



**Borough of Middlesex**  
**Mayor and Council Regular Meeting**  
**~ Agenda ~**

1400 Mountain Avenue  
Middlesex, NJ

Linda Chismar  
732 356-7400 x238  
[www.middlesexboro-nj.gov](http://www.middlesexboro-nj.gov)

**Tuesday, September 28, 2021**

**7:00 PM**

**Recreation Center**

- I. 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.
- II. SALUTE TO FLAG**
- III. ROLL CALL**

| Attendee Name                        | Present                  | Absent                   | Late                     | Arrived |
|--------------------------------------|--------------------------|--------------------------|--------------------------|---------|
| Mayor John Madden                    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |         |
| Council President James Eodice       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |         |
| Councilman Jeremiah Carnes           | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |         |
| Councilwoman Amy Flood               | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |         |
| Councilman Jack Mikolajczyk          | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |         |
| Councilman Martin Quinn              | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |         |
| Councilman Douglas Rex               | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |         |
| Administrator Marcia Karrow          | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |         |
| Borough Attorney Christopher Corsini | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |         |

**IV. PRESENTATIONS**

**V. APPOINTMENTS**

- 1. Accepting the Resignation of Frank Ryan from the Beautification Committee

**VI. PROCLAMATIONS**

- 1. Domestic Violence Awareness Month October, 2021

**VII. ORDINANCE(S) FOR INTRODUCTION**

- 1. **Ordinance 2046-21** AMENDING CHAPTER 317 ENTITLED "PROPERTY MAINTENANCE" SECTION 317-12 ENTITLED "ADMINISTRATIVE PROCEDURES" TO REVISE THE NOTICE REQUIREMENTS FOR REPEATED VIOLATIONS OF THE SAME OFFENSE CONCERNING THE SAME PROPERTY

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

1. **Ordinance 2043-21** AMENDING CHAPTER 4 ENTITLED "BACKGROUND CHECKS, CRIMINAL HISTORY RECORD" TO ADD AN ARTICLE II TO BE ENTITLED "LICENSING, VENDORS AND PROCUREMENT OF SERVICES" TO AUTHORIZE CRIMINAL HISTORY RECORD CHECKS ON THE AGENTS OF SUCH SERVICES
2. **Ordinance 2044-21** AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 32, ENVIRONMENTAL COMMISSION, SECTION 32-1 ESTABLISHMENT; COMPOSITION AND SECTION 32-7(B) POWERS
3. **Ordinance 2045-21** AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY AUTHORIZING AN AMENDMENT OF THE FINANCIAL AGREEMENT WITH MIDDLESEX RESIDENTIAL URBAN RENEWAL, LLC IN CONNECTION WITH THE REDEVELOPMENT OF BLOCK 349, LOTS 6.02, 8, 10.01, 10.02 AND 10.03

**IX. ADOPTION OF MINUTES**

**X. MAYOR'S REPORT**

**XI. COUNCIL MEMBER REPORTS**

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

**XII. ADMINISTRATOR'S REPORT**

**XIII. 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.

- XIV. 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 269-2021** Approval of the Mayor to Execute the Settlement Agreement for Payment of \$6,500 to Rotimi Owoh, Esq. for the Legal Fees for GRC Complaint No. 2018-70
2. **Resolution 274-2021** Acceptance of Standing Reports
3. **Resolution 275-2021** Approving the Block of Howard Avenue Between Fisher Avenue and Woodland Avenue for the Watchung School PTO to Hold a Trunk or Treat on Friday, October 28, 2021 From 5PM - 8PM
4. **Resolution 276-2021** Appointing Dawn Guttshall as Part Time Tax Assessor for the Borough of Middlesex at an Annual Salary of \$30,000.00 Effective October 4, 2021
5. **Resolution 277-2021** Authorizing the Tax Collector to Issue Tax Title Lien Redemptions on Block 209, Lot 97 in the Amount of \$36,850.64
6. **Resolution 278-2021** Authorizing the Borough Attorneys to Foreclose Certain Properties for Delinquent Taxes in the Borough of Middlesex
7. **Resolution 279-2021** Advancing Matthew Stitt to a Full Time Laborer in the Road Department for the DPW at \$16.44 Per Hour, 40 Hours Per Week, Effective October 4, 2021
8. **Resolution 280-2021** Advancing Richard Chase to Full Time as a Utility Person in the Parks Department at \$21.05 Per Hour, 40 Hours Per Week, Effective October 4, 2021
9. **Resolution 281-2021** Authorizing the Borough Attorneys to Initiate a Curative Title Action So as to Gain Clear Title to Parcel(s) Located in the Borough of Middlesex
10. **Resolution 282-2021** Authorizing the Tax Collector to Cancel 3rd & 4th Qtr. 2021 & 1st & 2nd Qtr. 2022 Taxes for Various Properties
11. **Resolution 283-2021** Authorizing the Tax Collector to Waive and Adjust Sewer Bills for Various Properties
12. **Resolution 284-2021** Hiring Adriene Bacon as a Part Time Bus Driver in the Office of Senior & Disabled Services at \$20.00 Per Hour, for Approximately 25 Hours Per Week, Effective Immediately
13. **Resolution 285-2021** Hiring Joe Ford as a Part Time Bus Driver in the Office of Senior & Disabled Services at \$18.00 Per Hour, for Approximately 25 Hours Per Week, Effective Immediately
14. **Resolution 286-2021** Awarding the Phase II Sewer (Greenbrook Road and Louis Avenue Pump Station) Project to T.R. Weniger, Inc in the Amount of \$810,635.00

