# Borough of Middlesex

**Mayor and Council Regular Meeting**

**~ Agenda ~**

1200 Mountain Ave
Middlesex, NJ

**Gretchen McCarthy**
www.middlesexboro-nj.gov

**Tuesday, April 23, 2019** **7:00 PM** **Municipal Building**

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**

| Attendee Name | Present | Absent | Late | Arrived |
|---|---|---|---|---|
| Mayor Ron DiMura | ☐ | ☐ | ☐ | |
| Council President John Madden | ☐ | ☐ | ☐ | |
| Council Member Douglas Rex | ☐ | ☐ | ☐ | |
| Council Member Jason Carr | ☐ | ☐ | ☐ | |
| Council Member Dan Parenti | ☐ | ☐ | ☐ | |
| Council Member Kevin Dotey | ☐ | ☐ | ☐ | |
| Council Member Jack Mikolajczyk | ☐ | ☐ | ☐ | |

4. **PRESENTATIONS**
5. **APPOINTMENTS**
    1. Appointment of Dr. Ronald Frank as Medical Director for the Middlesex Borough Rescue Task Force
6. **PROCLAMATIONS**
    1. Arbor Day - April 26, 2019
    2. Mental Health Awareness Month May, 2019
    3. Older Americans Month - May, 2019
    4. Denim Day - April 24, 2019
7. **ORDINANCE(S) FOR INTRODUCTION**
8. **ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION**
    1. **Ordinance 1959-19** An Ordinance of the Borough of Middlesex, County of Middlesex, New Jersey, Authorizing a System to be Established to Provide Tax-Deferred Income Benefits to Eligible, Active Volunteer Members of the Middlesex Borough Fire Department
9. **ADOPTION OF MINUTES**

1. Approval of the April 9, 2019 Regular & Executive Meeting Minutes

**10. MAYOR'S REPORT**

**11. REPORTS - STANDING COMMITTEES**

1. Finance/Taxation/Real Estate/Insurance/Public Utilities
2. Fire/OEM/Rescue Squad
    1. Approval of the March, 2019 Fire Chief's Report
3. Recreation/Recreation Fields/Swim Pool/Community Celebrations
4. Public Works/Buildings & Grounds/Recycling
    1. Approval of the March, 2019 DPW Report
5. Police/Legal/Code Enforcement & Zoning/Shade Tree/Construction/Municipal Court
    1. Approval of the First Quarter, 2019 Zoning Report
    2. Approval of the March, 2019 Police Report
6. Administration/Department of Senior Services/Legislation/Licensing

**12. 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.

**13. NEW BUSINESS/CONSENT AGENDA/RESOLUTIONS:** Matters listed within the Consent Agenda have been referred to members of the Borough Council for reading and study, are considered to be routine and will be enacted by one motion of the Council. If separate discussion is desired, the item may be removed from the Consent Agenda by Council action. The Resolutions listed below were submitted to the Borough Council for review and will be adopted by one motion.

1. **Resolution 109-2019** Refunding 2016 Homestead Rebate for Block 84, Lot 15, 40 Ramsey Road

2. **Resolution 110-2019** Refunding 2016 Homestead Rebate for Block 224, Lot 11.01, 211 - 213 Seventh Street

3. **Resolution 111-2019** Approval for the Residents of 300 Greene Avenue to Conduct a Block Party on Delaware Avenue between Melrose Avenue and Greene Avenue on May 25, 2019 between the Hours of 10 A.M. and 10 P.M.

4. **Resolution 112-2019** Authorizing the 2019 Municipal Budget to be Read by Title Only

5. **Resolution 113-2019** Refund of $250.00 fee for Non-Residential Resale Leased Certificate for 663 Bound Brook Road

6. **Resolution 114-2019** Amending Resolution #88-2019 to Change the Fee Amount to be Sent to the Middlesex County Clerk to Cancel Tax Sale Certificate 17-00009

7. **Resolution 115-2019** Approval of the 2018 Recycling Tonnage Grant Application

8. **Resolution 116-2019** Approval of the UNUM Renewal Rates for 2019

9. **Resolution 117-2019** Authorizing Redemption Funds for Redeeming a Lien for Block 293, Lot 27.01

