



Borough of Middlesex
Mayor and Council Regular Meeting
~ Agenda ~

1200 Mountain Ave
Middlesex, NJ

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

Tuesday, August 23, 2022

7:00 PM

Municipal Building

- 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	☐	☐	☐	
Council President James Eodice	☐	☐	☐	
Councilman Jeremiah Carnes	☐	☐	☐	
Councilman Michael Conahan	☐	☐	☐	
Councilman Jack Mikolajczyk	☐	☐	☐	
Councilman Martin Quinn	☐	☐	☐	
Councilman Douglas Rex	☐	☐	☐	
Interim Administrator Joe Costa	☐	☐	☐	
Borough Attorney Christopher Corsini	☐	☐	☐	

- IV. PRESENTATIONS**
- V. APPOINTMENTS**

- 1. **Resolution 224-2022** Promoting Acting Sergeant James Dolinski to the Rank of Sergeant Effective Immediately at an Annual Salary of \$130,831
- 2. **Resolution 225-2022** Promoting Acting Sergeant Sean Flanagan to the Rank of Sergeant Effective Immediately at an Annual Salary of \$130,831
- 3. **Resolution 226-2022** Promoting Acting Sergeant Joleen Auricchio to the Rank of Sergeant Effective Immediately at an Annual Salary of \$130,831
- 4. **Resolution 227-2022** Promoting Police Officer George Pilesky to the Rank of Sergeant Effective Immediately at an Annual Salary of \$130,831
- 5. **Resolution 228-2022** Promoting Detective Daniel McCue to the Rank of Sergeant Effective Immediately at an Annual Salary of \$130,831
- 6. **Resolution 229-2022** Promoting Acting Sergeant Mark Melchiorre to the Rank of Sergeant Effective Immediately at an Annual Salary of \$130,831

7. Appointing Robert Sherr as Alternate I to the Board of Health

VI. PROCLAMATIONS

VII. ORDINANCE(S) FOR INTRODUCTION

1. **Ordinance 2064-22** AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 40, FIRE DEPARTMENT, SECTION 40-2 RULES AND REGULATIONS, AND SECTION 40-3 MEMBERS
2. **Ordinance 2065-22** AN ORDINANCE AMENDING AND RENAMING CHAPTER 93 IN THE CODE OF THE BOROUGH OF MIDDLESEX SO AS TO CREATE SEPARATE COMMITTEES FOR RECREATION AND PARKS IMPROVEMENT IN THE BOROUGH
3. **Ordinance 2066-22** AN ORDINANCE AMENDING PORTIONS OF CHAPTER 317 ENTITLED "PROPERTY MAINTENANCE" SO AS TO PROPERLY BRING REMEDIES WITHIN THE JURISDICTION OF THE CODE ENFORCEMENT OFFICIAL
4. **Ordinance 2067-22** AN ORDINANCE AMENDING CODE SECTIONS 332-9, 332-38, 332-41, 332-42, 332-44, AND 332-51 WITHIN CHAPTER 332 ENTITLED "SEWERS" TO REVISE CURRENT BILLING PRACTICES

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

IX. ADOPTION OF MINUTES

1. Approval of the July 26, 2022 Regular & Executive Meeting Minutes

X. MAYOR'S REPORT

XI. COUNCIL MEMBER REPORTS

1. Council President Eodice
2. Councilman Carnes
3. Councilman Conahan
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 230-2022** Acceptance of Standing Reports
2. **Resolution 231-2022** Promoting Christopher Emmons to Assistant Superintendent of the Department of Public Works Effective July 26, 2022 at an Annual Salary of \$91,520.00
3. **Resolution 232-2022** Promoting Dylan Wyatt to Chief Mechanic for the Department of Public Works Effective July 26, 2022 at an Hourly Rate of \$43.58
4. **Resolution 233-2022** Approving the Refund of \$1,376.06 to the Property Owner of Block 42, Lot 5 for Appeal of Sewer Charge
5. **Resolution 234-2022** Accepting the Resignation of Thomas Ritchie from the Police Department
6. **Resolution 235-2022** Authorizing the Approval to have NJ Transit Replace the Bus Shelter at Union Avenue Eastbound at Greenbrook Road
7. **Resolution 236-2022** Appointing Caroline Benson Chief Financial Officer for the Borough of Middlesex
8. **Resolution 237-2022** Authorizing the Mayor to Execute a Certificate of Completion Relating to a Redevelopment Project Undertaken By Middlesex Residential Urban Renewal, LLC on Real Property Designated as Block 349, Lots 6.02, 8, 10.01, 10.02 and 10.03 on the Official Tax Maps of the Borough
9. **Resolution 238-2022** Accepting the Resignation of Lisarielle DeAngelis from the Court Office Effective August 19, 2022
10. **Resolution 239-2022** Authorizing the DPW to Install a Pickle Ball Court in Mountain View Park
11. **Resolution 240-2022** Authorizing the Waiver of the Execution of a Developer's Agreement Pursuant to Section 56-47 of the Municipal Code of the Borough of Middlesex for the Property Known as 1308 Bound Brook Road, Lot 28-32, Block 206 (Planning Board App. No. P2018-09)
12. **Resolution 241-2022** Special Items of Revenue and Appropriation under the Caption of "American Rescue Plan Act of 2021"
13. **Resolution 242-2022** Special Items of Revenue and Appropriation Under the Caption of "DMHAS Youth Leadership - Municipal Alliance Grant Program"

14. **Resolution 243-2022** Approval to Advance Police Officer Colin DeVincenzo to Police Officer Class "A" at an Annual Salary of \$120,028.00 Effective August 17, 2022
15. **Resolution 244-2022** Acknowledging the Change in Status for Certain Properties Under the Veteran Tax Deductions for Block 159 Lot 11.01 and Block 332 Lot 8
16. **Resolution 245-2022** Approving the Purchase of 3 Taser 7 Basic Bundles for the Middlesex Borough Police Department, in the Amount of \$11,753.14
17. **Resolution 246-2022** Resolution of the Borough of Middlesex, In the County of Middlesex, New Jersey Authorizing the Mayor to Execute Certain Agreements Relating to a Redevelopment Project Undertaken by RG Middlesex Urban Renewal, LLC on Real Property Designated as Block 353, Lot 1.01 on the Official Tax Maps of the Borough
18. **Resolution 247-2022** Approving the Repairs to the Middlesex Library Community Room Floor by Allstate Office Interiors in the Amount of \$15,342.78
19. **Resolution 248-2022** Authorizing the Purchase of a Gear Washer for the Middlesex Fire Department in the Amount of \$8,205.00
20. **Resolution 249-2022** Authorizing the Purchase of a Generator for the Parker Fire House from Pumping Services in the Amount of \$25,816.70
21. **Resolution 250-2022** Committing Middlesex Borough to Provide 25% of the Costs for Safety Improvements Associated with the Intersection of Route 28 and Shepherd Avenue
22. **Resolution 251-2022** Authorizing the Execution of a Shared Service Agreement Pursuant to the Uniform Shared Service Act, N.J.S.A. 40A:65-1 et seq, with the Township of Piscataway for Improvements to be Made to Baekeland Avenue in an Amount Estimated to be \$610,000.00

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 252-2022** 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 September 13, 2022

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

Resolution #224-2022

**PROMOTING ACTING SERGEANT JAMES DOLINSKI TO THE RANK OF
SERGEANT EFFECTIVE IMMEDIATELY AT AN ANNUAL SALARY OF \$130,831**

WHEREAS, Acting Sergeant James Dolinski has successfully completed all phases of the promotional testing procedures; and

WHEREAS, Chief Matthew Geist has recommended that Acting Sergeant James Dolinski be promoted to the rank of Sergeant.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, New Jersey, that Acting Sergeant James Dolinski be promoted to the rank of Sergeant effective immediately at an annual salary of \$130,831.00.

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 August 23, 2022.

