



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, July 25, 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	☐	☐	☐	
Administrator Michael LaPlace	☐	☐	☐	
Borough Attorney Christopher Corsini	☐	☐	☐	

IV. APPOINTMENTS

- 1. **Resolution 215-2023** Hiring Probationary Police Officer Joseph Centola At An Annual Salary of \$50,913.00 Effective July 25, 2023

V. PROCLAMATIONS

- 1. OEM Volunteer Recognition

VI. PRESENTATIONS

- 1. Library Director - Chrissy George - Legacy Lawn/Veteran's Appreciation Project

VII. ORDINANCE(S) FOR INTRODUCTION

- 1. **Ordinance 2097-23** AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 301, PARKS AND RECREATION AREAS, SECTION 301-14H, PARKING
- 2. **Ordinance 2098-23** AN ORDINANCE AUTHORIZING THE SALE OF PROPERTY KNOWN AS BLOCK 278, LOTS 60 & 61 ON THE MIDDLESEX BOROUGH TAX MAP AND LOCATED ON DRAKE AVENUE TO THE UNITED STATES DEPARTMENT OF THE ARMY CORPS OF ENGINEERS

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

1. **Ordinance 2095-23** BOND ORDINANCE PROVIDING VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, APPROPRIATING \$1,926,350 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,359,350 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY
2. **Ordinance 2096-23** ORDINANCE OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY APPROVING THE ASSIGNMENT OF A FINANCIAL AGREEMENT FROM CP MIDDLESEX URBAN RENEWAL LLC TO 245 MOUNTAIN AVE. URBAN RENEWAL LLC

IX. ADOPTION OF MINUTES

1. Approval of the June 27, 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 216-2023** Acceptance of Standing Reports

2. **Resolution 217-2023** Approval of the Professional Service Agreement with Rutgers University Effective July 1, 2023 to June 30, 2024
3. **Resolution 218-2023** Authorizing the Tax Collector to Issue Tax Title Lien Redemption's on Block 263 Lot 31.02
4. **Resolution 219-2023** Reimbursement of Dog License Fee in the Amount of \$20.00 to Lisa DiGrazia-Mitchell, 173 Windsong Circle, East Brunswick NJ
5. **Resolution 220-2023** Authorizing the Refund of 2nd Qtr. Taxes for Block 86.04 Lot 13
6. **Resolution 221-2023** Acknowledging the Change in Status for Certain Properties Under the Senior/ Disabled Person/Veteran Tax Deductions for Block 266, Lot 2.03
7. **Resolution 222-2023** Approving the US Government and its Contractors to Access Various Tracts of Borough Property to Construct Certain Segments of the Green Brook Flood Damage Reduction Project
8. **Resolution 223-2023** Authorizing the Purchase & Installation of Playground Equipment for Victor Crowell Park to Replace the Playground Equipment That was Damaged During Hurricane Ida in an Amount Not to Exceed \$68,029.19
9. **Resolution 224-2023** Authorizing the Purchase of Fire Protective Clothing and Equipment Under NJ State Contract #17-FLEET-00810 in an Amount Not to Exceed \$30,694.38
10. **Resolution 225-2023** Authorizing the Mayor to Execute the Proposal for Engineering Services from PS&S in the Amount of \$14,000.00, for Bidding Assistance and Construction Administrative Services for the Replacement of Two Rooftop Air Handling Units for the Police Department
11. **Resolution 226-2023** Adoption of the Borough of Middlesex Debt Management Policy
12. **Resolution 227-2023** Authorizing the Tax Collector to Issue Tax Title Lien Redemptions for Block 256 Lot 12
13. **Resolution 228-2023** Declaring the Savin 816, Located at the Police Headquarters as Surplus
14. **Resolution 229-2023** Authorizing the Refund of Street Opening Permit No. 2022-011 in the amount of \$1875.00 to James Griffith, 211 Harris Avenue, Middlesex NJ
15. **Resolution 230-2023** Hiring Joshua Pelech as a Permanent Part Time Employee for the DPW in the Sanitation Department Effective July 26, 2023

16. **Resolution 231-2023** Authorizing the Mayor and Borough Clerk to Execute a Shared Service Agreement with Dunellen for the Joint Purchase of a Jet Vac Truck for the DPW
17. **Resolution 232-2023** Approval of the Corrective Action Plan on the 2022 Audit
18. **Resolution 233-2023** Authorizing the Tax Collector to Waive and Adjust Sewer Bills on Various Properties
19. **Resolution 234-2023** Middlesex County Board of Taxation Judgment on 2023 Revaluation Appeals
20. **Resolution 235-2023** Authorizing Added Lien Tax for the Clean-Up Costs Incurred from Violations of the Property Maintenance Code
21. **Resolution 236-2023** Awarding the Contract for Biodegradable Leaf Bags to Pabco Industries, LLC. in an Amount Not to Exceed \$15,930.00
22. **Resolution 237-2023** Approval to Advance Police Officer Robert Dangler to Police Officer Class "A" Effective August 9, 2023 at an Annual Salary of \$122,729
23. **Resolution 238-2023** Approval to Advance Police Officer Paul Cerreto to Police Officer Class "A" Effective August 9, 2023 at an Annual Salary of \$122,729
24. **Resolution 239-2023** Special Items of Revenue and Appropriation - Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund
25. **Resolution 240-2023** Special Items of Revenue and Appropriation - National Opioid Settlement Fund
26. **Resolution 241-2023** Authorizing the Purchase of Data Switches for Borough Hall and the Police Department in the Amount of \$7,362.72
27. **Resolution 242-2023** Authorizing the Mayor to Execute an Estoppel Certificate Relating to a Financial Agreement by and Between the Borough and CP Middlesex Urban Renewal LLC Executed in Connection with a Redevelopment Project on Real Property Designated as Block 318, Lots 1.01 and 1.02 on the Official Tax Maps of the Borough
28. **Resolution 243-2023** Transferring OEM Surplus Vehicle to the Department of Public Works Effective Immediately
29. **Resolution 244-2023** Accepting the Resignation of Bill Boyle as Fire Subcode Official for the Borough of Middlesex
30. **Resolution 245-2023** Hiring of Fire Subcode Official

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 246-2023** 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 247-2023** Executive Session

Lake Creighton - Potential Litigation

Public Safety

Personnel - DPW

XIX. ADJOURNMENT

1. The next Regular Meeting will be August 22, 2023

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

Resolution #215-2023

HIRING PROBATIONARY POLICE OFFICER JOSEPH CENTOLA AT AN ANNUAL SALARY OF \$50,913.00 EFFECTIVE JULY 25, 2023

WHEREAS, Joseph Centola has successfully completed the background investigation, psychological and medical examination required for the position of a Probationary Police Officer in the Borough of Middlesex; and

WHEREAS, Chief Geist is recommending that Joseph Centola be appointed to the position of Probationary Police Officer effective July 25, 2023 at an annual salary of \$50,913.00.

