



Borough of Middlesex
Mayor and Council Regular Meeting
~ Agenda ~

1200 Mountain Ave
Middlesex, NJ

Gretchen McCarthy
www.middlesexboro-nj.gov

Tuesday, May 14, 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	☐	☐	☐	
Administrator Marcia Karrow	☐	☐	☐	
Borough Attorney Christopher Corsini	☐	☐	☐	

4. **HEARING ON THE 2019 MUNICIPAL BUDGET**
5. **APPOINTMENTS**
 1. Appointment of Park Committee
6. **PROCLAMATIONS**
7. **ORDINANCE(S) FOR INTRODUCTION**
 1. **Ordinance 1960-19** An Ordinance Creating a New Chapter 265 in the Borough Code of the Borough of Middlesex Entitled "Limousines" to Establish a Procedure for Registration of Same the Collection of Fees for Said Registration
8. **ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION**
9. **ADOPTION OF MINUTES**
 1. Approval of the April 23, 2019 Regular & Executive Meeting Minutes
10. **MAYOR'S REPORT**
11. **REPORTS - STANDING COMMITTEES**
 1. Finance/Taxation/Real Estate/Insurance/Public Utilities
 1. Approval of the April, 2019 Tax Collection Report

2. Fire/OEM/Rescue Squad
3. Recreation/Recreation Fields/Swim Pool/Community Celebrations
 1. Approval of the April's Recreation Director's Summary
 2. Approval of the May Recreation Director's Report
4. Public Works/Buildings & Grounds/Recycling
5. Police/Legal/Code Enforcement & Zoning/Shade Tree/Construction/Municipal Court
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 129-2019** Governing Body Certification of Compliance with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"
2. **Resolution 130-2019** Approving the Refund of a Street Opening Permit in the Amount of \$1875.00 to Jeffrey Buccellato
3. **Resolution 131-2019** Approving the refund of \$75.00 for an Overcharged Portion of Construction Permit No. 20190124 for Work at 285 Anthony Avenue
4. **Resolution 132-2019** Approving the Tax Collector to issue Redemption Funds for Block 256, Lot 12
5. **Resolution 133-2019** Authorizing Cancellation of Taxes on Army Corps of Engineers Property, Block 244, Lot 1
6. **Resolution 134-2019** The Tax Collector is Authorized to forward Redemption Funds for Block 70.10, Lot 4 for Certificate No. 18-00001

7. **Resolution 135-2019** Determining that the Area Generally Known as “Former Union Carbide Facility” and Identified on the Tax Map of the Borough of Middlesex as Block 353, Lots 1.01 and 1.02, is an Area in Need of Redevelopment Pursuant to the Provisions of the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-5)
8. **Resolution 136-2019** Refund of Tax Overpayment in the Amount of \$1666.69 on Block 324, Lot 13.01
9. **Resolution 137-2019** Authorizing the Treasurer to Refund Late Fees that were Incorrectly Applied to Mercantile License Renewals
10. **Resolution 138-2019** Authorizing Application for a Loan from the New Jersey Environmental Infrastructure Financing Program for Various Sewer Main Improvements
11. **Resolution 139-2019** Re-appointing Thomas Reilly as Tax Assessor for the Borough of Middlesex
12. **Resolution 140-2019** Authorizing the Surplus of Certain Equipment and Authorizing the Purchasing Agent to Sell this Surplus Equipment on GovDeals Inc.
13. **Resolution 141-2019** Approving Middlesex Fire Department Surplus Equipment
14. **Resolution 142-2019** Rescinding Resolution #24-2019 due to typographical error
15. **Resolution 143-2019** Re-appointment of Carmen Modica as Borough Purchasing Agent
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 144-2019** Pay All Claims
 2. **Resolution 145-2019** Executive Session
15. **AGENDA WORKSHOP ITEM**
 1. Planning Board Resolution - Baekeland Avenue, Block 353 Lots 1.01 & 1.02
 2. Attorney opinion on Claim of Conflict
 3. Zero Lot Line
 4. Marijuana Ordinance
 5. Bound Brook Road Streetscape
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. Piscataway Sewer Litigation
2. OLMV Litigation

