Borough of Middlesex

Mayor and Council Regular Meeting

~ Minutes ~

1200 Mountain Ave
Middlesex, NJ

Kathleen Anello
732-356-7400 x236
www.middlesexboro-nj.gov

Tuesday, May 22, 2018 **7:00 PM** **Municipal Building**

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.

SALUTE TO FLAG

ROLL CALL

Mayor Ron DiMura
Council Member Kevin Dotey
Council Member Dan Parenti
Council Member Sean Kaplan
Council Member John Madden
Council President Robert Schueler

Council Member Jack Mikolajczyk **-- Absent**

Also Present:
Brandon Goldberg Administrator
Aravind Aithal Attorney

Attorney Michael Baker was in attendance and represented the governing body for the Proposed Supermarket Presentation. Attorney Aithal recused himself from discussion regarding the Supermarket Presentation.

PRESENTATIONS

1. Proposed Supermarket Presentation

Mr. Maximo Panelli, owners of the supermarket property on Lincoln Boulevard attended the meeting with the Operator of the proposed Super Foodtown (Mr. Nassar) and discussed the renovations that will be undertaken to the interior and exterior of the property, including the streetscaping and parking lot. Demolition has begun with the anticipated opening date set for Thanksgiving. This new facility will provide approximately 80 jobs for the borough residents, which will include a full service pharmacy and a TruValue section. They intend to provide their product at the best price, as well as incorporate discount incentives to certain members of the community.

APPOINTMENTS

1. Appointment of Matt Adams & Tom Stringer to the Ethics Board

Mayor DiMura appointed Matt Adams and Tom Stringer to the Ethics Board.

PROCLAMATIONS

1. Proclamation Supporting the Click It or Ticket Mobilization of May 21 - June 3, 2018

Proclamation
Supporting the Click It or Ticket Mobilization of May 21 - June 3, 2018

Whereas, there were 626 motor vehicle fatalities in New Jersey in 2017; and

Whereas, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

Whereas, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

Whereas, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

Whereas, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 21 - June 3, 2018 in an effort to raise awareness and increase seat belt usage through a combination of high visibility enforcement and public education; and

Whereas, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 94% to 95.5%; and

Whereas, a further increase in seat belt usage in New Jersey will save lives on our roadways;

Therefore, be is resolved that the Borough of Middlesex declares it's support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 21 - June 3, 2018 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

ORDINANCE(S) FOR INTRODUCTION

The Borough Clerk read ordinance 1942-18 by title:

ORDINANCE 1942-18

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 125, AMUSEMENT GAMES, SECTION 125-2 FEES

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

§125-2 Fees shall be amended to read as follows:

The license for the placing, operation, maintaining, or use of such amusement devices, or machines mentioned aforesaid shall be issued to and in the name of the proprietor of the premises where the machine or machines are to be installed, for the period commencing June 1 of each year to May 31 of the following year. The fee for the issuance of said license shall be $150 for one machine (either jukebox or amusement) and a flat fee of $350 for more than one machine (either jukebox or amusement).

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

RESULT:	**FIRST READING [UNANIMOUS]**	**Next: 6/12/2018 7:00 PM**
MOVER:	Robert Schueler, Council President	
SECONDER:	Kevin Dotey, Council Member	
AYES:	Dotey, Parenti, Kaplan, Madden, Schueler	
ABSENT:	Mikolajczyk	

ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION

The Borough Clerk read ordinance 1941-18 by title:

ORDINANCE 1941-18

ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY AUTHORIZING THE FINANCIAL AGREEMENT FOR THE PROPERTY COMMONLY KNOWN AS BLOCK 349, LOT 10 IN THE BOROUGH OF MIDDLESEX PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the Borough of Middlesex, in the County of Middlesex, New Jersey (the "**Borough**"), a public body corporate and politic of the State of New Jersey (the "**State**") is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A*. 40A:12A-1 *et seq*. (the "**Redevelopment Law**"), to determine whether certain parcels of land within the Borough constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

WHEREAS, pursuant to the Redevelopment Law, improvements to property located within an area in need of rehabilitation or redevelopment may qualify for long term tax exemptions under the Long Term Tax Exemption Law, *N.J.S.A.* 40A:20-1 *et seq.* (the "**LTTE Law**"); and