10. **Resolution 118-2019** Authorizing the Mayor and Clerk to sign a Revised Quit Claim Deed for Block 268, Lot 2, in connection with the Greenbrook Flood Control Project

11. **Resolution 119-2019** Appointment of Spero Kalambakas to fill the unexpired term of Dennis Fackelman as Municipal Court Judge

12. **Resolution 120-2019** Approve Agreement with RWJHN for the Provision of Emergency Medical Telephone Screening Services

13. **Resolution 121-2019** Release of Performance Guarantees of 150 Lincoln Boulevard, LLC being held for the project at Block 129, Lot 122 and Block 348, Lots 1-3

14. **Resolution 122-2019** Authorizing the Sale of Property Consisting of 0.052 Acres Known as a Portion of Lot 5 In Block 56 On the Middlesex Borough Tax Map, Located Near New Street at the Juncture of First Street and Second Street to Richard and Sarah Prego Pursuant to the Provisions of Ordinance 1956-19 for the Purchase Price of $2,500.00

15. **Resolution 123-2019** Approval of Release of Performance Bond held for the Runyon Avenue Road Improvements Project to Top Line Construction Corp.

**14. 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 124-2019** Pay All Claims

2. **Resolution 125-2019** Executive Session

**15. AGENDA WORKSHOP ITEM**

**16. PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS**

During the conduct of the meeting, unless a Public Hearing is held or the Regular Order of Business is waived, the audience does not participate. A Public Portion is held at the end of the meeting. Individuals commenting from the audience will be provided an opportunity to address the Council but will not be permitted to speak again until everyone has had an opportunity to speak. If a group is represented by an attorney, the attorney will be given an opportunity to speak on behalf of all of the members of the group. The Council, pursuant to the Open Public Meeting Act, will not publicly discuss personnel matters and may choose

not to respond to comments made by members of the public during this portion of the meeting; however, the Council will give all comments appropriate consideration and will refer all individual complaints to the Mayor or appropriate Borough representative for resolution.

## 17. EXECUTIVE SESSION

1. Personnel - Tax Assessor

## 18. ADJOURNMENT

1. The next Regular Meeting will be May 14, 2019

# PROCLAMATION

## Arbor Day - April 26, 2019

**PROCLAMATION**

**WHEREAS**, in 1949 the legislature set aside the last Friday of April as Arbor Day to promote the planting of trees and to encourage the protection of our forests from fires and pests that destroy the beauty and usefulness of our woodlands; and

**WHEREAS**, half of New Jersey's total land area is forested or tree covered; and

**WHEREAS**, trees play an important role in the ecosystem in which we live, and trees reduce the erosion of our precious topsoil caused by wind and water, clean the air we breathe and the water we drink, produce oxygen, provide habitat for birds and wildlife and reduce heating and cooling costs by moderating temperature; and

**WHEREAS**, trees are renewable resource giving us paper for fine literature, wood for homes, fuel for fires, and countless other wood products; and

**WHEREAS**, trees provide increased property value, enhanced economic viability, and pleasing aesthetic qualities along streets and properties in municipalities; and

**WHEREAS**, trees planted in yards and farms, in school yards and parks, and along street and highways creates an enduring heritage for generations that follow; and

**NOW, THEREFORE, I, RONALD J. DIMURA**, Mayor of the Borough of Middlesex, do hereby proclaim April 26, 2019, as

***ARBOR DAY***

In the community of Middlesex, and urge all citizens to support efforts to protect our trees and woodlands to support our Borough's Urban Forestry Program, and

**FURTHER**, I urge all citizens to plant trees to gladden hearts and promote the well being of present and future generations.

DATED: April 23, 2019

_____
Gretchen McCarthy

_____
Mayor Ronald J. DiMura

# PROCLAMATION

## Mental Health Awareness Month May, 2019

PROCLAMATION
MENTAL HEALTH AWARENESS MONTH
MAY, 2019

**WHEREAS**, the U.S. Surgeon General's Report on mental Health has concluded that mental health is an essential component of overall health and well-being; and

**WHEREAS**, for more than 50 years, Mental Health America has proclaimed May as, "Mental Health Awareness Month", to raise awareness about mental health, combat and social stigma & discrimination associated with mental illness that often prevents people from seeking help, promote a message of hope and recovery, and celebrate consumer strength and resilience; and

