



Borough of Middlesex
Mayor and Council Regular Meeting
~ Agenda ~

1200 Mountain Ave
Middlesex, NJ

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

Tuesday, March 14, 2023

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 Michael Conahan	☐	☐	☐	
Councilman Jeremiah Carnes	☐	☐	☐	
Councilman Robert Dessino	☐	☐	☐	
Councilman Jack Mikolajczyk	☐	☐	☐	
Councilman Martin Quinn	☐	☐	☐	
Councilman Douglas Rex	☐	☐	☐	
Interim Administrator Joe Costa	☐	☐	☐	
Borough Attorney Christopher Corsini	☐	☐	☐	

- IV. PRESENTATIONS**
- V. APPOINTMENTS**
- VI. PROCLAMATIONS**
- VII. ORDINANCE(S) FOR INTRODUCTION**
 - 1. **Ordinance 2080-23** AN ORDINANCE TO AMEND CHAPTER 121, ARTICLE I ALCOHOLIC BEVERAGES, SECTION 121-7 FEE FOR PLENARY RETAIL CONSUMPTION LICENSE, SECTION 121-8 FEE FOR PLENARY RETAIL DISTRIBUTION LICENSE AND SECTION 121-9(A) CLUB LICENSE FEE
 - 2. **Ordinance 2081-23** AN ORDINANCE AMENDING CHAPTER 12 (POLITICAL CONTRIBUTIONS) OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX TO INCLUDE RELEVANT STATUTORY CITATIONS RELATED TO THE AWARD OF PUBLIC CONTRACTS
- VIII. ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION**
- IX. ADOPTION OF MINUTES**
 - 1. Approval of the February 28, 2023 Regular & Executive Meeting Minutes
- X. MAYOR'S REPORT**

XI. COUNCIL MEMBER REPORTS

1. Council President Conahan
2. Councilman Carnes
3. Councilman Dessino
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 90-2023** Acceptance of Standing Reports
2. **Resolution 91-2023** Renewal of the Cahoots, Inc. Liquor License for 2022 - 2023
3. **Resolution 92-2023** Release of the Performance Surety Bond No. CT024260 for Middlesex Residential Urban Renewal LLC in the Amount of \$649,083 Pending the Submission of a Maintenance Bond in the Amount of \$108,181
4. **Resolution 93-2023** Acknowledging the change in Status for Certain Properties Under the Senior Citizen/Disabled Person/Veteran Tax Deductions for Block 104, Lot 28
5. **Resolution 94-2023** Acknowledging the change in Status for Certain Properties Under the Senior/ Disabled Person/Veteran Tax Deductions for Block 274, Lot 6
6. **Resolution 95-2023** Refund of Partial Recording Fee on Tax Sale Certificate
7. **Resolution 96-2023** Transferring of Middlesex Police Car to Construction Department

8. **Resolution 97-2023** Refunding \$150.00 to Bound Brook Chicken, LLC for Overpayment of Board of Health Mercantile License
9. **Resolution 98-2023** Amending the Temporary Budget for 2023
10. **Resolution 99-2023** Authorizing the Execution of an Agreement with Grammercy Gardens Condominium Association, Inc.

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 100-2023** 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

1. **Resolution 101-2023** Executive Session

Update on Environmental Study - 1190 Mountain Ave.

Rescue Squad Lease

XIX. ADJOURNMENT

1. The next Regular Meeting will be March 28, 2023

ORDINANCE #2080-23

AN ORDINANCE TO AMEND CHAPTER 121, ARTICLE I ALCOHOLIC BEVERAGES, SECTION 121-7 FEE FOR PLENARY RETAIL CONSUMPTION LICENSE, SECTION 121-8 FEE FOR PLENARY RETAIL DISTRIBUTION LICENSE AND SECTION 121-9(A) CLUB LICENSE FEE

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

Article 1, Section 121-7 Fee for Plenary Retail Consumption License is Amended as Follows:

The fee for a plenary retail consumption license shall be the sum of \$1606; and the holder of such license shall be entitled, subject to the rules and regulations, to sell for consumption on the licensed premises any alcoholic beverages by the glass or other open receptacle and also to sell all alcoholic beverages in original containers off the license premises. Such license shall not permit the sale of alcoholic beverages in or upon any premises in which a grocery, delicatessen, drugstore or other mercantile business is carried on, except the keeping of a hotel or restaurant or the sale of cigars and cigarettes at retail as an accommodation to patrons or the retail sale of nonalcoholic beverages as accessory beverages to alcoholic beverages.

