g) entitled "Signs" shall be amended as follows:

D. Permitted signs. All permitted signs shall be classified as either freestanding signs, wall signs or window signs. The following regulations shall apply in the specific districts to all signs other than those specifically exempted.

(2) Commercial and industrial districts.

(g) Temporary banners. The construction, erection, replacement or alteration of any temporary banner advertising a grand opening or special sale or event on a commercial premises shall be permitted upon approval of the Zoning Officer, **together with a fee of \$50 for a thirty (30) day period**, under the following conditions:

[1] One temporary banner per business not exceeding 36 square feet designed to advertise a grand opening celebration of a commercial establishment may be erected and maintained on the commercial premises which is the subject of said grand opening celebration for a period not to exceed 30 days. For businesses that front on more than one street, one banner per street may be permitted. Streamers, pennants, balloons and other like accessory decorations may also be erected during the above time period.

[2] One temporary banner per business not exceeding 36 square feet designed to advertise a special sales event may be erected and maintained on the commercial premises conducting said event for a period not in excess of 30 calendar days. For businesses that front on more than one street, one banner per street may be permitted. Said temporary banner(s) must be removed for a minimum of 15 days before a new banner can be erected. The erection of a temporary banner advertising a special sales event shall be limited to eight events per year per commercial establishment.

[3] No person shall construct, erect, replace or alter any temporary banner under the provisions of this subsection without first obtaining a

zoning permit. An application for a temporary banner shall be made to the Zoning Officer upon forms provided by the Borough at least 10 days before said temporary banner is to be erected.

Section IV

Chapter 420, Section 64, Subsection A entitled "Approvals and permits required" shall be amended as follows:

It shall be unlawful for any person, corporation, entity or agent, whether on behalf of itself or others, to construct, relocate, renovate or alter a structure or land without first applying for required approvals and permits.

A. An application for zoning approval along with all required documents, together with a fee of ~~\$50~~ **the appropriate fee**, shall be submitted to the Construction Office at the time of submittal of the construction application(s). Construction permit(s) shall be not be issued until a zoning permit is first obtained. **The fee for all zoning permits is \$75 and the fee for all commercial use permits is \$100.**

Section V

Chapter 158, Section 14 entitled "Fees for residential change of title" shall be amended as follows:

The fee for a residential change of title shall be ~~\$100~~ **\$150.**

Section VI

Chapter 359, Section 3 entitled "Restoration of street surface; cost" shall be amended as follows:

After the work for which the permit is issued has been completed and the excavation has been refilled, the Supervisor of the Middlesex Borough Public Works Department shall estimate the charge for restoring the surface to its original condition, and, after the deduction of said charge from the sum paid by the applicant, plus ~~25%~~ **50%** to be taken out of this amount for administration charges, the balance, if any, will be returned to the applicant. In the event, however, that the prescribed fee is not sufficient to defray the expense of restoring the surface excavated, the applicant shall pay the necessary difference plus ~~25%~~ **50%** to be taken out of this amount for administration charges to the Borough of Middlesex.

Section VII

Chapter 359, Section 4, Subsection A entitled "Placing of monitoring well in public right-of-way" shall be amended as follows:

Monitoring wells may be placed in the public right-of-way upon all of the same terms and conditions of all provisions of this chapter and:

A. Posting of a bond in the amount of \$3,500 per each well, in a form satisfactory to the Borough Engineer, and an additional charge of ~~25%~~ **50%** of the \$3,500 or ~~\$875~~

\$1,750 for an administration charge;

Section VIII

Chapter 359, Section 7 entitled "Bond in lieu of permit fees" shall be amended as follows:

In lieu of paying any of the permit fees, the applicant may give a bond satisfactory to the Borough of Middlesex, in such form and in such amount as shall be determined by the Borough Engineer, conditioned upon the restoration by such applicant of the street, road, highway, sidewalk, gutter or pavement thereon to a proper condition promptly and without expense to the Borough at the conclusion of the work for which such permission is sought. A bond will be put up in the amount of \$3,500 with an additional charge of ~~25%~~ **50%** of the \$3,500 or ~~875~~ **\$1,750** for an administration charge that will be paid directly to Middlesex Borough

This ordinance was introduced as amended to reflect that it will be effective on January 1, 2021.