**WHEREAS**, people with mental illness & addiction recover if given the necessary supports & services in the community, yet many avoid seeking help due to stigma and the fear of discrimination; and

**WHEREAS**, Middlesex County recognizes the stigma associated with mental illness & addiction and acknowledges that many people may remain unserved because of the stigma of seeking help. This month we call attention to this so we can bring mental illness and addiction out of the shadows and encourage treatment and support. We acknowledge that greater public awareness about mental health & addiction recovery can change negative attitudes and behaviors; and

**WHEREAS**, Middlesex County stands with those impacted by behavioral health challenges and pledges to increase awareness and greater understanding of these conditions. We will work to reduce stigma and discrimination, and increase appropriate, accessible supports and services. We will strive to promote a message of hope and the belief that healing and recovery are attainable.

**NOW, THEREFORE I**, Ronald J. DiMura, on behalf of the Governing Body of the Borough of Middlesex, do hereby proclaim the month of May, 2019 as Mental Health Awareness Month and call upon all citizens to participate in efforts to increase awareness and better understanding of mental illness & addiction, and work towards eliminating stigma in Middlesex Borough.

DATED: April 9, 2019

DATED: April 23, 2019

_____ _____

Gretchen McCarthy Mayor Ronald J. DiMura

# PROCLAMATION

## Older Americans Month - May, 2019

**PROCLAMATION**

**WHEREAS,** Borough of Middlesex includes a growing number of older Americans who enrich our community through their diverse life experiences; and

**WHEREAS,** the Office of Aging is committed to strengthening our community by connecting with and supporting older adults, their families, and caregivers and acknowledging their many valuable contributions to society; and

**WHEREAS,** the Office of Aging recognizes the importance of bringing together all generations and engaging in activities that promote physical, mental, and emotional well-being for the benefit of all; and

**WHEREAS,** the Office of Aging can enhance the lives of older Americans in our community by:

- promoting home and community-based services that support independent living;
- involving older adults in community events and other activities; and
- providing opportunities for older adults to work, volunteer, learn, lead, and mentor.

**NOW, THEREFORE ,** Ronald J. DiMura, Mayor of the Borough of Middlesex, do hereby proclaim May 2019 to be Older Americans Month. I urge every resident to take time during this month to recognize older adults and the people who serve them as essential and valuable members of our community.

DATED: April 23, 2019

_____ _____

Gretchen McCarthy Mayor Ronald J. DiMura

# PROCLAMATION

## Denim Day - April 24, 2019

**DENIM DAY**

**WHEREAS,** Sexual Assault Awareness Month and the observance of "Denim Day" are intended to draw attention to the fact that sexual violence is widespread and has public health implications for every community member of Middlesex County including lifelong mental health impact; and

**WHEREAS,** sexual assault, sexual abuse, and sexual harassment impact our community as statistics indicate that every 98 seconds, someone in the USA is sexually assaulted, and every 11 minutes, the victim is a child; and

**WHEREAS**, prevention is possible so we must work together to educate our community about what can be done to stop sexual violence - such as by asking, accepting, and respecting boundaries - while supporting survivors; and

**WHEREAS**, staff and volunteers of anti-violence and prevention programs in Middlesex County including the Middlesex County Center for Empowerment and Sexual Violence Prevention Coalition encourage every person to speak out when witnessing acts of violence, however small, and to challenge the social norms that continue to perpetuate a culture of violence; and

**WHEREAS**, the New Jersey Sex Crimes Officers Association and the Middlesex County Sex Crimes Liaison Officers in connection with the Middlesex County Prosecutors Office are dedicated to ensuring the effective investigation and prosecution of sex crimes in our community through interagency collaboration and training; and

**WHEREAS**, with leadership, dedication, and encouragement, there is compelling evidence that we can be successful in reducing sexual violence in Middlesex County through increased awareness, prevention education focused on increasing gender equity, healthy relationships and bystander intervention, and holding perpetrators who commit acts of violence responsible for their actions; and

**WHEREAS**, throughout the month of April, Middlesex County strongly supports the efforts of national, state, and local partners, and of every citizen to actively engage in public and private efforts, including conversations about what sexual violence is, how to prevent it, how to help survivors connect with services, and how every segment of our society can work together to better address sexual violence.