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

Resolution #225-2022

**PROMOTING ACTING SERGEANT SEAN FLANAGAN TO THE RANK OF
SERGEANT EFFECTIVE IMMEDIATELY AT AN ANNUAL SALARY OF \$130,831**

WHEREAS, Acting Sergeant Sean Flanagan has successfully completed all phases of the promotional testing procedures; and

WHEREAS, Chief Matthew Geist has recommended that Acting Sergeant Sean Flanagan be promoted to the rank of Sergeant.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, New Jersey, that Acting Sergeant Sean Flanagan be promoted to the rank of Sergeant effective immediately at an annual salary of \$130,831.00.

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 August 23, 2022.

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

Resolution #226-2022

**PROMOTING ACTING SERGEANT JOLEEN AURICCHIO TO THE RANK OF
SERGEANT EFFECTIVE IMMEDIATELY AT AN ANNUAL SALARY OF \$130,831**

WHEREAS, Acting Sergeant Joleen Auricchio has successfully completed all phases of the promotional testing procedures; and

WHEREAS, Chief Matthew Geist has recommended that Acting Sergeant Joleen Auricchio be promoted to the rank of Sergeant.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, New Jersey, that Acting Sergeant Joleen Auricchio be promoted to the rank of Sergeant effective immediately at an annual salary of \$130,831.00.

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 August 23, 2022.

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

Resolution #227-2022

**PROMOTING POLICE OFFICER GEORGE PILESKY TO THE RANK OF SERGEANT
EFFECTIVE IMMEDIATELY AT AN ANNUAL SALARY OF \$130,831**

WHEREAS, Police Officer George Pilesky has successfully completed all phases of the promotional testing procedures; and

WHEREAS, Chief Matthew Geist has recommended that Police Officer George Pilesky be promoted to the rank of Sergeant.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, New Jersey, that Police Officer George Pilesky be promoted to the rank of Sergeant effective immediately at an annual salary of \$130,831.00.

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 August 23, 2022.

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

Resolution #228-2022

**PROMOTING DETECTIVE DANIEL MCCUE TO THE RANK OF SERGEANT
EFFECTIVE IMMEDIATELY AT AN ANNUAL SALARY OF \$130,831**

WHEREAS, Detective Daniel McCue has successfully completed all phases of the promotional testing procedures; and

WHEREAS, Chief Matthew Geist has recommended that Detective Daniel McCue be promoted to the rank of Sergeant.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, New Jersey, that Detective Daniel McCue be promoted to the rank of Sergeant effective immediately at an annual salary of \$130,831.00.

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 August 23, 2022.

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

Resolution #229-2022

**PROMOTING ACTING SERGEANT MARK MELCHIORRE TO THE RANK OF
SERGEANT EFFECTIVE IMMEDIATELY AT AN ANNUAL SALARY OF \$130,831**

WHEREAS, Acting Sergeant Mark Melchiorre has successfully completed all phases of the promotional testing procedures; and

WHEREAS, Chief Matthew Geist has recommended that Acting Sergeant Mark Melchiorre be promoted to the rank of Sergeant.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, New Jersey, that Acting Sergeant Mark Melchiorre be promoted to the rank of Sergeant effective immediately at an annual salary of \$130,831.00.

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 August 23, 2022.

ORDINANCE #2064-22

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 40, FIRE DEPARTMENT, SECTION 40-2 RULES AND REGULATIONS, AND SECTION 40-3 MEMBERS

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

SECTION I

Section 40-2(A) shall be amended to read as follows (strikethrough text shall be deleted; bold and underlined text shall be inserted):

§ 40-2 Rules and Regulations <<http://ecode360.com/10336906>>

- A. The Fire Department may adopt such rules and regulations as may be deemed advisable concerning the assignment of the **Deputy and** Assistant Chiefs, Captains and other members of the Department and concerning the conduct of members of the Department on or about any station house, or while engaged in the service of the Department. The Borough's Rules and Regulations will prevail if or when there is a conflict between the two.

SECTION II

§ 40-3 <<http://ecode360.com/10336906>> Members

The Department shall be organized with one Chief, one ~~First Assistant~~ **Deputy** Chief, one ~~Second~~ Assistant Chief and a Board of Fire Officers. Qualifications of these officers, their duties and the method of their election shall be governed by the rules and regulations of the Department.

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

I Hereby Certify that the above Ordinance was introduced by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on August 23, 2022.

INTRODUCED: 8/23/2022

DATE OF PUBLICATION:
OF INTRODUCTION August 26, 2022

ORDINANCE #2065-22

AN ORDINANCE AMENDING AND RENAMING CHAPTER 93 IN THE CODE OF THE BOROUGH OF MIDDLESEX SO AS TO CREATE SEPARATE COMMITTEES FOR RECREATION AND PARKS IMPROVEMENT IN THE BOROUGH

WHEREAS, the Borough currently has a committee, created via ordinance, that governs parks and recreation within the Borough; and

WHEREAS, the committee is governed entirely by Chapter 93 in the Borough's Code of ordinances; and

WHEREAS, the committee currently in place provides for a number of recreational goals of the Borough but does not adequately address park maintenance and improvement; and

WHEREAS, the administration of the Borough has looked favorably at establishing separate committees governing recreation and park maintenance and improvement; and

WHEREAS, such committees have been looked at favorably by the Borough Attorney as an alternative to the structure currently in place;

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Middlesex, County of Middlesex, and State of New Jersey, that Chapter 93 of the code of the Borough of Middlesex is hereby amended as follows:

SECTION I.

The Title of Chapter 93 is hereby revised to be named "Recreation and Parks Improvement Committees."

SECTION II.

Section 93-1 entitled "Establishment" is hereby amended as follows (struck through portions to be removed, bolded and underlined portions to be added):

There is hereby established in the Borough of Middlesex a Recreation Committee, **and a separate Parks Improvement Committee** which shall have the duties and powers hereinafter more particularly set forth, and the members of which shall be appointed by the Mayor with the advice and consent of Council in accordance with the provisions of this chapter.

SECTION III.

Section 93-2 entitled "Membership; terms; council representative; filling of vacancies" is hereby amended as follows (struck through portions to be removed, bolded and underlined portions to be added):

- A. The Recreation Committee shall be composed of seven members and two alternate members, who shall be citizens and residents of the Borough of Middlesex. **The Parks Improvement Committee shall be comprised of nine members and two alternate members, who shall be citizens and residents of the Borough of Middlesex. There shall be one representative Council member on each Committee.** Such members and alternate members **for the Recreation Committee** shall be appointed by the Mayor **with the advice and consent of the Council** to serve three-year terms; provided, however, that the initial appointments shall be made in the following manner; two members for initial one-year terms; two members for initial two-year terms; three members for initial three-year terms; one alternate for an initial one-year term; and one alternate for an initial two-year term. **Such members and alternate members for the Parks Improvement Committee shall be appointed by the Mayor with the advice and consent of the Council to serve three-year terms; provided, however, that the initial appointments shall be made in the following manner; three members for initial one-year terms; three members for initial two-year terms; three members for initial three-year terms; one alternate for an initial one-year term; and one alternate for an initial two-year term.** After the conclusion of the initial terms as herein provided, all terms shall be for three years. The Mayor **with the advice and consent of the Council** shall designate the alternate members as "Alternate No. 1", and Alternate No. 2." At meetings of ~~the Recreation~~ **each** Committee, alternate members shall be permitted to participate in discussion of the proceedings, but shall not be permitted to vote except in the absence or disqualification of one or more regular members, in which event alternate members shall be permitted to vote in lieu of such absent or disqualified regular members in the order of numerical designation of such members.
- B. In addition to the aforementioned members, the Mayor **with the advice and consent of the Council** shall appoint a member of the Borough Council to serve as a representative to ~~the Recreation~~ **each** Committee each year, who shall be permitted to participate in discussions of the proceedings of the **requisite** Committee, but who shall not be permitted to vote. Such members of the Borough Council shall serve a one-year term. **The Mayor may appoint the same Council member as a representative to each committee.**
- C. All appointments shall expire on December 31. Initial appointments, as above provided, shall be made for the balance of the one-, two- or three-year term designated, ending on December 31 of the applicable year.
- D. Vacancies shall be filled by the Mayor for the unexpired term only. The members shall serve until their respective successors are appointed, found qualified, and take office.