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

1. Joseph Centola is hereby appointed a Probationary Police Officer for the Borough of Middlesex effective July 25, 2023 at an annual salary of \$50,913.00.
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 July 25, 2023.

PROCLAMATION

OEM Volunteer Recognition

WHEREAS, Antonio “Tony” Sasso served the Borough of Middlesex as a faithful volunteer for over 20 years in various capacities such as being a member of the Office of Emergency Management, and an original member of the Hometown Day Committee, Beautification Committee and 911 Committee; and

WHEREAS, Tony joined the Office of Emergency Management in the year 2000 after seeing a need for help following Hurricane Floyd in 1999; and

WHEREAS, Tony’s motivation and accomplishments enabled him to achieve the rank of Captain in the Office of Emergency Management; and

WHEREAS, Tony was recognized by Governor Christie for his vital contributions and relief efforts to his community during Hurricane Irene; and

WHEREAS, Tony obtained the necessary training to become a member of the Fire Police and diligently performed those duties for the Middlesex Fire Department when needed; and

WHEREAS, Tony reconstructed the September 11th monument in memory of the September 11, 2001 disaster, which is housed in Borough Hall; and

WHEREAS, Tony constructed many holiday decorations for the Borough to enjoy, such as the Christmas sled, and snowflakes that adorned our streets, and

WHEREAS, for many years Tony was known to recreate the dropping of the New Year’s Eve Ball in front of his residence on New Year’s Eve for all to enjoy; and

WHEREAS, Tony has been a great asset to the Borough of Middlesex and his retirement will cause a hole in our organization which will be difficult to fill.

NOW THEREFORE, I, John L. Madden, Mayor of Middlesex Borough, County of Middlesex, State of New Jersey, along with the Middlesex Borough Council and on behalf of the citizens of Middlesex, wish to thank and honor Mr. Tony Sasso for his long and dedicated service to the Borough and to the Office of Emergency Management, by presenting to him this Proclamation and hereby set my hand and the Seal of the Borough of Middlesex to be affixed on this 25th day of July 2023.

DATED: July 25, 2023

Linda Chismar, RMC

Mayor John L. Madden

ORDINANCE #2097-23**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN
CHAPTER 301, PARKS AND RECREATION AREAS, SECTION 301-14H, PARKING**

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

Section 301-14H shall be amended to read as follows:

§ 301-14H Parking

- (1) Parking, stopping or standing shall be prohibited on both sides of Van Ness Drive from Bound Brook Road to its intersection with the roadway that surrounds the park and the outlet from JFK Drive.
- (2) Parking, stopping or standing shall be prohibited on both sides of the roadway that surrounds the park and horseshoe pits.
- (3) Travel parking, stopping or standing shall be prohibited on the roadway that surrounds the basketball courts, tennis court, and hockey rinks
- (4) Parking in Lots two and three shall be limited to three hours Monday through Friday, except legal holidays.
- (5) Parking on the grass shall be prohibited.

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 July 25, 2023.

INTRODUCED: July 25, 2023

DATE OF PUBLICATION:
OF INTRODUCTION July 28, 2023

ORDINANCE #2098-23

AN ORDINANCE AUTHORIZING THE SALE OF PROPERTY KNOWN AS BLOCK 278, LOTS 60 & 61 ON THE MIDDLESEX BOROUGH TAX MAP AND LOCATED ON DRAKE AVENUE TO THE UNITED STATES DEPARTMENT OF THE ARMY CORPS OF ENGINEERS

WHEREAS, the Borough is the fee simple owner of two parcels of land known as Lots 60 and 61 within Block 278 on the Middlesex Borough tax map, located on Drake Avenue ("property"), which are pair of lots currently known as the "Daisy Park" totaling 0.34 acres; and

WHEREAS, the Borough of Middlesex has engaged with the United States Department of the Army Corps of Engineers ("USACE") for planned construction activities associated with the Green Brook Flood Risk Management Project; and

WHEREAS, the Borough has the right to receive just compensation for the sale of properties for improvements associated with the project and has negotiated a price with the USACE for the sale of Block 278, Lots 60 and 61 for the combined price of \$19,700.00; and

WHEREAS, the conveyance of these properties will result in the protection of local residents from recurring flooding; and

WHEREAS, the attached parcels of property are not currently needed for the Borough's public use and are better utilized for the public use of the USACE pursuant to N.J.S.A. 40A:12-13(b)(1);

NOW, THEREFORE, BE IT ORDAINED, by the governing body of the Borough of Middlesex, in the County of Middlesex and State of New Jersey, that the property be and is hereby offered for sale, subject to all restrictions and limitations of record or as may be found to exist on the property, to the USACE per N.J.S.A. 40A:12-13(b)(1), as more specifically delineated below:

SECTION I.

