

**BOROUGH OF MIDDLESEX
REGULAR MEETING
AGENDA
APRIL 25, 2017
7 PM**

1. **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.
2. **SALUTE TO FLAG**
3. **ROLL CALL:**

Dotey [] Parenti [] Corley [] Madden [] Schueler [] Mikolajczyk []
Mayor DiMura []
4. **PRESENTATIONS**
 1. Recognizing the retirement of Captain Michael Colacci
5. **APPOINTMENTS**
6. **PROCLAMATIONS**
 1. Older American's Month – May, 2017
7. **PUBLIC HEARING ON THE 2017 BUDGET**
 1. Resolution #101-17 Amendment to 2017 Budget
 2. Resolution #102-17 Adoption 2017 Budget
8. **NEW BUSINESS**
 1. **ORDINANCE NO. 1915-17 AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING THE CODES OF THE BOROUGH OF MIDDLESEX CHAPTER 420-15, ACCESSORY STRUCTURES**
 2. **ORDINANCE NO. 1916-17 AMENDING CHAPTER 351 TO RESCIND AND REPLACE ARTICLE I GARBAGE AND REFUSE COLLECTION**
 3. **ORDINANCE NO. 1917-17 AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 26, ECONOMIC DEVELOPMENT COMMITTEE, CHAPTER 26-1 ESTABLISHMENT, CHAPTER 26-2 MEMBERSHIP, CHAPTER 26-3 ECONOMIC DEVELOPMENT SPECIALIST, AND CHAPTER 26-5 QUORUM**
9. **PUBLIC HEARING**

1. **ORDINANCE NO. 1913-17 AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX CHAPTER 80 POLICE DEPARTMENT, CHAPTER 80-75 ADMINISTRATIVE FEE FOR USE OF POLICE OFFICERS AND/OR VEHICLES ON EXTRA-DUTY JOBS**
2. **ORDINANCE NO. 1914-17 AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX CHAPTER 407, VEHICLES AND TRAFFIC; ARTICLE VIII, COMMERCIAL VEHICLES, SECTION 407-22 TRUCKS RESTRICTED**

10. ADOPTION OF MINUTES

1. Approval of the March 28, 2017 Executive Meeting Minutes & April 11, 2017 Regular & Executive Meeting Minutes

11. REPORTS

12. REPORTS - STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Insurance/Public Utilities
2. Recreation/Recreation Fields/Swim Pool/Community Celebrations
3. Fire/OEM/Rescue Squad/Shade Tree
 1. Accepting Carlos Elizer Lopez as a new Member of the Middlesex Fire Department
4. Public Works/Buildings & Grounds/Recycling/Board of Health
5. Police/Legal/Code Enforcement/Construction/Municipal Court
 1. Approval of the March, 2017 Police Department Monthly Report
6. Administration/Department of Senior Services/Legislation/Licensing

13. 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.

- 14. 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 #75-17 The Tax Collector is authorized to refund partial 2015 Sanitary Sewer Use Charges on Block 54, Lot 18 in the amount of \$307.24.
2. Resolution #77-17 The Tax Collector is authorized to refund partial 2015 Sanitary Use Charges on Block 306, Lot 8 in the amount of \$570.52.
3. Resolution #78-17 The Tax Collector is authorized to refund 2015 Sanitary Sewer use Charges on Block 180, Lot 4 in the amount of \$157.64
4. Resolution #80-17 The Tax Collector is authorized to refund 2015 Sanitary Sewer Use Charges on Block 339, Lot 18 C 002 in the amount of \$67.56
5. Resolution #103-17 The governing body approves hiring Gregg Steffen, Middlesex, New Jersey as a substitute Senior Drive for the Office of Aging at \$12.00 per hour effective immediately.
6. Resolution #104-17 The governing body approves hiring Eleazar Garcia, South Bound Brook, New Jersey as a part time laborer in the DPW at \$12.00 per hour, 28 hours per week effective May 1, 2017, pending a satisfactory physical and background check.
7. Resolution #105-17 The governing body approves hiring Jonathan T. Parreno, Middlesex, new Jersey as a part time laborer in the DPW at \$12.00 per hour, 28 hours per week effective May 1, 2017, pending a satisfactory physical and background check.
8. Resolution #106-17 The governing body accepts the retirement of Captain Michael Colacci effective May 1, 2017 and authorize the Treasurer to pay his full allowance of \$70,331.38 in accordance with the PBA Contract.
9. Resolution #107-17 The governing body approves the refund of \$20.00 to the PTO Middlesex Parker School for a raffle license which was rejected by the Legalized Games of Chance Control Commission.
10. Resolution #108-17 Resolution to authorize a self-examination of the 2017 Municipal Budget
11. Resolution #109-17 A resolution of the Borough of Middlesex authorizing a Shared Services Agreement with Middlesex County to provide aerial photogrammetric, GIS, new certified tax map and other GIS based services to the Borough of Middlesex.
12. Resolution #110-17 The governing body approves the residents of 300 Greene Avenue to conduct a block party on Delaware Avenue between Greene Avenue & Melrose Avenue on May 27, 2017 between the hours of 11 a.m. and 10 p.m.

13. Resolution #111-17 The governing body approves the refund of \$150.00 to Joseph and Christine Mazze for a Landlord Registration Fee, as one property did not change tenancy and the other property is owner occupied and no fees were required.
14. Resolution #112-17 At the recommendation of the DPW Manager, the governing body hereby advances Leonard Vidal to Road Department Lead Person in the DPW at \$35.84 per hour effective immediately.
15. Resolution #113-17 Awarding the bid for the Mountain View Park Lighting Project (Resolution to follow)
15. **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 #114-17 Pay All Claims
16. **AGENDA WORKSHOP ITEM**
 1. Engineer's design for George Avenue Drainage
 2. Additional inspector for Zoning
 3. Parking Issue due to 150 Lincoln Boulevard
 4. Economic Development Specialist
 5. Fire Truck for Pierce Fire House
17. **PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS**
18. **EXECUTIVE SESSION - Resolution #115-17**
 1. Converting OLMV School into a Community Center
19. **ADJOURNMENT.** The next Regular Meeting will be on May 9, 2017.

PROCLAMATION

WHEREAS, May, 2017 has been designated National Older Americans Month; and

WHEREAS, the Director of the Office on Aging has designated "Age out Loud" as the theme for Older Americans Month; and

WHEREAS, Middlesex Borough recognizes the value and contributions of our older citizens.

NOW THEREFORE, I, RONALD J. DIMURA, Mayor of the Borough of Middlesex, hereby proclaim May, 2017 to be Older Americans Month and urge citizens of this community to honor and celebrate this special event.