**NOW, THEREFORE**, I, Ronald J. Dimura, Mayor of the Borough of Middlesex, along with the members of the governing body do hereby proclaim April, 2019 as:

SEXUAL ASSAULT AWARENESS MONTH

And that we join anti-sexual violence advocates and support service programs in the belief that all community members must be part of the solution to end sexual violence and encourage the observation of Denim Day on Wednesday, April 24, 2019.

DATED: April 23, 2019

Gretchen McCarthy

Mayor Ronald J. DiMura

# ORDINANCE #1959-19

## AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, AUTHORIZING A SYSTEM TO BE ESTABLISHED TO PROVIDE TAX-DEFERRED INCOME BENEFITS TO ELIGIBLE, ACTIVE VOLUNTEER MEMBERS OF THE MIDDLESEX BOROUGH FIRE DEPARTMENT

**WHEREAS**, the Borough of Middlesex deems it appropriate and necessary to act to ensure retention of existing members and to provide incentives for recruiting new volunteer firefighter organization members; and

**WHEREAS**, the Borough of Middlesex has determined that the creation of a Length of Service Award Program will enhance the ability of the Middlesex Borough Fire Department to recruit volunteer firefighters;

**NOW THEREFORE BE IT ORDAINED,** by the Borough of Middlesex, County of Middlesex, New Jersey that:

1. A Length of Service Award Program (LOSAP) is herewith in accordance with Chapter 388 of the Laws of 1997, to reward members of the volunteer Middlesex Borough Fire Department for their loyal, diligent, and devoted services to the residents of the Borough of Middlesex.

2. The LOSAP shall provide for fixed annual contributions to a deferred income account for each volunteer member that meets the criteria set forth below; that such contributions shall be made in accordance with a plan that shall be established by the Borough of Middlesex pursuant to P.L. 1997, c. 338; and that such plan shall be administered in accordance with the laws of the State of New Jersey, the U.S. Internal Revenue Code, and this ordinance.

3. The LOSAP shall provide for annual contributions to each eligible member that meets the criteria as set forth in the attached Schedule A

4. The estimated cost of the program has been calculated as follows:
   a. For regular annual services:
      Up to 100 members at $1,150.00 per member,
      for a total cost of $115,000 per year.

5. Each active volunteer member shall be credited with points for volunteer services provided to the volunteer fire company and in accordance with the following Schedule A.

6. That this ordinance shall not take effect unless approved by voters as a public question at the next general election, said public question shall read as follows:

**“BALLOT QUESTION”**

Shall the Mayor and Council of the Borough of Middlesex, County of Middlesex, be authorized to establish a Length of Service Award Program (LOSAP) for the

benefit of the volunteer firefighters pursuant to the following terms and conditions:

1. The LOSAP program shall provide for a fixed annual contribution to a tax deferred income account for each eligible volunteer member that satisfies the criteria set forth below.

2. The LOSAP program shall provide for an annual contribution for each eligible volunteer member who accumulates 100 points during a calendar year pursuant to the point system adopted by the Borough of Middlesex.

3. The annual contribution amount for each year of future service for each eligible volunteer member shall be $1,150.00. The estimated annual cost of this provision of the LOSAP program shall be based on 100 members for a total cost of $115,000.00.

YES _____ NO _____

**EXPLANATORY STATEMENT**

The Borough of Middlesex seeks to establish a LOSAP program for the volunteer firefighters in order to enhance the providing of firefighting service by the retention and recruitment of volunteers. The specific details of the program are set forth on the ballot and more explicitly set forth in the Ordinance adopted by the Borough of Middlesex establishing the LOSAP program. The Ordinance and New Jersey Statute establishing the LOSAP are available for public inspection and may be examined by contacting the office of the Borough Clerk."

## SCHEDULE A

## BOROUGH OF MIDDLESEX
## LENGTH OF SERVICE AWARD PROGRAM

A minimum of 100 points per year must be earned to qualify for LOSAP. Five (5) years accumulative years are necessary for vesting purposes.

1 point per year of service shall be awarded to each member. This includes all prior years' service not to be continuous and not to exceed 30 points maximum.

FIRE CALL: 60 points maximum

1 point per fire call can be earned. Member must be in physical attendance and must be affirmed by signature on the department fire call report.