SECTION IV.

Section 93-3 is hereby revised to be named "Relation to Borough Committee; appropriations; insurance for Committees."

SECTION V.

Section 93-3 is hereby amended as follows (struck through portions to be removed, bolded and

underlined portions to be added):

- A. The Borough Council shall cooperate with the Recreation Committee to coordinate and provide equipment for recreational activities, as well as to coordinate the ~~development,~~ day-to-day operation and maintenance of parks, public places, playgrounds, and recreational areas, in the Borough of Middlesex, in order to provide for the maximum benefit ~~and planned development~~ for the residents of the Borough of Middlesex.
- B. The Borough Council may, from time to time, by resolution, place activities, parks, public places, playgrounds and recreational areas under the jurisdiction of the Recreation Committee for ~~the development,~~ operation or maintenance thereof, or for such purposes as may be specified in any such resolution. The Borough may from time to time, by resolution, place parks, playgrounds, and recreational areas under the jurisdiction of the Parks Improvement Committee for development or for such future use or purposes as may be specified in any such resolution. The Borough shall continue to be responsible for the development, care, custody and policing of any such parks, public places, playgrounds and recreational areas, which, from time to time, may be placed under the jurisdiction of either the Recreation Committee or the Parks Improvement Committee, unless such responsibilities or any others shall be specifically assigned in any such resolution.
- C. Neither ~~the~~ Recreation Committee nor the Parks Improvement Committee herein established shall ~~not~~ be deemed to be a park or recreation commission pursuant to N.J.S.A. 40:12-1 et seq., but such ~~Recreation Committees~~ shall have only those powers and duties as may be set forth herein or as may be more particularly provided by resolution of the Borough Council.
- D. There shall be no appropriation of public funds to the Recreation Committee or the Parks Improvement Committee, except as may be provided by the Borough Council for designated purposes consistent with the intent of this chapter. The Recreation Committee and the Parks Improvement Committee shall recommend to the Borough Council proposals, from time to time, as may be consistent herewith.
- E. The Borough shall obtain liability insurance coverage covering the approved activities under the jurisdiction of the Recreation Committee and the Parks Improvement Committee, the participants in those activities, the Borough of Middlesex and individual members of the Recreation Committee and Parks Improvement Committee.
- F. Neither the Recreation Committee or Parks Improvement Committee, nor any member or members thereof, shall have any power or right, express or implied, to bind or obligate the Borough of Middlesex or the Borough Committee, directly or indirectly.

SECTION VI.

Section 93-4 is hereby revised to be named "Duties of the Recreation Committee."

SECTION VII.

Section 93-4 is hereby amended as follows (struck through portions to be removed, bolded and underlined portions to be added):

The primary purpose of the Recreation Committee shall be to:

- A. Assist in providing equipment as needed to programs concerned with the recreation of the residents of the Borough of Middlesex.
- B. Provide recommendations to the Parks Improvement Committee for the orderly development of parks or other public lands in the Borough of Middlesex.
- C. Cooperate with the Middlesex County Department of Recreation in coordinating and advising on activities to be held on county-owned recreational land should such aid be requested by the Middlesex County Recreation Department.
- D. Suggest improvements to the Parks Improvement Committee needed for orderly development and to undertake such improvements as it is authorized to carry out pursuant to this chapter or hereafter by resolution of the Borough Council.
- E. Operate and maintain such parks or other public lands over which it is given jurisdiction in any resolution of the Borough Council and shall do so pursuant to any standards set forth in any such resolution.
- F. Handle other specific programs which may be assigned or authorized by the Borough Council, by resolution from time to time, in accordance with the general purposes of the Recreation Committee and the provisions of this chapter and subject to the limitations contained herein.

SECTION VIII.

A new Code Section number 93-4.1 is hereby established and named "**Duties of the Parks Improvement Committee**" and shall read as follows:

The primary purpose of the Parks Improvement Committee shall be to:

- A. **Research and provide recommendations to the Mayor and Council on future improvements, enhancements, developments, expansions, and uses of the Borough parks and recreation areas. This would include but is not limited to recommending additional recreational areas such as pickle ball courts, walking, biking, nature trails, etc., and also in no way limits the Committee to recommend enhancements and improvements to existing Borough parks and recreation areas.**
- B. **Research and provide recommendations to the Mayor and Council on ways of expanding and increasing park utilization by Borough residents.**
- C. **Work with other Borough Committees on join beautification efforts for all parks and recreation areas.**

D. Research and apply for grants that would enable the Borough to implement approved changes.

E. Conduct donation drives to assist in funding approved changes.

SECTION IX.

Section 93-5 entitled "Limitations" is hereby amended as follows (struck through portions to be removed, bolded and underlined portions to be added):

~~Neither t~~The Recreation Committee nor Parks Improvement Committee shall ~~not~~ act in any manner which would cause a forfeiture of any lands of the Borough of Middlesex. The Borough reserves the right to limit the jurisdiction, purposes or programs of the Recreation Committee at any time by resolution of the Borough Council.

SECTION X.

Section 93-6 entitled "Organization; meeting attendance" is hereby amended as follows (struck through portions to be removed, bolded and underlined portions to be added):

- A. ~~Both t~~The Recreation Committee and the Parks Improvement Committee may organize as ~~neither~~ sees fit, choosing a Chairperson, Board Secretary, and such other officers from among its members as it may deem advisable, adopt rules and bylaws for the orderly conduct of meetings, and organize subcommittees for the administration and handling of its programs.
- B. Members shall attend one-half of all public meetings in each calendar year and shall not be absent from three consecutive regularly scheduled meetings. The Committee shall petition the Borough Council for removal and replacement of any member with attendance below this standard.

SECTION XI.

Section 93-7 is hereby revised to be named "Director of Public Recreation, Parks Improvement, and Senior Services."

SECTION XII.

Section 93-7 is hereby amended to read as follows (struck through portions to be removed, bolded and underlined portions to be added):

The Director of Public Recreation, Parks Improvement, and Senior Services appointed by the Mayor shall serve as a voting member of both the Parks Improvement and Recreation Committees.

SECTION XIII.

Section 93-8 entitled "Grievance procedure; appeals" is hereby amended is follows (struck

through portions to be removed, bolded and underlined portions to be added):

- A. Any recognized recreational or parks group which feels or believes it is aggrieved by any of the actions of the Director of Public Recreation, **Parks Improvement**, and Senior Services shall have the right to appeal any of the Director of Public Recreation, **Parks Improvement**, and Senior Services's actions and/or recommendations in the first instance to the Borough Administrator. Said appeal shall be filed not later than 10 days from the date of any action or recommendation taken by the Director of Public Recreation, **Parks Improvement**, and Senior Services and shall be in writing to the Borough Administrator.
- B. The Borough Administrator shall thereafter set the matter down for a hearing and consider the testimony of witnesses and other evidence to be presented and at the conclusion of which the Borough Administrator shall render a decision as soon as is practicable.
- C. Any party may appeal in the final instance the decision of the Borough Administrator to the Borough Council, within five days of the Borough Administrator's decision in writing to the Borough Clerk.

SECTION XIV.

If any part of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

SECTION XV.

Should any section, paragraph, sentence, or clause of this ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect and, to this end, the provisions of this ordinance are hereby declared severable.

SECTION XVI.

All Borough of Middlesex ordinances or parts of ordinance inconsistent with enactment are hereby repealed to the extent of such inconsistency.

SECTION XVII.

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 August 23, 2022.