Adopted: April 25, 2017

Ronald J. DiMura, Mayor

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

RESOLUTION #101-17

**BOROUGH OF MIDDLESEX
MIDDLESEX COUNTY, NEW
JERSEY**

**RESOLUTION TO AMEND
BUDGET**

WHEREAS, the local municipal budget for the year 2017 was approved on the 28th day of March, 2017, and;

WHEREAS, the public hearing on said budget has been held as advertised, and;

WHEREAS, it is desired to amend said approved budget;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Middlesex, County of Middlesex, that the following amendments to the approved budget of 2017 be made:

	<u>Ayes</u>	<u>Nays</u>	<u>Abstained</u>
Recorded Vote	(	(	(
(Insert last names)	(	(	(
	(		
	(		
	(		
	(		
			<u>Absent</u>
			(
			(
			(

**CURRENT FUND -
ANTICIPATED REVENUES**

	<u>From</u>	<u>To</u>
1. Surplus Anticipated	<u>2,038,376.00</u>	<u>2,022,988.00</u>
3. Miscellaneous Revenues - Section F: Special		
Items Offset with Appropriations		
Public and Private Revenues		
Older American Act - I.A. & Transp Assistance	<u>0.00</u>	<u>17,700.00</u>
Total Section F: Special Items Offset with		

Appropriations-Public & Private Revenue	<u>69,886.00</u>	<u>87,586.00</u>
5. Subtotal General Revenues	<u>7,093,590.58</u>	<u>7,095,902.58</u>
7. Total General Revenues	<u>19,800,204.00</u>	<u>19,802,516.00</u>

CURRENT FUND
APPROPRIATIONS

	<u>From</u>	<u>To</u>
(E) Deferred Charges and Statutory Expenditures - Municipal within "CAPS"		
(2) STATUTORY EXPENDITURES		
Public Employees' Retirement System	<u>327,004.00</u>	<u>328,116.00</u>
Total Deferred Charges and Statutory Expenditures - Municipal within "CAPS"	<u>1,313,366.00</u>	<u>1,314,478.00</u>
(H-1) Total General Appropriations for Municipal Purposes within "CAPS"	<u>13,568,736.00</u>	<u>13,569,848.00</u>
Public and Private Programs Offset by Revenue Older American Act - Info & Transp Assistance	<u>16,500.00</u>	<u>17,700.00</u>
Total Public and Private Programs Offset by Revenues	<u>86,386.00</u>	<u>87,586.00</u>
Total Operations Excluded from "CAPS"	<u>2,600,967.00</u>	<u>2,602,167.00</u>
(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	<u>5,356,468.00</u>	<u>5,357,668.00</u>
(O) Total General Appropriations-Excluded from "CAPS"	<u>5,356,468.00</u>	<u>5,357,668.00</u>
(L) Subtotal General Appropriations {Items (H-1) and (O)}	<u>18,925,204.00</u>	<u>18,927,516.00</u>
9. Total General Appropriations	<u>19,800,204.00</u>	<u>19,802,516.00</u>

BE IT FURTHER RESOLVED, that two (2) certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services for certification of the 2017 local municipal budget so amended.

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

Resolution #102-17

BOROUGH OF MIDDLESEX

COUNTY OF MIDDLESEX

RESOLUTION TO ADOPT 2017 MUNICIPAL BUDGET

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Middlesex, County of Middlesex, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

(a)	\$ 12,221,626.42	(Item 2 below) for municipal purposes
(e)	\$ 484,987.00	(Item 5 below) Minimum Library Tax

Recorded Vote
(Insert last name)

(			(	Abstained	(
(			(		(
Ayes	(		Nays	(	
(			(		(
(				Absent	(
(					(

Current Fund:

SUMMARY OF REVENUES

#	General Revenues	
	Surplus Anticipated	\$ 2,022,988.00
	Miscellaneous Revenues Anticipated	4,422,914.58
	Receipts from Delinquent Taxes	650,000.00
#	Amount to be Raised by Taxation for Municipal Purposes (Item 6[a], Sheet 11)	12,221,626.42
#	Amount to be raised by taxation minimum library levy	484,987.00
	Total Revenues	\$ 19,802,516.00

SUMMARY OF APPROPRIATIONS

General Appropriations:

Within "CAPS"	
(a&b) Operations Including Contingent	12,255,370.00
(e) Deferred Charges and Statutory Expenditures - Municipal	1,314,478.00
(f) Judgments	
Excluded from "CAPS"	
(a) Operations - Total Operations Excluded from "CAPS"	2,602,167.00
(c) Capital Improvements	80,000.00
(d) Municipal Debt Service	2,310,501.00
(e) Deferred Charges - Municipal	365,000.00
(m) Reserve for Uncollected Taxes	875,000.00
Total Appropriations	\$ 19,802,516.00
 <u>Swimming Pool Utility Fund:</u>	
Total Revenues	\$ 527,510.00
Total Appropriations	\$ 527,510.00

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 25th day of April, 2017. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2017 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

I CERTIFY THE FOREGOING TO BE A TRUE AND CORRECT ABSTRACT OF A RESOLUTION REGULARLY ADOPTED AT A MEETING OF THE COMMON COUNCIL OF MIDDLESEX, HELD

AND IN THAT RESPECT A TRUE AND CORRECT COPY OF ITS MINUTES

CLERK OF THE BOROUGH OF MIDDLESEX, NJ

ORDINANCE NO. 1915-17

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING THE CODES OF THE BOROUGH OF MIDDLESEX CHAPTER 420-15, ACCESSORY STRUCTURES

WHEREAS, the Municipal Land Use Law of the State of New Jersey, N.J.S.A. 40:55D-1, et seq., grants to municipalities the power to adopt a zoning ordinance relating to the nature and extent of the uses of lands, buildings and structures thereon;

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

SECTION ONE. The Code of the Borough of Middlesex, Middlesex County, New Jersey Section 420-15 is hereby amended as follows:

420-15 Accessory Structures.

I. Membrane Structures.

Membrane structures, also referred to as hoop garages, are prohibited.

SECTION TWO. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

SECTION THREE. This Ordinance may be renumbered for codification purposes.

SECTION FOUR. In the event that any section, part or provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION FIVE. This Ordinance shall take effect 20 days after passage and publication as provided by law.

ATTEST:

Kathleen Anello, Municipal Clerk

Ronald J. DiMura, Mayor

INTRODUCED: April 25, 2017

**DATE PUBLICATION
OF INTRODUCTION:**

ADOPTED:

**DATE OF PUBLICATION
OF ADOPTION:**

ORDINANCE NO. 1916-17

**AMENDING CHAPTER 351 TO RESCIND AND REPLACE ARTICLE I GARBAGE
AND REFUSE COLLECTION**

WHEREAS, pursuant to N.J.S.A. 40:48-1, the Governing Body of a municipality may make, amend, repeal, and enforce ordinances to manage, regulate, and control the finances and property of the municipality; and

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

SECTION ONE. The Code of the Borough of Middlesex, Middlesex County, New Jersey, Article I, Section 351 is hereby amended as follows:

§ 351-1

Provision for removal of garbage; cost.

The Council of the Borough of Middlesex may provide for the collection, removal and disposal of ashes, garbage, rubbish and other refuse matter in such manner as it deems necessary and establish such reasonable rules and regulations in conformity with the provisions of this article as circumstances may require, and all costs in connection therewith and incidental thereto shall be paid by general taxation.

A. Solid waste. All nonresidential properties including those of mixed commercial and residential uses in the Borough shall assume full responsibility for adequate collection, recycling and disposal of refuse. No junk or solid waste shall be permitted to accumulate on the property.