RESULT:	FIRST READING [UNANIMOUS]	Next: 8/11/2020 7:00 PM
MOVER:	Jack Mikolajczyk, Council President	
SECONDER:	Amy Flood, Councilwoman	
AYES:	Mikolajczyk, Carnes, Carr, Eodice, Flood, Rex	

ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION

The Borough Clerk read ordinance 2001-20 by title:

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 1.01 [partial], 4.02 [partial], 21, 38.01, 43, 44, 45, 48 and Block 319, Lots 23, 24, 26, 28, 45, and 47) of the Non-Condensation 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 June 24, 2020, 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.

Mayor Madden opened the Public Hearing on Ordinance No. 2001-20. Seeing that there was no public participation, Mayor Madden closed the Public Hearing on Ordinance 2001-20.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jack Mikolajczyk, Council President
SECONDER:	Jason Carr, Councilman
AYES:	Mikolajczyk, Carnes, Carr, Eodice, Flood, Rex

The Borough Clerk read ordinance 2002-20 by title:

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.

Mayor Madden opened the Public Hearing on Ordinance No. 2002-20.

Peter Wozniak, 1200 Sheridan Avenue requested funds be appropriated in the capital improvement fund for clean up along Pershing Avenue due to the hot spots, as this is a health and safety issue. Mr. Wozniak also expressed his concern that the fence along Pershing Avenue on to Mountain Avenue is a disgrace and should be addressed, as it has been ignored for too long.

Administrator Karrow responded to Mr. Wozniak's concerns.

Seeing that there were no further comments on Ordinance No. 2002-20, Mayor Madden closed the Public Hearing on Ordinance No. 2002-20.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jack Mikolajczyk, Council President
SECONDER:	Jason Carr, Councilman
AYES:	Mikolajczyk, Carnes, Carr, Eodice, Flood, Rex

ADOPTION OF MINUTES

1. Approval of the June 23, 2020 Regular & Executive Meeting Minutes

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jack Mikolajczyk, Council President
SECONDER:	Jason Carr, Councilman
AYES:	Mikolajczyk, Carnes, Carr, Eodice, Flood, Rex

MAYOR'S REPORT

COUNCIL MEMBER REPORTS

Council President Mikolajczyk

Council President Mikolajczyk stated that it was good to see Middlesex' COVID numbers have stabilized.

Councilman Carnes

Councilman Carnes reported that the Joint Land Use Board's next Meeting will be held on July 22, 2020 at 7:30pm at the Recreation Center, so that we can ensure the proper social distancing policies.

Councilman Carnes also thanked the DPW for all of their hard work with all of the changes that have been made to better our community.

The Arts & Culture Committee is still being worked on to bring the community the best we can offer.

Also, with regard to Coffee with Council we have been discussing some cool modern ideas for communicating with the residents.

Councilman Carr

No report was given.

Councilman Eodice

Councilman Eodice reported that on June 27th he was honored to join Mayor Madden for the flag retirement ceremony at the American Legion, and thanked all who participated and attended.

On June 28th he joined the fire chiefs for the quarterly inspection of the fire engines at the various departments and that went very well. He stated that he will also resume attending the regular MFD in person monthly meetings, (as well as other representative meetings) now that it is more safe to do so.

Lastly, Councilman Eodice stated that our OEM, emergency responders and staff remain well prepared and supplied for any risks related to Covid-19.

Councilwoman Flood

No report was given.

Councilman Rex

Councilman Rex reported that a SWAC subcommittee consisting of representatives from Middlesex Borough, Piscataway Township, Middlesex County Solid Waste Management and Middlesex County Environmental Health visited the proposed Veolia Transfer Station.