**XV. 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 287-2021** Pay All Claims

**XVI. AGENDA WORKSHOP ITEM**

**XVII. 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.

**XVIII. EXECUTIVE SESSION**

**XIX. ADJOURNMENT**

1. The next Regular Meeting will be October 12, 2021

# PROCLAMATION

## Domestic Violence Awareness Month October, 2021

**WHEREAS**, domestic violence impacts countless New Jersey residents without regard to age, race, religion, or economic status; as victims suffer at the hands of a spouse or partner, and it affects their children, families, and entire communities; and

**WHEREAS**, Women Aware, Inc. along with The Middlesex/Dunellen Domestic Violence Response Team has offered unparalleled services to women, children and men who have been victimized by domestic violence;

**WHEREAS**, the Borough of Middlesex joins with others across New Jersey and across the Nation in supporting victims of domestic violence and shares the worthy goals of this month-long observance, and likewise supports the work of Women Aware, Inc. along with The Middlesex/Dunellen Domestic Violence Response Team as they strive to provide the best coordinated response to domestic violence in our community, sending a loud and clear message to abusers that domestic violence is not tolerated in Middlesex Borough;

**NOW THEREFORE**, I, Mayor John L. Madden, do hereby proclaim October 2021 as Domestic Violence Awareness Month in the Borough of Middlesex and I urge all citizens to actively participate in the scheduled activities and programs sponsored by Women Aware, Inc., and to work toward the elimination of personal and institutional violence against women, children, and men.

DATED: September 28, 2021

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Linda Chismar, RMC

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Mayor John L. Madden

## ORDINANCE #2046-21

### AMENDING CHAPTER 317 ENTITLED “PROPERTY MAINTENANCE” SECTION 317-12 ENTITLED “ADMINISTRATIVE PROCEDURES” TO REVISE THE NOTICE REQUIREMENTS FOR REPEATED VIOLATIONS OF THE SAME OFFENSE CONCERNING THE SAME PROPERTY

**WHEREAS**, occasionally property owners/occupants violate the provisions of Chapter 317 multiple times for the same offense; and

**WHEREAS**, the enforcement official issues a notice of violation and time period to cure the violation to said property owners/occupants each time a violation occurs; and

**WHEREAS**, if the property owner/occupant remediates within the time period provided to cure, a summons will not be issued and fines will not begin to accumulate; and

**WHEREAS**, the current Chapter 317 only provides for a further enforcement mechanisms (in the form of summons, fines, municipal remedy) when property owner/occupant fails to comply with remediation; and

**WHEREAS**, it is the desire of the Borough Council of the Borough of Middlesex to amend and revise the Borough’s current ordinance to quell repeat violations for the same offense; and

**BE IT ORDAINED**, by the Borough Council of the Borough of Middlesex in the County of Middlesex and State of New Jersey that Chapter 317, Section 317-12 of the Municipal Code of the Borough of Middlesex, County of Middlesex, State of New Jersey be and is hereby amended as follows:

#### Section I

Chapter 317, Section 317-12 is hereby amended as follows (**bold and underlined** text is to be added while ~~strikethrough~~ text is to be removed):