B. All nonresidential properties including those of mixed commercial and residential uses shall provide the Borough with proof of collection service on an annual basis, to be received by the Borough no later than January 31 of each calendar year, or within seven days of a written request from the Borough.

351-2

Definitions and word usage.

A. For the purpose of this article, the following words and terms shall be deemed to have the meanings herein given to them:

ASHES: Burned fuel of every nature and description derived from any burning process.

Bulk items: Household items consist of Furniture, Storm Windows and Screens, Rolled/Tied Carpeting in 4 ft. lengths, 7 ft. Household Doors, Mattresses, Box Springs, Cabinets and Ceramic Fixtures

GARBAGE: Waste or decayed animal and/or vegetable matter that has been used as food or was intended to be used as food and the waste therefrom, and dead animal or plant life or parts of the same.

OCCUPANT: An occupant, owner, agent, tenant, lessee, caretaker or other person or corporation in charge of the dwelling or other premises affected by this article.

PERSON: Any person, partnership, corporation or association of persons.

PROOF OF COLLECTION SERVICE: A written record, log, bill, or document(s) evidencing receipt of service for collection of solid waste for the preceding month from a person lawfully engaging in private solid waste collection services with the Borough of Middlesex.

REFUSE: Garbage, ashes and rubbish as herein separately defined.

RUBBISH: All broken crockery, glassware, furniture, household receptacles and utensils, house sweepings, bottles, tin cans, lawn cuttings, hedge trimmings, garden growth, old clothing and all discarded and waste material of every nature and description not elsewhere herein defined, including paper, cardboard or containers made of either paper or cardboard; provided, however, that all paper or cardboard must be separated from other rubbish material and must be secured in packages to permit easy handling and prevent the contents of the same from being scattered.

B. The singular shall include the plural, and the plural, the singular; the masculine shall include the feminine or neuter; and the words "and" and "or" shall be interpreted to apply interchangeably for the greatest effectiveness of this article.

351-3

Nonapplicability.

This article shall not apply to any collection of earth, stone, plaster, wood or other material from excavating or from constructing, altering or repairing any building.

351-4

Placement of garbage in suitable receptacles.

The occupant of any residential building or premises covered by the terms of this article shall place, keep and make readily accessible for collection and removal of garbage, ashes and rubbish placed in plastic bags inside covered receptacles with detachable lids, such as may be specified in rules and regulations to be adopted by the Mayor and Council of the Borough of Middlesex pertaining to the subject matter of this article. No loose garbage or debris shall be inside the approved receptacle. Acceptable receptacles are metal or plastic containers with handles and tight-fitting lids weighing less than sixty-five (65) pounds when filled and thirty-five (35) gallons in size. The use of individual plastic bags, cardboard boxes, paper bags, crates, drums, pails, or similar containers as receptacles is not permitted. Garbage in these containers will not be collected.

351-5

Removal.

All residential occupants or users of buildings which are furnished garbage and refuse service by the Borough of Middlesex must remove all receptacles and uncollected items from the front areas of the property within twenty-four (24) hours after the scheduled pickup.

351-6

Household appliances and bulk items.

- A. All owners of residential households are permitted one (1) curbside bulk item collection in a calendar year at no charge. No more than five (5) cubic yards are permitted to be placed outside for bulk pickup. All bulk items will be collected on Wednesdays by appointment only. Appointments must be scheduled at least seven (7) days prior to that Wednesday's pickup. Items cannot be placed at the curb for pick up more than seventy-two (72) hours prior to that Wednesday's requested pickup. There will be no bulk pickup November 1st thru January 31st.
- B. Construction debris, wood, branches, leaves, paint, metal, computers, televisions, and stereos will not be picked up.
- C. Household appliances, i.e., stoves, dryers, refrigerators, freezers, hot-water tanks and dishwashers can be picked up throughout the year by appointment only. All doors must be removed from the appliance.
- D. An additional or special pick up may be available for owner-occupied one and two-family residential dwellings only at a fee of \$150 per pick up.
- E. Any items not collected at curbside can always be brought to Middlesex Borough Recycling center during normal business hours.

351-7

Accessibility.

All covered refuse receptacles to be collected by the municipality must be kept or placed, before the collector calls, where they will be readily accessible to him at the curb adjoining the street, and the same shall be sufficiently protected from the weather to prevent freezing fast in place. The occupant must keep all receptacles clean and in condition for safe handling.

351-8

Depositing of garbage in streets, vacant lots, etc., prohibited.

No person shall throw, lay, deposit or leave or cause to be thrown, laid, deposited or left in or upon any vacant lot or open space, street, avenue, alley, highway, sidewalk, parking space or lot any garbage, ashes, rubbish or substances of a like nature in any manner contrary to the provisions of this article; provided, however, that nothing herein contained shall prevent the accumulation of any compost or manure for fertilization of the soil in cases where the same shall be stored, kept or placed in conformity with local and state health regulations and so that the same will not become a nuisance to any person or persons living within the area where such compost or manure is kept or maintained; and provided, further, that all such accumulation must be kept at least 100 feet from any dwelling house or store owned by another occupant.

351-9

Licenses and permits.

A. No person shall engage in or conduct the business of collecting ashes, garbage, rubbish or refuse of any nature or description within the Borough of Middlesex until such person shall have first obtained from the Borough of Middlesex a license for that purpose. Such license, when issued, shall remain in force and effect until the first day of January of the year succeeding the date of its issuance. All licenses issued hereunder shall be first authorized by the Mayor and Council by resolution and issued by the Borough Clerk on forms to be provided for that purpose.

B. The fee for such license shall be \$600 per annum and shall entitle the licensee to collect refuse and waste matter from any premises within the Borough of Middlesex and to dump said refuse and waste matter upon the dumping grounds located in the Borough of Middlesex and under the supervision of said municipality, provided, however, that no refuse or other waste matter collected outside the limits of the Borough of Middlesex shall be taken to said dumping ground.

C. In addition to the collector's license, described hereinabove, permits to use the aforesaid dumping ground may be authorized by the Mayor and Council, and shall be issued by the Borough Clerk on the following basis:

(1) For dumping refuse and waste material originating on the premises of the applicant, \$300 per annum, or \$25 per month or fraction thereof, or \$20 per conveyance load.

(2) For dumping waste material accumulated by landscapers, tree surgeons, gardeners and building contractors by reason of their operation within the Borough limits, \$300 per annum, or \$25 per month or fraction thereof, or \$20 per conveyance load.

D. All persons having a collector's license or permit, as described above, may use said dumping ground daily during the hours from 8:00 a.m. to 2:00 p.m. except Sunday during the summer schedule and Saturday and Sunday during the winter schedule, subject to such changes as may be adopted by resolution by the Mayor and Council for the operation of said dumping ground; and provided that any use of the said dumping ground shall be in accordance with the directions which may be issued by any supervisory personnel employed by the governing body to administer said dumping ground.