DRILLS/TRAINING 30 points maximum

1 point per drill/training course. Must be in physical attendance with sign in and out. Must last minimum of 1 hour. Four (4) or more members must be present in order to be eligible for LOSAP.

BASIC FIREFIGHTER TRAINING

Upon satisfactorily completing Firefighter 1, member will receive 30 points.
Upon satisfactorily completing Firefighter 1, member will receive 30 points.

MEETINGS 15 points maximum

1 point per company or department meeting can be earned. The following department meetings shall count toward LOSAP. BOFO, committee meetings. The roll call portion of the meeting minutes shall affirm attendance.

DEPARTMENT OR COMPANY OFFICERS 10 points maximum

10 points can be earned by any member who holds an elected office in the department or company. Elected office shall be defined by the By-laws. A member may hold multiple positions and 5 points being awarded to two (2) positions totaling 10 points. These positions consist of company president vice-president, treasurer, secretary. BOFO treasurer, BOFO secretary, captain, lieutenant, engineer, assistant engineer, chief, 1st assistant chief, 2nd assistant chief. The member must hold the office for the entire year to be eligible. Partial terms will not be prorated for partial points.

FUNDRAISING 25 point maximum

Any fundraising activity to include fund drive, coin toss, etc., and each shift at the carnival will earn two (2) points.

MISCELLANEOUS DEPARTMENT COMMITTEES 5 point maximum

1 point can be earned for participation and attendance. Activities to include but not be limited to department committees and others not listed, (i.e. funerals)

WORK DETAILS 25 points maximum

1 point can be earned for each company and/or department work detail.

SPECIAL SITUATION REQUIREMENTS

MILITARY LEAVE OF ABSENCE

No points will be awarded unless Active Volunteer Member is participating (faithfully and actually) in activities of the Length of Service Award Program Point Schedule and their quarterly point percentage is within the scope of the program.

MEDICAL LEAVE OF ABSENCE

No points will be awarded unless the Active Volunteer Member is participating (faithfully and actually) in activities of the Length of Service Award Program Point Schedule and their quarterly point percentage is within the scope of the program.

---

I Hereby Certify that the above Ordinance was introduced by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on April 23, 2019.

INTRODUCED: April 9, 2019

DATE OF PUBLICATION:
OF INTRODUCTION April 12, 2019

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

**Resolution #109-2019**

**REFUNDING 2016 HOMESTEAD REBATE FOR BLOCK 84, LOT 15, 40 RAMSEY ROAD**

**WHEREAS**, 2016 Homestead Rebates were applied electronically to 2nd Quarter 2019 taxes, and,

**WHEREAS**, homeowner is 100% Disabled Veteran and exempt from paying property taxes, and

**THEREFORE**, the Tax Collector is hereby authorized to refund the 2016 Homestead Rebate, in the amount of $302.41, for Block 84 Lot 15, 40 Ramsey Road. The check is to be made payable to:

Peter Fusco
40 Ramsey Road
Middlesex, NJ 08846

---

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on April 23, 2019.

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

**Resolution #110-2019**

**REFUNDING 2016 HOMESTEAD REBATE FOR BLOCK 224, LOT 11.01, 211 - 213 SEVENTH STREET**

**WHEREAS**, 2016 Homestead Rebates were applied electronically to 2nd Quarter 2019 taxes, and,

**WHEREAS**, homeowner is 100% Disabled Veteran and exempt from paying property taxes, and

**THEREFORE**, the Tax Collector is hereby authorized to refund the 2016 Homestead Rebate, in the amount of $138.94, for Block 224 Lot 11.01, 211-213 Seventh Street. The check is to be made payable to:

Teresa Pawlowski
211-213 Seventh Street
Middlesex, NJ 08846

---

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on April 23, 2019.

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

**Resolution #111-2019**

**APPROVAL FOR THE RESIDENTS OF 300 GREENE AVENUE TO CONDUCT A BLOCK PARTY ON DELAWARE AVENUE BETWEEN MELROSE AVENUE AND GREENE AVENUE ON MAY 25, 2019 BETWEEN THE HOURS OF 10 A.M. AND 10 P.M.**

**WHEREAS**, the residents of 300 Greene Avenue have requested to have a block party on Delaware Avenue between Melrose Avenue and Greene Avenue on May 25, 2019 between the hours of 10 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 Melrose Avenue and Greene Avenue on May 25, 2019 between the hours of 10 a.m. and 10 p.m.