#### § 317-12 Administrative provisions

D. Enforcement procedure. Whenever an enforcement officer determines that there is or has been a violation of any provision of this article, he shall give notice of such violation to the person, persons or entities responsible therefor under this section. Such notice shall be in writing and shall include a concise statement of the reasons for its issuance. Such notice shall be deemed to be properly and sufficiently served if a copy thereof is sent by regular mail to the last known address of the person or entity upon which the same is served, as shown by the most recent tax records of the municipality, or a copy thereof handed to said person or persons, or a copy thereof left at the usual place of abode or office of said persons or entities. Notice shall be given as aforesaid within or without the municipality. The notice shall also state that unless the violation is abated, removed, cured, prevented or desisted within seven days of the date of service of such notice (exclusive of the date of service), a summons can be issued for such violation. The enforcement officer may extend the period for compliance with the requirements of this section in regard to the violation stated in the notice for a period in excess of the aforesaid seven days if, in his judgment, the abatement, removal, prevention, cessation

or cure of the condition violated cannot reasonably be effected within the seven-day period. In the event the violation is not abated, removed, cured, prevented or desisted from or otherwise fully remedied within said seven-day period or within such extended period as set forth in the notice, pursuant to the foregoing, a summons can be issued against the person, persons, entity or entities so notified. **After three (3) separate notice of violations of the same nature concerning a specific property are served in accordance with this Chapter within a three (3) year period (with said three (3) year period commencing from the first applicable violation and all three applicable contained within a three (3) year period from the first applicable violation) then no further notice of violation shall be required hereunder for any subsequent violations of the same nature and property, and the enforcement officer may immediately issue a summons pursuant to this Chapter.**

## Section II

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

## Section III

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

## Section IV

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

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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 September 28, 2021.

INTRODUCED: September 28, 2021

DATE OF PUBLICATION:  
OF INTRODUCTION October 1, 2021

## ORDINANCE #2043-21

### AMENDING CHAPTER 4 ENTITLED “BACKGROUND CHECKS, CRIMINAL HISTORY RECORD” TO ADD AN ARTICLE II TO BE ENTITLED “LICENSING, VENDORS AND PROCUREMENT OF SERVICES” TO AUTHORIZE CRIMINAL HISTORY RECORD CHECKS ON THE AGENTS OF SUCH SERVICES

**WHEREAS**, N.J.S.A. 40:48-1.4 authorizes municipalities to enact an ordinance permitting a municipal official or officer to request a criminal history background check of any person for an official governmental purpose; and

**WHEREAS**, the Borough of Middlesex adopted Ordinance No. 2004-1620 to require background checks of employees and volunteers of programs for minors, codified in the Borough Code at Chapter 4, Article I; and

**WHEREAS**, it is the intention of the Borough of Middlesex to similarly regulate the background check requirement for contracted vendors that perform services for the Borough, those seeking to obtain a license from the Borough for any authorized purpose, and for any other procurement services with the Borough; and

**BE IT ORDAINED**, by the Borough Council of the Borough of Middlesex in the County of Middlesex and State of New Jersey that Chapter 4 of the Municipal Code of the Borough of Middlesex, County of Middlesex, State of New Jersey be and is hereby amended as follows:

#### Section I

Chapter 4, Article II is hereby established and added to the Ordinances of the Borough of Middlesex and shall read as follows:

#### Article II Licensing, Vendors and Procurement of Services

##### **§ 4-7 Official authorized to request background check.** **<<https://ecode360.com/8205976>>**

The Borough Administrator, Township Clerk, and Chief of Police, or designated municipal official thereof, are hereby authorized in accordance with N.J.S.A. 40:48-1.4 to request a criminal history record background check of any person for an official governmental purpose, including, but not limited to, licensing, vendors and the procurement of services.

##### **§ 4-8 Submission of fingerprints; fees.** **<<https://ecode360.com/8205976>>**

- A. When requested by the authorized designated municipal official, any person seeking a license or the right to perform services for the Borough of Middlesex shall submit to being fingerprinted in accordance with applicable state, and federal laws, rules and regulations.

- B. The Borough of Middlesex shall transmit the fees for the criminal history record background check to the State Bureau of Identification.