Article 1, Section 121-8 Fee for Plenary Retail Distribution License is Amended as Follows:

The annual fee for a plenary retail distribution license shall be \$1606; and not more than one such license shall be issued to any person or combination of persons, whether trading individually or as a partnership or corporation.

Article 1, Section 121-9(A) Club License Fee is Amended as Follows:

A. The fee for a club license shall be the sum of \$86; and the holder of such license shall be entitled, subject to rules and regulations, to sell only a bona fide club members and their bona fide guests alcoholic beverages intended for immediate consumption on the licenses premises.

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

1. The Governing Body does hereby amend Section 121-7, Section 121-8 and Section 121-9(A) of Chapter 121 - Alcoholic Beverages as stated above.

2. This Ordinance will meet all the requirements according to law and take effect April 1, 2023.

I Hereby Certify that the above Ordinance was introduced by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 14, 2023.

INTRODUCED: March 14, 2023

DATE OF PUBLICATION:
OF INTRODUCTION March 17, 2023

ORDINANCE #2081-23

AN ORDINANCE AMENDING CHAPTER 12 (POLITICAL CONTRIBUTIONS) OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX TO INCLUDE RELEVANT STATUTORY CITATIONS RELATED TO THE AWARD OF PUBLIC CONTRACTS

WHEREAS, Chapter 12 of the Municipal Code of the Borough of Middlesex regulations political contributions; and

WHEREAS, the Borough Council seeks clarify certain statutory citations to this chapter; and

BE IT THEREFORE ORDAINED, by the Borough Council of the Borough of Middlesex in the County of Middlesex and State of New Jersey that Chapter 12 of the Municipal Code of the Borough of Middlesex, County of Middlesex, State of New Jersey entitled "Political Contributions" is amended as follows:

Section I:

Section 12-3 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

12-3 Prohibition of Award

- A. Notwithstanding **contracts awarded pursuant to N.J.S.A. 19:44A-20.7 (fair and open contracts)**, any other provision of this Code, or any other law to the contrary, the Borough shall not enter into an agreement or otherwise contract to procure goods or services from any business entity or professional business entity where the transaction is not required to be publicly bid under the Local Public Contracts Law and where the value of said contract exceeds \$17,500 if that entity has solicited or made any contribution of money or pledge of contribution, including in-kind contributions, to any candidate for municipal office in the Borough or to any Borough of Middlesex municipal political party committee or County of Middlesex county political party committee in excess of the thresholds specified in Subsection C below within one calendar year immediately preceding the commencement of negotiations for the contract or agreement.
- B. Notwithstanding **contracts awarded pursuant to N.J.S.A. 19:44A-20.7 (fair and open contracts)**, any other provision of this Code or any other law to the contrary, no business entity or professional business entity which enters into negotiations for or agrees to, any contract or agreement with the Borough for the provision of goods or services where the transaction is not required to be publicly bid under the Local Public Contracts Law and where the value of the transaction exceeds \$17,500 shall knowingly solicit or make any contribution of money, or pledge of a contribution, including in-kind contributions, to any candidate for municipal office in the Borough, or to any Borough of Middlesex municipal political party committee or County of Middlesex county political party committee, in excess of the thresholds specified in Subsection C below between the time of first communications between that entity and the Borough regarding a

specific contract or agreement and the later of the termination of negotiations or the completion of the contract or agreement.

- C. Any individual meeting the definition of "business entity" or "professional business entity" under § 12-2 of this chapter may annually contribute a maximum of \$300 each for any purpose to any candidate for municipal office in the Borough, or \$300 to any municipal or county party committee, without violating Subsections A and B of this section.

Section II

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

Section III

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

Section IV

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

I Hereby Certify that the above Ordinance was introduced by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 14, 2023.

INTRODUCED: March 14, 2023

DATE OF PUBLICATION:
OF INTRODUCTION March 17, 2023

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

Resolution #90-2023

ACCEPTANCE OF STANDING REPORTS

The Governing Body hereby accepts the following Reports itemized below:

1. Acceptance of the 2022 Year End Tax Report.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 14, 2023.

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

Resolution #91-2023

RENEWAL OF THE CAHOOTS, INC. LIQUOR LICENSE FOR 2022 - 2023

The application for the Cahoots, Inc. renewal of the Liquor License for the year 2022-2023 which have been approved by the Police Department be accepted; and the Borough Clerk is hereby authorized to issue the following license in consideration of the fees which have been paid to the Borough of Middlesex and the State of New Jersey:

Cahoot's Inc.
624 Lincoln Boulevard

1211-33-003-003

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 14, 2023.