The subcommittee was first shown the newly remodeled warehouse space that Veolia uses to ship out supplies to their customers. This space previously housed the New Journey Class A recycling facility. The building and areas around the building are much improved from how it had been. The building was fixed up and the area around the building was paved.

The subcommittee was next shown the area where the proposed facility will be. There is currently a building that will need to be torn down and a new structure will be built. Veolia representatives described the new building and explained all of the fire and safety systems that will be installed. The building footprint will be expanded so that all trucks can unload fully indoors. The building will also be under negative pressure.

SWAC members were satisfied that the facility will be an improvement upon what currently exists at the site.

ADMINISTRATOR'S REPORT

Administrator's Report
July 14, 2020

Items with asterices * have updates

- i. *COVID update
- ii. Flood Management:
- iii. Update on Sewer Projects:
 - i. Phase I:
 - a. Additional work on George Street
 - b. O&M Manual required by DEP - no update
 - c. I/I Study
 - d. Sampling Program
 - ii. Phase II Funding: Pending with i-bank (DEP)
 - iii. Phase IV (Sewer Bypass)

- iv. *MCUA Lining Project - A resolution will be put on the August 11, 2020 Meeting to enter into a Shared Service Agreement with the MCUA regarding this project
- iv. Update on Other Public Works Projects:
 - i. Streetscape Project
 - ii. Safe Routes to Schools - no update
 - iii. Road Design (2019 DOT Grant)
 - iv. Road Design (2020 DOT Grant)
 - v. Road Design (2021 DOT Grant)
- v. Update on Other Projects:
 - i. Mountain View Park
- vi. Video Taping of Meetings
- vii. Miscellaneous
 - i. Dredging of Lake/Mosquito Control Commission
 - ii. Budget
 - iii. Eagle scout project - dog park
 - iv. Presentations at Upcoming Meetings
 - v. *School District Shared Services
- vi. *Amusement Licenses - Council agreed fees for 2020/2021 should be paid based on the ordinance and will reconsider if needed in 2021.
- vii. *Market Street Fence
- viii. *BAN Notification

NEW BUSINESS/CONSENT AGENDA/RESOLUTIONS

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jack Mikolajczyk, Council President
SECONDER:	James Eodice, Councilman
AYES:	Mikolajczyk, Carnes, Carr, Eodice, Flood, Rex

The Borough Clerk read the following resolution:

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

RESOLUTION 168-2020

ACCEPTANCE OF STANDING REPORTS

The Governing Body hereby accepts the following Reports itemized below:

1. Acceptance of the May, 2020 Police Report
2. Acceptance of the June, 2020 Board of Fire Officer's Report
 - a. Roger Talavera has resigned as an active member of the Middlesex Fire Department effective June 9, 2020.
 - b. Carlos Lopez has been accepted as a qualified driver of Truck 25
 - c. Peter Dudek has resigned as an active member of the Middlesex Fire Department effective June 12, 2020
 - d. Matthew Gould has returned from his leave of absence on 5/12/20
3. Acceptance of the Fire Chief's Report for March, April & May, 2020
4. Acceptance of the May & June, 2020 Tax Report

5. Acceptance of the Recreation May & June, 2002 Summary and July, 2020 Director's Report

The Borough Clerk read the following resolution:

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

RESOLUTION 169-2020

APPROVING THE SUBMISSION OF A GRANT APPLICATION AND AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE 2021 VARIOUS ROADWAY IMPROVEMENTS PROJECT

RESOLVED BY THE MUNICIPAL COUNCIL OF MIDDLESEX, NJ:

THAT, the Mayor and Municipal Council of the Borough of Middlesex formally approve the grant application for the above stated project; and be it further

RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2021-Middlesex Borough-00539 to the New Jersey Department of Transportation on behalf of the Borough of Middlesex; and be it further

RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Middlesex and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

The Borough Clerk read the following resolution:

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

RESOLUTION 170-2020

ACCEPTING THE RESIGNATION OF PART TIME SEASONAL EMPLOYEE ISOBEL MCKEOWN AS A CROSSING GUARD FROM THE MIDDLESEX POLICE DEPARTMENT

The Governing Body hereby accepts the resignation of Isobel McKeown as Crossing Guard for the Middlesex Police Department effective immediately.

