BOROUGH OF MIDDLESEX
REGULAR MEETING
AGENDA
SEPTEMBER 13, 2016
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:**

   Greco [ ] Kaplan [ ] Corley [ ] Madden [ ] Schueler [ ] Mikolajczyk [ ] Mayor DiMura [ ]

4. **APPOINTMENTS**

5. **PROCLAMATIONS**

6. **PRESENTATIONS**

7. **NEW BUSINESS**

   1. **ORDINANCE NO. 1896-16 - AN ORDINANCE ESTABLISHING THAT A BUSINESS ENTITY WHICH MAKES POLITICAL CONTRIBUTIONS TO BOROUGH CANDIDATES AND POLITICAL PARTIES IN EXCESS OF CERTAIN THRESHOLDS SHALL BE LIMITED IN ITS ABILITY TO RECEIVE PUBLIC CONTRACTS FROM THE BOROUGH OF MIDDLESEX**
   2. **ORDINANCE NO. 1897-16 – AN ORDINANCE TO AMEND CHAPTER 317 PROPERTY MAINTENANCE TO INCLUDE ARTICLE III REGULATING OF BAMBOO, SECTION 317-16 – SECTION 317-20 IN THE CODE OF THE BOROUGH OF MIDDLESEX**
   3. **ORDINANCE NO. 1898-16 – AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING THE BOROUGH ZONING CODE CHAPTER 420, ARTICLE VIII, PERFORMANCE STANDARDS, ARTICLE IX SIGNS AND DEFINITIONS**

8. PUBLIC HEARING

9. ADOPTION OF MINUTES

1. Approval of the August 16, 2016 Regular Meeting Minutes and Executive Meeting Minutes

10. REPORTS

Mayor

1. Request for a Municipal Resolution of the proposed detour for the Replacement of Bridge/Raritan Avenue over Ambrose Brook.
2. Structural Analysis for 105 William Street
3. Purchasing Agent
4. Reconstruction of Bonnie Brook Terrace

11. REPORTS - STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Insurance/Public Utilities

2. Recreation/Recreation Fields/Swim Pool/Community Celebrations
   a. Recreation Commission Budget Analysis Report
   b. Swim Pool Budget Analysis Report

3. Fire/OEM/Board of Health/Rescue Squad

4. Public Works/Buildings & Grounds/Recycling

5. Police/Legal/Code Enforcement/Construction/Municipal Court
   a. 9/11
   b. Budget Review

6. Administration/Department of Senior Services/Legislation/Licensing

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.

12. 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 #187-16 Approving to Exempt Biondi's Florist & Greenhouse, 601 Union Avenue from Sanitary Sewer Charges as their Water Meter has no Sewer Connection.

2. Resolution #188-16 Approving the MCUA Temporary Discharge Approval Application from the Pumping Services Site to the MCUA Central Treatment Plant via the Borough's Wastewater Collection System and MCUA Middlesex Meter Chamber.

5. Resolution #189-16 Approving and Accepting the Corrective Action Plan for the 2015 Audit according to Local Finance Board Directive 92-15.

6. Resolution #190-16 Authorizing a check for $1875.00 for Orlando Investments, 221 Beechwood Avenue, Middlesex for refund of Street Opening Permit No. 2015-004.

7. Resolution #191-16 Approving the Department of the Army Corps of Engineers Right of Entry for Block 239, Lot 25 and Block 258.01, Lot 1 for the Green Brook Flood Damage Reduction Project.

8. Resolution #192-16 Approving a Lien in the Amount of $6,050 be Added on Block 147, Lot 3 Due to the Owner's Failure to Comply with the Standards and Requirements for the Maintenance and Upkeep of that Property which Includes Borough Expenses Incurred and Court Fines and Costs.

13. 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 #193-16 Pay all Claims

14. PRIVILEGE OF THE FLOOR

15. AGENDA WORKSHOP ITEMS

1. PSE&G Direct Install Program for Government
2. Plainfield Property in Mountain View Park
3. Use of old Fire Chief's Car
4. Landlocked Property at the end of William Street
5. Sewer Rehab Project

16. PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS

17. EXECUTIVE SESSION Resolution #194-16

1. Plumbing Inspector Position
2. Hiring Attorney Ruitenberg – Piscataway Sewer Billing
3. Personnel – Recreation

18. ADJOURNMENT. The next Regular Meeting will be on September 27, 2016.

ORDINANCE 1896-16

AN ORDINANCE ESTABLISHING THAT A BUSINESS ENTITY WHICH MAKES POLITICAL CONTRIBUTIONS TO BOROUGH CANDIDATES AND POLITICAL PARTIES IN EXCESS OF CERTAIN THRESHOLDS SHALL BE LIMITED IN ITS ABILITY TO RECEIVE PUBLIC CONTRACTS FROM THE BOROUGH OF MIDDLESEX.

WHEREAS, large political contributions from those seeking or performing contracts with a municipality raise reasonable concerns on the part of taxpayers and residents as to their trust in government and its business practices; and

WHEREAS, pursuant to P.L. 2005, c.271 (codified at N.J.S.A. 40A:11-51) a municipality is authorized to adopt by ordinance, measures limiting the awarding of public contracts to business entities that have made political contributions, and limiting the contributions, and that the recipient of such a contract can make during the term of a contract; and

WHEREAS, in the interest of good government, the people and the government of the Borough of Middlesex desire to establish a polity that will avoid the perception of improper influence I public contracting and local elections; and

WHEREAS, it shall be the policy of the Borough of Middlesex to create such a regulation which states that a Business Entity which makes political contributions to municipal candidates and municipal political parties in excess of certain thresholds shall be limited in its ability to receive public contracts from the Borough of Middlesex;