WHEREAS, on July 25, 2006, pursuant to Resolution 179-06, the Borough Council of the Borough (the "**Borough Council**") designated certain property identified on **Exhibit A** attached hereto (the "**Property**"), as an Area in Need of Rehabilitation in accordance with the Redevelopment Law; and

WHEREAS, on September 18, 2007, in accordance with all applicable provisions of the Redevelopment Law, the Borough duly adopted the Lincoln Boulevard Redevelopment Plan, as subsequently amended through December 13, 2016, and as may be further amended, (the "**Redevelopment Plan**"); and

WHEREAS, on December 17, 2013, the Borough Council adopted Resolution 324-13, authorizing the Planning Board of the Borough (the "**Planning Board**") to undertake a Non-Condemnation preliminary investigation to determine whether the Property may be designated as an area in need of redevelopment in accordance with the Redevelopment Law (the "**Stud**y"); and

WHEREAS, the Planning Board authorized Paul N. Ricci, P.P., (the "**Planning Consultant**") to conduct the Study; ande

WHEREAS, the Planning Consultant prepared the Study, titled "Redevelopment Study and Preliminary Investigation Report Lincoln Boulevard - Phase 3", dated October 14, 2014; and

WHEREAS, on November 12, 2014, at the time and place of the noticed public hearing, the Planning Consultant, being duly sworn and qualified as an expert in professional planning, made a presentation of the Study to the Planning Board; and

WHEREAS, the Planning Consultant concluded that the Property satisfies the criteria as an area in need of redevelopment under the Redevelopment Law; and

WHEREAS, the Planning Board recommended that the Borough Council designate the Property as an area in need of non-condemnation redevelopment in accordance with the Redevelopment Law; and

WHEREAS, after review and consideration of the Planning Board's findings and recommendation, including all documents submitted therewith, the Borough Council agreed with the conclusion of the Planning Board and on January 13, 2015 adopted Resolution 44-15 designating the Property as an area in need of redevelopment under the Redevelopment Law (the "**Redevelopment Area**"); and

WHEREAS, Midmarket Urban Renewal, LLC, an affiliate of Middlesex Retail Fund, LLC, a New Jersey limited liability company, with offices located at 400 South Avenue, Suite 10, Middlesex, New Jersey and its successors and assigns (the "**Redeveloper**") is the owner of a portion of the Redevelopment Area identified as Lot 10 in Block 349 on the Official Tax Map of the Borough, commonly known as 242 Lincoln Boulevard, (the "**Project Area**"); and

WHEREAS, by Resolution adopted by the Borough on December 12, 2017 the Borough designated the Redeveloper, an urban renewal entity qualified to do business under the provisions of the LTTE Law, as the "Redeveloper" for the Project Area, as defined in and permitted by the LTTE Law and approved the execution of the Redevelopment Agreement between the Redeveloper and the Borough for the Project Area (the "**Redevelopment Agreement**"); and

WHEREAS, the Redeveloper will construct or cause to be constructed a retail food market with supporting parking and related improvements (the "**Project Improvements**") on the Project Area (collectively, the "**Project"**); and

WHEREAS, the Project will conform to the Redevelopment Plan and the Redevelopment Agreement and all applicable municipal zoning ordinances to the extent it contains provisions that are relevant to the Project and will be in conformance with the master plan of

the Borough; and

WHEREAS, the provisions of the LTTE Law authorize the Borough to accept, in lieu of real property taxes, an Annual Service Charge (as defined in the LTTE Law), to be paid by the Redeveloper to the Borough in connection with the Project Improvements; and

WHEREAS, the Redeveloper filed an application with the Borough pursuant to *N.J.S.A.* 40A:20-8 for approval of a long term tax exemption for the Project, including a form of financial agreement (as attached hereto as **Exhibit B**, the "**Application**"); and

WHEREAS, the proposed form of financial agreement (the "**Financial Agreement**") sets forth the terms and conditions under which the Redeveloper and the Borough shall carry out their respective obligations with respect to payment of the Annual Service Charge by the Redeveloper for the Project; and

WHEREAS, despite the Redeveloper's investment of equity and borrowed funds, such amounts are insufficient to pay for all of the costs associated with the development and construction of the Project; and