Part A **Existing Facts**

1. The Borough is the fee simple owner of Block 278, Lots 60 and 61 on the Middlesex Borough Tax Map, located on Drake Avenue;
2. The lots in question, as shown on the tax map, are in aggregate approximately 0.34 acres and largely undeveloped;
3. Pursuant to N.J.S.A. 40A:12-13(b)(1), the Borough may convey the property at private sale to a governmental agency, notably the USACE;
4. The subject property is not needed for public use;

5. The fair market value of the subject property, as determined in the formula set forth from the Tax Assessor, is \$19,700.00;

Part B **Sale Pursuant to N.J.S.A. 40A:12-13(b)(1)**

6. The subject property, pursuant to N.J.S.A. 40A:12-13(b)(1), is hereby offered for sale to the USACE as outlined above;
7. The minimum price for which the subject property shall be is set forth above;
8. This offer of sale, as reflected in this Ordinance, shall be pursuant to N.J.S.A. 40A:12-13(b)(1):
 - a) This Ordinance and Public Notice shall be posted in the Borough Hall, located at 1200 Mountain Avenue, Middlesex, N.J. 08846
 - b) The notice to sell shall be placed as an advertisement in a newspaper circulating in the Borough in which the subject is property is situated, namely, the Courier News
 - c) Both the posting and the advertisement shall occur within five days following the date of the enactment of this Ordinance;
9. Offers to purchase the property may be made by additional offerors within a period of twenty (20) days following the advertisement set forth hereinabove. Said offer shall be made for not less than the minimum price set forth above;
10. Pursuant to N.J.S.A. 40A:12-13(b), the Borough, having offered the property for private sale, will file, with the Director of the Division of Local Government Services in the Department of Community Affairs, sworn affidavits verifying the publication of the advertisement referenced in paragraph 8 above;
11. The highest offer made above the minimum price as set forth above, consistent with the terms of this Ordinance, shall be accepted and a closing of title will be required within sixty (60) days after the offer is accepted. Should a closing not occur during that timeframe, for any reason related directly or indirectly to the offer or, the Borough shall have the right to terminate the sale.

SECTION II.

This Ordinance shall take effect upon final passage and publication according to law.

SECTION III.

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

SECTION IV.

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

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 July 25, 2023.

INTRODUCED: July 25, 2023

DATE OF PUBLICATION:
OF INTRODUCTION July 28, 2023

ORDINANCE #2095-23

BOND ORDINANCE PROVIDING VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, APPROPRIATING \$1,926,350 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,359,350 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

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

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of Middlesex, in the County of Middlesex, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$1,926,350, said sum being inclusive of all appropriations heretofore made therefor, including the sum of \$492,000 grant funds expected to be received from the New Jersey Department of Transportation (NJDOT), and \$75,000 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$1,359,350, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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

i) acquisition of various equipment for the Police Department, including, but not limited to, a police sport utility vehicle (SUV) with equipment, a portable radar and remote controls, portable radio microphones, tasers with cameras and related equipment, ballistic shields and helmets, traffic safety signs and equipment, a major disaster enclosed trailer, a speed feedback trailer, and rescue vehicle equipment, with a total appropriation and estimated cost of \$266,926, estimated amount of bonds and notes therefor of \$252,647, and an average period of usefulness of five (5) years;

ii) equipment maintenance and acquisitions for the Fire Department, including, but not limited to, a replacement truck, turnout/bunker gear, a thermal imaging camera, records management software setup/installation, trailer lights and lettering, engine repainting, two (2) air compressors, and a full-matrix mini message center, with a total appropriation and estimated cost of \$161,381, estimated amount of bonds and notes therefor of \$153,212, and an average period of usefulness of five (5) years;

iii) acquisition of a welder and various vehicles for the Road Department, with a total appropriation and estimated cost of \$76,600, estimated amount of bonds and notes therefor of \$72,520, and an average period of usefulness of 6.33 years;

iv) acquisition of various park equipment and improvements to Mountainview Park, including, but not limited to, replacement fencing, basketball and tennis court resurfacing, new pickleball courts, and replacement benches, tables, and garbage cans, with a total appropriation and estimated cost of \$97,029, estimated amount of bonds and notes therefor of \$91,927, and an average period of usefulness of 13.42 years;

v) acquisition of various equipment for the Department of Senior & Disabled Services, including, but not limited to, a non-passenger vehicle, chairs, and collapsible tables, with a total appropriation and estimated cost of \$39,834, estimated amount of bonds and notes therefor of \$37,792, and an average period of usefulness of five (5) years;

vi) various equipment acquisitions and upgrades for the Recreation Department, including, but not limited to, soccer goals/nets, a Christmas display/tree lighting, playground equipment upgrade, movable pedestrian fencing/barricades, backstop replacement at Mauger Fields, locked equipment boxes, and dog park equipment, with a total appropriation and estimated cost of \$59,751, estimated amount of bonds and notes therefor of \$56,690, and an average period of usefulness of 12.35 years;

vii) various acquisitions for and improvements to the Public Library, including, but not limited to, new computers for staff, replacement of existing non-tempered glass windows with tempered glass windows, new lighting in the children's section, and awnings over exterior doorways, with a total appropriation and estimated cost of \$27,575, estimated amount of bonds and notes therefor of \$26,046, and an average period of usefulness of 12.04 years;

viii) various acquisitions and improvements for the Buildings and Grounds Department, including, but not limited to, building maintenance, rooftop heating, ventilation, and air conditioning (HVAC) units for various Borough buildings, lighted sign replacement and asphalt/curb improvements at Police Headquarters, and a building generator for the Municipal Building, with a total appropriation and estimated cost of \$270,658, estimated amount of bonds and notes therefor of \$256,375, and an average period of usefulness of 14.53 years;

ix) road improvements to Douglass Lane, Rutgers Lane and Princeton Drive, including, but not limited to, milling and overlay, with a total appropriation and estimated cost of \$576,770 including said \$492,000 grant funds expected to be received from the NJDOT, estimated amount of bonds and notes therefor of \$80,181, and an average period of usefulness of twenty (20) years;

x) tree inventory digital mapping for the Shade Tree Commission, with a total appropriation and estimated cost of \$30,642, estimated amount of bonds and notes therefor of \$29,110, and an average period of usefulness of five (5) years;

xi) various information technology (IT) equipment acquisitions and upgrades, including, but not limited to, new computers, an uninterruptible power supply (UPS) for the Municipal Building, and door access system upgrade software and installation, with a total appropriation and estimated cost of \$99,585, estimated amount of bonds and notes therefor of \$94,481, and an average period of usefulness of 6.69 years;

xii) acquisition of a jet vac truck for the Sewer Department, with a total appropriation and estimated cost of \$40,857, estimated amount of bonds and notes therefor of \$38,814, and an average period of usefulness of twenty (20) years; and

xiii) acquisition of a hydro rake boat and a land stability/erosion plan for Victor Crowell Lake, with a total appropriation and estimated cost of \$178,742, estimated amount of bonds and notes therefor of \$169,555, and an average period of usefulness of five (5) years,

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

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$1,359,350, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$1,926,350, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$1,926,350 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$75,000 down payment for said purposes, and the sum of \$492,000 grant funds expected to be received from the NJDOT.