The Borough Clerk read the following resolution:

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

RESOLUTION 171-2020

APPROVING REFUND IN THE AMOUNT OF \$2,012.16 FOR ERROR IN PAYMENT FOR BLOCK 312, LOT 14.01 FOR SECOND QUARTER, 2020 TAXES

WHEREAS, payment was sent in for Block 312 Lot 14.01 for 2nd Qtr 2020 on 5/8/2020 via CoreLogic;

WHEREAS, payment should have been made on Block 312 Lot 14.01 Q C0001;

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

NOW THEREFORE, a check in the amount of \$2,012.16 should be made payable to:

CoreLogic
Refunds/Returns
3001 Hackberry Road
Irving, TX 75063

The Borough Clerk read the following resolution:

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

RESOLUTION 172-2020

**AUTHORIZING THE PURCHASING AGENT TO SELL SURPLUS VEHICLES ON AN
ONLINE AUCTION WEBSITE ENTITLED MUNICIBID.COM**

WHEREAS, the Borough of Middlesex has determined that the property listed below is no longer needed for public use; and

WHEREAS, the Borough of Middlesex intends to utilize the online auction services of Municibid.com located at 2401 Walnut Street, Philadelphia, PA; and

WHEREAS, the sales are being conducted pursuant to N.J.S.A. 40A:11-36 and the guidance set forth in the Division of Local Government Services' Local Finance Notice 2019-15. Sale dates to be determined; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Middlesex, County of Middlesex, State of New Jersey, that the Purchasing Agent is hereby authorized to sell the surplus personal property as indicated below on an online auction website entitled Municibid.com, 2401 Walnut Street, Philadelphia, PA; and

BE IT FURTHER RESOLVED, that the Auction for items shall be for a total of ten (10) days and all fees are to be paid for by the buyer as per the terms and conditions of the agreement entered into between Municibid.com and the Borough of Middlesex and are available at Municibid.com and in the office of the Purchasing Agent.

	Item	Approximate Mileage	VIN/Identification #
1	Ford 1988 L8000	19,644	1FDYR82AOJUA34792
2	Ford 1999 Explorer	73,270	1FMDU34EXXUC20564
3	Ford 2009 Crown Vic	94,000	2FAHP71V79X139600

4	Chevy Caprice 2014	80,612	6G3NS5U2XEL953719
5	Ford 2006 F350	64,020	1FDWF37P86EA65618
6	Ford 1998 Ranger	105,760	1FTYR10C5WUA47681

The Borough Clerk read the following resolution:

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

RESOLUTION 173-2020

AUTHORIZING THE PURCHASE OF SIX 2021 POLICE VEHICLES UNDER STATE CONTRACT #88728 FROM WINNER FORM IN AN AMOUNT NOT TO EXCEED \$241,191.31

WHEREAS, the Police Department of the Borough of Middlesex wishes to purchase six (6) 2021 Utility Interceptor Base Vehicles under New Jersey State Contract #88728; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Contracts Law, 40A:11-12; and

WHEREAS, Winner Ford, 250 Berlin Road, Cherry Hill, NJ, is under the New Jersey State Contract #88728; and

WHEREAS, the cost for the purchase of a six (6) 2021 Utility Interceptor Base Vehicles is as follows:

6 Base Vehicles	\$36,847.00/ea	\$221,082.00
Black & White (additional)	5 @ \$1,395.00/ea	\$6,975.00
	TOTAL	\$228,057.00

3 Year Lease Cost

Year 1	Lease & Vehicle Document Fees	\$80,901.77
Year 2	Payment	\$80,141.77
Year 3	Lease Payment & Buy Out	\$80,147.77

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council hereby approve the purchase of a six (6) 2021 Utility Interceptor Base Vehicles under New Jersey State Contract #88728, from Winner Ford.