E. All licenses and permits granted hereunder shall be in full force and effect during the period covered by the payment of said fees, except that the governing body shall be authorized to revoke, without return of fee, the license or permit of any person violating the rules and regulations adopted by the Mayor and Council for the governing of the said dumping ground, or for the violation of any ordinances of the Board of Health of the Borough of Middlesex, or health laws of this state relating to the collection, removal and disposal of waste material.

351-10

Violations and penalties.

Any person violating any of the provisions of this article shall, upon conviction therefor, forfeit and pay a minimum fine of \$500 or be imprisoned in the county jail for not exceeding 90 days, and the Magistrate of the Borough of Middlesex, before whom any such person shall be brought, may impose such punishment by fine or imprisonment in the county jail, or both, as he may see fit, not exceeding the maximum established herein.

351-11

Disposal buildings.

The disposal buildings may be erected and equipped with all appliances necessary for the cremation, destruction or other disposal of garbage or refuse matter, said buildings to be erected either on lands owned by the Borough of Middlesex and suitable for the purposes aforesaid, or on lands to be acquired by the Borough of Middlesex by purchase, gift or condemnation.

351-12

Purchase, maintenance and sale of equipment.

The Borough of Middlesex may purchase, maintain and operate the necessary equipment for the collection and removal of garbage, ashes and other refuse matter, and to sell and otherwise dispose of all unnecessary and used equipment from time to time.

351-13

Contracts.

If in the opinion of the Borough Council, it is more advantageous for the Borough of Middlesex to have the ashes, garbage and other refuse matter or any part thereof in the Borough of Middlesex, collected, removed and disposed of by any person or persons other than employees of the Borough of Middlesex, the Council may make a contract or contracts for such work, or any portion thereof, with any individual or individuals, corporation or corporations, municipality or municipalities, in accordance with specifications to be adopted for the doing of such work in a sanitary and inoffensive manner, which specifications may provide for alternative methods of doing said work and are to be filed in the office of the Clerk of the Borough of Middlesex.

351-14

Bids.

Said contract or contracts shall be entered into and made only after bids therefor shall have been advertised for in a newspaper and circulated in the Borough of Middlesex at least 15 days prior thereto, and the Mayor and Council shall have the right to reject any and all bids. All bidders shall give satisfactory bonds or security for the faithful performance of the work.

351-15

Supervision.

The collection, removal and disposal of garbage, ashes, rubbish and refuse matter shall be supervised by the Sanitation Committee of Borough Council, which shall have power to make, amend and repeal regulations for the conduct of work.

351-16

Power of Mayor and Council.

The Mayor and Council of the Borough of Middlesex shall have power at any time hereafter to adopt by resolution, rules and regulations pertaining to the subject matter of this article and by resolution have the power at any time hereafter to revise, modify, vacate or repeal any of the provisions of the within article.

SECTION TWO. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

SECTION THREE. This Ordinance may be renumbered for codification purposes.

SECTION FOUR. In the event that any section, part or provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

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

ATTEST:

Kathleen Anello, Municipal Clerk

Ronald J. DiMura, Mayor

INTRODUCED: April 25, 2017

DATE PUBLICATION
OF INTRODUCTION:

ADOPTED:

DATE OF PUBLICATION
OF ADOPTION:

ORDINANCE NO. 1917-17

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 26, ECONOMIC DEVELOPMENT COMMITTEE, CHAPTER 26-1 ESTABLISHMENT, CHAPTER 26-2 MEMBERSHIP, CHAPTER 26-3 ECONOMIC DEVELOPMENT SPECIALIST, AND CHAPTER 26-5 QUORUM

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

SECTION ONE. The Code of the Borough of Middlesex, Middlesex County, New Jersey is hereby amended to the following:

Chapter 26-1 shall be deleted in its entirety and replaced with:

§ 26-1. Establishment.

Borough of Middlesex, Economic Development Advisory Committee. For the purpose of advising and assisting the Mayor in promulgating economic development strategies, there shall be a Borough of Middlesex, Economic Development Advisory Committee, hereinafter referred to as the "Economic Development Committee", which shall form advisory subcommittees as it deems necessary. The Economic Development Committee shall:

1. Make periodic recommendations to the Mayor concerning areas of economic growth that would be suitable for the Borough.
2. Make periodic recommendations to the Mayor concerning programs that maintain and improve the existing residential, commercial and industrial base.
3. Make periodic recommendations to the Mayor concerning strategies that will help beautify residential, commercial and industrial properties within the Borough and promote same through the use of awards and other means.
4. Submit an annual report to the Mayor.

Chapter 26-2 shall be deleted in its entirety and replaced with:

§ 26-2. Membership.

Membership; Appointment; Terms of Office; Vacancies. The Economic Development Committee shall consist of six (6) members. The Mayor and two (2) shall be members of the Borough Council, to be appointed by the Mayor, shall serve as members. The Chairman of the Planning Board shall serve as a member. One member shall be appointed by the Mayor, who shall be a resident of the Borough. The Economic Development Specialist shall serve as a member during his/her tenure in such position. All members shall serve for a term of one (1) year. Vacancies in the membership of the Economic Advisory Council occurring for whatever

reason shall be promptly filled by appointment by the Mayor. The Mayor shall designate the member of the Economic Advisory Council who shall serve as Chair. The Economic Advisory Council shall meet at least four (4) times (i.e., quarterly) each year. Additional meetings shall be held as required and deemed necessary by the Chair of the Economic Advisory Council.

Chapter 26-3 shall be deleted in its entirety and replaced with:

§ 26-3. Economic Development Specialist.

Economic Development Specialist. The Economic Development Committee shall appoint, upon terms approved by the Borough Council, an individual to act as an Economic Development Specialist. The Economic Development Specialist shall:

1. Assess the availability of vacant lands in the Borough for economic development purposes and classify such vacant lands according to their adaptability for development thereon of various types of residential, industrial, professional, commercial and other business enterprises.
2. Advertise and promote the economic advantages and opportunities of the Borough and the availability of real estate within the Borough for economic development.
3. Act as a liaison on behalf of existing local business owners and potential business owners in obtaining various permits and approvals from the Planning Board, Zoning Board of Adjustment, Construction Inspection, Code Enforcement and any other area of Municipal Government deemed applicable.
4. Advise the Economic Development Committee and the Borough Council as needed on all matters related to the goals of the Economic Development Committee.
5. Undertake such other activities that may result in the retention, improvement and attraction of residential, professional, commercial, industrial and other business development to the Borough.

Chapter 26-5 shall be amended to read:

§ 26-5. Quorum.

A majority of the members (4 of 6) shall constitute a quorum of the Committee.

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

ATTEST:

ORDINANCE NO. 1913-17

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX CHAPTER 80 POLICE DEPARTMENT, CHAPTER 80-75 ADMINISTRATIVE FEE FOR USE OF POLICE OFFICERS AND/OR VEHICLES ON EXTRA-DUTY JOBS

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

SECTION ONE. The Code of the Borough of Middlesex, Middlesex County, New Jersey is hereby amended to the following:

Amending Chapter 80-75A - 80-75C to read as follows:

Administrative fee for use of police officers and/or vehicles on extra-duty jobs.