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

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

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

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 9.31 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,359,350 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

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

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

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

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

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

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

I Hereby Certify that the above Ordinance was introduced by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on July 25, 2023.

INTRODUCED: June 27, 2023

DATE OF PUBLICATION:

OF INTRODUCTION

June 30, 2023

ORDINANCE #2096-23

ORDINANCE OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY APPROVING THE ASSIGNMENT OF A FINANCIAL AGREEMENT FROM CP MIDDLESEX URBAN RENEWAL LLC TO 245 MOUNTAIN AVE. URBAN RENEWAL LLC

WHEREAS, the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “**Act**”) authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, the Act confers certain contract, planning and financial powers upon a redevelopment entity, as defined at Section 3 of the Act, in order to implement redevelopment plans adopted pursuant thereto; and

WHEREAS, the Borough of Middlesex, in the County of Middlesex, New Jersey (the “**Borough**”) has elected to exercise these redevelopment entity powers directly, as permitted by Section 4 of the Act; and

WHEREAS, in full accordance with all applicable provisions of the Act, the Borough adopted the Lincoln Boulevard Redevelopment Plan (the “**Redevelopment Plan**”) for the revitalization and redevelopment of Lincoln Boulevard and Mountain Avenue, which Redevelopment Plan consists of Block 318, Lots 1.01, 4.02 (a/k/a Block 371, Lot 4.02), 21, 38.01, 43, 44, 45, 48 and Block 319, Lots 23, 24, 26, 28, 45 and 47 on the tax maps of the Borough (the “**Redevelopment Area**”); and

WHEREAS, CP Middlesex Urban Renewal LLC, a New Jersey limited liability company (the “**Redeveloper**”), has agreed to develop a portion of the area in the Redevelopment Plan and designated as Block 318, Lot 1.02, which was formerly designated as Lots 4.02 (a/k/a Block 371, Lot 4.02), 38.01 and 48 on the tax maps of the Borough (the “**Project Area**”);

WHEREAS, the proposed project to be constructed in the Project Area will consist of a warehouse building with related improvements (the “**Project**”);

WHEREAS, in order to enhance the economic viability of and opportunity of the Project, the Borough and the Redeveloper entered into that certain Financial Agreement, dated January 11, 2021 (the “**Financial Agreement**”), which governs payments made to the Borough in lieu of real estate taxes on the Project pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the “**Tax Exemption Law**”); and

WHEREAS the Redeveloper desires to assign, convey, set over and transfer to 245 Mountain Ave. Urban Renewal LLC, a New Jersey limited liability company and urban renewal entity qualified as such pursuant to the Tax Exemption Law, all of its right, title, interest and obligations in, to and under the Financial Agreement; and

WHEREAS, the Mayor, together with counsel for the Borough, as well as the Borough Council, have reviewed the proposed assignment agreement (the “**Assignment Agreement**”), and have found that it complies with all those conditions of assignment set forth in Section 9.01 of the

Financial Agreement.

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

Section 1. The Borough hereby consents to the assignment of the Financial Agreement to 245 Mountain Ave Urban Renewal LLC, and the Assignment Agreement, a copy of which is annexed hereto, is hereby approved.

Section 2. The Mayor and the Clerk are hereby authorized and directed to take all action necessary, if any, to cause the execution and effectuation of the Assignment.

Section 3. If any part of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this ordinance.

Section 4. This ordinance shall take effect in accordance with 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 July 25, 2023.

INTRODUCED: June 27, 2023

DATE OF PUBLICATION:
OF INTRODUCTION June 30, 2023

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

Resolution #216-2023

ACCEPTANCE OF STANDING REPORTS

The Governing Body hereby accepts the following Reports itemized below:

1. Appointing Fred Hoth, Lyndonna Charles and Gary D'Aloisio to the Office of Emergency Management.
2. Acceptance of the June, 2023 Police Report.
3. Acceptance of the June, 2023 Tax Totals.
4. Acceptance of Makayla Wise and Devon Rick-Bundschuh as Junior Members of Lincoln Hose for the Middlesex Fire Department
5. Shaelin Wise is eligible for ride along status.

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 July 25, 2023.

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

Resolution #217-2023

**APPROVAL OF THE PROFESSIONAL SERVICE AGREEMENT WITH RUTGERS
UNIVERSITY EFFECTIVE JULY 1, 2023 TO JUNE 30, 2024**

Approval of the Professional Service Agreement with Rutgers University effective July 1, 2023 to June 30, 2024.

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 July 25, 2023.

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

Resolution #218-2023

**AUTHORIZING THE TAX COLLECTOR TO ISSUE TAX TITLE LIEN REDEMPTION'S
ON BLOCK 263 LOT 31.02**

WHEREAS, pursuant to N.J.S.A. 54:5-54, a lien has been redeemed by the owners or those persons having an interest, and the purchasers of said property are legally entitled to receive redemption funds in the following specific amounts, and;

WHEREAS, the interest and payments on the following Tax Title Lien Redemptions were calculated for July 25, 2023, and;

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

<u>Date of Sale:</u>	12/02/2020
<u>Block/Lot:</u>	263 / 31.02
<u>Amount:</u>	\$4,356.91
<u>Premium:</u>	\$1,300.00
<u>Certificate:</u>	19-00028
<u>Payable To:</u>	Pro Cap 8 FBO Firsttrust Bank P.O. Box 774 Fort Washington, PA 19034-0774

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 July 25, 2023.

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

Resolution #219-2023

REIMBURSEMENT OF DOG LICENSE FEE IN THE AMOUNT OF \$20.00 TO LISA DIGRAZIA-MITCHELL, 173 WINDSONG CIRCLE, EAST BRUNSWICK NJ

The Governing Body hereby approves the reimbursement fee for a Dog License to Ms. Lisa DiGrazia-Mitchell, 173 Windsong Circle, East Brunswick, New Jersey in the amount of \$20.00 due to the applicant applying for a license in the wrong municipality.