2. This resolution shall take effect immediately.

---

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on April 23, 2019.

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

**Resolution #112-2019**

**AUTHORIZING THE 2019 MUNICIPAL BUDGET TO BE READ BY TITLE ONLY**

**WHEREAS,** N.J.S. 40A:4-8 provides that the budget be read by title only at the time of public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been made available for public inspection and have been made available by the Clerk to persons requesting them; and

**WHEREAS**, these conditions have been met;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex, in the County of Middlesex, State of New Jersey, that the 2019 municipal budget shall be read by title only.

---

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on April 23, 2019.

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

**Resolution #113-2019**

**REFUND OF $250.00 FEE FOR NON-RESIDENTIAL RESALE LEASED CERTIFICATE FOR 663 BOUND BROOK ROAD**

WHEREAS, Olga Rediger applied to the Construction Office for a Non-Residential Resale Leased Certificate at 663 Bound Brook Rd and

WHEREAS, Olga Rediger submitted Check #93 in the amount of $250.00 on 2/28/19 in payment of said Non-Residential Resale Leased Certificate; and

WHEREAS, no inspections were made and the business was unable to get zoning approval and inspections did not take place.

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 $250.00 in favor of Olga Rediger,197 North Lehigh Ave., Cranford NJ 07016 for refund of fee for Non-Residential Resale Leased Certificate.

---

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on April 23, 2019.

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

**Resolution #114-2019**

**AMENDING RESOLUTION #88-2019 TO CHANGE THE FEE AMOUNT TO BE SENT TO THE MIDDLESEX COUNTY CLERK TO CANCEL TAX SALE CERTIFICATE 17-00009**

WHEREAS, Resolution #88-2019 was adopted on March 26, 2019 "Authorizing the Tax Collector to Cancel Tax Sale Certificate 17-00009 for Block 291, Lot 50; and

WHEREAS, in that resolution the Tax Collector authorized a check in the amount of $23.00 be issued to the Middlesex County Clerk to cancel Tax Sale Certificate 17-00009; and

WHEREAS, the Tax Collector has requested that this check be amended to the amount of $11.00 to cancel this certificate. The check should be made payable to:

Middlesex County Clerk
P O Box 1110
New Brunswick, NJ 08903-1110

---

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on April 23, 2019.

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

**Resolution #115-2019**

**APPROVAL OF THE 2018 RECYCLING TONNAGE GRANT APPLICATION**

**TONNAGE GRANT APPLICATION RESOLUTION**

**WHEREAS,** The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS,** It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

**WHEREAS,** The New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS,** The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS,** A resolution authorizing this municipality to apply for the **2018 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Borough of Middlesex to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS,** Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that the Borough of Middlesex hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates David Sliker to ensure that the application is properly filed; and

**BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

---

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on April 23, 2019.

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

**Resolution #116-2019**

**APPROVAL OF THE UNUM RENEWAL RATES FOR 2019**

**WHEREAS,** Unum Group benefits premium rates have not increased since the year 2000 and are now being increased as noted below:

| | Current Rate | Renewal Rate | Current Premium | New Premium | Effective Date | Guaranteed through |
|---|---|---|---|---|---|---|
| Long Term Disability Insurance | 0.32 | 0.32 | $1433.09 | $1433.09 | 5/1/2019 | 5/1/2020 |
| Short Term Disability Insurance | 0.93 | 0.93 | $2232.60 | $2232.60 | 5/1/2019 | 5/1/2020 |
| Life Insurance | 0.260 | 0.300 | $191.10 | $220.50 | 5/1/2019 | 5/1/2020 |
| AD&D Insurance | 0.010 | 0.010 | $7.15 | $7.15 | 5/1/2019 | 5/1/2020 |

**WHEREAS,** the premium rate increase will be effective 5/1/2019 and are guaranteed through 5/1/2020.

**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 Mayor and Council hereby approve monthly premium rate increase of $29.40 effective 5/1/2019 through 5/1/2020.

---

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on April 23, 2019.