WHEREAS, to defray some of the costs of the Project, thereby making the Project viable, the Borough agreed to issue a bond in an amount not to exceed $30,000, as a NON-RECOURSE bond (the "**Redevelopment Bond**") pursuant to the terms of the Financial Agre**e**ment in accordance with the Redevelopment Area Bond Financing Law, *N.J.S.A.* 40A:12-64, *et seq.*; and

WHEREAS, the Redevelopment Bond will fund certain sidewalk, curbing and other improvements in the public right of way; and

WHEREAS, the Mayor, together with counsel for the Borough, has reviewed the Application and found that it complies with the provisions of the LTTE Law; and

WHEREAS, the Mayor together with counsel for the Borough, has reviewed the terms of the proposed Financial Agreement and has recommended that the Application be approved and the Financial Agreement, a copy of which has been filed with the Borough Clerk, be executed; and

WHEREAS, upon review of the Application and the Mayor's recommendation, the Borough Council has made the following findings with respect to the Project pursuant to *N.J.S.A*. 40A:20-11:

1. The development and construction of the Project as set forth in the Redevelopment Agreement and Redevelopment Plan will be beneficial to the overall community; will achieve certain of the goals and objectives of the Redevelopment Plan; will help revitalize the Redevelopment Area; will improve the quality of life for the community; will serve as a catalyst for further private investment in the Redevelopment Area and will enhance the economic development of the Borough.

2. It is anticipated that the development of the Project will create approximately 25 construction jobs over the duration of the construction of the Project, as well as

approximately 75 full-time permanent jobs in connection with the operation of the Project.

3. The Project will require nominal municipal services and have no impact on the school system. Pursuant to this Agreement, the Project is projected to generate revenue for the Borough in the aggregate amount of approximately $3,537,942.00 for the term of the Financial Agreement. The Borough's authorized officers and employees have determined that the benefits to the Borough accruing as a result of the Project, the revitalization of the Redevelopment Area, and the generation of jobs as described above, will substantially outweigh the nominal costs to the Borough resulting from the long term tax exemption granted herein.

4. The governing body's approval of the Long Term Tax Exemption set forth in the Financial Agreement is essential to the success of the Project because it provides the Borough with a competitive alternative to the other locations being considered by the operators/owners of the Project without which the Project would not be undertaken. The Financial Agreement is critical to the decision of the owner/operator of the Project to construct and operate such facility in the Borough. As a result, in the current real estate marketplace, the rent likely to be achieved by this Project is not sufficient to pay for the costs of the construction and the payment of full taxes.

WHEREAS, in accordance with the provisions of the LTTE Law, the Borough Council desires to approve the Application and the Financial Agreement.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF MIDDLESEX, NEW JERSEY AS FOLLOWS:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Application submitted by the Redeveloper is hereby approved in accordance with Section 8 of the LTTE Law.

Section 3. The Mayor, in consultation with counsel to the Borough, is hereby authorized to execute the Financial Agreement substantially in the form attached as **Exhibit B** and prepare, amend or execute any other agreements necessary to effectuate this ordinance, subject to modification or revisions, as deemed necessary and appropriate.

Section 4. The clerk of the Borough is hereby authorized and directed, upon execution of the Financial Agreement by the Mayor, to attest to the signature of the Mayor and to affix the corporate seal of the Borough upon such document.

Section 5. Any exemption from taxation as set forth in the Financial Agreement is hereby granted to the Redeveloper, with respect to the Project for the term set forth in the Financial Agreement; provided that in no event shall the term of the Financial Agreement exceed the earlier of (i) thirty-five (35) years from the date of execute of the Financial Agreement or (ii) to the extent permitted by the LTTE Law, thirty (30) years from the Redeveloper's receipt of a Certificate of Occupancy (as defined in the Financial Agreement) for the Project and only so long as the Redeveloper remains subject to and in compliance with the Financial Agreement and the LTTE Law and; provided further, that the Redeveloper does not file a tax appeal for the Project or any part thereof.

Section 6. The executed copy of the Financial Agreement shall be certified by and filed with the Office of the Borough Clerk. Further, the Clerk shall file certified copies of this ordinance and the Financial Agreement with the Tax Assessor of the Borough and the Director of the Division of Local Government Services with the Department of Community Affairs, in accordance with Section 12 of the LTTE Law.

