



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, September 26, 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. PRESENTATIONS**
- V. APPOINTMENTS**
- VI. PROCLAMATIONS**
- VII. ORDINANCE(S) FOR INTRODUCTION**

- 1. **Ordinance 2100-23** AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 407, VEHICLES AND TRAFFIC, ARTICLE IV PROHIBITED PARKING, TO INCLUDE SECTION 407-11.5 WELLINGTON STREET; PROHIBITED PARKING; SIGNS; PENALTY

- VIII. ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION**
- IX. ADOPTION OF 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 281-2023** Accepting the Resignation of Joseph Ford, Bus Driver, Effective August 31, 2023
2. **Resolution 282-2023** Acceptance of Standing Reports
3. **Resolution 283-2023** Authorizing the Purchase of one 2024 Ford Utility Interceptor Base Vehicle Under NJ State Contract #20-FLEET-01189
4. **Resolution 284-2023** Awarding the Contract for the Middlesex Police Department RTU Replacements Project to Hanna's Mechanical Contractors, Inc. As the Lowest Responsible Bidder in the Amount of \$263,500.00
5. **Resolution 285-2023** Authorizing the Purchase of One Ultra Stationary Compactor for the Recycle Yard In The Amount of \$24,125.00 Through Sourcewell Co-op Contract #040621-MEC
6. **Resolution 286-2023** Authorizing the Purchase of 3 Taser 7 Basic Bundles and Accessories for the Middlesex Borough Police Department Under the NJ State Contract #17-FLEET-00738 In The Amount of \$12,353.20
7. **Resolution 287-2023** Special Items of Revenue and Appropriation - National Opioid Settlement Fund

8. **Resolution 288-2023** Authorizing the Purchase of Two (2) Radar Speed Signs for the Police Department Under Somerset County CO-OP, CC-0099-22 in the Amount of \$18,316.62
9. **Resolution 289-2023** Authorizing the Purchase of Radar Speed Trailer for the Police Department Under Somerset Co-Op in the Amount of \$9,423.86
10. **Resolution 290-2023** Cancelling Improvement Authorizations
11. **Resolution 291-2023** Special Items of Revenue and Appropriation - Assistance to Firefighters Grant
12. **Resolution 292-2023** Authorizing the Waiver of the Execution of a Developer's Agreement Pursuant to Section 56-47 of the Municipal Code of the Borough of Middlesex for the Property Known as 59 Warrenville Road, Block 5, Lot 8 (JLUB App. No. 2020-005)
13. **Resolution 293-2023** Approving a Block Party on October 7, 2023 Between 12PM and 8PM on B Street Between Walnut Street and Maple Street

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 294-2023** Pay All Claims

XVI. AGENDA WORKSHOP ITEM

1. Heather Lane Property Erosion
2. OEM - Cadet Program

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 295-2023** Executive Session

Potential Litigation - Lake Creighton

Real Estate - 1190 Mountain Avenue - Phase II Environmental Study

XIX. ADJOURNMENT

1. The next Regular Meeting will be October 10, 2023

ORDINANCE #2100-23

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 407, VEHICLES AND TRAFFIC, ARTICLE IV PROHIBITED PARKING, TO INCLUDE SECTION 407-11.5 WELLINGTON STREET; PROHIBITED PARKING; SIGNS; PENALTY

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

Section 407-11. shall be amended to include the following:

§ 407-11.5. Wellington Street; prohibited parking; signs; penalty.

- A. Parking of motor vehicles shall be prohibited at all times and all days on the north side of Wellington Street point of intersection with the westerly side of Marlborough Avenue for a distance of 50 feet.

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 September 26, 2023.

INTRODUCED: September 26, 2023

DATE OF PUBLICATION:
OF INTRODUCTION September 29, 2023

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

Resolution #281-2023

**ACCEPTING THE RESIGNATION OF JOSEPH FORD, BUS DRIVER, EFFECTIVE
AUGUST 31, 2023**

The governing body hereby accepts the resignation of Joseph Ford, Bus Driver, effective August 31, 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 September 26, 2023.