**§ 4-9 Authorization to exchange fingerprint data and criminal information with state and federal authorities. <<https://ecode360.com/8205976>>**

- A. The authorized municipal official or officer is authorized to exchange fingerprint data with and receive criminal history record information from the State Bureau of Identification in the Division of State Police and the Federal Bureau of Investigation.
- B. In order to obtain the criminal history record information, the designated municipal official shall submit the required fee, fingerprint data and request to State Bureau of Identification. The State Bureau of Identification shall receive all criminal history record information from the Federal Bureau of Investigation and shall disseminate that information to the designated municipal official.
- C. The requesting official shall follow any rules or regulations which might be promulgated by the Attorney General of the State of New Jersey pursuant to N.J.S.A. 52:14B-1 et seq.

**§ 4-10 Conditions under which a person is disqualified from service. <<https://ecode360.com/10332660>>**

A person may be disqualified from obtaining a license, vendor or procurement of services contract if that person's criminal history record background check reveals a record of conviction of any of the crimes or offenses identified in Section 4-3 herein or if the person refuses in any way to submit to a background check in accordance with this Chapter.

## **Section II**

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

## **Section III**

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

## **Section IV**

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

I Hereby Certify that the above Ordinance was introduced by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on September 28, 2021.

INTRODUCED: September 14, 2021

DATE OF PUBLICATION:  
OF INTRODUCTION September 17, 2021

## ORDINANCE #2044-21

### AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 32, ENVIRONMENTAL COMMISSION, SECTION 32-1 ESTABLISHMENT; COMPOSITION AND SECTION 32-7(B) POWERS

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

Section 32-1 shall be amended to read as follows:

**§ 32-1 Establishment; composition <<http://ecode360.com/10336906>>**

There is hereby established, pursuant to N.J.S.A. 40:56A-1, in the Borough of Middlesex an Environmental Commission of seven members, all of whom shall be residents of the Borough, and one of whom shall also be a member of the Joint Land Use Board. The Mayor shall appoint all members of the Commission. Where there is a vacancy in the office of Mayor, the power of appointment hereby accorded to the Mayor shall be vested in the duly designated acting Mayor. All members of the Commission shall serve without compensation.

Section 32-7(B) shall be amended to read as follows:

B. The Commission shall keep an index of all open areas, publicly or privately owned, including open marshlands, swamps and other wetlands, in order to obtain information on the proper use of such areas, and may from time to time recommend to the Joint Land Use Board plans and programs for inclusion in a municipal Master Plan and the development and use of such areas.

This ordinance shall take effect upon final adoption and publication as required by law.

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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 September 28, 2021.

INTRODUCED: September 14, 2021

DATE OF PUBLICATION:  
OF INTRODUCTION

## ORDINANCE #2045-21

### AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY AUTHORIZING AN AMENDMENT OF THE FINANCIAL AGREEMENT WITH MIDDLESEX RESIDENTIAL URBAN RENEWAL, LLC IN CONNECTION WITH THE REDEVELOPMENT OF BLOCK 349, LOTS 6.02, 8, 10.01, 10.02 AND 10.03

**WHEREAS**, pursuant to the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.*, the Borough of Middlesex, in the County of Middlesex, New Jersey (the “**Borough**”) and Middlesex Residential Urban Renewal, LLC (the “**Redeveloper**”) executed a Redevelopment Agreement dated December 13, 2017 related to the redevelopment of Block 349, Lots 6.02, 8, 10.01, 10.02 and 10.03 in the Borough and commonly known as 220-232 Lincoln Boulevard (the “**Property**”); and

**WHEREAS**, pursuant to the provisions of the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 *et seq.* and Ordinance No. 1932-17, the Borough authorized the execution of a Financial Agreement with the Redeveloper; and

**WHEREAS**, the Borough and the Redeveloper executed a Financial Agreement dated December 15, 2017 (the “**Financial Agreement**”) which set forth the terms and conditions under which the Redeveloper and the Borough shall carry out their respective obligations with respect to payment of an “annual service charge” in lieu of real property taxes by the Redeveloper related to a mixed use apartment complex on the Property; and

**WHEREAS**, certain interpretive clarifications to the Financial Agreement were requested by the Redeveloper, and in order to implement such clarifications the Borough and the Redeveloper have agreed to amend the Financial Agreement to effectuate the same and to execute an amendment to the Financial Agreement (the “**Amendment**”) substantially in the form of which is attached hereto as Exhibit A; and

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Middlesex as follows:

Section 1. The Amendment to the Financial Agreement is hereby approved.