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

Resolution #92-2023

**RELEASE OF THE PERFORMANCE SURETY BOND NO. CT024260 FOR
MIDDLESEX RESIDENTIAL URBAN RENEWAL LLC IN THE AMOUNT OF \$649,083
PENDING THE SUBMISSION OF A MAINTENANCE BOND IN THE AMOUNT OF
\$108,181**

WHEREAS, final payment to Middlesex Residential Urban Renewal LLC has been submitted for the Planning Board Appln. 2017-01, known as “The View”; and

WHEREAS, pursuant to N.J.S.A. 40:55D-53 of the Municipal Land Use Law, the Borough Engineer, by letter dated December 16, 2022, has recommended the release of the Performance Surety Bond No. CT024260 in the amount of \$649,083, which was submitted by Middlesex Residential Urban Renewal LLC and is being held by the Borough for the View of Middlesex project; and

WHEREAS, in accordance with N.J.S.A. 40:55D-53, a resolution authorizing release of Performance Surety Bond CT024260 in the amount of \$649,083 is required by the Mayor and Council of Middlesex Borough; and

WHEREAS, Colliers Engineering LLP and the Attorney have reviewed all documents and are recommending release of said Performance Surety Bond No. CT024260 in the amount of \$649,083, pending submission of a Maintenance Bond in the amount of \$108,181. This Maintenance Bond shall be for a period of two years from the date of adoption of this resolution;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey in accordance with N.J.A.C. 40:55D-53c. (1) of the Municipal Land Use Law, and by recommendation of the Colliers Engineer LLP and the Attorney, the governing body hereby agrees to release the Performance Surety Bond No. CT024260 in the amount of \$649,083 to Middlesex Residential Urban Renewal LLC for the Planning Board Appln. 2017-01, known as “The View”, pending submission of the Maintenance Bond in the amount of \$108,181.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 14, 2023.

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

Resolution #93-2023

**ACKNOWLEDGING THE CHANGE IN STATUS FOR CERTAIN PROPERTIES
UNDER THE SENIOR CITIZEN/DISABLED PERSON//VETERAN TAX DEDUCTIONS
FOR BLOCK 104, LOT 28**

WHEREAS, certain Senior Citizens/Disabled Persons/Veterans were the owners of property in the Borough of Middlesex for the year 2022, and

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

WHEREAS, the property has a recorded sale date of 1/17/2023, and;

THEREFORE, the Tax Collector has disallowed the following Senior Citizen/Disabled Person/Veteran deduction for the 2023 year totaling \$238.36.

Name:	Cafro, Kimber & Wallace, Christopher
Block/Lot:	104 / 28
Amount:	\$238.36
Reason:	Sale of property 1/17/2023
Year:	2023

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 14, 2023.

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

Resolution #94-2023

**ACKNOWLEDGING THE CHANGE IN STATUS FOR CERTAIN PROPERTIES
UNDER THE SENIOR/ DISABLED PERSON/VETERAN TAX DEDUCTIONS FOR
BLOCK 274, LOT 6**

WHEREAS, certain Senior Citizens/Disabled Persons/Veterans were the owners of property in the Borough of Middlesex for the year 2022, and

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

WHEREAS, the property has a recorded sale date of 1/27/2023, and;

THEREFORE, the Tax Collector has disallowed the following Senior Citizen/Disabled Person/Veteran deduction for the 2023 year totaling \$231.51.

Name:	Cevallos, Karen
Block/Lot:	274 / 6
Amount:	\$231.51
Reason:	Sale of property 1/27/2023
Year:	2023

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 14, 2023.

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

Resolution #95-2023

REFUND OF PARTIAL RECORDING FEE ON TAX SALE CERTIFICATE

WHEREAS, resolution #84-2023, collected \$9,938.17 for the redemption of certificate 21-00006, and

WHEREAS, the amount of \$9,938.17, included a recording fee of \$55.00, and

WHEREAS, the lien holder did record above certificate, for a recording fee of \$45.00, and

WHEREAS, the amount to redeem therefore was \$9,928.17, and

WHEREAS, the redeemer paid \$9,938.17, and

WHEREAS, the redeemer is entitled to the reimbursement for the \$10.00 difference in recording fee, and

NOW THEREFORE, the Tax Collector is hereby authorized to issue a check to the redeemer, in the amount of \$10.00 to the below:

Champion Title Agency, Inc.
434 Lakeview Avenue
Clifton, NJ 07011

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 14, 2023.