INTRODUCED: 08/23/2022

DATE OF PUBLICATION:
OF INTRODUCTION August 26, 2022

ORDINANCE #2066-22

AN ORDINANCE AMENDING PORTIONS OF CHAPTER 317 ENTITLED "PROPERTY MAINTENANCE" SO AS TO PROPERLY BRING REMEDIES WITHIN THE JURISDICTION OF THE CODE ENFORCEMENT OFFICIAL

WHEREAS, the Borough has a property maintenance Chapter in its code governing the safe storage of materials and equipment and the maintenance standards for properties within the Borough; and

WHEREAS, the ordinance currently does not empower the Borough's code enforcement official to property enforce portions of the Borough's code; and

WHEREAS, the administration also desires an ability to, in certain situations prescribed by ordinance, the ability to directly cite an individual in violation of this Chapter without the need to first provide a notice of violation; and

WHEREAS, these changes to the property maintenance code are looked at favorably by the administration and Borough Attorney;

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Middlesex, County of Middlesex, and State of New Jersey, that Chapter 317 entitled "Property Maintenance" is hereby amended as follows:

SECTION I.

Section 317-9 entitled "Definitions" within Article II entitled "Use and Care Standards" is hereby amended as follows (struck through portions to be removed, bolded and underlined portions to be added):

DETERIORATION

The condition of a structure or part thereof characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting or other evidence of physical decay or neglect, lack of maintenance or excessive use.

ENFORCEMENT OFFICER

Except as defined in § 317-12A, the enforcement officer shall be the ~~Construction Official~~ **Director of Code Enforcement** or his authorized representative. At the request of the enforcement officer, any patrolman or special officer of the Police Department, as defined in Chapter 80 of the Code of the Borough of Middlesex, shall be authorized to enforce § 317-1 of this chapter as related to any condition that offends, or is pervasive or obnoxious odors, or airborne particles which cause breathing difficulties or eye irritation, or any other such irritations or disturbances of a person of normal sensitivity.

[. . .]

SECTION II.

Section 317-10 is hereby renamed to read "Duties of owners" and amended as follows (struck through portions to be removed, bolded and underlined portions to be added):

Owners, ~~operators and occupants~~ shall have all the duties, obligations and responsibilities prescribed in this article, and no such person or entity shall be relieved of any such duty, obligation or responsibility hereunder, nor may any such person or entity assert as a defense against any charge made under this article that another owner, operator or occupant or any other third person or entity is also responsible therefor and in violation thereof.

SECTION III.

Section 317-12 entitled "Administrative provisions" is hereby amended as follows (struck through portions to be removed, bolded and underlined portions to be added):

- A. Enforcement officer. It shall be the duty and responsibility of the ~~Construction Official~~ **Director of Code Enforcement** of the Borough to enforce the provisions of this code as herein provided. "~~Construction Official~~, **Director of Code Enforcement**" throughout this article, shall also mean subordinates of the ~~Construction Official~~ **Director of Code Enforcement** and all enforcement officers defined in § 317-9 <<https://ecode360.com/10336084>>.
- B. Coordination of enforcement. Inspection of premises and the issuing of orders in connection therewith under the provisions of this code shall be the exclusive responsibility of the Building Department of the Borough. Wherever in the opinion of the Construction Official it is necessary or desirable to have inspections of any condition by any other department, he shall arrange for this to be done. No order for correction of any violation under this code shall be issued without the approval of the Construction Official, and it shall be the responsibility of that official before issuing any such order to determine that it has the concurrence of any other department or official of the government concerned with any matter involved on the case in question.
- C. Inspections. The enforcement officer is authorized to enter upon any land at any reasonable time for the purpose of performing his duty under this code.
- D. Enforcement procedure. **The Director of Code Enforcement, his/her designees, or the Middlesex Borough Police Department, may issue a summons in the municipal court without first issuing a notice of violation for any violation of Sections 317-11(A)(1) to (2). Any such summons will require a mandatory appearance in Middlesex Municipal Court.** Whenever an enforcement officer determines that there is or has been a violation of any **remaining** 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.

[. . .]

SECTION IV.

Section 317-14 entitled "Noncompliance; charge to become lien" is hereby amended as follows (struck through portions to be removed, bolded and underlined portions to be added):

In accordance with N.J.S.A. 40:48-2.13, when any owner or tenant of lands who has neglected or refused to remove or destroy brush, weeds, dead and dying trees, stumps, roots, obnoxious growth, filth, garbage, trash and debris after having been duly noticed to remove same, within the manner and time provided, the Borough, itself, as an additional remedy, may see to removal or compliance by utilizing the procedures set forth herein.

- A. If such removal or compliance does not occur because the owner or tenant has refused or neglected or otherwise determined not to remove or comply, despite the **issuance of a summons or** notice of violation as set forth in § 317-13 <<https://ecode360.com/10336125>>, the Borough may proceed to remediate the condition itself and authorize the investigating Borough official to effect removal or compliance subject to the due process procedure delineated herein.

[. . .]

SECTION V.

Section 317-15 entitled "Hours for construction work" is hereby amended as follows (struck through portions to be removed, bolded and underlined portions to be added):

- A. The excavation, grading, paving, erection, demolition, alteration or repair of any premises, street, building or structure is prohibited at any time other than between the hours of 7:30 a.m. and ~~87:30 p.m. on all days~~ **Monday through Saturdays**, except in the case of urgent necessity in the interest of public health and safety, and then only in accordance with an approval first obtained from the Borough Engineer, related to land clearing and grading, drainage, sewer and water utilities and public improvement work, or from the Construction Official as to other work. Such approval may be granted for a period not to exceed three days while the emergency continues. The provisions of this

section shall not apply to interior or exterior repairs or to interior alterations, the work for which is actually performed by a homeowner or occupant, personally, between the hours of 8:00 a.m. and 10:00 p.m. upon residential premises, provided that the work shall be done without undue noise or disturbance of the peace and quiet of the neighborhood.

[. . .]

SECTION VI.

If any part of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

SECTION VII.

Should any section, paragraph, sentence, or clause of this ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect and, to this end, the provisions of this ordinance are hereby declared severable.

SECTION VIII.

All Borough of Middlesex ordinances or parts of ordinance inconsistent with enactment are hereby repealed to the extent of such inconsistency.

SECTION IX.

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 August 23, 2022.

INTRODUCED: 08/23/2022

DATE OF PUBLICATION:
OF INTRODUCTION August 26, 2022

ORDINANCE #2067-22

AN ORDINANCE AMENDING CODE SECTIONS 332-9, 332-38, 332-41, 332-42, 332-44, AND 332-51 WITHIN CHAPTER 332 ENTITLED "SEWERS" TO REVISE CURRENT BILLING PRACTICES

WHEREAS, Current Code Sections 332-41 and 332-42 govern "User Classes" and their method of payment, providing classification of users introducing domestic sanitary wastes into the Borough's sanitary sewer system; and

WHEREAS, the Borough wishes to eliminate the current distinctions for industrial/commercial and residential users and restructure its billing practices for sewer service fees; and

WHEREAS, in addition to revising billing practices, the Borough also wishes to further regulate grease traps and interceptors under Section 332-9 and change the billing structure for connection fees under Section 332-38; and

WHEREAS, the Borough also wishes to establish new timeframes for appeal of fees under Sections 332-44 and 332-51; and

WHEREAS, the Borough Attorney has looked upon these changes favorably and has discussed the potential revisions with the Borough's tax collector to ensure that the revised fee structure will be workable in practice and correct any inequities;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Middlesex, in the County of Middlesex and State of New Jersey, that Sections 332-9, 332-38, and 332-41, and 332-42 in the Borough's Code shall be amended as follows:

SECTION I.

Subsection 332-9(J)(11) of Section 332-9 entitled "Prohibited wastes or water" within Chapter 332 ("Sewers"), Article I ("Use Regulations"), is hereby amended as follows (struck through portions to be removed, bolded and underlined portions to be added):

§ 332-9. Prohibited wastes or water.

[. . .]

J. Grease traps and interceptors.

[. . .]

11. The Health Officer, Borough Sewer Department and/or Plumbing Subcode Official shall have the right to inspect any food service establishment or other facility to confirm compliance with any requirement of § 332-9 herein. The fee for initial inspections shall be ~~\$50~~**\$100**. The fee for reinspections shall be ~~\$100~~**\$150**. The schedule for inspections shall be determined by the Health Officer.

SECTION II.