Section 2. The Mayor is hereby authorized and directed to execute the Amendment to the Financial Agreement with the Redeveloper in substantially the same form attached hereto as Exhibit A, subject to modification or revision, as deemed necessary and appropriate after consultation with counsel.

Section 3. The Clerk of the Borough is hereby authorized and directed, upon the execution of the Financial Agreement by the Mayor, to attest to the signature of the Mayor and to affix the corporate seal of the Borough thereon.

Section 4. Executed copies of the Financial Agreement shall be certified by and be filed with the Office of the Borough Clerk. Further, the Clerk shall file certified copies of this ordinance and the Financial Agreement with the Tax Assessor of the Borough, and County

Counsel and the Chief Financial Officer of Middlesex County within 10 days of the execution of the Financial Agreement.

Section 5. If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this ordinance.

Section 6. This ordinance shall take effect in accordance with law.

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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 September 28, 2021.

INTRODUCED: September 14, 2021

DATE OF PUBLICATION:  
OF INTRODUCTION September 17, 2021

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

**Resolution #269-2021**

**APPROVAL OF THE MAYOR TO EXECUTE THE SETTLEMENT AGREEMENT FOR  
PAYMENT OF \$6,500 TO ROTIMI OWOH, ESQ. FOR THE LEGAL FEES FOR GRC  
COMPLAINT NO. 2018-70**

At the recommendation of the Borough Attorney, the Governing Body hereby approve the Mayor execute the Settlement Agreement for the payment of \$6,500 for legal fees to be paid to Rotimi Owoh, Esq. (o/b/o African American Data and Research Institute). The settlement of legal fees are in reference to GRC Complaint No. 2018-70.

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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 September 28, 2021.

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

**Resolution #274-2021**

**ACCEPTANCE OF STANDING REPORTS**

The Governing Body hereby accepts the following Reports itemized below:

1. Acceptance of the August, 2021 Police Report

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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 September 28, 2021.

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

**Resolution #275-2021**

**APPROVING THE BLOCK OF HOWARD AVENUE BETWEEN FISHER AVENUE  
AND WOODLAND AVENUE FOR THE WATCHUNG SCHOOL PTO TO HOLD A  
TRUNK OR TREAT ON FRIDAY, OCTOBER 28, 2021 FROM 5PM - 8PM**

**WHEREAS**, the Watchung School PTO has requested to have a "Trunk or Treat" on Howard Avenue between Fischer Avenue and Woodland Avenue on October 28, 2021 between the hours of 5 p.m. and 8 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 Watchung School PTO to conduct a "Trunk or Treat" on Howard Avenue between Fischer Avenue and Woodland Avenue on October 28, 2021 between the hours of 5 p.m. and 8 p.m.
2. This resolution shall take effect immediately.

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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 September 28, 2021.

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

**Resolution #276-2021**

**APPOINTING DAWN GUTTSCHALL AS PART TIME TAX ASSESSOR FOR THE  
BOROUGH OF MIDDLESEX AT AN ANNUAL SALARY OF \$30,000.00 EFFECTIVE  
OCTOBER 4, 2021**

**WHEREAS**, N.J.S.A. 40A:9-146 requires every municipality to have a Tax Assessor appointed by the Governing Body of the municipality; and

**WHEREAS**, pursuant to N.J.S.A. 40A:9-148, every municipal Tax Assessor shall hold office for a term of four (4) years from the first day of July next following his appointment; and

**WHEREAS**, on August 24, 2021, via Resolution #236-2021, Thomas Reilly resigned as Middlesex Borough Tax Assessor Effective October 15, 2021, and

**WHEREAS**, Dawn Guttschall is fully qualified and certified as a Tax Assessor by the State of New Jersey; and has agreed to accept employment by the Borough of Middlesex as a part time Tax Assessor; and

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Middlesex as follows:

1. Dawn Guttschall is hereby retained as part time Tax Assessor by the Borough of Middlesex to fulfill the requirements of this position with employment to commence on October 4, 2021.
2. Dawn Guttschall shall perform the statutory duties of Tax Assessor for the Borough of Middlesex and such other duties, including preparing 200' variance lists, maintaining a list of tax map changes for the engineer to annually update our tax map, and be responsible for the undertaking of the Revaluation for the Borough of Middlesex.
3. The Borough of Middlesex shall pay Dawn Guttschall an annual salary of \$30,000.00 for serving as the Borough of Middlesex Tax Assessor for the remainder of Thomas Reilly's 2021-2022 Term concluding June 30, 2022. Effective July 1, 2022, upon re-appointment, the Borough of Middlesex shall increase the annual salary of Dawn Guttschall to \$35,000.00.