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

Section I:

As used in this Ordinance, a "Business Entity" whose contributions are regulated by this Ordinance means: (i) an individual including the individual's spouse, and any child/children; (ii) a firm, corporation, professional corporation, partnership, limited liability company, organization, association and any other manner and kind of business entity; (iii) any person who owns 10% or more of the equity or ownership interests in a person or entity as defined in sections (i) and (ii) above and their spouses and child/children; (iv) all partners or officers of such entity, in the aggregate, and their spouses and child/children; (v) any organization or association who has received or indefeasibly acquired the right to receive, from a person that is described in subparagraph (i) above, more than $150,000.00 in compensation or income of any kind (including, by way of illustration, and not limitation: wages, salaries, sums paid to independent contractors, benefits, dividends, profit-sharing, pension contributions, deferred contributions, stock, stock options or gift(s), in any twelve (12) month period prior to the award of, or during the term of, a contract subject to this ordinance; and (vi) all persona who are an "affiliate of a business entity as defined in sections (i), (ii) and (v) above, as such term is used in 11 U.S.C. 101(2).

Section II:

Notwithstanding the provisions of any other law to the contrary:

(a) the Borough shall not enter into a contract having an anticipated value in excess of $17,500, as determined in advance and certified in writing by the municipality with a business entity, except a contract that is awarded pursuant to a fair and open process, if, during the preceding one-year period, that business entity has made a contribution that is reportable by the recipient under P.L.1973, c.83 (C.19:44A-1 et seq.), to any municipal committee of a political party in the Borough if a member of that political party is serving in an elective public office of the Borough when the contract is awarded or to any candidate committee of any person serving in an elective public office of the Borough when the contract is awarded; and

(b) a business entity that has entered into a contract having an anticipated value in excess of $17,500 with the Borough, except a contract that is awarded pursuant to a fair and open process, shall not make such a contribution, reportable by the recipient under P.L.1973, c.83 (C.19:44A-1 et seq.), to any municipal committee of a political party in the Borough if a member of that political party is serving in an elective public office of the Borough when the contract is awarded or to any candidate committee of any person serving in an elective public office of the Borough when the contract is awarded, during the term of that contract.

No such committee shall accept such a contribution from a business entity during the term of its contract with the municipality.

SECTION III:

If any provision of this Ordinance, or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this Ordinance to the extent it can be given effect, or the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby, and to this extent the provisions of this Ordinance are severable.

SECTION IV:

All ordinances or parts of ordinances, which are inconsistent with any provisions of this Ordinance is/are hereby repealed to the extent of such inconsistencies.

SECTION V:

This Ordinance shall become effective twenty (20) days following the final adoption thereof by the Borough Council and shall be published as required by law.

ATTEST:

Kathleen Anello, Municipal Clerk

Ronald J. DiMura, Mayor

INTRODUCED: September 13, 2016

DATE PUBLICATION
OF INTRODUCTION:

ADOPTED:

DATE OF PUBLICATION
OF ADOPTION:

ORDINANCE NO. 1897-16

AN ORDINANCE TO AMEND CHAPTER 317 PROPERTY MAINTENANCE TO INCLUDE ARTICLE III REGULATING OF BAMBOO, SECTION 317-16 – SECTION 317-20 IN THE CODE OF THE BOROUGH OF MIDDLESEX

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 is hereby amended to the following:

ARTICLE III
REGULATING OF BAMBOO

§317-16 Purpose.

This Ordinance is adopted to control the planting, cultivating and/or growing of bamboo in the Borough of Middlesex and to require barriers to prevent the spread of existing bamboo into other areas of the Borough.

§317-17 Regulation of the Planting, Growing or Cultivating of Bamboo.

Subject to certain exemptions set forth in this Ordinance, no persons, residents, citizens, property owners and/or tenants of property within the Borough shall plant, cultivate, or cause to grow, any bamboo on any lot and/or parcel of ground anywhere within the geographic boundaries of the Borough of Middlesex, except for:

1. Where the root system of such bamboo plant(s) is/are entirely contained within an above ground level planter, barrel, or other vessel of such design, material and location as to entirely prevent the spread of growth of the bamboo plants' root system beyond the container in which it is planted,

2. Whether planted or growing in a container, as described herein, all bamboo plants shall be located, trimmed and maintained so that no part of the plant shall be closer than fifteen (15) feet from any property line, and shall not be permitted whatsoever in the front yard area of any property.

§317-18 Exemptions.

This Ordinance shall not apply to any land owner or possessor of said land who, prior to the effective date of this Ordinance, has planted or caused to grow any bamboo on any property within Borough limits unless the code enforcement officer determines on her

own, or upon complaint from any abutting or nearby property owner, that any portion of such bamboo has been allowed to grow upon, extend roots across, or extend branches, stalks or leaves over any public way or any private property not owned by or in the possession of such land owner or any possessor of said land. If such occurs, the provisions of Section D, herein, shall apply.

§317-19 Complaint Notice, Order for Removal and Compliance.

Whenever a complaint is received by the Borough regarding the encroachment of any bamboo plant or root, or whenever the Borough, on its own observations and inspections, determines that there is an encroachment of bamboo plants or roots on to the property of another land owner, or tenant in possession of the property, or both, the Borough shall cause Notice to be served and the following actions occur:

1. The Notice shall be mailed by Certified Mail, Return Receipt Requested, properly addressed and with sufficient postage, and also by First Class mail. Notice by Certified Mail and by First Class mail shall be deemed complete on the date dispatch.

2. The Notice shall specify the general nature of the violation(s).

3. The Notice shall state that the violation(s) must be corrected within twenty (20) calendar days from the date of dispatch of such Notice

4. The Notice shall state specifically what must be done by the responsible party to correct the violation(s).

§317-20 Penalties.