The CFO hereby certifies that the funds in the amount not to exceed \$241,191.31 is available in Account No. 0-01-25-240-000-149.

The Borough Clerk read the following resolution:

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

RESOLUTION 174-2020**AWARDING THE BID FOR THE SUPPLY AND INSTALLATION OF SUNBURST
AERATING FOUNTAIN AND MIXER TO BLACK LAGOON POND & LAKE
MANAGEMENT IN THE AMOUNT OF \$32,887.83 - *Item Removed from Consent***

WHEREAS, three bids were received and opened publicly via Zoom on July 1, 2020 at 11:00am for the Supply and Installation of Sunburst Aerating Fountain and Mixer; and

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

Vendor	Total Cost - Supply and Installation
Fai-Gon Electrical Contractors	\$75,875.00
Storr Tractor Company	\$33,465.00
Black Lagoon Pond & Lake Management	\$32,887.83

WHEREAS, the Purchasing Agent recommends awarding the bid to the lowest responsive, responsible bidder, Black Lagoon Pond & Lake Management, 56 US Highway 130 South, Bordentown, New Jersey, in the amount \$32,887.83.

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 awards the bid for the Supply and Installation of Sunburst Aerating Fountain and Mixer, to Black Lagoon Pond & Lake Management, subject to the appropriation of funds in the 2019 budget.

NOW FURTHER BE IT RESOLVED, that the Treasurer hereby certifies funds are appropriated in the 2019 Capital Budget under Account # C-04-19-979-000-078.

Caroline Benson, Treasurer

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Jack Mikolajczyk, Council President
SECONDER:	Amy Flood, Councilwoman
AYES:	Mikolajczyk, Carnes, Carr, Eodice, Flood, Rex

The Borough Clerk read the following resolution:

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

RESOLUTION 175-2020

APPROVAL TO ADVANCE PATROLMAN ANTHONY PAINCHAUD TO PATROLMAN CLASS "C" EFFECTIVE JULY 20, 2020 AT AN ANNUAL SALARY OF \$94,994

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

WHEREAS, On July 20, 2020 Chief Geist recommended Police Officer Anthony Painchaud 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 Anthony Painchaud be and is hereby advanced in grade to Patrolman Class "C" effective July 20, 2020 at an annual salary of \$94,994.

The Borough Clerk read the following resolution:

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

RESOLUTION 176-2020

ACKNOWLEDGING THE CHANGE IN STATUS FOR CERTAIN PROPERTIES UNDER THE SENIOR CITIZEN/DISABLED PERSON/VETERAN TAX DEDUCTIONS BLOCK 100, LOT 10

WHEREAS, certain Senior Citizens/Disabled Persons/Veterans were the owners of property in the Borough of Middlesex for the year 2019, and

WHEREAS, a homeowner receiving said deduction(s) may request to have the deduction removed as they believe in the future years they will no longer qualify; and

WHEREAS, homeowner requested removal of the Senior Citizens/Disabled Persons / Veteran deduction on 4/3/2019 via email and the removal of the deduction was not included with the yearly PD-65.10 form; and

THEREFORE, the Tax Collector has disallowed the following Senior Citizen/Disabled Person/Veteran deduction for the 2019 year totaling \$250.00.

Name: Seip, Bruce E & Patricia J

Block/Lot: 100 / 10

Amount: \$250.00

Reason: Homeowner requested removal of deduction

The Borough Clerk read the following resolution:

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

RESOLUTION 177-2020

ACKNOWLEDGING THE CHANGE IN STATUS FOR CERTAIN PROPERTIES UNDER THE SENIOR CITIZEN/DISABLED/VETERAN TAX DEDUCTIONS BLOCK 283, LOT 41

WHEREAS, certain Senior Citizens/Disabled Persons/Veterans were the owners of property in the Borough of Middlesex for the year 2019, and

WHEREAS, once property is sold the deduction is to be removed and prorated to new owner; and

WHEREAS the property sold and prior owner was prorated for the year 2019 in March of 2020, and;

WHEREAS, said deduction(s) was not removed at the end of 2019 due to the delay in receiving the Deed information from the county, and

THEREFORE, the Tax Collector has disallowed the following Senior Citizen/Disabled Person/Veteran deduction for the 2020 year totaling \$250.00.