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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 September 28, 2021.

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

**Resolution #277-2021**

**AUTHORIZING THE TAX COLLECTOR TO ISSUE TAX TITLE LIEN REDEMPTIONS  
ON BLOCK 209, LOT 97 IN THE AMOUNT OF \$36,850.64**

**WHEREAS**, pursuant to N.J.S.A. 54:5-54, a lien has 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 September 28th, 2021 and;

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

Date of Sale: 12/5/2017

Block/Lot: 209 / 97

Amount: \$36,850.64

Premium: \$13,000.00

Certificate: 16-00050

Payable To: Green Knight Capital LLC  
474 Mary Allen Way  
Mountainside, NJ 07092

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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 September 28, 2021.

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

**Resolution #278-2021**

**AUTHORIZING THE BOROUGH ATTORNEYS TO FORECLOSE CERTAIN PROPERTIES FOR DELINQUENT TAXES IN THE BOROUGH OF MIDDLESEX**

**WHEREAS**, Darcy DelVecchio, Tax Collector for the Borough of Middlesex, has prepared and presented to the Borough Council of the Borough of Middlesex an In Rem Foreclosure List with a list of municipal liens; and

**WHEREAS**, N.J.S.A. 54:5-104.35 provides in pertinent that the Governing Body may by Resolution, foreclose any of the tax sale certificates held by it, by the summary proceedings In Rem as provided in the In Rem Foreclosure Act [L.1948, c, 96]; and

**WHEREAS**, the Borough administration has determined that holding title to the property listed below would further the Borough's ongoing project with the United States Army Corp.;

**NOW THEREFORE IT BE RESOLVED**, by the Borough Council of the Borough of Middlesex, in the County of Middlesex and in the State of New Jersey, that Christopher M. Corsini, Esquire of Savo Schalk Corsini Gillespie O'Grodnick & Fisher, 56 East Main Street, Suite 301, Somerville, NJ 08876 is hereby authorized to initiate an action and foreclose the property listed below as noted on the In Rem Foreclosure List, a copy of which is attached hereto and made a part hereof:

| Cert #   | Blk. Lot          | Property Location | Owner Name                     |
|----------|-------------------|-------------------|--------------------------------|
| 10-01740 | Block 277, Lot 40 | Pershing Avenue   | Shern, Ttl Harry Est S W Dodge |

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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 September 28, 2021.

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

**Resolution #279-2021**

**ADVANCING MATTHEW STITT TO A FULL TIME LABORER IN THE ROAD  
DEPARTMENT FOR THE DPW AT \$16.44 PER HOUR, 40 HOURS PER WEEK,  
EFFECTIVE OCTOBER 4, 2021**

The Governing Body hereby advances Matthew Stiff, Bound Brook, New Jersey to full time status as a permanent laborer in the Road Department of the DPW for 40 hours per week at \$16.44 per hour effective October 4, 2021, pending a satisfactory driving abstract.

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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 September 28, 2021.

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

**Resolution #280-2021**

**ADVANCING RICHARD CHASE TO FULL TIME AS A UTILITY PERSON IN THE  
PARKS DEPARTMENT AT \$21.05 PER HOUR, 40 HOURS PER WEEK, EFFECTIVE  
OCTOBER 4, 2021**

The Governing Body hereby advances Richard Chase, Middlesex, New Jersey to full time status as a Utility Person in the Parks Department for 40 hours per week at \$21.05 per hour effective October 4, 2021, pending a satisfactory driving abstract.

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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 September 28, 2021.