A person deemed to have violated any provisions of this Ordinance shall be fined as outlined in §317-13 herein. If the violation is not remedied within the time set forth in the aforesaid Notice, the provisions of §317-14 shall apply.

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 immediately upon final passage and publication in accordance with law.

ATTEST:

Kathleen Anello, Municipal Clerk

Ronald J. DiMura, Mayor

INTRODUCED: September 13, 2016

DATE PUBLICATION
OF INTRODUCTION:

ADOPTED:

DATE OF PUBLICATION
OF ADOPTION:

ORDINANCE NO. 1898-16

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING THE BOROUGH ZONING CODE CHAPTER 420, ARTICLE VIII, PERFORMANCE STANDARDS, ARTICLE IX SIGNS AND DEFINITIONS

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; and

WHEREAS, over the past several years there have been significant changes in the lighting industry which make it easier to limit light spillage, accurately direct light to where it is needed, and reduce electrical usage while still providing the appropriate lighting for residential, business and recreational uses; and

WHEREAS, the Borough desires to update its Ordinances regarding lighting to provide an appropriate balance between the need for lighting in certain circumstances and the desire to reduce glare, prevent intrusion of unwanted light into neighboring properties, and protect the safety of our citizens where light glare may create safety issues such as on public roadways; 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 1. The following shall replace Borough Code §420-60 F, regarding performance standards and glare:

F. Lighting:

(1) Purpose. Regulation of outdoor lighting and recreational lighting is necessary to prevent the cause of unnecessary sky glow, to prevent light intrusion and to reduce unnecessary glare caused by inappropriate or misaligned light fixtures and/or the inappropriate location of light poles. These standards are intended to save energy and reduce costs and to preserve and protect adjacent properties and motorists from negative lighting impacts.

(a) All municipally owned property shall be exempt from the provisions of the lighting section of this ordinance.

(2) Standards. All outdoor light fixtures installed and thereafter maintained, shall comply with the following requirements:

(a) The maximum height of all light fixtures shall not exceed fifteen (15) feet, except in commercial and industrial properties the height of light fixtures shall not exceed twenty-five (25) feet.

(b) Site lighting shall not include any up lighted fixture, however decorative landscape lighting shall be permitted provided it is shielded to prevent light intrusion and glare.

(c) All light fixtures shall be designed, installed and maintained to prevent light intrusion.

(d) Any business or commercial process producing intense glare or flashing lights shall be performed within a completely enclosed building and in such a manner that no glare shall disseminate beyond the building.

(f) Exception: Light fixtures used to illuminate the State or the National flag mounted on a pole, pedestal or platform shall use a narrow column beam of light that will not extend beyond the maximum extensions of the illuminated object.

(g) Only shielded light fixtures shall be used. Any fixture mounted above ten (10) feet shall have no more than ten (10%) percent of its light distribution at a vertical angle of eighty (80) degrees above nadir (the lowest point) and two and five-tenths (2.5%) percent at an angle of ninety (90) degrees above nadir (the lowest point).

(h) Where used for commercial and industrial purposes or for sports or recreational facilities, all light fixtures shall be equipped with automatic timing devices and shall comply with the following:

[1] Externally illuminated building identification or other signs shall only use shielded light fixtures mounted on top of the sign structure, however monument type signs may be lit from the ground provided adequate shielding is provided around the ground light to prevent glare and light intrusion [2] All other outdoor lighting shall use shielded light fixtures.

(i) Illumination levels shall not exceed those recommended in the IESNA Lighting Handbook, 8th Edition, as amended from time to time. These regulations provide the maximum permissible light level, it may be appropriate to use lighting levels less than the maximum specified in the IESNA.

(j) The design and installation of outdoor lighting on a site shall be constructed so as to conform to the following standards:

[1] All outdoor lighting, during non-operating hours of the business on site, and not necessary for safety and security purposes shall be reduced, activated by motion-sensor devices or turned off. Building mounted business identification and trademark signs may remain on beyond business hours, however freestanding signs shall be turned off after business hours.

[2] All lighting shall be designed to prevent misdirected or excessive artificial light.

(k) All light fixtures shall be designed, installed and maintained to prevent light intrusion.

(l) Luminance requirements.

[1] Street Lighting. Average maintained luminance shall not exceed IESNA recommendations. IESNA average to minimum luminance uniformity ratios are to be used for design roadway lighting.

[2] Outdoor Parking Facilities. Average maintained luminance and uniformity ratios shall not exceed IESNA recommendations.

[3] Walkways. Maximum average foot-candles shall be as follows:

(i) Sidewalks (roadside):

a. Commercial: one and zero-tenths (1.0).

b. Residential: two-tenths (0.2).

[4] All outdoor lighting on commercial or industrial properties that are adjacent to or across the street from residential districts and/or residential uses must employ lighting techniques to mitigate the impact of the outdoor lighting on the residential districts or uses.

(m) The style of the light and light standards shall be consistent with the architectural style of the principal building or surrounding area

(n) Floodlight-type fixtures shall be prohibited except in residential properties where flood lights on motion sensors may be used for home security purposes.

(o) Freestanding lights shall be so located and protected to avoid being damaged by vehicles.

(p) The maximum illumination at property lines shall be one-tenth (0.1) foot-candle at grade.

(q) All wiring shall be laid underground.

(r) No lighting shall be of a yellow, red, green or blue beam nor be of a rotating, pulsating or other intermittent operation.

(s) Bare bulbs, tubes and rope lights and strip lights are prohibited.