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

Resolution #96-2023

**TRANSFERRING OF MIDDLESEX POLICE CAR TO CONSTRUCTION
DEPARTMENT**

The Governing Body hereby approves the transfer of the Middlesex Police Car Vin #1FMFU16578LA56787 to the Construction 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 March 14, 2023.

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

Resolution #97-2023

**REFUNDING \$150.00 TO BOUND BROOK CHICKEN, LLC FOR OVERPAYMENT OF
BOARD OF HEALTH MERCANTILE LICENSE**

The Governing Body hereby approves the reimbursement of \$150.00 for the 2022-2023 Board of Health Mercantile License to Bound Brook Chicken, LLC (Popeye's), 68 Culver Road, Suite # 150, Monmouth Junction, NJ 08852, as the fee collected for said license was incorrect.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 14, 2023.

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

Resolution #98-2023

AMENDING THE TEMPORARY BUDGET FOR 2023

WHEREAS, an emergent condition has arisen with respect to providing temporary appropriations sufficient to cover commitments made during the period of January 1, 2023 to the date of adoption of the annual budget and no adequate provision has been made in the 2023 temporary appropriations to cover such commitments, and N.J.S.A. 40A: 4-20 provides for the creation of an emergency temporary appropriation for the purpose of covering such commitments; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2023 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A: 4-20) including this resolution total \$17,361,442.94 for the Current Fund Budget, \$170,000.00 for the Swimming Pool Utility Budget;

NOW THEREFORE BE IT RESOLVED (not less than two-thirds of all of the members thereof affirmatively concurring) in accordance with the provisions of N.J.S.A.

	Salaries & Wages	Other Expenses
Appropriations		
Current Fund		
General Government		
Administrator	\$69,000.00	\$21,500.00
Mayor & Council	\$4,800.00	\$1,700.00
Municipal Clerk	\$100,000.00	\$4,000.00
Printing & Advertising	\$0.00	\$3,000.00
Postage	\$0.00	\$8,000.00
Purchasing Agent	\$0.00	\$0.00
Finance Administration	\$83,000.00	\$23,000.00
Computer Services	\$0.00	\$80,000.00
Collection of Taxes	\$62,000.00	\$4,000.00
Assessment of Taxes	\$16,000.00	\$0.00
Legal Services	\$0.00	\$89,000.00
Engineering Services	\$0.00	\$29,000.00
Environmental Services	\$0.00	\$5,000.00
Joint Land Use Board	\$1,500.00	\$5,000.00
Code Enforcement	\$37,000.00	\$5,000.00

CRS Floodplain	\$0.00	\$7,500.00
Liability Insurance	\$0.00	\$0.00
Worker's Comp Insurance	\$0.00	\$0.00
Group Insurance	\$0.00	\$1,325,000.00
Temp Disability Insurance	\$0.00	\$10,000.00
Longterm Disability Insur	\$0.00	\$5,000.00
Health Benefit Waiver	\$0.00	\$22,000.00

Public Safety

Police	\$2,000,000.00	\$162,000.00
Juvenile	\$660.00	\$0.00
Emergency Management	\$0.00	\$5,000.00
Fire Department	\$0.00	\$70,000.00
Fire Hydrants	\$0.00	\$95,000.00
Prosecutor	\$0.00	\$5,000.00

Public Works

Streets & Roads	\$300,000.00	\$56,000.00
Shade Tree	\$950.00	\$18,000.00
Solid Waste	\$104,000.00	\$0.00
Garbage	\$181,000.00	\$14,000.00
Building & Grounds	\$10,500.00	\$40,000.00
Rescue Squad Rental	\$0.00	\$5,100.00
Sewers	\$67,000.00	\$8,000.00
Stormwater Management	\$0.00	\$0.00

Health & Human Services

Board of Health	\$0.00	\$26,000.00
Animal Control	\$0.00	\$15,000.00

Parks & Recreations

Recreation	\$38,000.00	\$7,000.00
Celebration of Public Events	\$0.00	\$12,000.00
Parks & Playgrounds	\$257,000.00	\$15,000.00
Sr Citizen Bus Transportation	\$7,000.00	\$0.00
Sr Nutrition	\$8,000.00	\$0.00
Title III	\$17,000.00	\$0.00
Medical Transportation	\$6,000.00	\$0.00
Sr Citizen Coordinator	\$36,000.00	\$10,000.00
Older Americans Grant	\$0.00	\$0.00
Beautification Committee	\$0.00	\$500.00
Housing & Comm Develop	\$0.00	\$0.00