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 July 25, 2023.

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

Resolution #220-2023

AUTHORIZING THE REFUND OF 2ND QTR. TAXES FOR BLOCK 86.04 LOT 13

WHEREAS, the property owner of Block 86.04 Lot 13 has been granted a full Disabled Veteran Exemption as of March 28, 2023; and

WHEREAS, resolution #112-2023, dated 4/11/2023 cancelled off 2nd Qtr. taxes in the amount of \$2,794.21, and

WHEREAS, 2nd Qtr. 2023 payment was sent in error via WIRE in the amount of \$2,794.21 and posted on 4/28/2023; and

WHEREAS, there is currently a credit of \$2,794.21, on the tax account for Block 86.04 Lot 13, and,

WHEREAS, the mortgage provider has requested a refund for the error in the payment; and

WHEREAS, the property owner is entitled to a refund via the mortgage company, and;

NOW THEREFORE, a check in the amount of \$2,794.21 should be made payable to:

CoreLogic
3001 Hackberry Rd.
Irving, TX 75063

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 July 25, 2023.

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

Resolution #221-2023

**ACKNOWLEDGING THE CHANGE IN STATUS FOR CERTAIN PROPERTIES
UNDER THE SENIOR/ DISABLED PERSON/VETERAN TAX DEDUCTIONS FOR
BLOCK 266, LOT 2.03**

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 deed date of 3/20/2023, and;

THEREFORE, the Tax Collector has disallowed the following Senior Citizen/Disabled Person/Veteran deduction for the 2023 year totaling \$195.89.

Name: MOYA, A MARCO & BENALCAZAR, JOSHUA
Block/Lot: 266 /2.03 / C0025
Amount: \$195.89
Reason: Sale of property 3/20/2023
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 July 25, 2023.

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

Resolution #222-2023

**APPROVING THE US GOVERNMENT AND ITS CONTRACTORS TO ACCESS
VARIOUS TRACTS OF BOROUGH PROPERTY TO CONSTRUCT CERTAIN
SEGMENTS OF THE GREEN BROOK FLOOD DAMAGE REDUCTION PROJECT**

The Governing Body hereby approves the Mayor and Borough Clerk to execute the Department of the Army Right of Entry to access various portions of borough Property in order to commence construction of certain segments of the Green Brook Flood Damage Reduction Project. The land affected by this permit or right-of-entry is located in the State of New Jersey, County of Middlesex, and is described as Exhibit A attached hereto.

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 July 25, 2023.

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

Resolution #223-2023

AUTHORIZING THE PURCHASE & INSTALLATION OF PLAYGROUND EQUIPMENT FOR VICTOR CROWELL PARK TO REPLACE THE PLAYGROUND EQUIPMENT THAT WAS DAMAGED DURING HURRICANE IDA IN AN AMOUNT NOT TO EXCEED \$68,029.19

WHEREAS, as a member of the Educational Services Commission (ESCNJ) Cooperative Pricing System, the Governing Body of the Borough of Middlesex wishes to replacement the playground equipment for Victor Crowell Park that was damaged during Hurricane Ida under said CO-OP# 65MCESCCPS, ESCNJ 20/21-22; and

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

WHEREAS, Ben Shaffer Recreation is under CO-OP# 65MCESCCPS, ESCNJ 20/21-22 Cooperative Pricing System for playground equipment; and

WHEREAS, the cost for the purchase and installation of the playground equipment from Ben Shaffer Recreation is not to exceed \$68,029.19; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the appropriate Borough Officials are hereby authorized to purchase playground equipment utilizing the CO-OP# 65MCESCCPS, ESCNJ 20/21-22; and

NOW BE IT FURTHER RESOLVED, that the CFO hereby certifies that the funds in the amount not to exceed \$68,029.19 are available in Account: T-03-56-287-003-000 \$48,162.64 (Hurricane Ida FEMA Funds) & C-04-22-062-000-081 \$19,866.55 (2022 Capital - Recreation).

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 July 25, 2023.

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

Resolution #224-2023

AUTHORIZING THE PURCHASE OF FIRE PROTECTIVE CLOTHING AND EQUIPMENT UNDER NJ STATE CONTRACT #17-FLEET-00810 IN AN AMOUNT NOT TO EXCEED \$30,694.38

WHEREAS, the Fire Department of the Borough of Middlesex wishes to purchase fire protective clothing and equipment under the NJ State Contract #17-FLEET-00810; and

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

WHEREAS, Skylands Area Fire Equipment and Training LLC is under the NJ State Contract #17-FLEET-00810 for fire protective clothing and equipment; and

WHEREAS, the cost for the purchase of fire protection clothing and equipment is not to exceed \$30,694.38; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase fire protective clothing and equipment under NJ State Contract #17-FLEET-00810 be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed \$30,694.38 are available in the 2021 Fire Department Capital Budget (\$9,372.50) & 2022 Fire Department Capital Budget (\$21,321.88).

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 July 25, 2023.

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

Resolution #225-2023

AUTHORIZING THE MAYOR TO EXECUTE THE PROPOSAL FOR ENGINEERING SERVICES FROM PS&S IN THE AMOUNT OF \$14,000.00, FOR BIDDING ASSISTANCE AND CONSTRUCTION ADMINISTRATIVE SERVICES FOR THE REPLACEMENT OF TWO ROOFTOP AIR HANDLING UNITS FOR THE POLICE DEPARTMENT

WHEREAS, the governing body received a proposal from PS&S dated June 29, 2023 for the Bidding Assistance and Construction Administrative Services for the Replacement of two (2) Rooftop Air Handling Units for the Police Department; and

WHEREAS, the proposal for this project includes:

- | | | |
|----|--------------------------------------|-------------|
| 1. | Bidding Assistance: | \$ 6,500.00 |
| 2. | Limited Construction Administration: | \$ 7,500.00 |

TOTAL COST **\$ 14,000.00**

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

1. The governing body hereby approves the proposal from PS&S, dated June 29, 2023, for the Bidding Assistance and Construction Administration Services for the Replacement of two (2) Rooftop Air Handling Units.
2. The Governing Body authorizes the Mayor to execute the proposal for Engineering Services from PS&S in the amount of \$14,000.00.
3. This resolution shall take effect immediately.