Subsection 332-38(B) of Section 332-38 entitled "Permission required; service charge" within Chapter 332 ("Sewers"), Article II ("Service Connections and Charges"), is hereby amended as follows (struck through portions to be removed, bolded and underlined portions to be added):

§ 332-38. Permission required; service charge.

[. . .]

B. Sanitary sewer connection fees.

- (1) Pursuant to provisions of N.J.S.A. 40A:26A-11, the fee to connect to a public sanitary sewer for developments approved after the effective date hereof is established as follows:

- (a) Single-family residential use. Each single-family dwelling shall be charged a connection fee of ~~\$750~~ **\$2,500** per dwelling for all new connections to the sanitary sewer system.

- (b) Multifamily residential use. Each apartment, condominium or townhouse unit shall be charged a connection fee of ~~\$1,000~~ **\$2,500** for each new dwelling unit. A new dwelling unit shall be defined as having its own kitchen facilities.

- (c) Commercial use. Each commercial use shall be charged a minimum connection fee of \$1,500 for each new ~~400~~ **300** gallons estimated annual daily average flow or fraction thereof as determined by the Borough Engineer based upon data and information supplied to the Borough by the applicant and the results of any investigation by the Borough into actual meter reads or other available information regarding the estimated annual daily average flow for the proposed use. In no event shall the connection fee for any commercial use be calculated at less than 0.125 gallons per day for each square foot of occupancy.

- (d) Industrial use. For any change of use of a property, and any change in occupancy, each industrial use shall be charged a minimum connection fee of \$2,000 for every ~~400~~ **300** gallons estimated annual daily average flow or fraction thereof as determined by the Borough Engineer based upon data and information supplied to the Borough by the applicant and the results of any investigation by the Borough into actual meter reads or other available information regarding the estimated annual daily average flow for the proposed use. In no event shall the connection fee for any commercial use be calculated at less than 0.125 gallons per day for each square foot of occupancy.

- (e) Any change of use of a property, and any change in occupancy of a nonresidential property, shall require an application to the Borough for a permit to connect to the sanitary sewer system. The Borough Engineer shall review all such applications submitted pursuant to this subsection, and shall determine if a sewer connection permit is required pursuant to this section.

- (f) All connection fees required by this section shall be paid to the Borough prior to the issuance of a sewer connection permit.

(g) Developments receiving final approvals prior to May 1, 2016, shall be subject to the connection fees under Ordinance No. 1567.

- (2) Violations and penalties. Any connection made to any sewer installed contrary to and in violation of any of the provisions of this section shall be disconnected immediately upon notice from the Borough. Any person, firm or corporation who violates any provision of this section shall, after conviction, be subject to a penalty of not more than \$500 or imprisonment for a period not exceeding 30 days or both, at the discretion of the court or judicial officer before whom the conviction was prosecuted.

SECTION III.

Section 332-41 entitled "User classes" within Chapter 332 ("Sewers"), Article III ("Use Charges"), is hereby amended as follows (struck through portions to be removed, bolded and underlined portions to be added):

§ 332-41. User classes.

A. "Tax exempt" includes institutions which pay no ad valorem taxes or receive substantial credits in paying such taxes, except public schools and publicly owned facilities performing local government functions which discharge solely domestic wastes.

B. "Industrial and commercial" includes all users, ~~except residential users introducing less than 120,000 gallons per annum (gpa) of domestic sanitary wastes,~~ regardless of the discharge volume, **who are not classified as "tax exempt" or "residential."**

C. "Residential" includes all users introducing domestic sanitary waste from any single ~~and~~**or** multifamily **dwelling.** ~~composed of two or more individual residential units on any single tax lot, including garden apartments, which introduce no more than an aggregate of 120,000 gallons per annum (gpa) of domestic sanitary wastes.~~ **Each dwelling unit on any residential lot shall be considered its own service unit as follows:**

(1) **Each single-family residence - One Service Unit;**

(2) **Each house trailer - One Service Unit;**

(3) **Each dwelling unit within a two-family, multi-family, apartment house, condominium complex, townhouse complex, commercial building, or other residential building shall be One Service Unit.**

SECTION IV.

Section 332-42 entitled "Method of payment" within Chapter 332 ("Sewers"), Article III ("Use Charges"), is hereby amended as follows (struck through portions to be removed, bolded and underlined portions to be added):

§ 332-42. Method of payment.

- A. ~~Tax-exempt and industrial and commercial~~ **All** users introducing more than 1200,000 gallons per annum of wastewater discharge shall be invoiced directly for their use of the sewage treatment system. Sewer user charges shall continue to be charged to ~~all tax exempt users (as described in § 332-41(A)), industrial and commercial users (as~~

described in § 332-41(B)), and residential users (as described in § 332-41(C)) users through ad valorem taxes rather than through direct sewer use charges for the first 1200,000 gallons per annum of wastewater discharge introduced. Thereafter, charges under § 332-43 hereunder shall be in addition to the amounts charged under their ad valorem taxes. **The separate invoicing process for exceeding 100,000 gallons per annum shall apply to all users.**

- B. **Sewer user charges shall be charged to residential users per service unit as described in § 332-41(C). Each service unit shall be allotted 100,000 gallons per annum. For example, a tax lot housing ten service units shall be allotted 1,000,000 gallons per annum before the separate invoicing process shall apply.**

SECTION V.

Section 332-44 entitled "Appeals as to amount of bill or calculation thereof" within Chapter 332 ("Sewers"), Article III ("Use Charges"), is hereby amended as follows (struck through portions to be removed, bolded and underlined portions to be added):

Any dispute as to the billing or charges determined by **§ 332-42** and § 332-43 as to the amount of the bill or the calculation thereof may be appealed as follows:

- A. **Directly to the Borough Tax Collector who shall forward the appeal to** ~~To a panel of the Borough of Middlesex made up of the Borough Engineer, the Borough's engineering consultant, a representative of the Department of Public Works appointed by the Mayor, a resident of the Borough appointed by the Mayor, a business owner appointed by the Mayor, where such business is located in the Borough of Middlesex and the Mayor or his/her designee.~~
- B. Said appeal shall be in writing and shall include, in sufficient detail, the relief sought and the evidence, information or documents to support the relief sought. Relief shall be granted if **the Borough Engineer** ~~if a minimum of four members of the panel agrees in~~ **his/her official capacity** upon such relief. The decision ~~of the panel~~ shall be final and binding.
- C. All appeals must be filed within ~~90~~**45** days of dispatch of such billing or charge sought to be appealed.
- D. No appeal shall be considered by the ~~panel~~**Engineer**, and an appeal shall not be considered as filed, unless payment of the entire sewer bill, including any disputed amounts, is made and received by the Borough in full.

SECTION VI.

Subsection 332-51(A) of Section 332-51 entitled "payment of user charges; procedure for unpaid bills" within Chapter 332 ("Sewers"), Article III ("Use Charges"), is hereby amended as follows (struck through portions to be removed, bolded and underlined portions to be added):

- A. The user charges established and provided for herein shall be due and payable ~~semiannually on May 1 and November 1 of each year~~ **60 days after the date of billing.** Unless actual flows are provided by the user, sewer user charges for the current year shall be based upon the water consumption **and/or user charges** for the immediately preceding year.

[. . .]

SECTION VII.

If any part of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

SECTION VIII.

Should any section, paragraph, sentence, or clause of this ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect and, to this end, the provisions of this ordinance are hereby declared severable.

SECTION IX.

All Borough of Middlesex ordinances or parts of ordinance inconsistent with enactment are hereby repealed to the extent of such inconsistency.

SECTION X.

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

I Hereby Certify that the above Ordinance was introduced by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on August 23, 2022.

INTRODUCED: August 23, 2022

DATE OF PUBLICATION:
OF INTRODUCTION August 26, 2022

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

Resolution #230-2022

ACCEPTANCE OF STANDING REPORTS

The Governing Body hereby accepts the following Reports itemized below:

1. Accepting the Resignation of Eran McGashan and Richard Tarbous from Beechwood Heights and the Middlesex Fire Department.
2. Accepting Darin Dickey as a member of the Parker Engine & Hose Company for the Middlesex Fire Department.
3. Acceptance of the July, 2022 Monthly Police Report.
4. Accepting the resignation of Eric Powlson from the Middlesex Fire Department.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on August 23, 2022.