A. The Middlesex Borough Police Department shall charge a fee as provided hereunder when providing off-duty police officers and/or police vehicles for police extra-duty jobs to assist contractors or other persons or companies in need of such services. This section shall not apply to work done by nonprofit religious and/or charitable organizations or to the Middlesex Fire Department, Rescue Squad or the Middlesex Board of Education, and there shall be no charge imposed on these organizations.

B. The charge for use of off-duty police officers to provide this type of service is \$80 per hour for road jobs. All other extra-duty jobs shall be charged at the police officer's regular time and ½ (1.5) rate. There shall be a four hour minimum charge for all extra-duty road jobs hereunder. Cancellations must be received by the Middlesex Borough Police Department not less than two hours prior to the scheduled start of any extra-duty job. Failure to cancel at least two hours prior to the scheduled start of any extra-duty job shall result in a four hour minimum charge hereunder.

C. Rate of compensation for usage of a Department vehicle shall be \$15 per hour, except that if the Borough is paying for any road improvement job, such fee shall be waived.

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

ATTEST:

Kathleen Anello, Municipal Clerk

Ronald J. DiMura, Mayor

INTRODUCED: April 11, 2017

DATE PUBLICATION
OF INTRODUCTION: April 14, 2017

ADOPTED: April 25, 2017

DATE OF PUBLICATION
OF ADOPTION:

ORDINANCE NO. 1914-17

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 407, VEHICLES AND TRAFFIC; ARTICLE VIII, COMMERCIAL VEHICLES, SECTION 407-22 TRUCKS RESTRICTED

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

Section 407-22 shall be amended to include the following street:

§ 407-22 Trucks restricted.

All trucks having a combined gross weight of vehicle plus load in excess of four tons are prohibited from traversing the following roadways except for the purpose of making pickups or deliveries along such roadways:

Dogwood Drive

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

ATTEST:

Kathleen Anello, Municipal Clerk

Ronald J. DiMura, Mayor

INTRODUCED: April 11, 2017

DATE PUBLICATION
OF INTRODUCTION: April 14, 2017

ADOPTED: April 25, 2017

DATE OF PUBLICATION
OF ADOPTION:

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

Resolution #75-17

The tax collector is hereby authorized to refund partial 2015 Sanitary Sewer Use Charges on Block 54 Lot 18. The appeal committee reviewed the documentation provided and recommends a refund in the amount of \$307.24.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

I CERTIFY THE FOREGOING TO BE A TRUE AND
CORRECT ABSTRACT OF A RESOLUTION
REGULARLY ADOPTED AT A MEETING OF THE
COMMON COUNCIL OF MIDDLESEX, HELD

AND IN THAT RESPECT A TRUE AND CORRECT
COPY OF ITS MINUTES

CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #77-17

The Tax Collector is hereby authorized to refund partial 2015 Sanitary Sewer Use Charges on Block 306 Lot 8. The appeal committee reviewed the documentation provided and recommends a refund in the amount of \$570.52

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

ADOPTED _____

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #78-17

The Tax Collector is hereby authorized to refund 2015 Sanitary Sewer Use Charges on Block 180 Lot 4. The appeal committee reviewed the documentation provided and recommends a refund in the amount of \$157.64.

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

ADOPTED _____

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #80-17

The Tax Collector is hereby authorized to refund 2015 Sanitary Sewer Use Charges on Block 339 Lot 18 C 002. The appeal committee reviewed the documentation provided and recommends a refund in the amount of \$67.56.

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

ADOPTED _____

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #103-17

The Governing Body hereby hires Gregg Steffen, Middlesex, New Jersey as a substitute Senior Driver for the Office of Aging at \$12.00 per hour effective immediately, pending a satisfactory drug screening and driver's abstract.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #104-17

The governing body hereby approves to hire Eleazar Garcia, South Bound Brook, New Jersey as a part time laborer in the Department of Public Works at \$12.00 per hour, 28 hours per week effective May 1, 2017, pending a satisfactory physical and background check.

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

ADOPTED _____

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #105-17

The governing body hereby approves to hire Jonathan T. Parreno, Middlesex, New Jersey as a part time laborer in the Department of Public Works at \$12.00 per hour, 28 hours per week effective May 1, 2017, pending a satisfactory physical and background check.

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

ADOPTED _____

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #106-17

The Mayor and Council hereby accept Captain Michael Colacci's retirement effective May 1, 2017 and authorize the Treasurer to pay Captain Colacci his full allowance of \$70,331.48 in accordance with his PBA Contract in the next regular borough payroll of April 28, 2017. The benefits include the following:

3 Months Terminal Leave	\$32,672.50
32 Unused Vacation Days	\$16,084.80
319.50 Compensation Hours	\$20,074.18
2017 Clothing Allowance	\$1,500.00
TOTAL	\$70,331.48

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #107-17

The governing body hereby approves the refund of \$20.00 from the Borough Clerk's Account to be forwarded to the PTO Middlesex Parker School, 150 South Lincoln Avenue, Middlesex, New Jersey for a Raffle License which was rejected by the New Jersey Legalized Games of Chance Control Commission.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #108-17

**RESOLUTION AUTHORIZING A SELF-EXAMINATION OF THE
2017 MUNICIPAL BUDGET OF THE MAYOR AND COUNCIL OF
THE BOROUGH OF MIDDLESEX**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Middlesex has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2017 budget year.

NOW THEREFORE BE IT RESOLVED, by the governing body of the Borough of Middlesex that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement and content as required by Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimated of revenue are reasonable, accurate and correctly stated.
 - b. Items of appropriation are properly set forth

- c. In itemization form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

ADOPTED _____

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #109-17

**A RESOLUTION OF THE BOROUGH OF MIDDLESEX IN MIDDLESEX COUNTY,
NEW JERSEY AUTHORIZING A SHARED SERVICES AGREEMENT WITH
MIDDLESEX COUNTY TO PROVIDE AERIAL PHOTOGRAMMETRIC, GIS, NEW
CERTIFIED TAX MAP AND OTHER GIS BASED SERVICES TO THE BOROUGH OF
MIDDLESEX**

WHEREAS, the New Jersey Division of Taxation prescribes a uniform system of creating and maintaining real estate tax map information for municipalities and counties throughout the State, and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., (the "Act") permits units of local government to share services for particular purposes and to effectuate agreements for any service or circumstance that will aid and encourage a reduction of local expenses; and

WHEREAS, the Borough of Middlesex and County of Middlesex are public bodies corporate and politic of the State of New Jersey and are authorized to enter into a Shared Services Agreement pursuant to the Act; and

WHEREAS, the County has committed to the implementation of a Centralized Property Tax Map Administration Project [CPT-MAP] utilizing Professional Photogrammetry and Land Surveying services for aerial photogrammetric, GIS and new certified tax mapping services to be linked to the existing digital tax assessment database to be accessible and potentially utilized by all municipalities in the County of Middlesex; and

WHEREAS, the CPT-MAP will extend technical and financial assistance to Municipalities in order to identify issues of inequity and inefficiencies in the tax administration process in compliance with all statutory and regulatory mandates, which will result in a significant reduction in operational expenditures; and

WHEREAS, the County of Middlesex and the Borough of Middlesex have negotiated a Shared Services Agreement, a copy of which is annexed hereto as EXHIBIT A, and the terms of which are incorporated into this resolution as if set forth at length herein; and

WHEREAS, the MIDDLESEX Tax Assessor has recommended the proposed agreement in a communication dated April 20, 2017 _as representing the best value for MIDDLESEXtaxpayers; and

WHEREAS, the Mayor and Municipal Council have indicated their desire to accept the recommendation of the Tax Assessor.