18. ADJOURNMENT

1. The next Regular Meeting will be May 28, 2019

ORDINANCE #1960-19

AN ORDINANCE CREATING A NEW CHAPTER 265 IN THE BOROUGH CODE OF THE BOROUGH OF MIDDLESEX ENTITLED “LIMOUSINES” TO ESTABLISH A PROCEDURE FOR REGISTRATION OF SAME THE COLLECTION OF FEES FOR SAID REGISTRATION

WHEREAS, the Borough Council of the Borough of Middlesex seeks to establish an ordinance for the registration of limousines as permitted by N.J.S.A. 48:16-13 and to assess fees for said registrations; and

BE IT ORDAINED, by the Borough Council of the Borough of Middlesex in the County of Middlesex and State of New Jersey that Chapter 265 of the Municipal Code thereof is hereby created as follows:

Section I

Chapter 265-1 is hereby created and entitled “Definitions” and shall appear in its entirety as follows:

“Commission” means the New Jersey Motor Vehicle Commission established by section 4 of P.L.2003, c.13 (C.39:2A-4).

“Limousine” means and includes any automobile or motor car used in the business of carrying passengers for hire to provide prearranged passenger transportation at a premium fare on a dedicated, nonscheduled, charter basis that is not conducted on a regular route and with a seating capacity of no more than 14 passengers, not including the driver, provided, that such a vehicle is certified by the manufacturer of the original vehicle and the second-stage manufacturer, if applicable, to conform to all applicable Federal Motor Vehicle Safety Standards promulgated by the United States Department of Transportation pursuant to 49 CFR Part 571 (49 CFR 571.1 et seq.) and 49 CFR Part 567 (49 CFR 567.1 et seq.). In addition, a “Vehicle Emission Control Information” label, which contains the name and trademark of the manufacturer and an unconditional statement of compliance with the emission requirements of the Environmental Protection Agency, shall be present on the vehicle. Nothing in this article contained shall be construed to include taxicabs, hotel buses, buses employed solely in transporting school children or teachers, vehicles owned and operated directly or indirectly by businesses engaged in the practice of mortuary science when those vehicles are used exclusively for providing transportation related to the provision of funeral services, autobuses which are subject to the jurisdiction of the Department of Transportation, or interstate autobuses required by federal or State law or regulations of the Department of Transportation to carry insurance against loss from liability imposed by law on account of bodily injury or death.

“Limousine service” means and includes the business of carrying passengers for hire by limousines.

“Person” means and includes any individual, copartnership, association, corporation or joint stock company, their lessees, trustees or receivers appointed by any court whatsoever.

“Principal place of business” means, in reference to a municipality, the location of the main

place of business of the limousine service in the municipality where limousine service is conducted, where limousines are dispatched, or where limousine drivers report for duty.

“Street” means and includes any street, avenue, park, parkway, highway, or other public place.

Section II

Chapter 265-2 is hereby created and entitled “Insurance Required” and shall appear in its entirety as follows:

Except as provided N.J.S.A. 48:16-22.4, and notwithstanding any other requirement of this ordinance or of any other ordinance of the Borough of Middlesex, no limousine shall be operated wholly or partly along any street in any municipality until the owner of the limousine shall have filed with the clerk of the municipality in which the owner has his principal place of business, an insurance policy of a company duly licensed to transact business under the insurance laws of this State in the sum of \$1,500,000 against loss by reason of the liability imposed by law upon every limousine owner for damages on account of bodily injury or death suffered by any person as the result of an accident occurring by reason of the ownership, maintenance or use of the limousine upon any public street.