(t) Light Intrusion. No single standard for glare or light intrusion is promulgated in this chapter due to the impracticality of establishing such standards. It is the intent of these performance standards to ensure that both direct and indirect glare, to the extent possible, are eliminated or that activities producing such glare are carried on within a structure. Necessary glare-producing devices such as glazing, roadway and walkway lighting shall be designed, constructed and maintained in such a manner as not to be a nuisance to surrounding uses.

SECTION 2. The following shall be added to Borough Code § 420 -61(D) (2) (e) regarding the illumination of signs:

[1] Internally illuminated signs shall have characters, letters, figures and designs which are illuminated by electric lights as part of the sign proper.

[2] Signs lit by external sources shall be allowed but shall be located in such a manner so as to avoid any glare on adjacent property. Sources of sign illumination shall be completely shielded from the view of vehicular traffic using the road or roads abutting the lot on which the sign is located.

[3] External lights used for the illumination of any sign on a building whether or not such light fixtures are attached to or separate from the building, shall not extend above the highest elevation of the front wall of the building or more than eighteen (18) feet above the street level of the premises, whichever is less.

[4] No electric wiring associated with a sign shall be visible to public view.

[5] No signs using bare bulbs, rope lights, tubing or strip lights shall be permitted.

[7] No sign shall be lighted by means of a flashing light, nor shall any sign be in whole or in part moving, mobile or revolving or electrically or mechanically activated.

[8] No electric message centers shall be permitted and no other sign shall be allowed with optical illusion of movement by means of a design which presents a pattern capable of reverse perspective, giving the illusion of motion or changing of copy.

[9] Signs on municipally owned property are exempt from the provisions of this ordinance.

[10] Business signs may be either internally or externally illuminated however no business or commercial establishments or structures used for business or commercial activities shall be permitted to outline windows, doors, signs or any other framework with string lighting, flashing lighting or continuous lighting of any type. All lighted signage used by any business or commercial establishment within the RT zone shall be extinguished no later than 10:00 pm.

SECTION 3. The following shall be added to Borough Code § 420 -61 (E) (9) Prohibited Signs and Sign Features.

420-61.E (9) . Prohibited Signs and Sign Features. No business or commercial establishments or structures used for business or commercial activities shall be permitted to outline windows, doors, signs or any other framework with string lighting, flashing lighting or continuous lighting of any type.

SECTION 4. The following shall be added to the definition section of the Zoning Ordinance in the Borough Code at §420-7:

ELECTRONIC MESSAGING CENTERS - Any sign or portion of a sign that uses changing lights to form a sign message or messages in text or graphic form wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes.

SECTION 5. 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 6. In the event that any section, part or provision of this Ordinance shall be held to be unenforceable or invalid by any court, such a 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 7. This Ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final form of adopted ordinance by the Clerk with the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

ATTEST:

By:_____
Kathleen Anello, RMC
Borough Clerk

BOROUGH OF MIDDLESEX

By: _____
Ronald DiMura
Mayor

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

Resolution #187-16

Biondi's Florist & Greenhouses, located at 601 Union Avenue in Middlesex, NJ 08846, is exempt from any sanitary sewer charges as the water meter numbered 60817051 has no sewer connection and is a designated water line for the use of watering and irrigation for the greenhouse only.

ADOPTED_____

_____
CLERK OF THE BOROUGH OF MIDDLESEX

_____
MAYOR OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

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 #188-16

WHEREAS, Prestige Environmental Inc. on behalf of Pumping Services Inc. has provided a copy of the Temporary Discharge Approval Application for a Dual Phase Extraction (DPE) remediation system that will remove both shallow groundwater and soil vapor using a single high vacuum process with a discharge of treated groundwater, to the MCUA Central Treatment Plant, via the Middlesex Borough wastewater collection system and the MCUA Middlesex Meter Chamber, from the Pumping Services Inc. location at 201 Lincoln Boulevard; and

WHEREAS, Prestige Environmental Inc. is required to have the Borough's approval on a yearly basis for discharge of treated groundwater from the Pumping Services Site to the MCUA Central Treatment Plant via the Borough of Middlesex wastewater collection system and MCUA Middlesex Meter Chamber.

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

1. Middlesex Borough hereby approves the execution of the Middlesex County Utilities Authority Temporary Discharge Approval Application for the discharge of treated groundwater from the Pumping Services Site to the MCUA Central Treatment Plant via the Borough of Middlesex wastewater collection system and MCUA Middlesex Meter Chamber.

2. This resolution shall take effect immediately.

ADOPTED_____

_____
CLERK OF THE BOROUGH OF MIDDLESEX

_____
MAYOR OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

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 #189-16

The Governing Body hereby approves and accepts the Corrective Action Plan on the 2015 Audit, according to Local Finance Board Directive 92-15.

ADOPTED_____

_____
CLERK OF THE BOROUGH OF MIDDLESEX

_____
MAYOR OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

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 #190-16

WHEREAS, Orlando Investments was issued a street opening permit on 4/23/15; and

WHEREAS, Orlando Investments deposited $2500.00 with the Borough of Middlesex to ensure proper repair and maintenance of the roadway; and

WHEREAS, said roadway at 448 Voorhees Ave. was inspected by Dan Niro, Plumbing Inspector, and found to have been maintained in a satisfactory manner.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that the disbursing officers be and they are hereby authorized to draw a check in the amount of $1875.00 in favor of Orlando Investments., 221 Beechwood Ave, Middlesex, NJ 08846, for refund of Street Opening Permit No. 2015-004.