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

Resolution #231-2022

**PROMOTING CHRISTOPHER EMMONS TO ASSISTANT SUPERINTENDENT OF
THE DEPARTMENT OF PUBLIC WORKS EFFECTIVE JULY 26,2022 AT AN
ANNUAL SALARY OF \$91,520.00**

The Governing Body hereby approves the promotion of Christopher Emmons to Assistant Superintendent of the Department of Public Works effective July 26, 2022 at an annual salary of \$91,520.00.

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 August 23, 2022.

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

Resolution #232-2022

**PROMOTING DYLAN WYATT TO CHIEF MECHANIC FOR THE DEPARTMENT OF
PUBLIC WORKS EFFECTIVE JULY 26, 2022 AT AN HOURLY RATE OF \$43.58**

The Governing Body hereby approves the promotion of Dylan Wyatt to Chief Mechanic for the Department of Public Works effective July 26, 2022 at an hourly rate of \$43.58.

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 August 23, 2022.

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

Resolution #233-2022

APPROVING THE REFUND OF \$1,376.06 TO THE PROPERTY OWNER OF BLOCK 42, LOT 5 FOR APPEAL OF SEWER CHARGE

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, and;

THEREFORE, the following charges on the below property has been waived or adjusted and/or a refund is due:

Block/Lot:	42/5
Original Amount:	\$2,790.77
New Amount:	\$1,414.71
Refund Due:	\$1,376.06

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 August 23, 2022.

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

Resolution #234-2022

**ACCEPTING THE RESIGNATION OF THOMAS RITCHIE FROM THE POLICE
DEPARTMENT**

The Governing Body hereby accepts the resignation of Thomas Ritchie, as a seasonal school crossing guard with the Police Department effective immediately.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on August 23, 2022.

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

Resolution #235-2022

AUTHORIZING THE APPROVAL TO HAVE NJ TRANSIT REPLACE THE BUS SHELTER AT UNION AVENUE EASTBOUND AT GREENBROOK ROAD

WHEREAS, Resolution #64-2022 was adopted by the Governing Body on February 8, 2022 to execute the Agreement between the New Jersey Transit Corporation and Middlesex Borough for the Installation and Maintenance of Bus Shelters; and

WHEREAS, the Governing Body would like to include in the Agreement the replacement of the bus shelter located at Union Avenue Eastbound, at Greenbrook Road, far side #23359; and

WHEREAS, NJ Transit has agreed to replace this bus shelter and per the Agreement executed on February 22, 2022 with NJ Transit Corporation and Middlesex for the Installation and Maintenance of Bus Shelters the Borough agrees that once installed, the Borough of Middlesex agrees to take possession of the shelter and provide for their maintenance per the Agreement; and

WHEREAS, the Governing Body authorizes the Mayor to execute the Shelter Design Options Addendum to the Agreement for the bus shelter site located at Union Avenue Eastbound, at Greenbrook Road, far side #23359.

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

1. The Governing Body authorizes the Mayor to execute the Shelter Design Options Addendum to the Agreement for the bus shelter site located at Union Avenue Eastbound, at Greenbrook Road, far side #23359.
2. This resolution shall take effect immediately.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on August 23, 2022.

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

Resolution #236-2022

**APPOINTING CAROLINE BENSON CHIEF FINANCIAL OFFICER FOR THE
BOROUGH OF MIDDLESEX**

WHEREAS, N.J.S.A. 40A:9-140.10 requires that every municipality have a chief financial officer appointed by the governing body; and

WHEREAS, N.J.S.A. 40A:9-140.10 further provides that the term of the Chief Financial Officer “shall be four years, which shall run from January 1 in the year in which the Chief Financial Officer is appointed”; and

WHEREAS, the Middlesex Borough is in need of a Chief Financial Officer; and

WHEREAS, Caroline Benson has served as Acting Chief Financial Officer since September 24, 2019, being reappointed on September 24, 2020 and September 24, 2021 and having received the necessary approvals of the Director of Local Government Services for each term; and

WHEREAS, Caroline Benson has received her New Jersey municipal finance officer certificate as required by N.J.S.A. 40A:9-140.13 on August 2, 2022.

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

1. The governing body hereby appoints Caroline Benson to the position of Chief Financial Officer of the Borough of Middlesex at an annual salary of \$98,000 effective immediately.
2. Caroline Benson is hereby appointed as Chief Financial Officer for a term of four (4) years, starting on January 1, 2022 and terminating on December 31, 2025.
3. Caroline Benson shall not be granted tenure unless and until she is reappointed as Chief Financial Officer by the Borough Council upon expiration of her four (4) year term in accordance with N.J.S.A. 40A:9-140.8.

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 August 23, 2022.

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

Resolution #237-2022

AUTHORIZING THE MAYOR TO EXECUTE A CERTIFICATE OF COMPLETION RELATING TO A REDEVELOPMENT PROJECT UNDERTAKEN BY MIDDLESEX RESIDENTIAL URBAN RENEWAL, LLC ON REAL PROPERTY DESIGNATED AS BLOCK 349, LOTS 6.02, 8, 10.01, 10.02 AND 10.03 ON THE OFFICIAL TAX MAPS OF THE BOROUGH

WHEREAS, on December 13, 2017, the Borough and RG Middlesex Urban Renewal, LLC (the "**Redeveloper**") entered into a Redevelopment Agreement (the "**Redevelopment Agreement**") for the redevelopment of certain real property located within the Borough, specifically Block 349, Lots 6.02, 8, 10.01, 10.02 and 10.03 on the tax maps of the Borough (the "**Property**"), and pursuant to which the Redeveloper was to develop, design, finance and construct the "Project Improvements" (as defined in the Redevelopment Agreement) in accordance with the requirements of the Borough's Lincoln Boulevard Redevelopment Plan, as amended (collectively, the "**Project**"), which Redevelopment Plan was adopted by the governing body of the Borough on September 18, 2007; and

WHEREAS, the Redeveloper has completed construction of the Project and obtained certificates of occupancy ("**C of O**") from the Borough, and has further submitted satisfactory evidence ("**Completion Submissions**") that the conditions to the issuance of a Certificate of Completion under the Redevelopment Agreement have been satisfied; and

WHEREAS, in accordance with the Redevelopment Agreement, the Redeveloper has requested the issuance of a Certificate of Completion for the Project; and

WHEREAS, based on the issuance of the C of O and receipt of the Completion Submissions, the Mayor and Council are satisfied that the conditions to issuance of the Certificate of Completion have been satisfied.

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

1. The Mayor is hereby authorized to execute the Certificate of Completion, in the form annexed hereto as Exhibit A, subject to minor modification or revision, as deemed necessary and appropriate after consultation with counsel.
2. The Borough Clerk is directed to forward executed copies of the Certificate of Completion to the Borough Attorney and Special Redevelopment Counsel so that they may retain one (1) copy for their records and Special Redevelopment Counsel shall forward one (1) copy to the Redeveloper. The Borough Clerk shall retain at least one (1) fully executed copy of the Certificate of Completion on file in her office.

3. The Mayor and the Borough Clerk are hereby authorized to take such action and to execute such other documents, on behalf of the Borough, as deemed advisable by the Borough Attorney or Special Redevelopment Counsel.

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 August 23, 2022.

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

Resolution #238-2022

**ACCEPTING THE RESIGNATION OF LISARIELLE DEANGELIS FROM THE COURT
OFFICE EFFECTIVE AUGUST 19, 2022**

The Governing Body hereby accepts the resignation of Lisarielle DeAngelis from the Court Office effective August 19, 2022. Ms. DeAngelis was employed part time in the Court Department.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on August 23, 2022.

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

Resolution #239-2022

AUTHORIZING THE DPW TO INSTALL A PICKLE BALL COURT IN MOUNTAIN VIEW PARK

The Governing Body authorizes the DPW to install a pickle ball court in Mountain View Park in an amount not to exceed \$2,600.00.