Section 7. The Project shall conform with all federal, state and Borough laws, ordinances and regulations relating to construction and use.

Section 8. The Redeveloper shall, in the operation of the Project, comply with all laws so that no person of race, religious principles, color national origin or ancestry will be subject to discrimination.

Section 9. The Redeveloper shall, from the time the Annual Service Charge becomes effective under the Financial Agreement, pay to the Borough the estimated quarterly Annual Service Charge for the Project until the correct amount due from the Redeveloper is determined by the certified financial audit report, required to be submitted under the terms of the Financial Agreement. After the report has been accepted by the Borough and within ninety (90) days thereafter, the Borough and the Redeveloper shall adjust any over or underpayment so made or required to be made for the period covered by the certified audit report.

Section 10. This ordinance shall take effect in accordance with all applicable laws.

CERTIFICATION

I, Kathleen Anello, Municipal Clerk for the Borough of Middlesex, do herby certify that the foregoing is a true copy of an Ordinance duly adopted by the Borough Council of the Borough of Middlesex at their _____, 2018 meeting.

_____
KATHLEEN ANELLO

EXHIBIT A

Block 125, Lots 1, 3, 5, 8, 9A, 11A
Block 126, Lots 4B, 6, 7
Block 127, Lot 22
Block 128, Lots 1, 2
Block 129, Lots 3A, 3B, 4, 5
Block 132, Lots 1, 1A
Block 136, Lots 29, 30, 31, 32, 33
Block 140, Lots 1, 2, 3, 5, 6
Block 153, Lots 22, 23, 24, 25
Block 287, Lots 57
Block 295, Lots 31, 34, 37, 41, 43, 44, 47, 51, 55, 57, 60, 61
Block 313, Lots 1, 4A, 8, 10
Block 315, Lot 1
Block 316, Lots 1, 2
Block 318, Lots 38A, 43, 44, 45A, 48, 50
Block 319, Lots 13, 14, 18, 19, 23, 24, 26, 28, 30, 34, 36, 37, 38, 39, 45, 47
Block 325, Lot 1
Block 327, Lots 15A, 16
Block 328, Lots 18, 22
Block 333, Lots 23, 29, 29A
Block 333A, Lots 1, 2, 3
Block 333B, Lots 7, 8
Block 339, Lots 1, 13, 701, 702
Block 340, Lots 1, 6, 8, 11, 17, 20A, 24A, 29A, 37A, 50
Block 342, Lot 1
Block 343, Lot 1, 12, 13, 14, 14A, 15

Gateway (Focus Area)

Block 122, Lots 2, 3, 4A
Block 129, Lots 1, 2, 3A
Block 348, Lots 1, 2, 3
Block 349, Lots 1, 2, 3, 3A

West Market (Focus Area)

Block 141, Lots 1, 5
Block 144, Lot 1
Block 144A, Lot 1
Block 147, Lot 3
Block 149, Lots 1, 5
Block 150, Lot 70
Block 153, Lot 21
Block 349, Lots 1, 2, 3, 3A, 5, 6B, 7, 8,10, 10A, 10B, 10C

Town Center (Focus Area)

Block 285, Lots 1, 5, 33, 34, 35, 37, 39
Block 286, Lot 1
Block 287, Lots 1A, 2A
Block 289, Lots 1, 60
Block 291, Lots 1, 2, 3, 5, 60
Block 313, Lots 23, 27, 27A
Block 314, Lots 1, 3, 5, 9, 11, 14A, 18, 20, 23, 25, 27, 29, 29A, 31, 63
Block 316, Lots 6, 9, 10
Block 317, Lots 3, 7, 9, 10, 14
Block 318, Lots 1, 1A, 4A, 7, 10, 11, 13, 16, 19
Block 319, Lots 1, 6
Block 371A, Lot 5A

Block 343 Lot 1, and Block 343 Lot 13.