ADOPTED_____

_____
CLERK OF THE BOROUGH OF MIDDLESEX

_____
MAYOR OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

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 #191-16

The Governing Body hereby approves the Mayor and Borough Clerk execute the Department of the Army Corps of Engineers Right of Entry to survey, conduct test borings, and carry out such other exploratory work needed to complete the investigation being made of said lands by the Government on Block 239, Lot 25, and Block 258.01, Lot 1, Lee Drive Right of Way, Parker Street Right of Way, Denton Place Right of Way, Hallock Avenue Right of Way, Parker Road Right of Way, Middlesex County, New Jersey for the Green Brook Flood Damage Reduction Project.

ADOPTED_____

_____
CLERK OF THE BOROUGH OF MIDDLESEX

_____
MAYOR OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

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 #192-16

WHEREAS Chapters 317 and 318 of the Code of the Borough of Middlesex set forth the standards and requirements for maintenance and upkeep of properties within the Borough of Middlesex; and

WHEREAS the owner of record for a certain property located at 277 Lincoln Boulevard, Block 147 Lot 3 within the Borough of Middlesex has failed to comply with the standards and requirements for the maintenance and upkeep of that property; and

WHEREAS the owner of record of such property being Lincoln Holding Company, LLC having failed to comply with the standards and requirements for the maintenance and upkeep of that property; and

WHEREAS the Borough has incurred expensed totaling $1,400 to abate and/or mitigate the failure of the owner of record to comply with the standards and requirements for the maintenance and upkeep of that property; and

WHEREAS the owner of record was found guilty in Municipal Court on October 11, 2012 for failure to comply with the standards and requirements for the maintenance and upkeep of that property totaling $4,650 in Court fines and costs; and

WHEREAS under Chapter 317-14 and/o N.J.S.A. 40:48-2.13 the expenses incurred by the Borough of Middlesex shall be permitted to become a lien on the property for $6,050;

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

1. The amount of $6,050 shall be added to and become and form part of the taxes next to be assessed and levied upon such lands.

2. The Tax Collector's Office of the Borough of Middlesex shall be authorized to take such actions as is necessary and permitted to collect such amount.

3. This Resolution shall take effect immediately.

ADOPTED_____

_____
CLERK OF THE BOROUGH OF MIDDLESEX

_____
MAYOR OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

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 #193-16

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.

ADOPTED_____

_____
CLERK OF THE BOROUGH OF MIDDLESEX

_____
MAYOR OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

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 #194-16

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. Plumber Inspector Position
2. Hiring Attorney Ruitenberg – Piscataway Sewer Billing
3. Personnel - Recreation

ADOPTED_____

_____
CLERK OF THE BOROUGH OF MIDDLESEX

_____
MAYOR OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

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

Richard A. Alaimo Engineering Company

200 High Street, Mt. Holly, New Jersey 08060 Tel: 609-267-8310 Fax: 609-267-7452
2 Market Street, Paterson, New Jersey 07501 Tel: 973-523-6200 Fax: 973-523-1765

September 1, 2016

Borough of Middlesex
1200 Mountain Avenue
Middlesex, New Jersey 08846

Att: Kathleen Anello,
Borough Clerk

Re: Planned Detour – Resolution of Support Request
Replacement of Bridge 2-B-157
Raritan Avenue (Middlesex County Route 622) over Ambrose Brook
Borough of Middlesex, Middlesex County, New Jersey
Middlesex Co. Project Number BR-1006
Our File No. B-0145-0053-000

Dear Ms. Anello:

The Alaimo Group, in coordination with Traffic Planning and Design, Inc., is currently in the process of completing Contract plans and Specifications for the Replacement of Bridge 2-B-157 along Raritan Avenue (Middlesex County Route 622) over Ambrose Brook in the Borough of Middlesex County, New Jersey. The project involves the replacement of the existing structure to meet current standards and minor roadway approach work approximately 500 feet from either side of the structure.

In coordination with the NJDOT and Middlesex County, the most effective and fastest approach facilitate replacement of the structure is to close the bridge to vehicular traffic. As such, the Traffic Control Plan involves closing Raritan Avenue (Middlesex County Route 622) from Union Avenue (State Route 28) to Ashland Road and diverting the traveling public around the road closure. The proposed detour will utilize Union Avenue (SR 28), Mountain Avenue (Somerset County 527), and Lincoln Boulevard (CR 607).

As depicted on the attached Traffic Control Plans, the proposed traffic detour route, in conjunction with the proposed closure, is generally as follows:

- Motorists wishing to travel southbound on Raritan Avenue will be detoured to Union Avenue west to Mountain Avenue south to Lincoln Boulevard east to Raritan Avenue.

- Motorists wishing to travel northbound on Raritan Avenue will be detoured to Lincoln Boulevard west to Mountain Avenue north to Union Avenue east to Raritan Avenue.

The proposed detour is slightly less than 2 miles in length. Construction is expected to begin Spring 2017, and the anticipated duration of the detour is six (6) months.

Somerset County has recently approved the detour plan. Middlesex County has requested that both affected municipalities in which the detour route is planned to support the replacement project with respect to the closure of the bridge and subsequent detour. NJDOT has reviewed and accepted the detour route and has also approved the Application for Highway Occupancy for State Route 28 (Union Avenue).

As such, we respectfully request a municipal resolution of support of the proposed detour route from your respective municipalities.

If you have any questions, please do not hesitate to contact Erik Svensen of the Alaimo Group at (609) 267-8310. Otherwise, we look forward to receiving your municipal resolutions of support allowing this bridge replacement project to move forward.

Very truly yours,

RICHARD A. ALAIMO ENGINEERING COMPANY

Erik C. Svensen, P.E.,
Associate

ECS/dal
Enclosures

c: Deanna Drumm, P.E., P.P., PTOE – Traffic Planning and Design, Inc.