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

**Resolution #117-2019**

**AUTHORIZING REDEMPTION FUNDS FOR REDEEMING A LIEN FOR BLOCK 293, LOT 27.01**

WHEREAS, said liens have been redeemed by the owners or those persons having an interest, and the purchasers of said property are legally entitled to receive redemption funds in the following specific amounts;

WHEREAS, the interest and payment were calculated for April 23rd;

THEREFORE, the Tax Collector is hereby authorized to issue a check to the said individual in the following amounts:

| Date of Sale | Block | Lot | Amount | Premium | Certificate | Make Check Payable To |
|---|---|---|---|---|---|---|
| 3/20/19 | 293 | 27.01 | $27.00 | $100.00 | 18-00006 | Henry Hansch, Jr. |
| | | | | | | 504 Chandler Lane |
| | | | | | | Whippany, NJ 07981-0439 |
| | | | | | | |

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on April 23, 2019.

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

**Resolution #118-2019**

**AUTHORIZING THE MAYOR AND CLERK TO SIGN A REVISED QUIT CLAIM DEED FOR BLOCK 268, LOT 2, IN CONNECTION WITH THE GREENBROOK FLOOD CONTROL PROJECT**

**WHEREAS,** for the purposes of the Greenbrook Flood Control Reduction Project, the Borough of Middlesex adopted Resolution 46-2019 on January 29, 2019, thereby agreeing to convey its rights to the United States Army Corps of Engineers, for real property known as Block 268, Lot 2 in the Borough; and

**WHEREAS,** the Borough of Middlesex has been advised of the need to revise wording of the original Quit Claim Deed pertaining to the conveyance of the specified property; and

**WHEREAS,** the revised Quit Claim Deed requires the signature of the Mayor and Municipal Clerk;

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the Mayor and Municipal Clerk be and are hereby authorized to execute the attached revised Quit Claim Deed in order to effectuate the conveyance of Block 268 Lot 2 to the United States Army Corps of Engineers for the Greenbrook Flood Control Reduction Project.

---

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on April 23, 2019.

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

**Resolution #119-2019**

**APPOINTMENT OF SPERO KALAMBAKAS TO FILL THE UNEXPIRED TERM OF DENNIS FACKELMAN AS MUNICIPAL COURT JUDGE**

**WHEREAS**, N.J.S.A. 2B:12-4 provides that a municipality must appoint a municipal court judge for a three year term and the term of the present municipal court judge, Dennis Fackelman, expires on December 31, 2019; and

**WHEREAS**, Judge Fackelman has informed the Borough that he will be retiring effective April 30, 2019; and

**WHEREAS**, N.J.S.A. 2B:12-4 also provides that any appointment not caused by the expiration of term shall be made for the unexpired term only; and

**WHEREAS**, the governing body wishes to retain the services of Spero Kalambakas as the municipal magistrate for the Borough of Middlesex effective May 1, 2019; and

**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. Effective May 1, 2019, Spero Kalambakas is appointed as the Municipal Court Judge for the Borough of Middlesex, filling the unexpired term of retiring Judge Dennis Fackelman, which is to expire December 31, 2019, at a fee as set forth in the salary ordinance.

---

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on April 23, 2019.

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

**Resolution #120-2019**

**APPROVE AGREEMENT WITH RWJHN FOR THE PROVISION OF EMERGENCY MEDICAL TELEPHONE SCREENING SERVICES**

The Mayor and Borough Clerk of the Borough of Middlesex are hereby authorized to execute the agreement between the Borough of Middlesex and Robert Wood Johnson Health Network for the provision of 9-1-1 Emergency Medical Telephone Screening Services for a five (5) year term.

---

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on April 23, 2019.

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

**Resolution #121-2019**

**RELEASE OF PERFORMANCE GUARANTEES OF 150 LINCOLN BOULEVARD, LLC BEING HELD FOR THE PROJECT AT BLOCK 129, LOT 122 AND BLOCK 348, LOTS 1-3**

**WHEREAS**, the developer of 150 Lincoln Boulevard, LLC, has posted performance guarantees in the form of paper bond #105841699, in the amount of $774,821.72, issued by Travelers Casualty and Surety Company of America as well as a cash bond in the amount of $86,091.30 for the project on Block 129, Lot 122 and Block 348, Lots 1-3; and

**WHEREAS**, on April 11, 2017, the Mayor and Borough Council, via Resolution #94-17 authorized the reduction of the specified guarantees; and

**WHEREAS**, the developer has submitted two (2) year maintenance bond #105841699M2, issued by Travelers Casualty and Surety Company of America and is requesting the release of all performance guarantees due to the completion of the project on Block 129, Lot 122 and Block 348, Lots 1-3.