Section III

Chapter 265-3 is hereby created and entitled “License to Operate” and shall appear in its entirety as follows:

- A. Any limousine service having its principal place of business in the Borough of Middlesex shall be required to obtain a license to operate such a service from the Clerk of the Borough.
- B. The Borough Clerk, upon the filing of the required insurance policy and the payment of a fee of \$50 for each limousine service plus \$10 for each limousine which is covered under the required insurance policy, shall issue in duplicate a license to operate showing the owner if the limousine has complied with the terms and provisions of N.J.S.A. 48:16-13 et se.
- C. The license issued by the Borough Clerk shall recite the name of the insurance company, the number and date of expiration of the policy, a description of every limousine insured thereunder, and the registration number of the same.
- D. The duplicate license shall be filed with the commission by the limousine service before any such car is registered as a limousine.

Section IV

All ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section V

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be

adjudged invalid, such adjudication shall apply only to this section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

Section VI

This ordinance shall take effect upon adoption and publication in the manner required by New Jersey general law but, in no event, less than 20 days after its final passage by the Borough Council, where such approval is required pursuant to N.J.S.A. 40:69A-181(b).

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 May 14, 2019.

INTRODUCED: May 14, 2019

DATE OF PUBLICATION:
OF INTRODUCTION May 17, 2019

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

Resolution #129-2019

GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964"

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," as amended, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the *Borough Council* of the *Borough of Middlesex*, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

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 May 14, 2019.

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

Resolution #130-2019

APPROVING THE REFUND OF A STREET OPENING PERMIT IN THE AMOUNT OF \$1875.00 TO JEFFREY BUCCELLATO

WHEREAS, Jeffrey Buccellato was issued a street opening permit on 9/18/18; and

WHEREAS, Jeffrey Buccellato deposited \$2500.00 with the Borough of Middlesex to ensure proper repair and maintenance of the roadway; and

WHEREAS, said roadway at 524 Voorhees Ave. was inspected by Dan Niro, Plumbing Inspector and Bob Teutsch Public Works Director, 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 Jeffrey Buccellato, 313 Beechwood Ave., Middlesex, NJ 08846, for refund of Street Opening Permit No. 2018-006.

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 May 14, 2019.

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

Resolution #131-2019

APPROVING THE REFUND OF \$75.00 FOR AN OVERCHARGED PORTION OF CONSTRUCTION PERMIT NO. 20190124 FOR WORK AT 285 ANTHONY AVENUE

WHEREAS, Joe and Judy Martorano applied for and received Permit No. 20190124 on 03/25/2019, to do work at 285 Anthony Ave; and

WHEREAS, check no. 115 dated 03/25/2019, payable to the Borough of Middlesex, was submitted in the amount of \$438.00 in payment of said permit; and

WHEREAS, the homeowner was overcharged in the amount of \$75.00 for said permit.

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 \$75.00 in favor of Joe Martorano, 285 Anthony Ave, Middlesex, NJ 08846, for refund of fee for the overcharged portion of Permit No. 20190124.

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 May 14, 2019.

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

Resolution #132-2019

APPROVING THE TAX COLLECTOR TO ISSUE REDEMPTION FUNDS FOR BLOCK 256, LOT 12

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 May 14th, 2019;

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	256	12	\$121.05	\$100.00	18-00004	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 May 14, 2019.

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

Resolution #133-2019

**AUTHORIZING CANCELLATION OF TAXES ON ARMY CORPS OF ENGINEERS
PROPERTY, BLOCK 244, LOT 1**

WHEREAS, the Army Corps of Engineers is purchasing properties in the Borough of Middlesex due to the flood control project; and

WHEREAS, the Army Corps is exempt from paying property taxes, and

NOW THEREFORE BE IT RESOLVED, the Tax Collector is hereby authorized to cancel taxes on the following property:

<u>Block/Lot</u>	<u>Address</u>	<u>Quarter</u>	<u>Amount</u>
244/1	586 Denton Place	1 st 2019	\$2,544.48
		2 nd 2019	\$2,544.48

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 May 14, 2019.

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

Resolution #134-2019

**THE TAX COLLECTOR IS AUTHORIZED TO FORWARD REDEMPTION FUNDS
FOR BLOCK 70.10, LOT 4 FOR CERTIFICATE NO. 18-00001**

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 May 14th, 2019;

THEREFORE, the Tax Collector is hereby authorized to issue a check to the said individual in the following amounts to US Bank Cust Actien, 50 South 16th Street, Philadelphia, PA 19102:

Date of Sale	Block	Lot	Amount	Premium	Certificate
3/20/19	70.10	4	\$58.35	\$100.00	18-00001

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 May 14, 2019.