REMINGTON
& VERNICK
ENGINEERS
AND AFFILIATES

Professional Excellence Since 1901

SENIOR PRINCIPALS
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Craig F. Remington, PLS, PP, Vice President
Michael D. Vena, PE, PP, CME (deceased 2006)
Edward J. Walberg, PE, PP, CME, CFM
Thomas F. Beach, PE, CME
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Alan Dittenhofer, PE, PP, CME
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Christopher J. Fazio, PE, CME
Terence Vogt, PE, PP, CME
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Kenneth C. Ressler, PE, CME
Frank J. Seney, Jr., PE, PP, CME, NCIS
Gregory J. Sullivan, PE, PP, CME, CEA

PLEASE REPLY TO THE NOTED OFFICE

Remington & Vernick Engineers
232 Kings Highway East
Haddonfield, NJ 08033
☐ (856) 795-9595

Remington, Vernick
& Vena Engineers
9 Allen Street
Toms River, NJ 08753
☐ (732) 286-9220

3 Jocama Boulevard, Suite 300-400
Old Bridge, NJ 08857
☐ (732) 955-8000

Remington, Vernick
& Walberg Engineers
845 North Main Street
Pleasantville, NJ 08232
☐ (609) 645-7110

4907 New Jersey Avenue
Wildwood City, NJ 08260
☐ (609) 522-5150

Melford Plaza I, Suite 400
16701 Melford Boulevard
Bowie, MD 20715
☐ (240) 544-5382

Remington, Vernick
& Beach Engineers
922 Fayette Street
Conshohocken, PA 19428
☐ (610) 940-1050

1000 Church Hill Road, Suite 220
Pittsburgh, PA 15205
☐ (412) 263-2200

Univ. Office Plaza, Bellevue Building
262 Chapman Road, Suite 105
Newark, DE 19702
☐ (302) 266-0212

Remington, Vernick
& Arango Engineers
The Presidential Center, Lincoln Building
Suite 600, 101 Route 130
Cinnaminson, NJ 08077
☐ (856) 303-1245

300 Penhorn Avenue, 3rd Floor
Secaucus, NJ 07094
☐ (201) 624-2137

August 31, 2016

Ronald DiMura, Mayor
Municipal Building
1200 Mountain Avenue
Middlesex, NJ 08846

Re: Middlesex Borough
Confirming Proposal for Design, Inspection and Construction Administration Services
Bonnie Brook Terrace Reconstruction
M2016-238

Dear Mayor DiMura:

Per recent communications, this confirming proposal is provided for design, bid and construction administration services for reconstruction of Bonnie Brook Terrace. As evidenced per recent receipt and award of bidding the 2016 mill and paving program, the bidding environmental is favorable at this time due to the recent freezing of State funded construction work by the Governor's office.

It is our intent to complete design and bid documents for Bonnie Brook Terrace reconstruction, advertise and receive bids with the intent to award construction at the October 11, 2016 Council meeting.

Design services will include preparation of construction plans and bid specifications, preparation of Freehold Soil Conservation District (FSCD) Soil Erosion and Sediment Control application, bidding, attendance of the receipt of bids, and recommendation of award to low responsive bidder.

Construction services will include Inspections services during the construction period, as well as contract administration services.

The following are budgetary not-to-exceed costs of this project:

Construction	$306,590.00
Design (10%)	$30,659.00
Inspections and Contract Administration (15%)	$45,988.50
Total:	$383,237.50

Please contact me at 732-955-8000 if you have any questions or require further information. Thank you for the opportunity to assist the Borough with this important project.

Sincerely,
REMINGTON, VERNICK & VENA ENGINEERS, INC.

By

Terence Vogt, P.E., P.P., C.M.E.
Principal, Regional Manager

cc: Kathleen Anello, Clerk
Caroline Benson, CFO
Robert Teutsch, DPW Superintendent
Craig Remington

DEPARTMENT OF THE ARMY BALTIMORE
DISTRICT, U. S. ARMY CORPS OF ENGINEERS P. O.
BOX 1715
BALTIMORE, MD
21203-1715

Put on m/g.
for Sept. 13 2016

August 9, 2016

Real Estate Division
Civil/IIS Projects Support Branch

Mayor Ronald Dobies
Borough of Middlesex
1200 Mountain Avenue
Middlesex, New Jersey 08846

Dear: Mayor Dobies,

This is regarding the planned activities associated with the Green Brook Flood Control Project. The U. S. Army Corps of Engineers in connection with the New Jersey Department of the Environment is requesting permission for access to the property identified as Block 239 Lot 25, Block 258.01 Lot 1, Lee Drive Right of Way, Parker Street Right of Way, Denton Place Right of Way, Hallock Avenue Right of Way, Parker Road Right of Way, Middlesex County, New Jersey. Attached to the ROE, as Exhibit "A" is a map delineating the areas that will be affected.

If you do not have any questions regarding this effort and agree to allow access, please sign and return both copies of the enclosed ROE forms in the envelope provided. Please print the name and telephone number(s) of the point(s) of contact on each of the forms in the space provided. The document does not have to be notarized. Once the Government has signed the agreement, a fully executed copy will be returned to you for your formal records.

Questions concerning the ROE form may be directed to Ms. Stephanie Hodges, U. S. Army Corps of Engineers, Baltimore District's Real Estate Division, at (410) 962-5195.

We greatly appreciate your cooperation and assistance.

Sincerely,

Craig R. Homesley

Craig R. Homesley
Chief, Civil/IIS Projects Support Branch
Real Estate Division

Enclosures

Green Solutions
for Customers

PSE&G
We make things work for you.

Introducing PSE&G's NEW Direct Install Program for Government, Non-Profit and UEZ Small Business Customers

Public Service Electric and Gas Company (PSE&G) is offering a revamped **Direct Install Program for Government, Non-Profit, and UEZ Small Business Facilities.** This comprehensive energy efficiency effort helps eligible PSE&G customers save both energy and money while also reducing carbon emissions in the state.