The CFO certifies funds in an amount not to exceed \$2,600.00 are available in Account No. T-03-56-286-867-10.

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 August 23, 2022.

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

Resolution #240-2022

AUTHORIZING THE WAIVER OF THE EXECUTION OF A DEVELOPER'S AGREEMENT PURSUANT TO SECTION 56-47 OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX FOR THE PROPERTY KNOWN AS 1308 BOUND BROOK ROAD, LOT 28-32, BLOCK 206 (PLANNING BOARD APP. NO. P2018-09)

WHEREAS, Section 56-47 of the Municipal Code of the Borough of Middlesex requires the execution of a developer's agreement between an applicant and a developer upon the granting of final site plan approval by the Joint Land Use Board (or predecessor Planning Board or Zoning Board of Adjustment) of the Borough of Middlesex; and

WHEREAS, on February 13, 2019, the Planning Board granted preliminary and final site plan approval with "c" variance and related site improvements and new signs to the applicant, AJLJ Laundry, LLC, for the property located at 1308 Bound Brook Road, Lot 28-32 of Block 206 in the GB (General Business) Zone, with the resolution of said Board attached hereto; and

WHEREAS, Condition 7 of the resolution of the Board directs the Applicant to "request a waiver of the municipal requirement for a Developer's Agreement of from Governing Body" which Applicant has done through correspondence to the Borough dated July 11, 2022; and

WHEREAS, Applicant has noted that the improvements are complete and consist of renovations to the existing site. As a result, the oversight can be handled in accordance with the detailed resolution of the Planning Board, and in consideration of same waiver of the Borough's requirement for a developer's agreement is appropriate; and

WHEREAS, having reviewed the resolution of the Planning Board and having considered the recommendation of same, the Borough Council desires to grant the Applicant's request and waive the Developer's Agreement requirement of Section 56-47 of the Municipal Code of the Borough of Middlesex; and

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey, does hereby waive the Developer's Agreement requirement of Section 56-47 of the Municipal Code of the Borough of Middlesex for the project approved in Planning Board App. No. 2018-09 for the property located at 1308 Bound Brook Road (Lot 28-32 of Block 206).

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 August 23, 2022.

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

Resolution #241-2022

**SPECIAL ITEMS OF REVENUE AND APPROPRIATION UNDER THE CAPTION OF
"AMERICAN RESCUE PLAN ACT OF 2021"**

WHEREAS, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Middlesex, County of Middlesex, hereby requests that the Director of Local Government Services approve the insertion of an item of revenue in the budget of the year 2022 in the sum of \$715,880.58, which item is now available as a revenue from the American Rescue Plan Act of 2021 in the amount of \$715,880.58;

BE IT FURTHER RESOLVED that the like sum of \$715,880.58 is hereby appropriated under the caption of "American Rescue Plan Act of 2021"; and

BE IT FURTHER RESOLVED that the above is a result of a Federal Grant of \$715,880.58 from the American Rescue Plan Act of 2021.

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 August 23, 2022.

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

Resolution #242-2022

**SPECIAL ITEMS OF REVENUE AND APPROPRIATION UNDER THE CAPTION OF
"DMHAS YOUTH LEADERSHIP - MUNICIPAL ALLIANCE GRANT PROGRAM"**

WHEREAS, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Middlesex, County of Middlesex, hereby requests that the Director of Local Government Services approve the insertion of an item of revenue in the budget of the year 2022 in the sum of \$5,000.00 which item is now available as a revenue from the DMHAS Youth Leadership through the Municipal Alliance Grant Program in the amount of \$5,000.00;

BE IT FURTHER RESOLVED that the like sum of \$5,000.00 is hereby appropriated under the caption of "DMHAS Youth Leadership - Municipal Alliance Grant Program"; and

BE IT FURTHER RESOLVED that the above is a result of a State Grant of \$5,000.00 from the Municipal Alliance Grant Program.

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 August 23, 2022.

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

Resolution #243-2022

APPROVAL TO ADVANCE POLICE OFFICER COLIN DEVINCENZO TO POLICE OFFICER CLASS "A" AT AN ANNUAL SALARY OF \$120,028.00 EFFECTIVE AUGUST 17, 2022

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

WHEREAS, On August 15, 2022 Chief Geist recommended Police Officer Colin DeVincenzo 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 Colin DeVincenzo be and is hereby advanced in grade to Patrolman Class "A" effective August 17, 2022 at an annual salary of \$120,028.00.

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 August 23, 2022.

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

Resolution #244-2022

**ACKNOWLEDGING THE CHANGE IN STATUS FOR CERTAIN PROPERTIES
UNDER THE VETERAN TAX DEDUCTIONS FOR BLOCK 159 LOT 11.01 AND
BLOCK 332 LOT 8**

WHEREAS, per (N.J.S.A. 54:4-8.10 et seq.as amended by P.L. 2019 c.413; N.J.A.C. 18:27-1.1 et seq.), certain Veterans were the owners of property in the Borough of Middlesex on or before October 1, 2021, and

WHEREAS, said Veterans did file their claims for the Veteran deduction with the proper official of the Borough of Middlesex, Middlesex County, and

WHEREAS, the Tax Assessor has allowed the following Veteran deduction(s) for the 2022 tax year totaling \$500.00

Name: Baker, Robert
Block/Lot: 159 / 11.01
Amount: \$250.00

Name: Schaefer, Alfred Wayne
Block/Lot: 332 / 8
Amount: \$250.00

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 August 23, 2022.

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

Resolution #245-2022

APPROVING THE PURCHASE OF 3 TASER 7 BASIC BUNDLES FOR THE MIDDLESEX BOROUGH POLICE DEPARTMENT, IN THE AMOUNT OF \$11,753.14

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase 3 Taser 7 Basic Bundles for the Middlesex Borough Police Department under the NJ State Contract #17-FLEET-00738/T0106; and

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

WHEREAS, Axon Enterprise, Inc., is under the NJ State Contract #17-FLEET-00738/T0106 through May 14, 2023, for the purchase of tasers and accessories; and

WHEREAS, the cost for said purchase of 3 Taser 7 Basic Bundles is \$11,753.14; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of 3 Taser 7 Basic Bundles for the Middlesex Borough Police Department, in the amount of \$11,753.14 under NJ State Contract #17-FLEET-00738/T0106 be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed \$11,753.14 are available in the 2022 Police Department Capital Budget. Account number C-04-22-062-000-071.

Caroline Benson, CFO

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on August 23, 2022.

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

Resolution #246-2022

RESOLUTION OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY AUTHORIZING THE MAYOR TO EXECUTE CERTAIN AGREEMENTS RELATING TO A REDEVELOPMENT PROJECT UNDERTAKEN BY RG MIDDLESEX URBAN RENEWAL, LLC ON REAL PROPERTY DESIGNATED AS BLOCK 353, LOT 1.01 ON THE OFFICIAL TAX MAPS OF THE BOROUGH

WHEREAS, on May 26, 2020, the Borough and RG Middlesex Urban Renewal, LLC (the "**Redeveloper**") entered into a Redevelopment Agreement (the "**Redevelopment Agreement**") for the redevelopment of certain real property located within the Borough, specifically Block 353, Lots 1.01 and 1.02 on the tax maps of the Borough (the "**Property**"), and pursuant to which the Redeveloper was to develop, design, finance and construct a project consisting of approximately 400,000 square feet of industrial warehouse space on the Property, and including the construction of utilities, driveway, street lighting, landscaping, and other site plan improvements in accordance with the requirements of the Borough's Redevelopment Plan (collectively, the "**Project**"), which Redevelopment Plan was adopted by the governing body of the Borough on September 10, 2019, pursuant to Ordinance No. 1974-19; and

WHEREAS, pursuant to Section 2.3 of the Redevelopment Agreement, the Borough agreed to issue bonds in an amount not to exceed \$750,000 in order to fund or reimburse the Redeveloper for the costs of certain "Improvements" as described in the Redevelopment Agreement (the "**Improvements**") pursuant to the terms and provisions of a funding/reimbursement agreement (the "**Funding Agreement**"); and

WHEREAS, the Borough, on May 12, 2022 issued its \$4,965,000 General Obligation Bonds, Series 2022, a portion of which were issued to fund the Improvements (the "**RAB Bonds**"); and

WHEREAS, pursuant to Section 2.4 of the Redevelopment Agreement, the cost of the Improvements are to be specially assessed against the Project pursuant to a "Special Assessment Agreement" (the "**Special Assessment Agreement**"), and the Redeveloper is required to make payments to the Borough in an amount and on the dates which allow the Borough to pay debt service on the RAB Bonds; provided however, that, so long as the Redeveloper makes the required payments under the Financial Agreement with the Borough, the Redeveloper shall not be required to make payments under the Special Assessment Agreement; and

WHEREAS, the Borough desires to approve and enter into the Funding Agreement and the Special Assessment Agreement.