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

1. The above recitals are hereby incorporated into the body of this Resolution as if set forth at length herein.
2. The Shared Services Agreement shall be open to public inspection in the Clerk's office and shall take effect upon the adoption of a resolution and execution of the agreement by both parties.
3. The Mayor and Township Clerk are hereby authorized to execute the Shared Services Agreement annexed hereto as EXHIBIT A.

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

ADOPTED _____

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #110-17

WHEREAS, the residents of 300 Greene Avenue have requested to have a block party on Delaware Avenue between Greene Avenue & Melrose Avenue on May 27, 2017 between the hours of 11 a.m. and 10 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 300 Greene Avenue, to conduct a block party on Delaware Avenue between Greene Avenue & Melrose Avenue on May 27, 2017 between the hours of 11 a.m. and 10 p.m.
2. This resolution shall take effect immediately.

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

ADOPTED _____

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #111-17

WHEREAS Joseph and Christine Mazze applied to the Zoning Office for Landlord Registration for 409 Market Street and 41 Greenbrook Road; and

WHEREAS, Joseph and Christine Mazze submitted Check #235 in the amount of \$150.00 on February 2, 2016 for payment of the Landlord Registration for 3 rental units; and

WHEREAS, 409 Market Street did not change tenancy and 41 Greenbrook Road is owner occupied, no fees were required.

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 \$150.00 in favor of Joseph and Christine Mazze, PO Box 373, Piscataway, NJ 08855 for refund of fee for Landlord Registration.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schucler				

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #112-17

At the recommendation of the DPW Manager, the governing body hereby advances Leonard Vidal to Road Department Lead Person in the DPW at an hourly rate of \$35.84 effective immediately.

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

ADOPTED _____

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #114-17

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.

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

ADOPTED _____

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #115-17

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; 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.

1. Converting OLMV School into a Community Center

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

**AGREEMENT BETWEEN MIDDLESEX COUNTY AND THE BOROUGH OF MIDDLESEX TO
PROVIDE AERIAL PHOTOGRAMMETRIC, GIS, NEW CERTIFIED TAX MAP AND OTHER
SHARED SERVICES.**

THIS AGREEMENT made this _____ Day of _____, 2017 between the COUNTY OF MIDDLESEX, a municipal corporation of the State of New Jersey located at 75 Bayard Street, City of New Brunswick, State of New Jersey 08901, hereinafter referred to as "COUNTY" and the BOROUGH OF MIDDLESEX, a municipal corporation of the State of New Jersey located at 100 Municipal Boulevard, Borough of Middlesex, State of New Jersey 08817, hereinafter referred to as "MUNICIPALITY."

WHEREAS, Every Municipality, having a population in excess of 2,500, is required to prepare Tax Maps to be Certified by the Director, of the New Jersey State Division of Taxation for the purpose of revaluation and assessment within each Municipality, pursuant to N.T.S.A. 54:1-15, N.I.S.A. 54:50-1 etseq., N.T.S.A. 52:18A-46 and N.T.A.C. 18:23A-1 etseq and

WHEREAS, Tax Maps are an essential property assessment tool enabling the municipal tax assessor to assign fair and equitable values to each parcel, however, the lack of financial and technical resources is hampering the ability of a number of Municipalities within Middlesex County to meet their statutory obligations with respect to property assessments, certification and other requirements as required by law; and

WHEREAS, the County of Middlesex will procure a professional services contract, pursuant to the Local Public Contracts Law, N.T.S.A. 40A:11-1 et. seq., for the purpose of developing and implementing a Centralized Property Tax Map Administration Project (CPT-MAP) to be integrated with the County's Enterprise IT Plan, including, but not limited to, Geographic Information System (GIS) based Tax Mapping, Aerial Photogrammetric and Land Surveying Services, for the preparation of the Tax Maps and mapping certifications, hereinafter referred to as "Project"; and

WHEREAS, the County's Project can be leveraged so that information and applications utilized to compile the data can be utilized to increase efficiency and promote collaboration for the benefit of all the Municipalities in Middlesex County; and

WHEREAS, the Project proposes to improve local government operations, involving services to residents and businesses, promote accountability and cost optimization for the consolidation of services and resources; and

WHEREAS, the County recognizes that Municipalities are challenged with operational deficiencies due to the lack the financial and technical resources impeding their ability to satisfy their statutory obligations and the needs of local residents and businesses; and

WHEREAS, the Project enables the County to extend these services to other Municipalities by entering into a Shared Services Agreement through the regionalization and compilation of data and operations to facilitate productivity in the property assessment administration process, as well as achieving operational efficiencies; and

WHEREAS, the Project will focus on the development of a common data platform upon which multiple County and Municipal functions can be supported, facilitated and enhanced, which may include, MS4 Permit Support, Storm Water Management Education Training, Asset Management and Land Development Review; and

WHEREAS, the Project, once implemented will serve as the foundation of a common data platform that can be utilized by Municipalities to meet other statutory reporting requirements and to provide other services which will address the specific needs of its residents and businesses; and

WHEREAS, the Project will create a reliable, recurrent process through which municipal tax maps are kept updated with the tax assessments and spatial conditions, such that any edits to the digitized tax maps are maintained in one centralized platform facilitating the Municipality's obligation for annual submittal and certification requirements to the State; and

WHEREAS, both the County and Municipality are desirous of entering into an agreement with respect to the provision of these services under the parameters of the Uniform Shared Services and Consolidation Act, N.I.S.A. 40A:65-1 *et seq.*, and

WHEREAS, it is in the best interest of both the County and the Municipality to enter into this Shared Services Agreement to foster collaboration, increase efficiency and reduce operational expenditures; and

NOW, THEREFORE, IN CONSIDERATION of the mutual promises and other conditions, covenants, and obligations made herein, and other good and valuable consideration, the County and the Municipality do hereby mutually agree as follows:

Definitions. Terms used in this Agreement for the preparation, use and certification of maps for purposes of taxation in all taxing districts, in accordance with N.I.S.A. 54:1-15; N.I.S.A. 54:4-23 *et. seq.*; N.I.S.A. 54:50-1, N.L.A.C. 18:23A-1 *et seq.*; including all regulations promulgated or standards issued thereunder by the Division of Taxation.

For purposes of this Agreement, the following terms shall the following definitions:

"Aerial Photogrammetry:" the use of aerial photographs in the science of making accurate measurements and drawings, especially surveying and mapmaking, by photographic means. Photogrammetry is the science of making measurements from photographs, especially for recovering the exact positions of surface points.