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

**Resolution #281-2021**

**AUTHORIZING THE BOROUGH ATTORNEYS TO INITIATE A CURATIVE TITLE ACTION SO AS TO GAIN CLEAR TITLE TO PARCEL(S) LOCATED IN THE BOROUGH OF MIDDLESEX**

**WHEREAS**, the Borough tax records show that Block 252, Lot 6, is a Borough-owned, tax-exempt lot; and

**WHEREAS**, the U.S. Army Corp. has been managing a Flood Risk Management Project and requested an easement over this lot, commensurate with similar requests over other lots in the area; and

**WHEREAS**, it was discovered during the course of the project that title to Block 252, Lot 6 is currently clouded, as the area was remapped approximately one-hundred years prior resulting in conflicting ownership records; and

**WHEREAS**, no predecessor in title is currently identifiable, as the Borough tax records show the Borough as the proper owner for, at least, the past sixty years; and

**WHEREAS**, N.J.S.A. 2A:62-1 et. seq. allows a person or entity in peaceable possession of a parcel of land to file an action to compel any other persons or entities with a conflicting claim to title to come forward and subject said claim to judicial determination;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Middlesex, in the County of Middlesex and State of New Jersey, that Borough Attorney Christopher Corsini, Esq., of Savo, Schalk, Corsini, Gillespie, O'Grodnick & Fisher, P.A., is hereby authorized to file a quiet title action in the Superior Court of New Jersey as a curative title measure to give the Borough clear title to Block 252, Lot 6

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

**Resolution #282-2021**

**AUTHORIZING THE TAX COLLECTOR TO CANCEL 3RD & 4TH QTR. 2021 & 1ST & 2ND QTR. 2022 TAXES FOR VARIOUS PROPERTIES**

**WHEREAS,** the Army Corps of Engineers is purchasing properties in the Borough of Middlesex for flood management and the flood control project; and

**WHEREAS,** the Army Corps is exempt from paying property taxes, and,

**WHEREAS,** the following properties were purchased, and

**NOW THEREFORE BE IT RESOLVED,** the Tax Collector is hereby authorized to cancel

3<sup>rd</sup> & 4<sup>th</sup> Qtr. 2021 & 1<sup>st</sup> & 2<sup>nd</sup> Qtr. 2022 taxes on the following Blocks and Lots in the following amounts;

|                   |            |
|-------------------|------------|
| Block /Lot:       | 252 / 10   |
| Date of Purchase: | 12/11/2020 |
| 2021 3            | \$2,414.72 |
| 2021 4            | \$2,414.72 |
| 2022 1            | \$2,361.56 |
| 2022 2            | \$2,361.55 |

|                   |            |
|-------------------|------------|
| Block /Lot:       | 246 / 2    |
| Date of Purchase: | 12/30/2020 |
| 2021 3            | \$1,783.94 |
| 2021 4            | \$1,783.93 |
| 2022 1            | \$1,744.66 |
| 2022 2            | \$1,744.66 |

|                   |            |
|-------------------|------------|
| Block/Lot:        | 252/28     |
| Date of Purchase: | 12/10/2020 |
| 2021 3            | \$2,392.55 |
| 2021 4            | \$2392.54  |
| 2022 1            | \$2,339.87 |
| 2022 2            | \$2,339.87 |

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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 September 28, 2021.

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

**Resolution #283-2021**

**AUTHORIZING THE TAX COLLECTOR TO WAIVE AND ADJUST SEWER BILLS  
FOR VARIOUS PROPERTIES**

**WHEREAS**, As per Ordinance 1889-16, all users which discharge more than 120,000 gallons of domestic sanitary wastewater per annum, shall be charged a service charge for flow, and;

**WHEREAS**, any dispute as to the billing or charges or to the amount of the bill or calculation thereof, may be appealed, and;

**WHEREAS**, said appeal shall be in writing and shall include in sufficient detail, the relief sought, the evidence, information or documents to support the relief sought, and;

**WHEREAS**, as per the appeal process the proper supporting documentation was submitted and reviewed by the Borough Engineer and;

**THEREFORE**, the following charges on the below properties have been waived or adjusted and/or a refund is due:

Block/Lot: 113 / 6.01  
Original Amount: \$1,898.73  
New Amount: 0.00

Block/Lot: 110 / 12  
Original Amount: \$1,132.94  
New Amount: 0.00

Block/Lot: 321 / 6  
Original Amount: \$115.39  
New Amount: 0.00

Block/Lot: 6 / 2.02  
Original Amount: \$12,645.65  
New Amount: 0.00  
Reason: Litigation

Block/Lot: 6 / 2.02  
Original Amount: \$14, 970.50  
New Amount: 0.00

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 September 28, 2021.