EXHIBIT B - See Attached to the Financial Agreement

RESULT:	**TABLED [UNANIMOUS]**	**Next: 5/29/2018 7:00 PM**
MOVER:	Sean Kaplan, Council Member	
SECONDER:	Robert Schueler, Council President	
AYES:	Dotey, Parenti, Kaplan, Madden, Schueler	
ABSENT:	Mikolajczyk	

ADOPTION OF MINUTES

1. Approval of the April 24, 2018 Amended Regular Meeting Minutes & the May 8, 2018 Regular & Executive Meeting Minutes

RESULT:	**ADOPTED [4 TO 0]**
MOVER:	John Madden, Council Member
SECONDER:	Robert Schueler, Council President
AYES:	Parenti, Kaplan, Madden, Schueler
ABSTAIN:	Dotey
ABSENT:	Mikolajczyk

MAYOR'S REPORT

Mayor DiMura reported that effective June 4th he will be scheduling weekly appointments with residents between the hours of 6:30 PM - 8:30 PM every Monday. This will be posted on the Borough website.

REPORTS - STANDING COMMITTEES

Finance/Taxation/Real Estate/Insurance/Public Utilities

1. Public Relations Firm Recommendation

Council President Schueler reported that the finance committee reviewed the Contract from Direct Development for Marketing and Design services for the borough. A review of the contract found that the current proposal, maintained the same cost as last year. The scope of services had some minor modifications but this was designed to better reflect the services that we utilized last year. After discussion with all members of the committee it was decided that we were looking for more flexibility in case our needs changed during the term of the contract. We are suggesting that we add a provision to the contract that if we don't utilize portions of the quantity of services we will be allowed that exchange these on a limited basis to utilize services that we need more of.

The contract includes Webmaster Services of 12 hours per month and retainer services of 30 hours a month. Based on our current utilization we will have the services we are currently taking advantage of with the opportunity for increases as we continue to provide more content and still minimize the impact to the budget. We can take the steps to have better name recognition and more positive impression of our borough.

The Finance committee recommends accepting the contract with the amendment as indicated above.

Fire/OEM/Rescue Squad

1. Emergency Service Meeting Update

Mayor DiMura reported that for the last month the Rescue Squad received 92 calls and 19 calls were covered by the squad.

Councilman Madden reported that an emergency services meeting was held on May 11, 2108.

The Fire Department, Rescue Squad and myself met to share ideas regarding increasing the membership for the Rescue Squad and to provide full coverage each day.

Among the ideas put forth were to amend and relax the by laws (the squad is in the process of doing this) to allow easier membership requirements.

Also, the squad is reaching out to the Fire Department to see if they are interested in providing drivers for the ambulances with some remedial training. Duty crews vs scramble calls were discussed. A final plan will be presented soon.

Mayor DIMura requested that the committee sit down with the Rescue Squad and discuss again, as we have to be sure that the residents of the borough are covered. The Mayor requested that Councilman Madden report on this at the July 10, 2018 Regular Meeting.

Recreation/Recreation Fields/Swim Pool/Community Celebrations

1. Approval of the May, 2018 Recreation Report

Councilman Dotey also requested that all pool patrons please submit their pool applications as soon as possible.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Kevin Dotey, Council Member
SECONDER:	John Madden, Council Member
AYES:	Dotey, Parenti, Kaplan, Madden, Schueler
ABSENT:	Mikolajczyk

Public Works/Buildings & Grounds/Recycling

Police/Legal/Code Enforcement & Zoning/Shade Tree/Construction/Municipal Court

1. Approval of the April, 2018 Police Department Report

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Kevin Dotey, Council Member
SECONDER:	Sean Kaplan, Council Member
AYES:	Dotey, Parenti, Kaplan, Madden, Schueler
ABSENT:	Mikolajczyk

Administration/Department of Senior Services/Legislation/Licensing

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PRIVILEGE OF THE FLOOR

Rich Rutkowski, 211 Maple Avenue questioned (1) Tabling of Ordinance No. 1941-18, (2) Payment of $30,000 to the Developer; (3) Residents living in unsafe building; and (4) Status of OLMV Lease. Mayor DiMura stated that the hearing on Ordinance No. 1941-18 will be on May 29, 2018 and Attorney Aithal mentioned that there are no new developments on the OLMV Lease.