"Analog:" of, or relating to a mechanism in which data is represented by continuously variable physical quantities, such as a photograph or Paper printout

"ASPRS:" American Society of Photogrammetry and Remote Sensing

"CAD:" Computer Aided Design or Computer Aided Drafting

"CAD Platform:" AUTOCAD

"CPT-MAP:" Centralized Property Tax Map Administration Project initiated and sponsored by the Middlesex County Board of Chosen Freeholders.

"CSV:" (Comma Separated Values) format is the most common import and export format for spreadsheets and databases.

"FTP:" File Transfer Protocol

"Geodesy:" also known as geodetics, geodetic engineering or geodetics engineering is a branch of applied mathematics and earth sciences that deals with the measurement and representation of the Earth.

"Geodetic Datum:" a geodetic datum or geodetic system is a coordinate system, and a set of reference points, used to locate places on the Earth

"GIS:" Geographic Information System

"IT:" Information Technology

"MDB:" a file extension used in Microsoft Access Database.

"MS Access:" Microsoft Access is a database management system (DBMS) from Microsoft that combines the relational Microsoft Jet Database Engine with a graphical user interface and software-development tools.

"MOD IV Data:" the New Jersey Property Tax System was written in COBOL (Common Business-Oriented Language). The system was referred to as the N.J.P.T.S. 3- Line System because the output displayed property information on 3 lines. This 3- Line System was converted to the 4-Line system, referenced as the N.J.P.T.S. 4-Line System or MOD IV.

"MS4:" a Municipal Separate Storm Sewer System (MS4) is a conveyance or system of conveyances owned or operated by a municipality that carries storm water that ultimately discharges to waters of the state (including both surface water and groundwater) as defined in N.T.A.C. 7:14A-1.2.

"North American Datum 1983 fNAD83b" is the horizontal control datum for the United States, Canada, Mexico, and Central America, based on a geocentric origin and the Geodetic Reference System 1980.

"North American Vertical Datum 1988 fNAVD88):^M is the vertical control datum of orthometric height established for vertical control surveying in the United States of America based upon the General Adjustment of the North American Datum of 1988.

"Orthophotography:" is an aerial photograph or image geometrically corrected ("orthorectified") such that the scale is uniform: the photo has the same lack of distortion as a map. Unlike an uncorrected aerial photograph, an orthophotograph can be used to measure true distances, because it is an accurate representation of the Earth's surface,

"Planimetry:" is the measurement of plane areas by tracing its boundary line.

"Planimetric Mapping:" involves the creation of maps that show only the horizontal position of features on the Earth's surface, revealing geographic objects, natural and cultural physical features, and entities without topographic properties.

"Subscription:" a software business model whereby you purchase access to software products and services for a selected period of time.

"Tax Map:" is an essential property assessment tool, which accurately reflects the size, shape, location and encumbrances of each parcel of land in a municipality required to be maintained for the municipal assessor to assign fair and equitable values to each parcel.

I. SCOPE OF DATA COMPILATION

1. The County will develop and implement a Centralized Property Tax Map Administration Project (CPT-MAP) utilizing Professional Photogrammetry and Land Surveying services for aerial photogrammetric, GIS and new certified tax mapping services to be linked to the existing digital tax assessment database.
2. The County will create the framework of an Enterprise Geographic Information System [GIS], to develop and update parcel mapping in GIS format from existing digitized parcel maps.
3. The new Tax Maps will be developed using a methodology based in geometric construction, utilizing the digital resources and templates approved by the State of New Jersey, Department of Treasury, Division of Taxation, Property Administration, Tax Map Inspection Section in full compliance of "Tax Maps-Regulations and Standards-updated 2008.
4. An aerial survey will be performed to meet requirements of all applicable regulations as well as the American Society of Photogrammetry and Remote Sensing [ASPRS Class 1] standards.
5. Planimetric Mapping and Orthophotography will be developed to a three [3] inch pixel resolution and radiometrically corrected to correspond with adjacent orthophoto planes, based on the North American Datum 1983 [NAD83] and North American Vertical Datum 1988 (NAVD88).
6. All of the data will be compiled in Computer Aided Design [CAD] files, which will follow a single CAD Platform (AutoCAD) in compliance with all State, County and Municipal Standards.
7. A File Transfer Protocol (FTP) link will be established to be accessible by the County and the Municipality for the secure transfer of available electronic information and for the submission of Project progress materials. The County will initiate web-centric communication & reporting through its web-based collaboration & reporting portal (Collaboration Center) for use by the Municipality.
8. The Municipality shall provide the following information for the development and construction of the tax maps to the County.
 - a) One (1) complete set of prints of the existing Tax Maps.
 - b) One scanned (PDF) set of the Tax Maps, including all condominium, co-op, apartments, townhome developments within the Municipality;

- c) One (1) electronic database of the current tax assessment database;
 - d) Any / all records relating to the previous year's tax map changes not reflected in the existing maps;
 - e) Any/all information on known problem areas, such as additional lot fields, duplicate lots, duplicate lot numbers and descriptive text;
 - f) A digital tax assessment file in MS Access (MDB) or CSV format consisting of the full assessment data, including Block / Lot designations, ownership, additional lots etcetera.
 - g) Any/all information concerning municipality owned parcels and ordinances relating to easements, land acquisitions, vacated streets, street widenings, property purchases and foreclosures.
9. The County will then initiate and complete a comprehensive, Municipality wide tax map and GIS-based parcel conversion project, under the direct supervision of a New Jersey licensed Professional Land Surveyor.
 10. The County shall supply a digital database (MS Access format) containing each new Tax Map sheet containing the correlation between the digital tax assessment data and the block and lots spatially illustrated on the digital drawing.
 11. The new digital Tax Maps will display easements currently not depicted on the existing Tax Maps and easements necessary to reflect land-locked parcels based on the Municipality's submissions.
 12. The individual lots labeled on the digital Tax Map Files shall contain labels for both the old and new Block and Lot numbers in separate layers such that the old references can be displayed or turned off without affecting the new labeling.
 13. Condominium, co-op apartments, townhouses developments will be identified on separate Tax Maps due to the availability of the data, per State regulations.
 14. The County will attempt to address reasonable deficiencies and errors in the Municipality's digital tax assessment database including, but not limited to, such as duplicate / incorrect block and lot numbers and lot numbers and descriptive text.
 15. The County shall be responsible for normal maintenance of the Tax Map, based on updated information provided by the Municipality, including property splits, mergers, transfers and will coordinate these changes into the digital Tax Maps.

16. The Municipality shall continue to be responsible for production of all media, Paper- based production, Stationary Binders; assessment, revaluation and all Tax Functions; cost of subscription to MOD4 Data and Applications; and assessment Software and other Tax Assessment Software.