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

Resolution #282-2023

ACCEPTANCE OF STANDING REPORTS

The Governing Body hereby accepts the following Reports itemized below:

1. Acceptance of Alejandro Ciprian as a member of the Middlesex Fire Department Lincoln Hose Company.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on September 26, 2023.

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

Resolution #283-2023

**AUTHORIZING THE PURCHASE OF ONE 2024 FORD UTILITY INTERCEPTOR
BASE VEHICLE UNDER NJ STATE CONTRACT #20-FLEET-01189**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase a 2024 Ford Utility Interceptor Base Vehicle under the NJ State Contract #20-FLEET-01189 for the Police Department; and

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

WHEREAS, Winner Ford is under the NJ State Contract #20-FLEET-01189 for police vehicles; and

WHEREAS, the cost for the purchase of a 2024 Ford Utility Interceptor Base Vehicle is \$49,954.00; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of a 2024 Ford Utility Interceptor Base Vehicle under NJ State Contract #20-FLEET-01189 be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed \$49,954.00 are available in the Police Departments 2023 Capital Budget, Account Number C-04-23-095-000-071.

Caroline Benson, CFO

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on September 26, 2023.

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

Resolution #284-2023

AWARDING THE CONTRACT FOR THE MIDDLESEX POLICE DEPARTMENT RTU REPLACEMENTS PROJECT TO HANNA'S MECHANICAL CONTRACTORS, INC. AS THE LOWEST RESPONSIBLE BIDDER IN THE AMOUNT OF \$263,500.00

WHEREAS, a notice of advertisement for sealed bids and invitation to bid for Middlesex Borough Police Department RTU Replacements were prepared and advertised in accordance with the Local Public Contracts Law, Executive Order 107, and Local Finance Notice 2020-10; and

WHEREAS, on September 6, 2023, seven (7) bids were received and read out loud for the Middlesex Borough Police Department RTU Replacements; and

WHEREAS, listed below are bids received for said project:

- | | |
|---|--------------|
| 1) Hanna's Mechanical Contractors, Inc.
Milltown, NJ | \$263,500.00 |
| 2) Centralpack Engineering Corp
Hibernia, NJ | \$278,147.00 |
| 3) Envirocon, LLC
Hackettstown, NJ | \$319,752.00 |
| 4) TM Brennan Services, Inc.
Blackwood, NJ | \$329,000.00 |
| 5) Bill Leary A/C & HTG
Metuchen, NJ | \$334,000.00 |
| 6) Chappelle Mechanical
Piscataway, NJ | \$345,000.00 |
| 7) K&D Contractors
Kenilworth, NJ | \$432,480.00 |

WHEREAS, Hanna's Mechanical Contractors, Inc. submitted the lowest, responsive bid in the amount of \$263,500.00; and

WHEREAS, the Project Engineer, Timothy Conlon, recommends awarding the bid to Hannah's Mechanical Contractors, Inc., the lowest responsible bidder, in the total bid amount of \$263,500.00 as contingent upon the Borough Attorney's review, availability of funds for this project; and

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

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

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

1. At the recommendation of the Project Engineer and Borough Attorney, the Mayor and governing body hereby awards the contract for the Middlesex Police Department RTU Replacements Project to Hanna's Mechanical Contractors, Inc. as the lowest responsible bidder in the amount of \$263,500.00.
2. The Mayor and Borough Clerk are hereby authorized to execute the Borough standard form of Contract for Goods and Services referenced herein and made a part of this award of contract as well as any non-substantive modifications thereto and related constituent documents.
3. The Borough Clerk is directed to forward a certified copy of this Resolution to the Qualified Purchasing Agent, Chief Financial Officer, Project Engineer, Borough Attorney, and Hanna's Mechanical Contractors, Inc.

NOW FURTHER BE IT RESOLVED, that the Treasurer hereby certifies funds are available in the amount of \$263,500.00 in the Building & Grounds Capital Budget, Account Numbers: C-04-21-039-000-083, \$39,900; C-04-22-062-000-083, \$50,000; C-04-23-095-000-083, \$173,600.00.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on September 26, 2023.