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

Resolution #135-2019

DETERMINING THAT THE AREA GENERALLY KNOWN AS “FORMER UNION CARBIDE FACILITY” AND IDENTIFIED ON THE TAX MAP OF THE BOROUGH OF MIDDLESEX AS BLOCK 353, LOTS 1.01 AND 1.02, IS AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE PROVISIONS OF THE LOCAL REDEVELOPMENT AND HOUSING LAW (N.J.S.A. 40A:12A-5)

WHEREAS, N.J.S.A. 40A:12A-6 provides that “No area of a municipality shall be determined to be a redevelopment area unless the Governing Body of the municipality shall, by resolution, authorize the planning board to undertake a preliminary investigation to determine whether the proposed area is a redevelopment area according to the criteria set forth in N.J.S.A. 40A:12A-5,” and

WHEREAS, on August 28, 2018, the Middlesex Borough Council, by resolution, authorized the Borough Planning Board to undertake a study to determine if the portion of Baekeland Avenue and River Road consisting of approximately 30 acres, known as the former Union Carbide Facility, and identified on the Tax Map of the Borough of Middlesex as Block 353, Lots 1.01 and 1.02, would qualify for designation as a “non-condemnation” area in need of redevelopment, and

WHEREAS, on December 12, 2018 the study was completed by the Planning Board with a recommendation that the portion of Baekeland Avenue and River Road known as the former Union Carbide Facility did qualify to be designated a non-condemnation area in need of development in accordance with the provisions of N.J.S.A. 40A:12A-5; and

WHEREAS, the Planning Board did set the date of April 24, 2019 to hold a public hearing for the purpose of hearing persons who are interested in or would be affected by a determination that the delineated area is a redevelopment area; and

WHEREAS, notice of said public hearing was published and distributed in accordance with the provisions of N.J.S.A. 40A:12A-6; and

WHEREAS, said public hearing was held on April 24, 2019; and

WHEREAS, upon completion of the public hearing in this matter, it was the recommendation of the Planning Board of the Borough of Middlesex, County of Middlesex, State of New Jersey, memorialized in a resolution adopted on April 24, 2019, that the Borough Council determine the following parcels, which were included in the area delineated in the aforementioned investigative report, to be a redevelopment area in accordance with the New Jersey Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

Block 353, Lots 1.01, and 1.02,

WHEREAS, the Borough Council of the Borough of Middlesex, County of Middlesex,

State of New Jersey, based upon the substantial evidence provided in connection with the public hearing and Planning Board resolution supporting such action, has determined the above mentioned properties, which were included in the area delineated in the aforementioned investigative report, to be a “non-condemnation” redevelopment area in accordance with the New Jersey Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

NOW, THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of Middlesex, County of Middlesex, State of New Jersey, based upon the substantial evidence provided in connection with the public hearing supporting such action including the findings and recommendation included in the Planner’s Report, the testimony presented, the discussions of the Planning Board and the findings of the Planning Board as to the Study Area, as reflected in the resolution adopted by the Planning Board on April 24, 2019, determines the following properties to be a “non-condemnation” redevelopment area in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

Block 353, Lots 1.01, and 1.02,

BE IT FURTHER RESOLVED, that in accordance with the provisions of N.J.S.A. 40A:12A-6.b.(5) notice of this determination shall be served, within ten (10) days after the making of said determination, to each property owner within the designated redevelopment area and to each person, if any, who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of determination may be sent; and

BE IT FURTHER RESOLVED, that this determination shall be binding and conclusive upon all persons affected by such; and

BE IT FURTHER RESOLVED, that no redevelopment project shall be undertaken or carried out by the Borough except in accordance with a redevelopment plan adopted by ordinance pursuant to the provisions and criteria set forth in N.J.S.A. 40A:12A-7; and