BE IT FURTHER RESOLVED, that the Chief Financial Officer hereby certifies that funds in the amount of \$14,000.00 are available in Account No. C-04-21-039-000-083 (2021 Capital - Building & Grounds).

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 July 25, 2023.

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

Resolution #226-2023

ADOPTION OF THE BOROUGH OF MIDDLESEX DEBT MANAGEMENT POLICY

The Governing Body hereby authorizes the adoption of the Borough of Middlesex Debt Management Policy which sets forth guidelines to be used in the consideration of financing of the Borough's capital needs.

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 July 25, 2023.

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

Resolution #227-2023

**AUTHORIZING THE TAX COLLECTOR TO ISSUE TAX TITLE LIEN REDEMPTIONS
FOR BLOCK 256 LOT 12**

WHEREAS, pursuant to N.J.S.A. 54:5-54, a lien has been redeemed by the owners or those persons having an interest, and the purchasers of said property are legally entitled to receive redemption funds in the following specific amounts, and;

WHEREAS, the interest and payments on the following Tax Title Lien Redemptions were calculated for July 25, 2023, and;

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

Date of Sale: 11/30/2022

Block/Lot: 256 / 12

Amount: \$2,225.63

Premium: \$2,600.00

Certificate: 21-00007

Payable To: Evolve Bank & Trust
6000 Poplar Ave.
Suite 300
Memphis. TN 38119

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 July 25, 2023.

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

Resolution #228-2023

DECLARING THE SAVIN 816, LOCATED AT THE POLICE HEADQUARTERS AS SURPLUS

WHEREAS, the Borough of Middlesex Police Department has determined that the equipment listed below has been rendered obsolete, broken, and no longer serviceable or usable; and

- 1) Savin 816

WHEREAS, the Borough of Middlesex Police Department intends to dispose of said copier as replacement parts for the Savin 816 are no longer being manufactured or serviced; and

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Middlesex, County of Middlesex, State of New Jersey, hereby declare the non-serviceable item listed above as surplus and authorize disposal of same, 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 July 25, 2023.

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

Resolution #229-2023

AUTHORIZING THE REFUND OF STREET OPENING PERMIT NO. 2022-011 IN THE AMOUNT OF \$1875.00 TO JAMES GRIFFITH, 211 HARRIS AVENUE, MIDDLESEX NJ

WHEREAS, James Griffith and Danielle Kadesh-Griffith were issued a street opening permit on 9/8/2022; and

WHEREAS, James Griffith deposited \$2500.00 with the Borough of Middlesex to ensure proper repair and maintenance of the roadway; and

WHEREAS, said roadway at 211 Harris Ave was inspected by Lenny Vidal DPW Supervisor and Dan Niro, Plumbing Inspector, and found to have been maintained in a satisfactory manner.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that the disbursing officers be and they are hereby authorized to draw a check in the amount of \$1875.00 in favor of James Griffith, 211 Harris Ave, Middlesex, NJ 08846, for refund of Street Opening Permit No. 2022-011.

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 July 25, 2023.

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

Resolution #230-2023

**HIRING JOSHUA PELECH AS A PERMANENT PART TIME EMPLOYEE FOR THE
DPW IN THE SANITATION DEPARTMENT EFFECTIVE JULY 26, 2023**

The governing body hereby hires Joshua Pelech of Middlesex, NJ as a permanent part time employee for the DPW in the Sanitation Department effective July 26, 2023 at \$15.00 per hour, 28 hours per week, pending a satisfactory physical and background check.

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 July 25, 2023.

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

Resolution #231-2023

**AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A SHARED
SERVICE AGREEMENT WITH DUNELLEN FOR THE JOINT PURCHASE OF A JET
VAC TRUCK FOR THE DPW**

The Governing Body hereby authorizes the Mayor and Borough Clerk to execute the Shared Services Agreement with Dunellen Borough for the joint purchase of a Jet Vac truck for their respective Sewer Departments in the amount of \$547,633, with each municipality paying \$273,816.50 for this truck.

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 July 25, 2023.

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

Resolution #232-2023

APPROVAL OF THE CORRECTIVE ACTION PLAN ON THE 2022 AUDIT

The Governing Body hereby approves and accepts the Corrective Action Plan on the 2022 Audit, according to Local Finance Board Directive 92-15.

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 July 25, 2023.

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

Resolution #233-2023

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

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

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

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

WHEREAS, as per the appeal process the proper supporting documentation was submitted and reviewed, and;

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

Block/Lot: 70.10 / 30

Original Amount: \$1,330.09

New Amount: \$0.00

Block/Lot: 113 / 9

Original Amount: \$364.94

New Amount: \$0.00

Block/Lot: 316 / 2

Original Amount: \$4,260.15

New Amount: \$3,696.15

Block/Lot: 42/5

Original Amount: \$3,424.09

New Amount: \$2,005.45

Refunded Amount: \$1,418.64

Block/Lot: 161/5.01

Original Amount: \$64.40

New Amount: 0.00

Block/Lot: 108/14

Original Amount: \$182.48
New Amount: \$0.00

Block/Lot: 141/14
Original Amount: \$654.76
New Amount: \$0.00

Block/Lot: 166/37
Original Amount: \$64.40
New Amount: \$0.00

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on July 25, 2023.

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

Resolution #234-2023

**MIDDLESEX COUNTY BOARD OF TAXATION JUDGMENT ON 2023
REVALUATION APPEALS**

WHEREAS, as per N.J.S.A 54:3-21, where a municipal-wide revaluation or municipal-wide reassessment has been implemented, a taxpayer may file an appeal of a Revaluation Assessment by May 1, and;

WHEREAS, the owners of the below properties did file appeals by the May 1, 2023 deadline, and;

WHEREAS, Tax Appeals were filed with the Middlesex County Board of Taxation, and;

WHEREAS, The Middlesex County Board of Taxation issued judgements reducing the total 2023 revaluation assessments, and;

WHEREAS, the property owners will receive a credit to be applied to future property taxes, and;

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

1. The Governing Body hereby approves the following credits be applied to future property taxes for the below properties based upon the Middlesex County Board of Taxation's Judgment reduction in the land and/or improvement value.
2. This resolution shall take place immediately.