Utility Expenses

Electricity	\$0.00	\$92,000.00
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Street Lighting	\$0.00	\$77,000.00
Telephone	\$0.00	\$27,000.00
Water	\$0.00	\$15,000.00
Natural Gas	\$0.00	\$7,000.00
Fuel Oil (Diesel)	\$0.00	\$5,000.00
Gasoline	\$0.00	\$15,000.00
Other Operating		
Landfill	\$0.00	\$200,000.00
Construction	\$94,000.00	\$0.00
Judgement	\$0.00	\$20,000.00
Municipal Court	\$102,000.00	\$4,500.00
Public Defender	\$0.00	\$4,000.00
Library	\$0.00	\$305,000.00
Utility Authority	\$0.00	\$605,000.00
Piscataway Sewer	\$0.00	\$45,000.00
Curbside Recycling	\$0.00	\$130,000.00
Statutory Expenses		
Social Security	\$0.00	\$175,000.00
DCRP CoMatch	\$0.00	\$4,000.00
Contingent	\$0.00	\$0.00
PERS	\$0.00	\$521,586.00
PFRS	\$0.00	\$1,279,058.00
Municipal Debt Service		
Bond Principal	\$0.00	\$0.00
Bond Interest	\$0.00	\$0.00
BAN Principal	\$0.00	\$110,000.00
BAN Interest	\$0.00	\$75,140.00
Green Acres Loan	\$0.00	\$0.00
Infrastructure Loan	\$0.00	\$0.00
MCIA Loan	\$0.00	\$0.00
TOTAL CURRENT FUND	\$3,602,410.00	\$5,927,584.00
Swim Pool Utility		
Operating Appropriations	\$40,000.00	\$30,000.00
TOTAL SWIM POOL	\$40,000.00	\$30,000.00

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 March 14, 2023.

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

Resolution #99-2023

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH GRAMMERCY GARDENS CONDOMINIUM ASSOCIATION, INC.

WHEREAS, the Borough is in active litigation on the matter of Grammercy Gardens Condominium Association, Inc. v. Borough of Middlesex, MID-L-8180-20; and

WHEREAS, the complaint in the above matter alleges the Borough engaged in inequitable billing practices pertaining to its ordinance governing sewer service fees; and

WHEREAS, the Borough Administration and Grammercy Gardens have negotiated a proposed settlement agreement for settling the litigation and providing for a revised ordinance and settlement sum; and

WHEREAS, the Borough and Grammercy Gardens have met and conferred on a revised ordinance addressing the claim of inequitable billing practices; and

WHEREAS, in line with the proposed agreement, the Borough has passed an ordinance entitled "AN ORDINANCE AMENDING CODE SECTIONS 332-9, 332-38, 332-41, AND 332-42 WITHIN CHAPTER 332 ENTITLED 'SEWERS' TO REVISE CURRENT BILLING PRACTICES[.]" herein referred to as the "revised ordinance" and attached as **EXHIBIT A**; and

WHEREAS, the Borough acknowledges that in addition to passing a revised ordinance, Grammercy Gardens also included a claim for monetary damages in its complaint; and

WHEREAS, the Borough Attorneys have advised that a settlement sum to be paid by the Borough to plaintiff to address the monetary claims is a reasonable and favorable result for the Borough;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Middlesex, County of Middlesex, and State of New Jersey, that the Mayor and Clerk may execute the settlement agreement with Grammercy Gardens Condominium Association and execute all other documents which may be necessary to implement the settlement agreement;

BE IT FURTHER RESOLVED, that the Borough Administrator may, via company check, certified check, cash, or money order, pay the settlement sum as mentioned in the agreement to Grammercy Gardens Condominium Association within seven (7) days receipt of the fully executed agreement.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 14, 2023.

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

Resolution #100-2023

PAY ALL CLAIMS

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

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 14, 2023.

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

Resolution #101-2023

EXECUTIVE SESSION

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

WHEREAS, the Governing Body of the Borough of Middlesex has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public including an Update on the Environmental Study regarding 1190 Mountain Avenue and the Rescue Squad Lease; and

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

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

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 14, 2023.