BE IT FURTHER RESOLVED, that upon adoption of this resolution the Planning Board is hereby requested to prepare a redevelopment plan in accordance with and under the provisions of the NJ Redevelopment and Housing Law; and

BE IT FURTHER RESOLVED, that upon adoption of this resolution, the borough clerk shall, forthwith, transmit a copy of the resolution to the Commissioner of Community Affairs for review, pursuant to N.J.S.A. 40A:12A-6(b)(5); and

BE IT FURTHER RESOLVED, that if the Commissioner does not issue an approval or disapproval within thirty (30) calendar days of transmittal by the clerk, the determination shall be deemed to be approved, also pursuant to N.J.S.A. 40A:12A-6. b. (5).

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 May 14, 2019.

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

Resolution #136-2019

**REFUND OF TAX OVERPAYMENT IN THE AMOUNT OF \$1666.69 ON BLOCK 324,
LOT 13.01**

The Tax Collector is hereby authorized to refund an overpayment of 2019 2nd quarter taxes in the amount of \$ 1666.69 on Block 324, Lot 13.01, 514 Decatur Avenue, due to a duplicate payment. The check is to be made payable to:

PEMCO-Limited
4600 South Ulster Street, Suite 530
Denver, CO 80237

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 May 14, 2019.

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

Resolution #137-2019

**AUTHORIZING THE TREASURER TO REFUND LATE FEES THAT WERE
INCORRECTLY APPLIED TO MERCANTILE LICENSE RENEWALS**

The Treasurer is authorized to refund late fees that were incorrectly applied for the following applicants for Mercantile Licenses for 2019/2020:

Supercuts 714 Union Avenue	\$75.00
Dunkin Donuts 130 Bound Brook Road	\$75.00
Candy with a Twist 398 Lincoln Boulevard	\$75.00

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on May 14, 2019.

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

Resolution #138-2019

AUTHORIZING APPLICATION FOR A LOAN FROM THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE FINANCING PROGRAM FOR VARIOUS SEWER MAIN IMPROVEMENTS

RESOLUTION AUTHORIZING APPLICATION FOR LOAN FROM THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE FINANCING PROGRAM

WHEREAS, the Borough of Middlesex has filed or is about to file applications with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust Fund Loan Program for the Various Sanitary Sewer Main Improvements project; and

WHEREAS, Remington, Vernick & Vena Engineers, the Borough's Consultant Engineer, has been engaged to execute the said applications on behalf of the Borough; and

WHEREAS, the Mayor and Council wish to formally confirm the authority of Marcia A. Karrow, Business Administrator to represent the Borough for the said purposes;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex that Marcia A. Karrow, Business Administrator of the Borough of Middlesex is hereby designated agent of the Borough of Middlesex for the purpose of executing the Borough's applications for funds under the New Jersey Environmental Infrastructure Trust Fund Loan Program Application; and

BE IT FURTHER RESOLVED that a true copy of this Resolution be forwarded with said application to the New Jersey Department of Environmental Protection for their review and final action.

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 May 14, 2019.

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

Resolution #139-2019

RE-APPOINTING THOMAS REILLY AS TAX ASSESSOR FOR THE BOROUGH OF MIDDLESEX

WHEREAS, N.J.S.A. 40A:9-146 requires every municipality to have a Tax Assessor appointed by the Governing Body of the municipality; and

WHEREAS, pursuant to N.J.S.A. 40A:9-148, every municipal Tax Assessor shall hold office for a term of four (4) years from the first day of July next following his appointment; and

WHEREAS, on May 26, 2015, via Resolution #142-15, Thomas Reilly was appointed as the Tax Assessor of the Borough of Middlesex for a term to expire June 30, 2019; and

WHEREAS, the Governing Body is desirous of having Thomas Reilly continue in his position as Borough Tax Assessor.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of Middlesex, County of Middlesex, State of New Jersey, that Thomas Reilly is hereby re-appointed as Tax Assessor for the Borough of Middlesex for a four (4) year term beginning July 1, 2019 and ending June 30, 2023.