Evan Walter, 837 W. Second Street questioned: (1) The status of Cub Liquors and parking on the supermarket property; (2) If apartments will be located on the supermarket property; (3) Limitation of Middlesex residency for Rescue Squad Members. Mayor DiMura responded to Mr. Walter's concerns regarding the supermarket property and Councilman Kaplan responded regarding the squad residency requirements.

NEW BUSINESS/CONSENT AGENDA/RESOLUTIONS

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Kevin Dotey, Council Member
SECONDER:	Dan Parenti, Council Member
AYES:	Dotey, Parenti, Kaplan, Madden, Schueler
ABSENT:	Mikolajczyk

The Borough Clerk read the following resolution:

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

RESOLUTION 133-2018

REFUNDING 1ST AND 2ND QUARTER TAXES ON BLOCK 224, LOT 11.01 AS THE HOMEOWNER HAS BEEN DECLARED AS A 100% DISABLED VETERAN

The Tax Collector is hereby authorized to refund 2018 1st & 2nd quarters in the amount of $3280.74, Block 224 Lot 11.01, 211-213 Seventh Street. The homeowner has been declared a 100% disabled veteran by the Division of Veterans Affairs effective May 17, 2011. The check is to be made payable to:

Teresa Pawlowski
211-213 Seventh Street
Middlesex, NJ 08846

The Borough Clerk read the following resolution:

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

RESOLUTION 134-2018

AUTHORIZING THE PURCHASING AGENT TO SELL SURPLUS POLICE DEPARTMENT VEHICLES ON GOVDEALS INC.

WHEREAS, the Borough of Middlesex has determined that the property listed below is no longer needed for public use by Middlesex Police Department and they wish to dispose of pursuant to Division of Local Government Services' Local Finance Notice 2008-9 and the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) which authorizes the sale of this surplus personal property through the use of an online auction service; and

WHEREAS, the Borough of Middlesex intends to utilize GovDeals Inc., online auction services; and

WHEREAS, no express or implied warranty is made for the property subject to sale. All property is being sold in "as is condition" "where is", and

WHEREAS, Notice of Auction shall be published in an official newspaper on as required by N.J.S.A. 40A:11-36(3); and

NOW THEREFORE BE IT RESOLVED, by the Borough that the Purchasing Agent is hereby authorized to sell the surplus personal property as indicated on GovDeals Inc.; an authorized online auction website; and

BE IT FURTHER RESOLVED, by the Borough of Middlesex, County of Middlesex, that the Council, in accordance with the provisions of N.J.S.A. 40A:11-36 approve that an online auction of surplus vehicles be conducted by GovDeals, Inc.

VIN	YEAR	MAKE
1FAHP36N36W122253	2006	Ford Focus
2FABP7BV9BX109265	2011	Ford Crown Victoria

The Borough Clerk read the following resolution:

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

RESOLUTION 135-2018

THE GOVERNING BODY APPROVES TRANSFERRING THE SURPLUS 2011 FORD CROWN VICTORIA TO THE FIRE POLICE

The Governing Body hereby approve transferring the 2011 Ford Crown Victoria, Vin #2FABP7BV1BX109437 to the Middlesex Fire Police.

The Borough Clerk read the following resolution:

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

RESOLUTION 136-2018

AWARDING THE BID FOR TREE SERVICES TO PREDATOR TREE SERVICE - JUNE 1, 2018 - MAY 31, 2020 *- Item Removed from Consent*

WHEREAS, three bids were received on May 15, 2018 for the proposal for tree removal/trimming and stump grinding; and

WHEREAS, listed below are the bids received for this project:

	Predator Tree	Rich Tree	Anderson Arbor

	Svc	Svc	Care
Item #1 Tree Removal/Trimming	125.00	225.00	350.00
Item #2 Stump Grinding	4.00	5.00	5.00
Item #3 Daily Rate	800.00	1,800.00	2,500.00

WHEREAS, the Purchasing Agent recommends that Predator Tree Service LLC of Green Brook, New Jersey, be awarded this contract for the amounts listed above.

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

1. At the recommendation of the Purchasing Agent, the Mayor and Council hereby award the bid for the proposal for tree removal/trimming and stump grinding to Predator Tree Service LLC of Green Brook, New Jersey for the period of 6/1/2018 - 5/31/2020, subject to the appropriation of funds in the 2018, 2019 and 2020 budget.