Block	Lot	Appeal #	Land/Improvement	ReVal Assessment	Judgment	Adjustment	Total Credit 2023-2024
3	18	10-2300010	Improvement	207,800	183,800	24,000	\$793.08
7	20	10-2300015	Improvement	292,400	248,900	43,500	\$1,437.47
22.03	3.2	10-2300039	Improvement	415,900	373,400	42,500	\$1,404.42
22.04	3.37	10-2300006	Improvement	393,600	363,600	30,000	\$991.35
70	2.01	10-2300044A	Improvement	453,600	233,500	220,100	\$7,273.20
70.02	9	10-2300041	Improvement	322,100	297,100	25,000	\$826.13
82	14	10-2300020	Improvement	303,800	278,800	25,000	\$826.13
86.10	4	10-2300024L	Improvement	307,300	269,000	38,300	\$1,265.63
107	23	10-2300009L	Improvement	392,700	274,900	117,800	\$3,892.70
120	12	10-2300023L	Improvement	454,200	414,900	39,300	\$1,298.67
127	29	10-2300016	Improvement	356,800	210,300	146,500	\$4,841.10
167	33	10-2300014	Improvement	468,800	404,800	64,000	\$2,114.88
173	41	10-2300034L	Improvement	237,000	223,000	14,000	\$462.63
241	10	10-2300011	Improvement	218,500	135,500	83,000	\$2,742.74
248	2	10-2300030	Improvement	583,800	493,500	90,300	\$2,983.97

Block	Lot	Appeal #	Land/Improvement	ReVal Assessment	Judgment	Adjustment	Total Credit 2023-2024
248	3	10-2300031	Improvement	571,200	493,500	77,700	\$2,567.60
256	10	10-2300032	Improvement	307,300	236,900	70,400	\$2,326.37
258	20	10-2300036	Improvement	260,100	235,700	24,400	\$806.30
259	3	10-2300004	Improvement	1,603,600	1,203,000	400,600	\$13,237.83
264	12	10-2300005	Improvement	1,446,000	976,800	469,200	\$15,504.72
267	1	10-2300042	Improvement	560,600	464,500	96,100	\$3,175.62
285	33	10-2300026	Land	70,000	60,000	10,000	\$330.45
285	34	10-2300027	Land	70,000	60,000	10,000	\$330.45
285	35	10-2300028	Improvement	249,900	229,600	20,300	\$670.82
290	25	10-2300043L	Improvement	463,300	425,000	38,300	\$1,265.63
293	4	10-2300025	Improvement	437,300	369,400	67,900	\$2,243.76
301	37	10-2300035	Improvement	329,700	310,200	19,500	\$644.39
314	31	10-2300019L	Improvement	258,800	171,000	87,800	\$2,901.35
338	5.01	10-2300012	Improvement	490,000	438,400	51,600	\$1,705.13
349	5	10-2300033L	Improvement	1,833,600	1,100,000	733,600	\$24,241.82

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 July 25, 2023.

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

Resolution #235-2023

AUTHORIZING ADDED LIEN TAX FOR THE CLEAN-UP COSTS INCURRED FROM VIOLATIONS OF THE PROPERTY MAINTENANCE CODE

WHEREAS, Code violations, specifically 318-4 and 318-5, were determined to exist requiring the clean-up, removal of litter, loose debris, bagged garbage, cutting and removal of fallen trees, disposal of vegetation and cutting of lawn, and installing plywood to three (3) sections of the home that were accessible from the outside and;

WHEREAS, the responsible parties did not perform the work necessary to alleviate the violations. To provide for public health and safety, the Department of Code Enforcement engaged the services of outside vendors to perform the clean-up, maintenance and removal of debris; and,

WHEREAS, the Department of Code Enforcement has provided invoices from said outside vendors detailing the costs of clean-up and removal in the amount of \$10,486.00 (Exhibit A), and;

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

1. The Tax Collector is hereby directed to place an Added Tax Lien. The lien will be billed against the August 2023 quarter taxes and the Collector will send out a bill upon notification of passage of this resolution and allow suitable amount of time consistent with tax billing for the payment of said amount without interest. At expiration of that time, interest will accrue at the level established in accordance with N.J.S.A. 54:4-67.
2. The following are the addresses and amounts authorized by this resolution:

Block:	283
Lot:	18
Address:	735 Drake Ave
Amount:	\$10,486.00

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 July 25, 2023.

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

Resolution #236-2023

AWARDING THE CONTRACT FOR BIODEGRADABLE LEAF BAGS TO PABCO INDUSTRIES, LLC. IN AN AMOUNT NOT TO EXCEED \$15,930.00

WHEREAS, request for quotes were received June 14, 2023 for Biodegradable Leaf Bags;

WHEREAS, there were two (2) quotes received, quotes listed below:

- 1) Pabco Industries, LLC - \$15,930.00
- 2) Uline - \$15,996.38

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 Department of Public Works Supervisor and the Purchasing Agent, the governing body hereby awards the contract for Biodegradable Leaf Bags to Pabco Industries, LLC. in amount not to exceed \$15,930.00.

NOW FURTHER BE IT RESOLVED, that the Treasurer hereby certifies that funds in an amount not to exceed \$15,930.00 are available in Account No's. G-02-16-770-000-110: \$8,100.00 (2023 Clean Communities Grant) & T-03-56-286-868-000 \$7,830.00 (Recycle Trust).

Caroline Benson, Treasurer

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 July 25, 2023.

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

Resolution #237-2023

APPROVAL TO ADVANCE POLICE OFFICER ROBERT DANGLER TO POLICE OFFICER CLASS "A" EFFECTIVE AUGUST 9, 2023 AT AN ANNUAL SALARY OF \$122,729

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

WHEREAS, On July 14, 2023 Chief Geist recommended Police Officer Robert Dangler 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 Robert Dangler be and is hereby advanced in grade to Police Officer Class "A" effective August 9, 2023 at an annual salary of \$122,729.