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

1. The Mayor is hereby authorized to execute each of the Funding Agreement, in the form annexed hereto as Exhibit A, and Special Assessment Agreement, in the form annexed hereto as Exhibit B (together, the “**Agreements**”), subject to minor modification or revision, as deemed necessary and appropriate after consultation with _____ counsel.
2. The Borough Clerk is directed to forward executed copies of the Agreements to the Borough Attorney and Special Redevelopment Counsel so that they may arrange for execution by the Redeveloper, and thereafter to retain one (1) copy of each for their records. The Borough Clerk shall retain at least one (1) fully executed copy each of the Agreements on file in her office.
3. The Mayor and the Borough Clerk are hereby authorized to take such action and to execute such other documents, on behalf of the Borough, as deemed advisable by the Borough Attorney or Special Redevelopment Counsel.

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 August 23, 2022.

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

Resolution #247-2022

APPROVING THE REPAIRS TO THE MIDDLESEX LIBRARY COMMUNITY ROOM FLOOR BY ALLSTATE OFFICE INTERIORS IN THE AMOUNT OF \$15,342.78

WHEREAS, the Middlesex Library Community Room sustained floor damage from Hurricane Ida; and

Whereas, the Middlesex Library wishes to utilize a vendor under NJ State Contract #81754 for said repairs; and

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

WHEREAS, Allstate Office Interiors is under the NJ State Contract #81754 for flooring repairs; and

WHEREAS, the cost for repairs to the community room floor is \$15,342.78; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the repairs to the Middlesex Library Community Room floor by Allstate Office Interiors, under NJ State Contract #81754 be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed \$15,342.78 is available from the Library Reserve Fund, Account No. T-03-56-287-001-000.

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 August 23, 2022.

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

Resolution #248-2022

**AUTHORIZING THE PURCHASE OF A GEAR WASHER FOR THE MIDDLESEX
FIRE DEPARTMENT IN THE AMOUNT OF \$8,205.00**

WHEREAS, the Fire Department of the Borough of Middlesex wishes to purchase a gear washer from NJ Fire Equipment Co., under NJ State Contract #17-FLEET-00819; and

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

WHEREAS, NJ Fire Equipment Co. is under the NJ State Contract #17-FLEET-00819 for fire equipment; and

WHEREAS, the cost for the purchase of the gear washer is \$8,205.00; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of the gear washer under NJ State Contract #17-FLEET-00819 be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed \$8,205.00 is available from the 2022 Fire Department Capital Budget, Account No. C-04-22-062-000-075.

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 August 23, 2022.

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

Resolution #249-2022

AUTHORIZING THE PURCHASE OF A GENERATOR FOR THE PARKER FIRE HOUSE FROM PUMPING SERVICES IN THE AMOUNT OF \$25,816.70

WHEREAS, the Fire Department of the Borough of Middlesex wishes to purchase a generator for the Parker Fire House; and

WHEREAS, two quotes were received for the purchase of the generator for the Parker Fire House from the following vendors:

- 1) Pumping Services - \$25,816.70
- 2) Raw Power - \$30,782.60

WHEREAS, the Fire Department and the Purchasing Agent recommend using Pumping Services for the purchase of a generator in the amount of \$25,816.70; and

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

1. Based upon the recommendation of the Fire Department and the Purchasing Agent, the governing body hereby approves the purchase of a generator for the Parker Fire House from Pumping Services in the amount of \$25,816.70.

NOW FURTHER BE IT RESOLVED, that the Treasurer hereby certifies that funds in an amount \$25,816.70 are available from the 2022 Fire Department Capital Budget, Account No. C-04-22-062-000-075.

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 August 23, 2022.

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

Resolution #250-2022

COMMITTING MIDDLESEX BOROUGH TO PROVIDE 25% OF THE COSTS FOR SAFETY IMPROVEMENTS ASSOCIATED WITH THE INTERSECTION OF ROUTE 28 AND SHEPHERD AVENUE

WHEREAS, residents of Middlesex Borough have brought safety related concerns to the Borough regarding the intersection of Union Avenue (Route 28) and Shepherd Avenue; and

WHEREAS, the Middlesex Police Department has forwarded safety concerns to the NJDOT Traffic Division in October, 2020 and began this investigation in November, 2020; and

WHEREAS, in September, 2021 while completing field investigations to collect data it was determined that the signals do not meet NJDOT requirements and a full intersection upgrade is required to meet current standards: and

WHEREAS, the NJDOT has informed the Borough that the NJDOT will not begin the electrical construction project unless they receive a commitment from the Borough of Middlesex, by resolution, to pay 25% (\$37,500.00) of the estimated construction costs of \$150,000 pursuant to NJDOT Cost Sharing Policy 346; and

WHEREAS, the Middlesex Police Department is requesting that the Borough Council pass this resolution committing to the twenty five percent (25%) sharing costs so that the improvements for this intersection will be undertaken by the State, as this is a matter of public safety; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of Middlesex, County of Middlesex, State of New Jersey that the Borough of Middlesex shall commit to pay the estimated 25% (\$37,500.00) of the estimated (\$150,000) of the cost for the NJDOT Traffic Division to proceed with this investigation for the revisions to the traffic signal at the intersection of Union Avenue (Route 28) and Shepherd Avenue.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the State of New Jersey, Department of Transportation, Trenton, New Jersey.

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 August 23, 2022.

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

Resolution #251-2022

**AUTHORIZING THE EXECUTION OF A SHARED SERVICE AGREEMENT
PURSUANT TO THE UNIFORM SHARED SERVICE ACT, N.J.S.A. 40A:65-1 ET SEQ,
WITH THE TOWNSHIP OF PISCATAWAY FOR IMPROVEMENTS TO BE MADE TO
BAEKELAND AVENUE IN AN AMOUNT ESTIMATED TO BE \$610,000.00**

WHEREAS, the Borough of Piscataway has commenced a public works project to pave and improve Baekeland Avenue; and

WHEREAS, the Borough of Middlesex desires to collaborate with Piscataway to construct a 12' sewer force main that traverses Middlesex Borough and is under the control thereof; and

WHEREAS, the Township of Piscataway shall be the lead agency for this project and shall supervise same and undertake all procurement associated therewith; and

WHEREAS, pursuant to the Uniformed Shared Services Act, N.J.S.A. 40A:656-1 et seq., any local unit may enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purposes of any of the participating local units including services from licensed or certified professionals required by statute to be appointed, and said authority permits the execution of the attached agreement; and

WHEREAS, the Borough of Middlesex estimates the services rendered by Piscataway to the Borough of Middlesex shall cost \$610,000.00 to be paid in the matter described in the attached agreement; and

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey, does hereby authorize and direct the mayor, on behalf of the Borough, to execute the attached shared service agreement with the Borough of Piscataway for the service rendered therein pursuant to N.J.S.A. 40A:65-1 et seq.

NOW BE IT FURTHER RESOLVED, that the Borough Clerk shall transmit a true copy of this resolution along with an executed copy of the attached agreement shall be to the Township of Piscataway and all other parties as required by law.

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 August 23, 2022.

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

Resolution #252-2022

PAY ALL CLAIMS

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

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on August 23, 2022.