**NOW THEREFORE, BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Middlesex, Middlesex County, New Jersey that the release of Performance Bond #105841699 issued by Travelers Casualty and Surety Company of America in the amount of $232,446.52 and cash bond in the amount of $26,090.00 are hereby released.

---

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on April 23, 2019.

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

**Resolution #122-2019**

**AUTHORIZING THE SALE OF PROPERTY CONSISTING OF 0.052 ACRES KNOWN AS A PORTION OF LOT 5 IN BLOCK 56 ON THE MIDDLESEX BOROUGH TAX MAP, LOCATED NEAR NEW STREET AT THE JUNCTURE OF FIRST STREET AND SECOND STREET TO RICHARD AND SARAH PREGO PURSUANT TO THE PROVISIONS OF ORDINANCE 1956-19 FOR THE PURCHASE PRICE OF $2,500.00**

**WHEREAS,** the Borough Council adopted an Ordinance entitled "AN ORDINANCE AUTHORIZING THE SALE OF A PROPERTY CONSISTING OF 0.052 ACRES KNOWN AS A PORTION OF LOT 5 IN BLOCK 38 ON THE MIDDLESEX BOROUGH TAX MAP AND LOCATED NEAR NEW STREET AT THE JUNCTURE OF FIRST STREET AND SECOND STREET PURSUANT TO N.J.S.A. 40A:12-13(b)(5)" on March 12, 2019; and

**WHEREAS,** pursuant to the terms of the Ordinance, the Borough offered the Property for private sale to the contiguous property owners by letter sent certified, return receipt requested; and

**WHEREAS,** the sale of the Property was also advertised in the Courier News on March 15, 2019; and

**WHEREAS,** the Township received only one bid from Richard and Sarah Prego in the amount of $2,500.00 which was accompanied by a deposit of in the form of a certified check in the amount of $250.00;

**NOW, THEREFORE, BE IT RESOLVED,** that the Borough attorney is authorized to take such action as required to convey the Property to Richard and Sarah Prego;

**IT IS FURTHER RESOLVED**, that the Mayor and Clerk are authorized and directed to sign such documents as are necessary to convey the Property to Richard and Sarah Prego for the consideration of $2,500.

---

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on April 23, 2019.

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

**Resolution #123-2019**

**APPROVAL OF RELEASE OF PERFORMANCE BOND HELD FOR THE RUNYON AVENUE ROAD IMPROVEMENTS PROJECT TO TOP LINE CONSTRUCTION CORP.**

**WHEREAS**, final payment to Top Line Construction Corp. has been submitted for the Runyon Avenue Road Improvements Project; and

**WHEREAS,** pursuant to N.J.S.A. 40:55D-53 of the Municipal Land Use Law, the Borough Engineer, by letter dated March 27, 2019, has recommended the release of Performance Bond No. CA-2569555, issued by Great American Insurance Company in the amount of $209,262.35, which was submitted by Top Line Construction Corp., and is being held by the Borough for the Runyon Avenue Road Improvements; and

**WHEREAS,** Remington & Vernick Engineers has reviewed all documents and is recommending release of the Performance Bond;

**NOW THEREFORE BE IT RESOLVED,** by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey in accordance with NJAC 40:55D-53c. (1) of the Municipal Land Use Law, and by recommendation of the Remington & Vernick Engineers, the governing body hereby agrees to release the performance bond for the Runyon Avenue Road Improvements Project.

---

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on April 23, 2019.

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

**Resolution #124-2019**

**PAY ALL CLAIMS**

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

---

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on April 23, 2019.

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

**Resolution #125-2019**

**EXECUTIVE SESSION**

**WHEREAS**, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting; and

**WHEREAS**, the Governing Body of the Borough of Middlesex has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public; 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. Personnel - Tax Assessor

---

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on April 23, 2019.