Who is Eligible?

Applicants must be PSE&G electric and/or gas customers with annual peak demands of 200 kilowatts or less. Eligible facilities include all buildings controlled by municipal, local, regional, and state government offices and all non-profit facilities that meet the requirements of Section 501(c)(3) or Section 501(c)(19) of the Internal Revenue Code. Small businesses must be located within Urban Enterprise Zones (UEZs) in PSE&G service territory.

How It Works

The program provides eligible customers with a free on-site energy audit and a proposal that lists the costs to install energy efficiency improvements recommended in the audit. These improvements typically include new lighting and heating and air conditioning upgrades. PSE&G will pay 100 percent of the cost to install the recommended energy efficiency measures with the participating customer (or landlord) repaying 30 percent either in a lump sum or interest free on their PSE&G bill over 36 months.

Why is PSE&G Offering this Program?

Energy efficiency is a major way to lower energy consumption, help customers hold the line on energy costs and reduce carbon emissions in New Jersey. PSE&G has a long-standing commitment to providing programs like Direct Install that help remove the financial and technical barriers that often discourage our customers from investing in and realizing the benefits of increased energy efficiency.

For More Information

For program information and inquiries, customers may contact the PSE&G Direct Install Program by phone at a toll-free number, **1-888-451-3595** or by e-mail at **DirectInstall@pseg.com**.

SUBJECT PHOTOGRAPH

Plainfield Property in Mtn View Park

—Aerial Map
Subject Property:
Rear of Bound Brook Road
Borough of Middlesex
Middlesex County, New Jersey

Department of Energy
Washington, DC 20585

August 12, 2016

OLM-BS-2016-052

Honorable Mayor Ronald J. DiMura
Borough of Middlesex
1200 Mountain Avenue
Middlesex, NJ 08846

Subject: Landlocked Property at end of William Street: Borough of Middlesex Property Middlesex, New Jersey, Site

Dear Mayor DiMura:

Enclosed for your review are a memo and a map outlining the Department of Energy Office of Legacy Management's proposal to provide access to the landlocked properties that are owned by the Borough of Middlesex and Ms. LeBrun. Please review the attached memo and we will follow up with your office to schedule a call to discuss the proposal.

Please contact me at (303) 410-4810, or Paul Stocking of my contractor staff at (720) 880-4354, if you have any questions or concerns. Please send any correspondence to:

U.S. Department of Energy
Office of Legacy Management
2597 Legacy Way
Grand Junction, CO 81503

Sincerely,

Budimir V. Sokolovich
2016.08.12 13:54:39 -06'00'

Bud Sokolovich
Senior Realty Officer
Office of Legacy Management

Enclosures

cc w/enclosures:
G. Hooten, DOE (e)
D. Castillo, DOE (e)
S. Marutzky, Navarro (e)
P. Stocking, Navarro (e)
A. Wei, Navarro
Aravind Aithal, Borough of Middlesex Attorney
Project File FER 1415.05
Property Management File FER 1415.05

Department of Energy
Washington, DC 20585

August 16, 2016

OLM-BS-2016-056

MEMORANDUM FOR THE HONORABLE MAYOR RONALD J. DIMURA

FROM: BUD SOKOLOVICH, U. S. DEPARTMENT OF ENERGY

SUBJECT: LANDLOCKED PROPERTY: LEBRUN BOROUGH OF MIDDLESEX

This memo is intended to outline a path forward that addresses the landlocked property known as Lot 43, Block 318 (Lot 43) in the Borough of Middlesex, New Jersey.

Presently, the 1.124 acre Lot 43 boarders Lot 44, Block 318 directly to the south, owned by the Borough of Middlesex. Directly to the north is the fence of the U.S. Government, Middlesex Sampling Plant cleanup site. To the east of Lot 43 is a paper street that extends roughly north and south known as Railroad Avenue. The paper street is blocked by the U.S. Government fence to the north and the Borough of Middlesex municipal boundary with the Township of Piscataway to the south. Sometime in the 1980's the Township of Piscataway vacated the paper street known as Railroad Avenue to allow for the development of a condominium complex over Railroad Avenue.

Lot 43 is privately owned and the owner has expressed a desire to sell the property, but cannot sell it because there is no access to the property. This is because of the U.S. Government fence to the north over the paper street and the condominium development to the south.

It is the desire of the U.S. Government to allow the owner of Lot 43 to have access to the property, however, the ongoing activities beyond the fence on the Government's property over the paper street necessitates the continued fencing of the entire perimeter of the site. Further, the future development potential of the U.S. Government property post clean-up would be limited if the current location of the paper streets Railroad Avenue and Wood Avenue are not altered. Therefore, the following is presented to the Borough of Middlesex as a resolution to the landlocked property, Lot 43.

The U.S. Government proposes that the Borough of Middlesex gives Lot 43 a perpetual easement for ingress and egress over land owned by the Borough of Middlesex known as Lot 47, Block 318. This lot is triangular in shape and is directly south of Lot 43. The easement would be for a 30' wide easement directly bordering the Borough of Middlesex municipal boundary with the Township of Piscataway and would de facto be an extension of the existing William Street. In return for this easement, the owner of Lot 43 would extinguish/relinquish their rights to the paper street easement to the north on Railroad Avenue on and across the U.S. Government property to the paper street of Wood Avenue that was mapped as the original access road.

The U.S. Government would also give a perpetual easement to Lot 43, Lot 44, Block 318 (owned by the Borough of Middlesex) and Lot 47 along the southwesterly corner of Lot 46, Block 318

approximately 30' wide. The U.S. Government would move the fence and modify the current monitoring well at the end of William Street within the proposed easement area on Lot 46.