Name: Gamboa, Juan N & Navarro, Angelina M

Block/Lot: 283/41

Amount: \$250.00

Reason: Deduction not removed end of 2019-Sale date 4/28/20

Year: 2020

NON-CONSENT AGENDA/RESOLUTIONS

The Borough Clerk read the following resolution:

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

RESOLUTION 178-2020

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.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jack Mikolajczyk, Council President
SECONDER:	Jason Carr, Councilman
AYES:	Mikolajczyk, Carnes, Carr, Eodice, Flood, Rex

The Borough Clerk read the following resolution:

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

RESOLUTION 179-2020**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. Claremont Redevelopment Financial Agreement
2. DOE Easement

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jack Mikolajczyk, Council President
SECONDER:	Jason Carr, Councilman
AYES:	Mikolajczyk, Carnes, Carr, Eodice, Flood, Rex

PRIVILEGE OF THE FLOOR

Mayor Madden opened the public portion of the meeting.

Rich Rutkowski, 211 Maple Street questioned what the law requires regarding the taping of public meetings.

Pete Wozniak, 1200 Sheridan Avenue stated that he was pleased with the recent PILOT deal with Rockefeller. He also questioned why the Board of Ed received \$1,070,000 extra in school aid for the 20/21 fiscal year and his estimated taxes were increased so much. He also would like to see the borough just get rid of the fees for the amusement machines.

Administrator Karrow and Mayor Madden responded to the above comments.

Seeing that there was no further public participation, Mayor Madden closed the public portion of the meeting.

AGENDA WORKSHOP ITEM**1. Additional Bulk Coupons**

Administrator Karrow discussed changes to the Recycling Center hours with Mayor Madden and Lenny Vidal and recommended that the Recycling Center hours should be the following Tuesday - 6AM - 2PM, Thursday 11AM - 7PM and keep the regular Saturday hours. This will enable the DPW workers in the recycle yard to run the yard more efficiently and allow for the workers to check each resident's identification, so that the Center is only used by borough residents. The Borough Administrator will enforce these hours after Labor Day.

Also discussed was the bulk coupons given to each resident in their tax bills. Each resident will be entitled to 2 bulk coupons each year and also 1 bulk pick up at their home. The recommendation by the

Administrator, based on the cost of the disposal of bulk, would be to charge an additional \$50.00 for an additional bulk coupon. An ordinance to approve this recommendation will be put on the August 11, 2020 Regular Meeting.

PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS

Rich Rutkowski, 211 Maple Street stated that the borough is very liberal with our bulk coupons and suggested that we look at what is done in Stafford Township with just dumpsters out in the recycle yard.

Melvin Clark, 18 Wilson Street questioned if you have a scheduled bulk pick up and the items get taken, would you get to schedule another pick up. He also explained how Neptune works their recycling center.

All questions were answered by the Administrator and DPW Supervisor.

EXECUTIVE SESSION

1. DOE Easement
2. Claremont Redevelopment Financial Agreement
3. A motion was made by Council President Mikolajczyk, second by Councilman Carr to open to the Public Meeting

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jack Mikolajczyk, Council President
SECONDER:	Jason Carr, Councilman
AYES:	Mikolajczyk, Carnes, Carr, Eodice, Flood, Rex

The Borough Clerk read the following resolution:

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

RESOLUTION 180-2020

AUTHORIZING THE MAYOR TO EXECUTE THE SETTLEMENT AGREEMENT & MUTUAL RELEASE BY AND AMONG MIDDLESEX BOROUGH AND OLMV AND THE DIOCESE OF METUCHEN