II. SUBMISSION AND CERTIFICATION

1. The County will submit the final Tax Map, in both a digital and analog format to the Municipality for their review and approval, prior to final submission to the State for Certification, by the Municipality.
2. The Analog submissions to the Municipality shall be submitted on printed bond and Mylar media, as designated herein.
3. Following the completion of the data compilation, the County will establish GIS Enterprise standards to generate data compliant with the County's GIS infrastructure to expedite integration and enhancement of tools and applications.
4. The County will create a standard tax map searching, viewing and downloading tool (Tax Map Viewer) for use by the Municipality.
5. The Municipality will retain its Tax Assessment responsibility and will continue to maintain its MOD IV tax data to current conditions and any subsequent modifications.
6. The County will maintain the GIS, CAD Systems and Data Platform that will serve the Municipality.
7. It is hereby understood by both parties that continued maintenance of all components of the Project is a critical and necessary function to protect the initial investment of the tax map conversion and to effectively collaborate to the inventory.

III. GENERAL CONDITIONS

1. The term of this Agreement shall commence on or about April 1, 2017 for a term of ten (10) years, expiring on or about March 31, 2027. The Centralized Property Tax Map Administration Program (CPT-MAP) / Tax Map Certification Process is a Middlesex County Shared Service initially funded by the County of Middlesex as a service to Municipalities.
2. This Agreement shall take effect upon the adoption of an approving resolution by the Municipality and approving resolution by the County. Upon proper execution and

attestation of this agreement, the proper officials of each of the parties are hereby authorized and directed to make and perform any and all acts necessary to carry out the purposes of this agreement.

3. Amendments. This Agreement may not be amended or modified for any reason without the express prior written consent of the parties hereto.
4. Termination. Either party may cancel this agreement, with or without cause, by providing 60 days' prior written notice to the other party.
5. Severability. In the event that any provision of this Agreement is held to be invalid or unenforceable by any court of competent jurisdiction, such holding will not invalidate or render unenforceable any other provision hereof.
6. Successors and Assigns. This Agreement shall inure to the benefit of and shall be binding upon the parties and their respective elected officials/successors and assigns.
7. Further Assurances and Corrective Instruments. Each party shall execute, acknowledge and deliver, or cause to be executed, acknowledged and delivered, such supplements hereto and such other instruments as may reasonably be required for correcting any inadequate or incorrect description of the Project or to correct any inconsistent or ambiguous term hereof.
8. Limitation of Liability. The Municipality agrees that any liability for damages which it has or may have against the County for non-performance or negligent performance of the Property Map / GIS or other Computer Services described herein shall be limited to the amount paid by the Municipality to the County for the year in which the error(s) occur(s). The County shall not otherwise be liable to the Municipality for damages of any kind, including special, consequential, or punitive damages.
9. Performance. In the event that performance by the County of Middlesex under this agreement is delayed or prevented due to weather conditions, labor disputes affecting the County or any of the County's suppliers of materials or labor, natural acts, acts of war, emergency proclamations, governmental regulations or for any reason whatsoever beyond the County's control, any performance dates by the County will be extended for the period of time equal to the time lost by reason of any of these causes. If any of the foregoing causes make the performance of this agreement by the County impossible in the County's sole judgment, then this agreement may be immediately terminated by the County, whereupon the Municipality and the County will be released from all obligations under this agreement, subject to an equitable adjustment of costs and fees earned or paid prior to termination.
10. Indemnification. The Municipality agrees to defend, indemnify and hold the County harmless, including its officers, employees, agents and vendors from any losses,

claims, damages and suits for damages for property or injury caused or resulting from the services to be rendered by the County, including reasonable counsel fees and costs, arising from the acts or omissions of the County under this Agreement. The County agrees to defend, indemnify and hold the Municipality harmless, including its officers, employees, agents and vendors from any losses, claims, damages and suits for damages for property or injury caused or resulting from the services to be rendered by the County, including reasonable counsel fees and costs, arising from the acts or omissions of the County under this Agreement.

11. Warranties. The County makes no representation and extends no warranty, of any kind, either express or implied by fact or law, other than those expressly set forth in this Agreement. No representation or statement not expressly contained in the within agreement or incorporated herein by reference shall be binding on the County as a warranty.
12. Subscription-Reservation: The County reserves the right to assess an Annual Subscription Fee for Software Licenses, during the term of this Agreement, following the completion of the data compilation phase of the Project for long term maintenance of the data in order to cover the cost of the Municipality's components. The County further reserves the right to introduce new initiatives, various County Based Enterprise GIS tools/applications, which services may be bundled for the benefit of the Municipality, resulting in significant operational savings. The subscriptions costs and fees associated with these additional services will be mutually agreed upon by the County and the Municipality, as they deem appropriate in a separate Addendum to be made a part of this Shared Service Agreement, which may include, but not be limited to the following additional services:
 - A. Land Records Management
 - B. Construction Permitting, Plan Review & Inspection
 - C. Business Permitting, Licensing & Inspection
 - D. Citizen Service Requests
 - E. Work Order Management & Tracking
 - F. Customer Account Billing (i.e. water, sewer, etc.)
 - G. Refuse & Recycling Collection
 - H. Zoning & Building Code Enforcement
 - I. Capital Improvement Planning
 - J. Land Use Planning
 - K. Crime Analysis
 - L. Emergency Response
13. Cooperation of the Parties. The parties agree to diligently work together, coordinate the schedules for the scope of work described herein and cooperate in good faith for the successful completion of the work described in this Agreement.
14. Headings. The Article and Section headings in this Agreement are included herein

for convenience of reference only and are not intended to define or limit the scope of any provisions of this Agreement

15. Non Waiver. It is understood and agreed that nothing which is contained in this Agreement shall be construed as a waiver on the part of the parties, or any of them, of any right which is not explicitly waived in this Agreement.
16. Governing Law. The terms of this Agreement shall be governed by and construed, interpreted and enforced in accordance with the laws of the State of New Jersey.
17. Notice. For all issues related to this Agreement, notice or other communications required or permitted to be hereunder shall be in writing, and shall be delivered personally, by telecopy (with hard copy and transmission confirmation sent by a recognized overnight national courier service for next business day delivery), by certified mail, return receipt requested, first class postage prepaid by the Parties, or electronic transmission at the addresses set forth below (or to such other addresses as the Parties may specify by due notice to the other):

As to Municipality:

Administrator & Counsel
1200 Mountain Avenue
Middlesex, New Jersey
08846

As to County:

Administrator & County Counsel
Administration Building 75
Bayard Street New Brunswick, NJ
08901

18. The County will submit this Shared Services Agreement to the New Jersey Department of Community Affairs in accordance with N.J.S.A. 40A:65-4.
19. Counterparts. This Agreement may be simultaneously executed in several counterparts, each of which shall constitute an original document and all of which will constitute one and the same instrument.
20. Entire Agreement. This Agreement sets forth all the promises, covenants, agreements, conditions and undertakings between the parties hereto with respect to the subject matter hereof, and supersedes all prior or contemporaneous agreements and undertakings, inducements, or conditions, express or implied, oral or written between the parties hereto.

IN WITNESS WHEREOF, the Municipality and County shall cause this Agreement to be executed by their proper corporate officials and their proper corporate seals affixed this day and year written above.

ATTEST:

BOROUGH OF MIDDLESEX

Municipal Clerk

Mayor

ATTEST:

COUNTY OF MIDDLESEX

AMY R. NAPLES, Clerk Board
of Chosen Freeholders

RONALD G. RIOS, Director
Board of Chosen Freeholders