If this proposal is agreed to by the Borough of Middlesex and the landlocked property owner, the U.S. Government is willing to prepare all of the paperwork necessary for this transaction, complete a survey showing the proposed easement from William Street to Railroad Avenue and record all of the documents as necessary with Middlesex County, New Jersey.

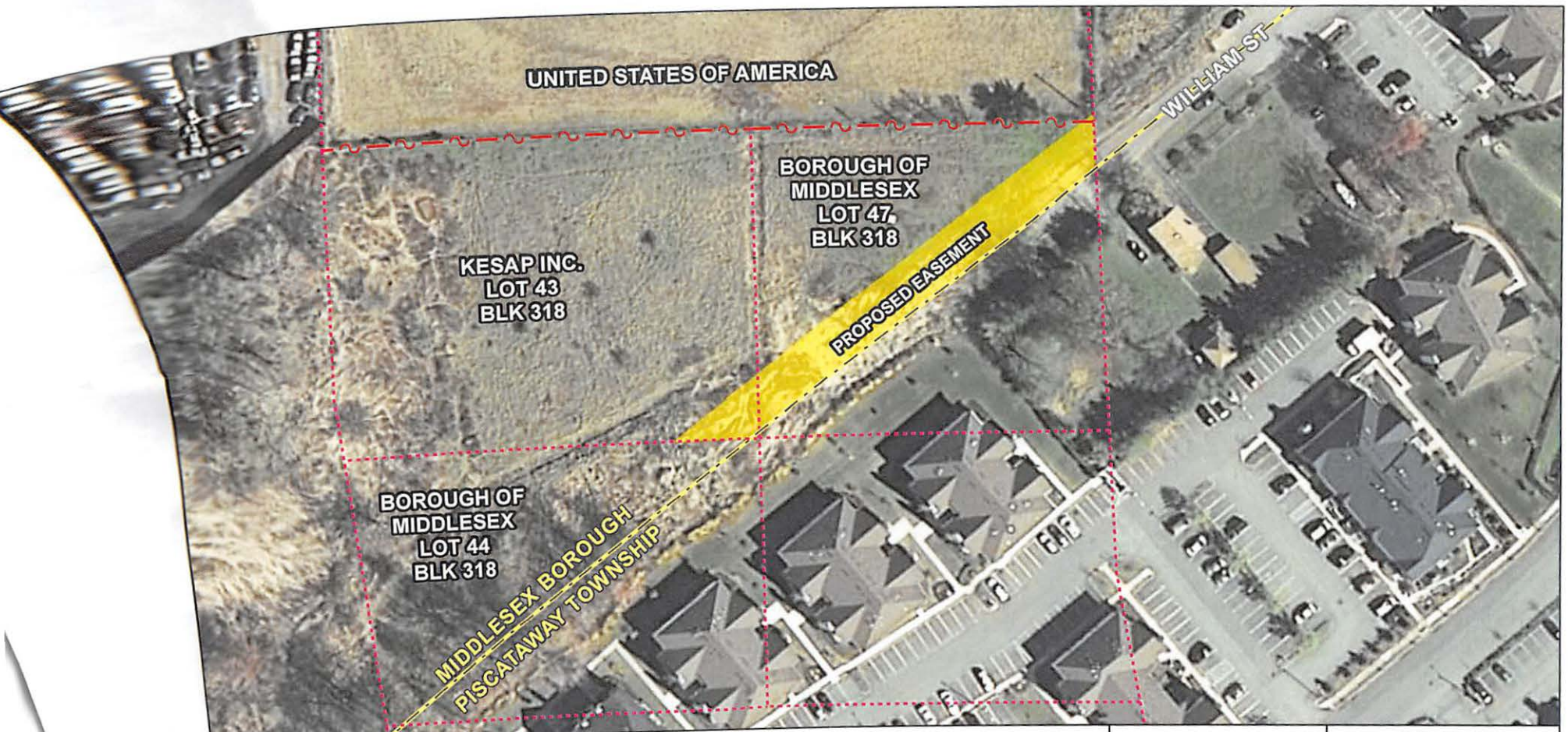
This proposal would give the landlocked property owner access to Lot 43 and give the Borough of Middlesex access to landlocked Lot 44 from William Street. Further, by extinguishing/relinquishing the rights of Lot 43, it would allow for the future vacation of the remainder of paper streets Railroad Avenue and Wood Avenue allowing for the future redevelopment of the entire U.S. Government property site as one parcel. In the interim, it would be a viable solution for the U.S. Government that is protective of the health and safety of residents of the Borough of Middlesex and also of the environment.

Attached is a tax map showing the current and the proposed configuration of the area.

If further information is necessary, or if an explanation to the Borough of Middlesex Council is required, we would be willing to give a briefing on the proposal. Please let us know at your earliest convenience if this proposal is acceptable to the Borough of Middlesex.

Thank you for your time and consideration in this important matter.

cc:
Aravind Aithal, Borough of Middlesex Municipal Attorney
Darina Castillo, U.S. Department of Energy Site Manager



EXPLANATION

- Fence
- Approximate Property Bounadry
- Municipal Boundary
- Proposed Easement (approximately 315' X 30'; 9,450 ft^2)

N

SCALE IN FEET

100 50 0 100

U.S. DEPARTMENT OF ENERGY
OFFICE OF LEGACY MANAGEMENT

Work Performed by
Navarro Research & Engineering, Inc.
Under DOE Contract Number DE-LM0000421

Proposed Access Easement
Middlesex South, NJ, Site

DATE PREPARED: August 16, 2016

FILE NAME: MSP-1

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