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

Resolution #285-2023

AUTHORIZING THE PURCHASE OF ONE ULTRA STATIONARY COMPACTOR FOR THE RECYCLE YARD IN THE AMOUNT OF \$24,125.00 THROUGH SOURCEWELL CO-OP CONTRACT #040621-MEC

WHEREAS, the Department of Public Works wishes to purchase one (1) Ultra Stationary Compactor for the Recycle Yard in the amount of \$24,125.00 through Sourcewell Co-op Contract #040621-MEC;

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

WHEREAS, Eagle Equipment Corp. is under the Sourcewell Co-op Contract #040621-MEC for stationary compactor's; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of one (1) Ultra Stationary Compactor for the Recycle Yard from Eagle Equipment Corp. under Sourcewell Co-op Contract #040621-MEC be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed \$24,125.00 are available in Account No. G-02-16-780-000-105 (Recycling Tonnage Grant 2020)

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 September 26, 2023.

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

Resolution #286-2023

AUTHORIZING THE PURCHASE OF 3 TASER 7 BASIC BUNDLES AND ACCESSORIES FOR THE MIDDLESEX BOROUGH POLICE DEPARTMENT UNDER THE NJ STATE CONTRACT #17-FLEET-00738 IN THE AMOUNT OF \$12,353.20

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase 3 Taser 7 Basic Bundles and accessories for the Middlesex Borough Police Department under the NJ State Contract #17-FLEET-00738 in the amount of \$12,353.20; and

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

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

WHEREAS, the cost for said purchase of 3 Taser 7 Basic Bundles and accessories is \$12,353.20; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of 3 Taser 7 Basic Bundles and accessories for the Middlesex Borough Police Department, in the amount of \$12,353.20 under NJ State Contract #17-FLEET-00738 be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed \$12,353.20 are available in the 2023 Police Department Capital Budget. Account number C-04-23-095-000-071.

Caroline Benson, CFO

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on September 26, 2023.

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

Resolution #287-2023

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 \$3,091.66, which item is now available as a revenue from the National Opioid Settlement Fund in the amount of \$3,091.66;

BE IT FURTHER RESOLVED that the like sum of \$3,091.66 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 \$3,091.66 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 September 26, 2023.

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

Resolution #288-2023

AUTHORIZING THE PURCHASE OF TWO (2) RADAR SPEED SIGNS FOR THE POLICE DEPARTMENT UNDER SOMERSET COUNTY CO-OP, CC-0099-22 IN THE AMOUNT OF \$18,316.62

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase two (2) Radar Speed Signs for the Police Department under the Somerset County Co-Op, CC-0099-22; and

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

WHEREAS, National Highway Products is under the Somerset County Co-Op, CC-0099-22 for Radar Speed Signs; and

WHEREAS, the cost for the purchase of two (2) Radar Speed Signs is not to exceed \$18,316.62; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of two (2) Radar Speed Signs in the amount of \$18,316.62, under Somerset County Co-Op be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed \$18,316.62 are available in Account No. C-04-23-095-000-071 (2023 Capital - Police Dept).

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 September 26, 2023.

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

Resolution #289-2023

AUTHORIZING THE PURCHASE OF RADAR SPEED TRAILER FOR THE POLICE DEPARTMENT UNDER SOMERSET CO-OP IN THE AMOUNT OF \$9,423.86

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase a Radar Speed Trailer for the Police Department under the Somerset County Co-Op, CC-0099-22; and

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

WHEREAS, National Highway Products is under the Somerset County Co-Op, CC-0099-22 for Radar Speed Trailers; and

WHEREAS, the cost for the purchase of a Radar Speed Trailer is not to exceed \$9,423.86; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of a Radar Speed Trailer in the amount of \$9,423.86, under Somerset County Co-Op be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed \$9,423.86 are available in Account No. C-04-23-095-000-071 (2023 Capital - Police Dept).

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 September 26, 2023.

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

Resolution #290-2023

CANCELLING IMPROVEMENT AUTHORIZATIONS

WHEREAS, there are certain improvement authorizations that were funded in total or in part by proceeds of bonds issued, grants awarded or through the utilization of Capital Surplus, and

WHEREAS, there are unexpended balances of aforementioned improvement authorizations and no further expenditures will be disbursed from said authorizations.