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 July 25, 2023.

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

Resolution #238-2023

**APPROVAL TO ADVANCE POLICE OFFICER PAUL CERRETO TO POLICE
OFFICER CLASS "A" EFFECTIVE AUGUST 9, 2023 AT AN ANNUAL SALARY OF
\$122,729**

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

WHEREAS, On July 14, 2023 Chief Geist recommended Police Officer Paul Cerreto 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 Paul Cerreto be and is hereby advanced in grade to Police Officer Class "A" effective August 9, 2023 at an annual salary of \$122,729.

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 July 25, 2023.

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

Resolution #239-2023

**SPECIAL ITEMS OF REVENUE AND APPROPRIATION - MUNICIPAL COURT
ALCOHOL EDUCATION, REHABILITATION AND ENFORCEMENT FUND**

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 2023 in the sum of \$648.97, which item is now available as a revenue from the Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund in the amount of \$648.97;

BE IT FURTHER RESOLVED that the like sum of \$648.97 is hereby appropriated under the caption of "Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund"; and

BE IT FURTHER RESOLVED that the above is a result of a State Grant of \$648.97 from the Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund.

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 July 25, 2023.

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

Resolution #240-2023

SPECIAL ITEMS OF REVENUE AND APPROPRIATION - NATIONAL OPIOID SETTLEMENT FUND

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 2023 in the sum of \$2,847.66, which item is now available as a revenue from the National Opioid Settlement Fund in the amount of \$2,847.66;

BE IT FURTHER RESOLVED that the like sum of \$2,847.66 is hereby appropriated under the caption of "National Opioid Settlement Fund"; and

BE IT FURTHER RESOLVED that the above is a result of a State Settlement Agreement of \$2,847.66 from the National Opioid Settlement Fund.

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 July 25, 2023.

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

Resolution #241-2023

AUTHORIZING THE PURCHASE OF DATA SWITCHES FOR BOROUGH HALL AND THE POLICE DEPARTMENT IN THE AMOUNT OF \$7,362.72

WHEREAS, the Borough of Middlesex wishes to purchase Data Switches for Borough Hall and the Police Department in the amount of \$7,362.72 from Hunter Technologies under NJ State Contract 21-TELE-01518; and

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

WHEREAS, Hunter Technologies is under NJ State Contract 21-TELE-01518 for data equipment; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of Data Switches for Borough Hall and the Police Department in the amount of \$7,362.72 from Hunter Technologies be and is hereby approved.

NOW FURTHER BE IT RESOLVED, The CFO hereby certifies that the funds in the amount not to exceed \$7,362.72 is available in the 2022 Capital Budget - IT Services, Account Number C-04-22-062-000-090.

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 July 25, 2023.

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

Resolution #242-2023

AUTHORIZING THE MAYOR TO EXECUTE AN ESTOPPEL CERTIFICATE RELATING TO A FINANCIAL AGREEMENT BY AND BETWEEN THE BOROUGH AND CP MIDDLESEX URBAN RENEWAL LLC EXECUTED IN CONNECTION WITH A REDEVELOPMENT PROJECT ON REAL PROPERTY DESIGNATED AS BLOCK 318, LOTS 1.01 AND 1.02 ON THE OFFICIAL TAX MAPS OF THE BOROUGH

WHEREAS, on January 11, 2021, the Borough and CP Middlesex Urban Renewal LLC (the "**Entity**") entered into a Financial Agreement (the "**Financial Agreement**") related to the granting of a long term tax exemption in order to enhance the economic viability of and opportunity for a successful project consisting of the development, design, finance and construction of a warehouse building with office space, together with car and trailer parking on the Property, and the construction of utilities, driveways, parking, loading, street lighting, landscaping and other on and off-site improvements in accordance with the requirements of the Borough's Lincoln Boulevard Redevelopment Plan (the "**Project**") on certain real property located within the Borough, specifically Block 318, Lots 1.01 and 1.02 (f/k/a Block 318, Lots 4.02, 38.01 and 48) on the official tax map of the Borough (the "**Property**"); and

WHEREAS, pursuant to Section 9.01 of the Financial Agreement, the Entity requested that the Borough consent to the assignment of the Financial Agreement to 245 Mountain Ave Urban Renewal LLC ("**245 Mountain**"), an affiliate of Prologis, Inc., and by Ordinance No. 2096-23, duly adopted on July 25, 2023, the Borough authorized the assignment of the Financial Agreement from the Entity to 245 Mountain; and

WHEREAS, in connection with the conveyance of the Project by the Entity to 245 Mountain, 245 Mountain requested that the Borough deliver an Estoppel Certificate (the "**Estoppel Certificate**"); and

WHEREAS, the Mayor and Council, based upon the advice of Borough staff and its Special Redevelopment Counsel, and the delivery of various documents by 245 Mountain to the Borough, are desirous of approving the Estoppel Certificate.

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 Estoppel Certificate, 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 Estoppel Certificate 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 Entity. The Borough Clerk shall retain at least one (1) fully executed copy of the Estoppel Certificate 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 July 25, 2023.

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

Resolution #243-2023

TRANSFERRING OEM SURPLUS VEHICLE TO THE DEPARTMENT OF PUBLIC WORKS EFFECTIVE IMMEDIATELY

At the November 22, 2022 Council Meeting the Governing Body declared the OEM 1970 GPD Army Vehicle Vin #104D0671052519196 surplus. The Governing Body approves this vehicle be transferred to the Department of Public Works at this time.

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 July 25, 2023.

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

Resolution #244-2023

**ACCEPTING THE RESIGNATION OF BILL BOYLE AS FIRE SUBCODE OFFICIAL
FOR THE BOROUGH OF MIDDLESEX**

The Governing Body hereby accepts the resignation of Bill Boyle as Fire Subcode Official in the Borough of Middlesex effective July 27, 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 July 25, 2023.

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

Resolution #245-2023

HIRING OF FIRE SUBCODE OFFICIAL

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 July 25, 2023.

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

Resolution #246-2023

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 July 25, 2023.

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

Resolution #247-2023

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 including Lake Creighton - Potential Litigation, Public Safety, and Personnel - DPW, which are exempted from the Public; and

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

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

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 July 25, 2023.