BE IT FURTHER RESOLVED, that the Tax Assessor's hours and compensation will be increased from four (4) to eight (8) hours per week during the undertaking of the Revaluation for the Borough of Middlesex.

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 May 14, 2019.

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

Resolution #140-2019

AUTHORIZING THE SURPLUS OF CERTAIN EQUIPMENT AND AUTHORIZING THE PURCHASING AGENT TO SELL THIS SURPLUS EQUIPMENT ON GOVDEALS INC.

WHEREAS, the Borough of Middlesex has determined that the property listed below is no longer needed for public use and they wish to surplus this property and 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 the surplus vehicle and equipment be conducted by GovDeals, Inc.

<u>YEAR</u>	<u>MAKE</u>	<u>VIN</u>
2014	Chevrolet Caprice	6G3NS5U2XEL953719
2008	(5) Electrolux Air Conditioner	Model FAH086S1T

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 May 14, 2019.

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

Resolution #141-2019

APPROVING MIDDLESEX FIRE DEPARTMENT SURPLUS EQUIPMENT

The Governing Body hereby approves the following Fire Department Equipment as surplus for disposal effective immediately:

Description	Quantity
Turn out Pants	6
Turn out Jackets	6
Helmet Shells	2
Radio Mounting Brackets	5
Portable Radio Chargers	4
Motorola Wall Mount Brackets	3
Portable Radio Batteries	42
Motorola HT1000 Portable Radios	12
Motorola HT1250 Portable Radios	9
Motorola Radio Mics	32
Misc Pager Charging Bases	31
Portable Radio Charging Bases	15
Dragonfly Pass Alarm	10
Fireflir Thermal Camera	1
Fireflir Batteries	3
Fireflir Charger	1
Motorola M1225 Radio	1
Motorola CDM1250 Radio	2
Motorola CDM1550LS Radio	3
Motorola (unknown model) Radio	1
Motorola Minitor 2 Pagers	15
Motorola Minitor 3 Pagers	7
Motorola Minitor 4 Pagers	11
Motorola Minitor 5 Pagers	16
Motorola Minitor 6 Pagers	1
Motorola Speakers	3
Motorola Minitor 2 Charging Bases	34
Ladder Belts	2
Lock Out/Tag Out Kit	1
HT1250 Radio Accessories	

Charging Cords	9
Cable Assembly	4
HDST Module	2
Old Style Scott Bottle 4500 psi	2

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 May 14, 2019.

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

Resolution #142-2019

RESCINDING RESOLUTION #24-2019 DUE TO TYPOGRAPHICAL ERROR

WHEREAS, Resolution # 24-2019 was adopted on January 15, 2019; and

WHEREAS, by the adoption of this resolution, the taxes on Block 224 Lot 1, 748 Bound Brook Road, were waived due to acquisition by the US Army Corps of Engineers; and

WHEREAS, Block 224 Lot 1 was incorrectly identified as owned by the Army Corps by way of a transposed number typographical error; and

WHEREAS, the Tax Assessor has made the correction to the MOD IV data;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Middlesex, County of Middlesex, New Jersey, that Resolution #24-2019 be and is hereby rescinded.

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 May 14, 2019.

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

Resolution #143-2019

RE-APPOINTMENT OF CARMEN MODICA AS BOROUGH PURCHASING AGENT

WHEREAS, after the resignation of the previous Qualified Purchasing Agent, Carmen Modica was appointed as the Middlesex Borough Purchasing agent and is actively seeking certification as a Qualified Purchasing Agent pursuant to N.J.S.A. 40A:11-9; and

WHEREAS, re-appointment as purchasing agent prior to certification as a Qualified Purchasing Agent requires the approval of the Director of Local Government Services in the New Jersey Department of Community Affairs:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Middlesex, County of Middlesex, State of New Jersey, that Carmen Modica, with the approval of the Director of Local Government Services, be hereby re-appointed to the position of Borough Purchasing Agent for a term of one year.

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 May 14, 2019.

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

Resolution #144-2019

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 May 14, 2019.

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

Resolution #145-2019

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. Piscataway Sewer Litigation
2. OLMV Litigation

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 May 14, 2019.