THEREFORE BE IT RESOLVED, that the attached listing of balances of improvement authorizations be cancelled and credited to either the Capital Surplus or to reduce the Grants Receivable or to reduce the Deferred Charges Unfunded, as appropriate.

Ordinance #	Improvement Description	Ordinance Date	Original Amount Authorized	Total Cancellations	Capital Surplus	Deferred Charges Unfunded	Grants Receivable	Grants Reserve
1947-18	Various Improvements	8/14/2018	\$1,981,165.00	\$189,676.48	\$189,676.24	\$0.24	\$48,371.21	\$48,371.21
1961-19	Fisher Ave & Ashland Rd	6/11/2019	\$620,000.00	\$9,967.34		\$9,967.34		
				\$199,643.82	\$189,676.24	\$9,967.58	\$48,371.21	\$48,371.21

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on September 26, 2023.

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

Resolution #291-2023

**SPECIAL ITEMS OF REVENUE AND APPROPRIATION - ASSISTANCE TO
FIREFIGHTERS GRANT**

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 \$178,795.12, which item is now available as a revenue from the Assistance to Firefighters Grant (AFG) in the amount of \$178,795.12;

BE IT FURTHER RESOLVED that the like sum of \$178,795.12 is hereby appropriated under the caption of "Assistance to Firefighters Grant"; and

BE IT FURTHER RESOLVED that the above is a result of a Federal FEMA Grant of \$178,795.12 from the Assistance to Firefighters Grant (AFG).

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on September 26, 2023.

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

Resolution #292-2023

AUTHORIZING THE WAIVER OF THE EXECUTION OF A DEVELOPER'S AGREEMENT PURSUANT TO SECTION 56-47 OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX FOR THE PROPERTY KNOWN AS 59 WARRENVILLE ROAD, BLOCK 5, LOT 8 (JLUB APP. NO. 2020-005)

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

WHEREAS, on October 28, 2020, the Joint Land Use Board granted preliminary and final site plan approval with "c" variances to the applicant, RJT Construction, LLC, for the property located at 59 Warrenville Road in the R-75 Zone, with the resolution of said Board attached hereto; and

WHEREAS, Condition 15 of the resolution of the Board directs the Applicant to "enter into a Developer's Agreement with the Borough regarding public improvements and bonding required for this project or obtain waiver from the Borough Council" which Applicant has requested through correspondence to the Borough dated September 8, 2023; and

WHEREAS, Applicant has noted that the improvements are partially complete and have been bonded with a cash deposit for 120% of the engineer's estimate. As a result, the oversight can be handled in accordance with the detailed resolution of the Joint Land Use Board, and in consideration of same waiver of the Borough's requirement for a developer's agreement is appropriate; and

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

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey, does hereby waive the Developer's Agreement requirement of Section 56-47 of the Municipal Code of the Borough of Middlesex for the project approved in Joint Land Use Board App. No. 2020-005 for the property located at 59 Warrenville Road (Block 5, Lot 8).

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on September 26, 2023.

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

Resolution #293-2023

**APPROVING A BLOCK PARTY ON OCTOBER 7, 2023 BETWEEN 12PM AND 8PM
ON B STREET BETWEEN WALNUT STREET AND MAPLE STREET**

WHEREAS, the residents of 237 B Street have requested to have a block party on B Street between Walnut Street and Maple Street on October 7, 2023 between the hours of 12 p.m. and 8 p.m.; and

WHEREAS, all the designated officials have given approval for this block party.

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

1. The Governing Body hereby grants approval to the residents of 237 B Street to conduct a block party on B Street between Walnut Street and Maple Street on October 7, 2023 between the hours of 12 p.m. and 8 p.m.
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 September 26, 2023.

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

Resolution #294-2023

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 September 26, 2023.

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

Resolution #295-2023

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 Potential Litigation - Lake Creighton and Real Estate - 1190 Mountain Avenue - Phase II Environmental Study; 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 September 26, 2023.