The Governing Body hereby approves the Mayor to execute the Settlement Agreement and Mutual Release by and Among Middlesex Borough and Our Lady of Mount Virgin and the Diocese of Metuchen.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jack Mikolajczyk, Council President
SECONDER:	Jason Carr, Councilman
AYES:	Mikolajczyk, Carnes, Carr, Eodice, Flood, Rex

The Borough Clerk read ordinance 2005-20 by title:

ORDINANCE 2005-20

**AN ORDINANCE OF THE BOROUGH OF MIDDLESEX AUTHORIZING THE RECEIPT
AND CONVEYANCE OF EASEMENT/LICENSE IN CONNECTION WITH SOUTHERN
PORTION OF MIDDLESEX SAMPLING PLANT SITE**

WHEREAS, the United States Department of Energy (“DOE”) is the owner of approximately 9.6 acres of vacant, undeveloped land commonly known as the Middlesex Sampling Plant located at 239 Mountain Avenue, Middlesex Borough, New Jersey and identified as Block 318, Lot 1.01 and Block 319, Lot 45 on the Municipal Tax Map (“MSP Site”); and

WHEREAS, the Borough is working with the DOE to acquire the MSP Site in order to (1) build a new Department of Public Works (“DPW”) facility which is currently located in a residential area; and (2) to construct a new public road at the southern portion of the MSP Site in order to access said new DPW facility; and

WHEREAS, the MSP Site is adjacent to an existing scrap metal facility located at 245 Mountain Avenue (Block 318, Lots 38.01 and 48) in the Lincoln Boulevard Redevelopment Area and consists of approximately 21 acres (“Redevelopment Site”); and

WHEREAS, the Borough’s designated redeveloper, Claremont Companies (“Redeveloper”); has proposed to build a new 379,340 square feet commercial warehouse facility at the Redevelopment Site, which is anticipated to produce approximately 200 new jobs and additional tax revenue for Borough residents; and

WHEREAS, the aforementioned new public road is critical to the Redeveloper’s project and will allow the redevelopment project to move forward for the benefit of the Borough and community; and

WHEREAS, until the public road is constructed, the DOE has agreed to give the Borough an easement to access the southern portion of the MSP Site for the purpose of construction, maintenance and operation of a right-of-way for a public road or street over, across, and upon the Easement Area, Government-owned property, together with rights of ingress and egress (“DOE Easement”) which easement is attached hereto as Exhibit A and made a part hereof; and

WHEREAS, in order for the Redeveloper to advance the redevelopment project, the Borough has agreed to give the Redeveloper a license to access the southern portion of the Middlesex Site for the purpose of construction, maintenance and operation of a right-of-way for a public road or street over, across, and upon the Easement Area, Government-owned property, together with rights of ingress and egress, (“Borough License”) which easement is attached hereto as Exhibit B and made a part hereof; and

WHEREAS, N.J.S.A. 40A:12-4 authorizes a municipality to acquire easements; and

WHEREAS, N.J.S.A. 40A:12A-8.f. & g require that the conveyance of licenses by municipalities be accomplished by ordinance; and

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF MIDDLESEX THAT:

1. The Mayor and Municipal Clerk are authorized to sign said DOE Easement which is attached hereto as Exhibit A and record the same in the Middlesex County Clerk/Register's Office; and
2. The Mayor and Municipal Clerk are authorized to sign said Borough License which is attached hereto as Exhibit B and record the same in the Middlesex County Clerk/Register's Office; and
3. This Ordinance shall take effect immediately upon final passage and publication according to law.

RESULT:	FIRST READING [UNANIMOUS]	Next: 8/11/2020 7:00 PM
MOVER:	Jack Mikolajczyk, Council President	
SECONDER:	Jason Carr, Councilman	
AYES:	Mikolajczyk, Carnes, Carr, Eodice, Flood, Rex	

ADJOURNMENT

The next Regular Meeting will be August 11, 2020

Respectfully yours,

Borough Clerk