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

**Resolution #284-2021**

**HIRING ADRIENE BACON AS A PART TIME BUS DRIVER IN THE OFFICE OF  
SENIOR & DISABLED SERVICES AT \$20.00 PER HOUR, FOR APPROXIMATELY  
25 HOURS PER WEEK, EFFECTIVE IMMEDIATELY**

The Governing Body hereby approves hiring Adriene Bacon, Piscataway, New Jersey to work in the Office of Senior & Disabled Services as a part time bus driver for approximately 25 hours per week at \$20 per hour effective immediately, pending a satisfactory background check, physical and Drivers Abstract.

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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 September 28, 2021.

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

**Resolution #285-2021**

**HIRING JOE FORD AS A PART TIME BUS DRIVER IN THE OFFICE OF SENIOR & DISABLED SERVICES AT \$18.00 PER HOUR, FOR APPROXIMATELY 25 HOURS PER WEEK, EFFECTIVE IMMEDIATELY**

The Governing Body hereby approves hiring Joe Ford, Bound Brook, New Jersey to work in the Office of Senior & Disabled Services as a part time bus driver for approximately 25 hours per week at \$18 per hour effective immediately, pending a satisfactory background check, physical and Drivers Abstract.

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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 September 28, 2021.

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

**Resolution #286-2021**

**AWARDING THE PHASE II SEWER (GREENBROOK ROAD AND LOUIS AVENUE PUMP STATION) PROJECT TO T.R. WENIGER, INC IN THE AMOUNT OF \$810,635.00**

**WHEREAS**, the Borough of Middlesex Administration and Borough Engineer have determined that there is a need for the acquisition of the following goods and services: Phase II - Sewer (Greenbrook Road and Louis Avenue Pump Station) Project; and

**WHEREAS**, a notice of advertisement for sealed bids and invitation to bid for the Phase II - Sewer (Greenbrook Road and Louis Avenue Pump Station) Project were prepared and advertised in accordance with the Local Public Contracts Law, Executive Order 107, and Local Finance Notice 2020-10; and

**WHEREAS**, two (2) sealed bids were received on July 14, 2021 and opened publicly and read out loud at 1200 Mountain Avenue, Middlesex, NJ, for the Phase II - Sewer (Greenbrook Road and Louis Avenue Pump Station) Project; and

**WHEREAS**, listed below are bids received for said project:

- 1) T.R Weniger, Inc.                      Base Bid: \$810,635.00  
Piscataway, NJ
- 2) CMS Construction, Inc.      Base Bid: \$1,080,150.00  
Plainfield, NJ

**WHEREAS**, the Project Engineer, Remington and Vernick, recommends awarding the bid to T.R. Weniger, Inc., the lowest responsible bidder, in the total bid amount of \$810,635.00 as contingent upon the Borough Attorney's review, availability of funds for this project, and NJDEP approval for additional funding; and

**WHEREAS**, the Borough Attorney has reviewed the bid proposal package of the lowest bidder, declares it to be in conformance with the Borough Instructions to Bidders and the Local Public Contracts Law and recommends an award of contract to T.R. Weniger, Inc., as the lowest responsible bidder; and

**WHEREAS**, funds are available to make such purchase or acquisition and have been certified as such by the local finance officer.

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

1. At the recommendation of the Borough Engineer and Borough Attorney, the Mayor and governing body hereby awards the contract for the Phase II - Sewer

(Greenbrook Road and Louis Avenue Pump Station) Project to T.R. Weniger, Inc. as the lowest responsible bidder in the amount of \$810,635.00.

2. The Mayor and Borough Clerk are hereby authorized to execute the Borough standard form of Contract for Goods and Services referenced herein and made a part of this award of contract as well as any non-substantive modifications thereto and related constituent documents.
3. The Borough Clerk is directed to forward a certified copy of this Resolution to the Qualified Purchasing Agent, Chief Financial Officer, Borough Engineer, Borough Attorney, and T.R. Weniger, Inc.

**NOW FURTHER BE IT RESOLVED**, that the Treasurer hereby certifies funds are available in the amount of \$810,635.00 in account number C-04-17-907-000-050.

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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 September 28, 2021.

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

**Resolution #287-2021**

**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.

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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 September 28, 2021.