NOW FURTHER BE IT RESOLVED, that the Treasurer hereby certifies funds are appropriated in the 2018 adopted budget.

RESULT:	**ADOPTED BY CONSENT VOTE [UNANIMOUS]**
MOVER:	Kevin Dotey, Council Member
SECONDER:	Dan Parenti, Council Member
AYES:	Dotey, Parenti, Kaplan, Madden, Schueler
ABSENT:	Mikolajczyk

The Borough Clerk read the following resolution:

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

RESOLUTION 137-2018

RESOLUTION OF THE BOROUGH OF MIDDLESEX DESIGNATING MIDMARKET URBAN RENEWAL LLC AS REDEVELOPER AND AUTHORIZING EXECUTION OF REDEVELOPMENT AGREEMENT WITH MIDMARKET URBAN RENEWAL, LLC IN CONNECTION WITH REAL PROPERTY LOCATED IN BLOCK 394, LOT 10.0, COMMONLY KNOWN AS 242 LINCOLN BLVD. *- Item Removed from Consent*

WHEREAS, Midmarket Urban Renewal, LLC ("Redeveloper") is an urban renewal entity qualified to do business under the provisions of the LTTE law and wishes to be designated redeveloper of property identified as Lots 10.0 in Block 349 on the Official Tax Map of the Borough and commonly known as 242 Lincoln Blvd (the "Property"); and

WHEREAS, the Redeveloper has proposed to redevelop the Property by means of the rehabilitation and renovation of the building located on the Property for a grocery store and ancillary and related uses including but not limited to a pharmacy, coffee shop and produce packaging ("Project"); and

WHEREAS, said Project has been reviewed and found to be consistent with the goals of the Borough for redevelopment of the Property; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, that Midmarket Urban Renewal, LLC is hereby designated as the Redeveloper of the Property; and

IT IS FURTHER RESOLVED that the Borough is hereby authorized to executed the attached Redevelopment Agreement, between the Borough and the Redeveloper in substantially similar form to that document attached hereto as Exhibit A, within 90 days upon execution of a financial agreement between the Borough and Redeveloper.

RESULT:	**TABLED BY CONSENT VOTE [UNANIMOUS]**	**Next: 5/29/2018 7:00 PM**
MOVER:	Kevin Dotey, Sean Kaplan	
SECONDER:	Dan Parenti, Robert Schueler	
AYES:	Dotey, Parenti, Kaplan, Madden, Schueler	
ABSENT:	Mikolajczyk	

NON-CONSENT AGENDA/RESOLUTIONS

The Borough Clerk read the following resolution:

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

RESOLUTION 138-2018

PAY ALL CLAIMS

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

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	John Madden, Council Member
SECONDER:	Robert Schueler, Council President
AYES:	Dotey, Parenti, Kaplan, Madden, Schueler
ABSENT:	Mikolajczyk

AGENDA WORKSHOP ITEM

1. Recommendation to the Planning Board for Redevelopment Study on Baekeland Avenue & Bound Brook Rd.

A consensus of council was taken to recommend to the Planning Board to proceed with a Redevelopment Study for Baekeland Avenue and Bound Brook Road. A resolution will be put on the June 12, 2018 Regular Meeting to advise the Planning Board to proceed with this study.

2. Bus Driver's Salary

At the recommendation of the Director of the Office on Aging, a consensus of the Council was taken to increase the hourly rate for the senior bus driver to $18.00 per hour. The salary range ordinance will be introduced at the June 12, 2018 Regular Meeting.

3. Emergency Bond - Storm Clean Up

Council agreed to put a Resolution on the June 12, 2018 Regular Meeting to move forward with the clean up of the debris from the storm that is placed at Mountain View Park. This clean up will be approximately $80,000 - $100,000.

4. Municipal Solar Panels

Mayor DiMura reported that he has been made aware of new financing being made available for municipal solar panels, and a consensus of Council was taken to have the Business Administrator investigate the new funding and report to the council at the July 24, 2018 Regular Meeting.

PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS

Rich Thomasey, 109 Greene Avenue questioned the roll of the Economic Development Committee and Mayor DiMura addressed Mr. Thomasey's question.

EXECUTIVE SESSION

ADJOURNMENT

The next Regular Meeting will be June 12, 2018

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk