Borough of Middlesex

Mayor and Council Regular Meeting

~ Agenda ~

1200 Mountain Ave
Middlesex, NJ

Gretchen McCarthy
www.middlesexboro-nj.gov

Tuesday, June 11, 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. **PRESENTATIONS**
5. **APPOINTMENTS**
6. **PROCLAMATIONS**
7. **ORDINANCE(S) FOR INTRODUCTION**

    1. **Ordinance 1966-19** An Ordinance of the Borough of Middlesex, In the County of Middlesex, to Repeal a Portion of Ordinance No. 1549-01 that Designates Washington Avenue- Starlit Drive as a Through Street

8. **ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION**

    1. **Ordinance 1961-19** AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, PROVIDING FOR VARIOUS ROAD IMPROVEMENTS AND RELATED EXPENSES FOR THE BOROUGH OF MIDDLESEX AND APPROPRIATING $620,000 THEREFOR (INCLUDING A GRANT IN THE AMOUNT OF $557,200 EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION), AND PROVIDING FOR THE ISSUANCE OF $62,800 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE BOROUGH OF MIDDLESEX TO FINANCE THE SAME

2. **Ordinance 1962-19** AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, PROVIDING FOR THE BOUND BROOK ROAD STREETSCAPE PROJECT AND RELATED EXPENSES FOR THE BOROUGH OF MIDDLESEX AND APPROPRIATING $1,135,000 THEREFOR (INCLUDING A GRANT IN THE AMOUNT OF $1,030,560 EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION), AND PROVIDING FOR THE ISSUANCE OF $104,440 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE BOROUGH OF MIDDLESEX TO FINANCE THE SAME

3. **Ordinance 1963-19** AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, CHAPTER 407, VEHICLES AND TRAFFIC, ARTICLE XI, TURNING MOVEMENTS, SECTION 407-33, PROHIBITED TURNS.

4. **Ordinance 1964-19** REPEALING THE PRIOR ORDINANCE OF THE BOROUGH OF MIDDLESEX NO. 1925-17 AND REMOVING FROM THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX SECTION 420-44(G) CONCERNING ZERO LOT LINES

5. **Ordinance 1965-19** AN ORDINANCE AUTHORIZING THE SALE OF A PROPERTY CONSISTING OF 0.099 ACRES KNOWN AS A PORTION OF LOT 8 IN BLOCK 326 ON THE MIDDLESEX BOROUGH TAX MAP AND LOCATED SENECA AVENUE PURSUANT TO N.J.S.A. 40A:12-13(B)(5)

9. ADOPTION OF MINUTES

1. Approval of the May 14 & May 28, 2019 Regular & Executive Session Meeting Minutes

10. MAYOR'S REPORT

11. REPORTS - STANDING COMMITTEES

1. Finance/Taxation/Real Estate/Insurance/Public Utilities
    1. Approval of the May, 2019 Tax Collection Report
2. Fire/OEM/Rescue Squad
3. Recreation/Recreation Fields/Swim Pool/Community Celebrations
4. Public Works/Buildings & Grounds/Recycling
    1. May 2019 DPW Monthly Report
5. Police/Legal/Code Enforcement & Zoning/Shade Tree/Construction/Municipal Court
6. Administration/Department of Senior Services/Legislation/Licensing
    1. Video/Audio Recording of Council Meetings

12. ADMINISTRATOR'S REPORT

13. PRIVILEGE OF THE FLOOR

During the conduct of the meeting, unless a Public Hearing is held or the Regular Order of Business is waived, the audience does not participate. A Public Portion is held at the end of the meeting. Individuals commenting from the audience will be provided an opportunity to address the Council but will not be permitted to speak again until everyone has had an

opportunity to speak. If a group is represented by an attorney, the attorney will be given an opportunity to speak on behalf of all of the members of the group. The Council, pursuant to the Open Public Meeting Act, will not publicly discuss personnel matters and may choose not to respond to comments made by members of the public during this portion of the meeting; however, the Council will give all comments appropriate consideration and will refer all individual complaints to the Mayor or appropriate Borough representative for resolution.

14. 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 154-2019** Authorizing the Tax Collector to Redeem Tax Title Lien on Block 229, Lot 28 in the Amount of $38.26

2. **Resolution 155-2019** Increasing the Deferred School Tax Amount from January 2018-December 31, 2018 to benefit the financial position of the Borough for 2018

3. **Resolution 156-2019** Authorizing Reimbursement of Medicare Premiums for Certain Eligible Pensioners Under Chapter III, Public Law 1973, NJ Health Benefits Plans

4. **Resolution 157-2019** Approving the Municipal Alliance Contract Between the County of Middlesex and the Borough of Middlesex for FY2020

5. **Resolution 158-2019** Authorization for the Municipal Engineer and Borough Clerk to Execute an "Incidental Modification to Project Scope/Limits" form for MA FY 2019 N.J.D.O.T. Grant Funding

6. **Resolution 159-2019** Approving the Renewal of Liquor Licenses for the Year 2019-2020

7. **Resolution 160-2019** Approval to Waive Permit Fees for H.C. Pierce Hose Company, Inc. for the Installation of a New Water Heater

8. **Resolution 161-2019** The Governing Body Approves Waiving Board of Health License Fees for 2019/2020 for T.C. Hallmark as The Business Owner will be Retiring Effective July, 2019

9. **Resolution 162-2019** Authorizing the Contract for a Firework Display for Community Day to Garden State Fireworks in the Amount of $25,000

10. **Resolution 163-2019** Approving the U.S. Army Corps of Engineers in conjunction with the New Jersey Department of Environmental Protection access to Borough owned properties for the Green Brook Flood Damage Reduction Project

11. **Resolution 164-2019** Approve Request by American Legion to use the Legion Park Pavilion for their 100th Anniversary Community Picnic and for Approval to Include a "Beer Garden"

12. **Resolution 165-2019** Approval to Advance Patrolman Richard Szymczak to Patrolman Class "B"

13. **Resolution 166-2019** Approval of the hire of Robert Tarbous as Permanent Part-time Laborer for the Department of Public Works

14. **Resolution 167-2019** Conditionally Designating RG Middlesex LLC as Redeveloper for Property Known as Tax Block 353 Lots 1, & 1.02, in the Baekeland Avenue Redevelopment Area for the Development of a Warehouse Project

15. **Resolution 168-2019** Awarding the Contract for Janitorial/Cleaning Services for the Recreation/Senior Building to BK & J Spotless, LLC Effective July 1, 2019

15. NON-CONSENT AGENDA/RESOLUTIONS: Matters listed within the Non-Consent Agenda will be individually addressed and acted upon accordingly. Council reserves the right to refer an item to Committee for further review and discussion. The Resolutions listed below were submitted to the Borough Council for review and will be adopted individually by motion.

1. **Resolution 169-2019** Pay All Claims

16. AGENDA WORKSHOP ITEM

1. Update on Waiver of Fee for JV Baseball Field

17. 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.

18. EXECUTIVE SESSION

19. ADJOURNMENT

1. The next Regular Meeting will be June 25, 2019

ORDINANCE #1966-19

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, TO REPEAL A PORTION OF ORDINANCE NO. 1549-01 THAT DESIGNATES WASHINGTON AVENUE- STARLIT DRIVE AS A THROUGH STREET

WHEREAS, the Governing Body of the Borough of Middlesex previously determined that Washington Avenue-Starlit Drive should be designated as a through street in accordance with N.J.S.A. 39:4-140 pursuant to Ordinance No. 1549-01; and

WHEREAS, the Governing Body has determined that it is no longer appropriate for Washington Avenue-Starlit Drive to be designated as a through street; and

WHEREAS, N.J.S.A. 39:4-197(2)(a) permits a municipality to regulate which streets are designated as through streets in accordance with N.J.S.A. 39:4-140 without the prior approval of the Commissioner of the Department of Transportation.

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

1. That portion of Ordinance No. 1549-01 designating Washington Avenue-Starlit Drive as a through street is hereby repealed.

2. This Ordinance will take effect upon final passage of publication of law.

3. The Borough Clerk is hereby directed to submit a certified copy of an adopted Ordinance to the State of New Jersey, Department of Transportation, 1035 Parkway Avenue, P.O. Box 613, Trenton, New Jersey 08625-0600.

ADOPTION:

_____ _____

Gretchen McCarthy, Borough Clerk Mayor Ronald J. DiMura

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 June 11, 2019.

INTRODUCED: June 11, 2019

DATE OF PUBLICATION:

OF INTRODUCTION June 14, 2019

ORDINANCE #1961-19

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, PROVIDING FOR VARIOUS ROAD IMPROVEMENTS AND RELATED EXPENSES FOR THE BOROUGH OF MIDDLESEX AND APPROPRIATING $620,000 THEREFOR (INCLUDING A GRANT IN THE AMOUNT OF $557,200 EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION), AND PROVIDING FOR THE ISSUANCE OF $62,800 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE BOROUGH OF MIDDLESEX TO FINANCE THE SAME

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Middlesex, in the County of Middlesex, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of money therein stated as the appropriation made for the improvement or purpose, such sum amounting to $620,000 (including $557,200 expected to be received in a grant from the State of New Jersey, Department of Transportation). No down payment is required as this bond ordinance involves a project funded by State grants or other similar programs, within the meaning of N.J.S.A. 40A:2-11(c).

Section 2. In order to finance the cost of the improvement or purpose provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of $62,800 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is the improvement, consisting of the design, construction, and inspections of various Borough roads, including, but not limited to, portions of Harris Avenue, Ashland Road and Fischer Avenue, and including all work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial

officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget, as applicable, of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or temporary capital budget, as applicable, and capital program as approved by the Director of the Division of Local Government Services is on file with the Municipal Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the Borough may lawfully undertake as a general improvement, and no part of the costs thereof have been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Municipal Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by $62,800 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding $135,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) The Borough reasonably expects to commence acquisition and/or construction of the improvement or purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Borough further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof, (other than the grant in the amount of $557,200 expected to be received from State of New Jersey, Department of Transportation), shall be applied either to direct payment of the costs of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The Borough hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by Section 10 hereof and the Local Bond Law.

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 June 11, 2019.

INTRODUCED: May 28, 2019

DATE OF PUBLICATION:
OF INTRODUCTION May 31, 2019

ORDINANCE #1962-19

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, PROVIDING FOR THE BOUND BROOK ROAD STREETSCAPE PROJECT AND RELATED EXPENSES FOR THE BOROUGH OF MIDDLESEX AND APPROPRIATING $1,135,000 THEREFOR (INCLUDING A GRANT IN THE AMOUNT OF $1,030,560 EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION), AND PROVIDING FOR THE ISSUANCE OF $104,440 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE BOROUGH OF MIDDLESEX TO FINANCE THE SAME

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Middlesex, in the County of Middlesex, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of money therein stated as the appropriation made for the improvement or purpose, such sum amounting to $1,135,000 (including $1,030,560 expected to be received in a grant from the State of New Jersey, Department of Transportation). No down payment is required as this bond ordinance involves a project funded by State grants or other similar programs, within the meaning of N.J.S.A. 40A:2-11(c).

Section 2. In order to finance the cost of the improvement or purpose provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of $104,440 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is the streetscape improvement project, consisting of, but not limited to, the design, construction, and inspections of portions of Bound Brook Road located in the Borough, and including all work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial

officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget, as applicable, of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or temporary capital budget, as applicable, and capital program as approved by the Director of the Division of Local Government Services is on file with the Municipal Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the Borough may lawfully undertake as a general improvement, and no part of the costs thereof have been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Municipal Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by $104,440 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding $238,825 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) The Borough reasonably expects to commence acquisition and/or construction of the improvement or purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Borough further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof, (other than the grant in the amount of $1,030,560 expected to be received from State of New Jersey, Department of Transportation), shall be applied either to direct payment of the costs of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The Borough hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by Section 10 hereof and the Local Bond Law.

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 June 11, 2019.

INTRODUCED: May 28, 2019

DATE OF PUBLICATION:
OF INTRODUCTION May 31, 2019

ORDINANCE #1963-19

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, CHAPTER 407, VEHICLES AND TRAFFIC, ARTICLE XI, TURNING MOVEMENTS, SECTION 407-33, PROHIBITED TURNS.

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

SECTION 1. Section 407-33 is hereby supplemented, amended and revised to reflect:

(C.) No left turn on northbound Lorraine Avenue to Route 28 westbound on Route NJ 28 (Union Avenue) from 7:00a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m. Monday to Friday when schools are in session.

SECTION 2. The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged invalid and shall not be deemed to effect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION 4. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 5. This Ordinance shall take effect immediately upon final passage and publication according to law.

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 June 11, 2019.

INTRODUCED: May 28, 2019

DATE OF PUBLICATION:
OF INTRODUCTION May 31, 2019

ORDINANCE #1964-19

REPEALING THE PRIOR ORDINANCE OF THE BOROUGH OF MIDDLESEX NO. 1925-17 AND REMOVING FROM THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX SECTION 420-44(G) CONCERNING ZERO LOT LINES

WHEREAS, the Borough Council of the Borough of Middlesex approved Ordinance No. 1925-17 on November 17, 2017 the amend the zoning ordinances of the Borough to create new provisions to Section 420-44(g); and

WHEREAS, these amendments permitted certain setback conditions commonly known as “zero lot lines;” and

WHEREAS, after consultation with the Planning Board of the Borough of Middlesex, the Borough Council now seeks to review the aforementioned provisions; and

BE IT THEREFORE ORDAINED, by the Borough Council of the Borough of Middlesex in the County of Middlesex and State of New Jersey that Section 420-44(g) of Article VI (District Regulations) of the Municipal Code thereof is hereby repealed in its entirety;

BE IT FURTHER ORDAINED, that all ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED, 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.

BE IT FURTHER ORDAINED, 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 June 11, 2019.

INTRODUCED: May 28, 2019

DATE OF PUBLICATION:
OF INTRODUCTION May 31, 2019

ORDINANCE #1965-19

AN ORDINANCE AUTHORIZING THE SALE OF A PROPERTY CONSISTING OF 0.099 ACRES KNOWN AS A PORTION OF LOT 8 IN BLOCK 326 ON THE MIDDLESEX BOROUGH TAX MAP AND LOCATED SENECA AVENUE PURSUANT TO N.J.S.A. 40A:12-13(B)(5)

WHEREAS, the Borough is the fee simple owner of a parcel of land known as Lot 8 in Block 326 on the Middlesex Borough Tax Map, located on Seneca Avenue which lot is less than the minimum size required for development under the municipal zoning ordinance, and the Borough wishes to sell a 0.099 acre portion of the lot which is not needed for public use (the "Property"); and

WHEREAS, there are three properties which are contiguous to Lot 8 in Block 326, namely, Lot 1.01 of Block 326 owned by Eric & Ursula Stender, Lot 1 of Block 325 owned by Walter Ryan and Lot 1 of Block 326 owned by Florence & Bryan Morz; and

WHEREAS, by virtue of the existence of these three contiguous properties, the Property must be first offered for sale to the owners of these three contiguous properties pursuant to N.J.S.A. 40A:12-13.2 and N.J.S.A. 40A:12-13(b)(5); and

NOW, THEREFORE, **BE IT ORDAINED**, by the Mayor and Council of the Borough of Middlesex in the County of Middlesex and State of New Jersey that the Property be and is hereby offered for sale, subject to all restrictions and limitations of record or as may be found to exist on the Property, to the owners of the three contiguous properties to Lot 8 of Block 326 as named hereinabove in accordance with N.J.S.A.40A:12-13.2 and pursuant to N.J.S.A. 40A:12-13(b)(5) as more specifically delineated hereinbelow:

SECTION I

Part A Existing Facts

1. The Borough is the fee simple owner of Lot 8 in Block 326 on the Middlesex Borough Tax Map, located near Seneca Street.

2. The lot in question, as shown on Exhibit A, is a substantially isolated lot and is adjacent to the watercourse known as the Ambrose Brook. It is located in the R-75 Residential Zone and is below the minimum lot size for development therein.

3. There are three properties which are contiguous to Lot 326 in Block 8, namely, Lot 1.01 of Block 326 owned by Eric & Ursula Stender, Lot 1 of Block 325 owned by Walter Ryan and Lot 1 of Block 326 owned by Florence & Bryan Morz.

4. Pursuant to N.J.S.A. 40A:12-13.2, the owners of these three contiguous properties enjoy the right to prior refusal to purchase Lot 8 in Block 326.

5. Lot 8 in Block 326 is not needed for public use.

6. There is no capital improvement existent on Lot 8 in Block 326.

7. The fair market value of Lot 8 in Block 326, as determined by the Borough Tax Assessor, is $2,500.00.

Part B **Sale Pursuant To N.J.S.A. 40A: 12-13(b)(5)**

8. The Property, pursuant to N.J.S.A. 40A:12-13(b)(5), is hereby offered for sale to the highest bidder between Lot 1.01 of Block 326 owned by Eric & Ursula Stender, Lot 1 of Block 325 owned by Walter Ryan and Lot 1 of Block 326 owned by Florence & Bryan Morz.

9. Pursuant to N.J.S.A. 40A:12-13(b)(5), "any such sale shall not be for less than the fair market value of said real Property."

10. The minimum price for which the Property shall be sold to the contiguous landowners is $2,500.00, which is the fair market value of the Property as set forth in paragraph 7 above.

11. This offer of sale of the Property to the three contiguous landowners, as reflected in this Ordinance, shall be, pursuant to N.J.S.A. 40A: 2-13(b)(5):

    a) This Ordinance and the Public Notice shall be posted in Middlesex Borough Hall, located at 1200 Mountain Ave, Middlesex, NJ 08846.

    b) The Notice to sell shall be placed as an advertisement in a newspaper circulating in the Borough in which Lot 8 in Block 326 is situated, namely, **The Courier News.**

    c) Both the posting and the advertisement shall occur within five days following the date of enactment of this Ordinance.

12. In addition, so as to ensure compliance with N.J.S.A.40A:12-13.2, the Borough shall mail a copy of this Ordinance, as enacted, to each of the three contiguous Property owners within five days of the enactment of this Ordinance, by personal service upon each of them or by certified mail, return receipt requested.

13. Offers to purchase the Property may be made by each of the three contiguous landowners within a period of twenty (20) days following the advertisement set forth hereinabove. Said offer shall be made for not less than the minimum price set forth in paragraph 10 above.

14. Pursuant to N.J.S.A.40A:12-13(b), the Borough, having offered the Property for private sale to the three contiguous landowners, will file, with the Director of the Division of Local Government Services in the Department of Community Affairs, sworn affidavits verifying the publication of the advertisement referenced in paragraph 11(b) hereinabove.

15. The offers made by each of the three contiguous landowners shall be accompanied by a certified check or bank check in the amount of 10% of the

offer. The check shall be made payable to the Borough and held in escrow until the closing of title occurs.

16. The highest offer made above the minimum price of $2,500.00, consistent with the terms of this Ordinance, Part B, shall be accepted and **a** closing of title will be required to occur within 60 days after the offer is accepted. Should a closing not occur within that time frame, for any reason related directly or indirectly to the offeror, the Borough shall have the right to terminate this sale. In that eventuality, the other contiguous landowner shall have the right within 10 days after notification that the sale to the other contiguous landowner has been terminated to re-submit his original offer and effect a closing of title in accordance with the terms set forth in paragraph 15 above and the first sentence of this paragraph 16.

SECTION II

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

SECTION III

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

SECTION IV

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.

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 June 11, 2019.

INTRODUCED:

DATE OF PUBLICATION:
OF INTRODUCTION

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

Resolution #154-2019

AUTHORIZING THE TAX COLLECTOR TO REDEEM TAX TITLE LIEN ON BLOCK 229, LOT 28 IN THE AMOUNT OF $38.26

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 payments on the following Tax Title Lien Redemptions were calculated for May 28th, 2019;

NOW, THEREFORE, BE IT RESOLVED 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	229	28	$38.26	$0.00	18-00003	Henry Hansch Jr.
						504 Chandler Lane
						Whippany, NJ 07981-1439

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 June 11, 2019.

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

Resolution #155-2019

INCREASING THE DEFERRED SCHOOL TAX AMOUNT FROM JANUARY 2018-DECEMBER 31, 2018 TO BENEFIT THE FINANCIAL POSITION OF THE BOROUGH FOR 2018

WHEREAS, the State of New Jersey, Division of Local Government Services, requires an annual resolution by municipalities, that raise school taxes on a school year basis, and have a deferred portion of that levy at the beginning and end of a calendar year; and

WHEREAS, in a municipality whose deferred school taxes increase from year to year, that municipality is to set forth the reasons and facts for the increases; and

WHEREAS, the Deferred School Taxes for the Borough of Middlesex Board of Education has increased from January 1, 2018 to December 1, 2018 by $432,488.00:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of Middlesex, County of Middlesex, State of New Jersey, that the reasons for this increase is the levy for the school year July 1, 2018 to June 30, 2019 has increased by $861,736.00 from the previous school year levy; and

BE IT FURTHER RESOLVED, that the increase in the deferred school tax amount from January 1, 2019 to December 31, 2019 is beneficial to the financial position of the Borough for 2019

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Director of Local Government Services, the Borough's Chief Financial Officer and the Borough Auditor.

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 June 11, 2019.

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

Resolution #156-2019

AUTHORIZING REIMBURSEMENT OF MEDICARE PREMIUMS FOR CERTAIN ELIGIBLE PENSIONERS UNDER CHAPTER III, PUBLIC LAW 1973, NJ HEALTH BENEFITS PLANS

WHEREAS, Chapter III of Public Laws 1973, which provided for reimbursement of Medicare premiums of certain eligible pensioners was adopted by the Mayor and Council by resolution on April 9, 1974; and

WHEREAS, certain retired employees of the Borough have applied for reimbursement.

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 checks, charged against Insurance (1) Group Insurance for Employees from the period January through June 2019, as follows:

James L Benson 445 Harris Ave Middlesex, NJ 08846	$630.00	Patricia A Benson 445 Harris Ave Middlesex, NJ 08846	$648.00
Archie J Blood Jr 54 Lincoln Ave Barnegat, NJ 08005	$578.40	Margie L Blood 54 Lincoln Ave Barnegat, NJ 08005	$629.40
Anthony Cole 246 Oak Dr Middlesex, NJ 08846	$813.00	Susan Cole 246 Oak Dr Middlesex, NJ 08846	$813.00
Dorothy Coren 20 Mead Ave Middlesex, NJ 08846	$663.00	Joseph Coren 20 Mead Ave Middlesex, NJ 08846	$1,069.80
John Fuhrmann 38 Whitney Dr Middlesex, NJ 08846	$813.00	Sheila Fuhrmann 38 Whitney Dr Middlesex, NJ 08846	$813.00
John Giuliano 339 Second St	$578.40	John A Haverstick 771 County Rt 16	$813.00

Middlesex, NJ 08846		Mexico, NY 13114-3193	
Judith Lynch 359 Market St Middlesex, NJ 08846	$730.80	Thomas Lynch 359 Market St Middlesex, NJ 08846	$629.40
Charlie Nash 13 Homestead Terrace Scotch Plains, NJ 07076	$783.00	Jerome Nowak 1886 East Fir Ave, Apt 104 Fresno, CA 93720	$578.40
Arthur Roberts 305 Harris Ave Middlesex, NJ 08846	$578.40	Erica Schaefer 58 Joe-Ent Rd Flemington, NJ 08822	$629.40
Jerry Schaefer 58 Joe-Ent Rd Flemington, NJ 08822	$629.40	Charles Sebastian 512 Clinton Ave Middlesex, NJ 08846	$768.00
Lorraine Smith 5602 Gold Ct New Bern, NC 28560-9747	$578.40	Earl S Thompson 6525 41 Ave North St Petersburg, FL 33709-4907	$711.00
Karen Thompson 6525 41 Ave North St Petersburg, FL 33709-4907	$813.00	James Tolomeo 841 West Second St Middlesex, NJ 08846	$629.40
Rita Wahler 16 Fitzsimmons Ave Middlesex, NJ 08846	$599.40	Roger Wahler 16 Fitzsimmons Ave Middlesex, NJ 08846	$629.40

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 June 11, 2019.

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

Resolution #157-2019

APPROVING THE MUNICIPAL ALLIANCE CONTRACT BETWEEN THE COUNTY OF MIDDLESEX AND THE BOROUGH OF MIDDLESEX FOR FY2020

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, non0profit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the Borough of Middlesex Council of the Borough of Middlesex, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Borough of Middlesex Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Borough of Middlesex Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Middlesex;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Middlesex, County of Middlesex, State of New Jersey hereby recognizes the following:

1. The Borough of Middlesex Council does hereby authorize submission of a strategic plan for the Middlesex Borough Municipal Alliance grant for fiscal year 2019-2020 in the amount of:

DEDR	$20,965.00
Cash Match	$ 5,241.25
In-Kind	$15,723.75

The Borough of Middlesex Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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 June 11, 2019.

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

Resolution #158-2019

AUTHORIZATION FOR THE MUNICIPAL ENGINEER AND BOROUGH CLERK TO EXECUTE AN "INCIDENTAL MODIFICATION TO PROJECT SCOPE/LIMITS" FORM FOR MA FY 2019 N.J.D.O.T. GRANT FUNDING

WHEREAS, the Borough Council of the Borough of Middlesex did authorize submission of an application for MA 2019-2019 N.J.D.O.T. grant funding, via Resolution #262-2018, for road improvements to Harris Avenue, Fisher Avenue, and Ashland Road; and

WHEREAS, the Borough of Middlesex did adopt Resolution 151-2019, approving to amend the application for said funding and the execution of a “Reevaluation of Project Limits” in order to remove Harris Avenue from the scope of work of the 2019 Road Improvements Project.

WHEREAS, the Borough of Middlesex has been advised that the appropriate submission to amend the application for MA 2019-2019 N.J.D.O.T. grant funding is an “Incidental Modification to Project Scope/Limits” form.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the Borough Clerk and Borough Engineer be and are hereby authorized to sign the applicable “Incidental Modification to Project Scope/Limits” in order to remove Harris Avenue from the 2019 Road Improvement Project scope of work.

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 June 11, 2019.

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

Resolution #159-2019

APPROVING THE RENEWAL OF LIQUOR LICENSES FOR THE YEAR 2019-2020

The application for renewal of Liquor Licenses for the year 2019-2020 which have been approved by the Police Department, Fire Department, Board of Health be accepted; and the Borough Clerk is hereby authorized to issue the following licenses in consideration of the fees which have been paid to the Borough of Middlesex and the State of New Jersey:

Shri Radha Krishna Inc. t/a Endzone Lounge 425 Bound Brook Road	1211-33-001-004
Rikjo Liquors, Inc. t/a Middlesex Liquor Store 708 Union Avenue	1211-44-005-003
OK Liquors, t/a Cub Liquors, Inc. 242 Lincoln Boulevard	1211-32-011-004
Vilaverdense t/a Vincenzo's Restaurant 665 Bound Brook Road	1211-33-012-004
Middlesex Lodge 2301 BPO Elks 545 Bound Brook Road	1211-31-014-001
Pearldhyan, Inc. 657 Lincoln Boulevard	1211-44-006-003
Ellery's Grill, Inc. 701 Lincoln Boulevard	1211-32-004-002
Faron Realty Management, LLC t/a Ferraro's Pizza & Pub 275 Lincoln Boulevard	1211-33-002-010
Carpaccio Ristorante Inc. 651 Bound Brook Road	1211-33-010-004
Cahoots, Inc. 624 Lincoln Boulevard	1211-33-003-003
John W. Lupu Memorial Post 306 The American Legion 707 Legion Place	1211-31-013-001
Timothy Kerwin's Inc. 353 Bound Brook Road	1211-33-009-003

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 June 11, 2019.

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

Resolution #160-2019

APPROVAL TO WAIVE PERMIT FEES FOR H.C. PIERCE HOSE COMPANY, INC. FOR THE INSTALLATION OF A NEW WATER HEATER

The governing body hereby approves waiving the Permit Fees for plumbing inspection, fire & construction code inspection for H.C. Pierce Hose Company for a water heater.

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 June 11, 2019.

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

Resolution #161-2019

THE GOVERNING BODY APPROVES WAIVING BOARD OF HEALTH LICENSE FEES FOR 2019/2020 FOR T.C. HALLMARK AS THE BUSINESS OWNER WILL BE RETIRING EFFECTIVE JULY, 2019

The Governing Body hereby approves waiving the Board of Health License Fees for 2019/2020 for T.C. Hallmark, 722 Union Avenue as the Business Owner will be retiring effective July, 2019.

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 June 11, 2019.

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

Resolution #162-2019

AUTHORIZING THE CONTRACT FOR A FIREWORK DISPLAY FOR COMMUNITY DAY TO GARDEN STATE FIREWORKS IN THE AMOUNT OF $25,000

WHEREAS, sealed bids were requested on May 14, 2019 for a fireworks display for Community Day to be held July 20, 2019; and

WHEREAS, bids were opened on May 29, 2019 and only one (1) bid was received from Garden State Fireworks in the amount of $25,000.

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Middlesex hereby authorizes the Mayor to execute the Contract with Garden State Fireworks, Inc. for a Firework Display at the Community Day on July 20, 2019 in the amount of $25,000.

NOW FURTHER BE IT RESOLVED that the Treasurer certifies funds in the amount of $25,000 are available in Account No. 9-01-30-420-001-138.

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 June 11, 2019.

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

Resolution #163-2019

APPROVING THE U.S. ARMY CORPS OF ENGINEERS IN CONJUNCTION WITH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION ACCESS TO BOROUGH OWNED PROPERTIES FOR THE GREEN BROOK FLOOD DAMAGE REDUCTION PROJECT

The Governing Body hereby approves the Mayor and Borough Clerk to execute the Department of the Army Right of Entry agreement to access portions of Borough Property in order to perform geotechnical investigations, topographic surveys, utility verification and wetland delineation of Segment C-6, C-7 and D Levee/Floodwall for the Green Brook Flood Damage Reduction project. The land affected by this permit or right-of-entry is located in the State of New Jersey, County of Middlesex, and is described as follows: Block 3, Lots 17, 1, 12, and 11; Block 7.02, Lot 6; Block 8, Lots 23 & 27; Block 11, Lot 1; Block 17, Lot 1; Block 19, Lots 1 & 17; Block 20, Lot 1; Block 21, Lot 1; Block 21, Lot 1, Block 27, Lots 22, 25, & 26; Block 28, Lots 1 & 14; Block 29, Lot 27.01; Block 36, Lot 1; Block 37, Lot 5; Block 38, Lot 5; Block 45, Lot 1; Block 46, Lots 14, 23, & 25; and Block 53, Lot 1.

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 June 11, 2019.

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

Resolution #164-2019

APPROVE REQUEST BY AMERICAN LEGION TO USE THE LEGION PARK PAVILION FOR THEIR 100TH ANNIVERSARY COMMUNITY PICNIC AND FOR APPROVAL TO INCLUDE A "BEER GARDEN"

WHEREAS, American Legion Post #306 will be celebrating its 100th Anniversary by holding a community wide picnic on September 7th, 2019 at the Legion Park pavilion near the American Legion Post building, which is Borough owned park property; and

WHEREAS, American Legion Post #306 has requested permission to include a beer garden as part of the 100th Anniversary celebration at the pavilion and has offered and agreed to provide any necessary safety measures and police presence to ensure compliance with all applicable laws; and

WHEREAS, Chapter 121, Section 17 of the Code of the Borough of Middlesex prohibits the consumption of alcoholic beverages on all park property within the Borough; and

WHEREAS, American Legion Post #306 is required to apply for a Social Affairs permit from the State of New Jersey Division of Alcoholic Beverage Control for the event and the application for the permit requires the approval of the owner of the property should it not be owned by the applicant.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Middlesex, County of Middlesex, New Jersey, that American Legion Post #306 is hereby allowed to utilize the pavilion park for the 100th Anniversary Community Wide Picnic and is granted a one day waiver of the ban on alcoholic beverages in order to have a beer garden in the Borough owned park for the day of the event, September 7, 2019, rain date being set for September 8, 2019.

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 June 11, 2019.

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

Resolution #165-2019

APPROVAL TO ADVANCE PATROLMAN RICHARD SZYMCZAK TO PATROLMAN CLASS "B"

WHEREAS, Police Officer Richard Szymczak is eligible for advancement in grade pursuant to Article XV of the Police Department Ordinance; and

WHEREAS, On June 3, 2019 Chief Geist recommended Police Officer Richard Szymczak be advanced in grade.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that Police Officer Richard Szymczak be and is hereby advanced in grade to Patrolman Class “B” effective June 11, 2019 at an annual salary of $102,125.

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 June 11, 2019.

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

Resolution #166-2019

APPROVAL OF THE HIRE OF ROBERT TARBOUS AS PERMANENT PART-TIME LABORER FOR THE DEPARTMENT OF PUBLIC WORKS

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Middlesex, County of Middlesex, New Jersey , that Robert Tarbous of Middlesex is hereby hired as part time DPW Laborer effective June 12, 2019, at $12.00 per hour, 28 hours per week, pending a satisfactory physical and background check.

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 June 11, 2019.

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

Resolution #167-2019

CONDITIONALLY DESIGNATING RG MIDDLESEX LLC AS REDEVELOPER FOR PROPERTY KNOWN AS TAX BLOCK 353 LOTS 1, & 1.02, IN THE BAEKELAND AVENUE REDEVELOPMENT AREA FOR THE DEVELOPMENT OF A WAREHOUSE PROJECT

WHEREAS, Tax Block 353, Lots 1, and 1.02 (the "Property") is located in the Baekeland Avenue Redevelopment Area (the "Redevelopment Area"); and

WHEREAS, the Borough of Middlesex (the "Borough") is desirous of the redevelopment of this 30+/- acre site for re-use consistent with the Borough's Master Plan and the Resolution designating the property as an Area in need of Redevelopment, adopted on May 28, 2019; and

WHEREAS, RG Middlesex LLC, made a presentation to the Borough Economic Development Advisory Committee regarding its concept proposal for the Property; and

WHEREAS, the Property is privately owned by RG Middlesex LLC.; and

WHEREAS, RG Middlesex LLC propose to construct approximately 400,000 square feet of warehouse space on the property (the Project), and

WHEREAS, the proposal has been found consistent with the Borough's goals for redeveloping the area.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Middlesex that RG Middlesex LLC 1221 Avenue of the Americas 17th Floor New York, New York 10020 is hereby conditionally designated as redeveloper for the development of Tax Block 353, Lots 1, and 1.02; located in the Baekeland Avenue Redevelopment area, for the project, the detail of which is subject to further refinement, for the reasons set forth herein.

BE IT FURTHER RESOLVED, that said conditional designation is subject to the following conditions:

1. That the conditional designation is limited to a period of one hundred and twenty (120) days from the date of this Resolution at which time it will automatically expire and be of no further force and effect, and the parties will no longer have any obligation to the other, except as to final payment of any Borough costs under the Escrow Agreement required herein. The Borough may, in its sole discretion, extend and re-extend the conditional designation provided sufficient progress is being in negotiation of a redevelopment agreement, which determination is at the sole discretion of the Borough and which extension must be in the form of a duly adopted resolution of the Borough Council.
2. That RG Middlesex LLC and the Borough shall negotiate and agree upon the terms and conditions of a redevelopment agreement within the period of the

conditional designation, as such period may be extended by the Borough in its sole discretion.

3. That RG Middlesex LLC agrees to pay any and all costs already incurred by the Borough related in any way to the redevelopment of the Property and through execution of a redevelopment agreement or termination of the redeveloper designation, as set forth herein.
4. Within fourteen (14) days of the adoption of this resolution, RG Middlesex LLC and the Borough enter into an escrow agreement, the form of which is attached hereto and made part of this resolution.

BE IT FURTHER RESOLVED, that upon completion of negotiations on a redevelopment agreement, the Borough Council shall be required to review and authorize execution of any and all related documents in order to effectuate the completion and implementation of the project.

BE IT FURTHER RESOLVED, that 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 June 11, 2019.

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

Resolution #168-2019

AWARDING THE CONTRACT FOR JANITORIAL/CLEANING SERVICES FOR THE RECREATION/SENIOR BUILDING TO BK & J SPOTLESS, LLC EFFECTIVE JULY 1, 2019

WHEREAS, request for quotes were received May 15, 2019 for Janitorial/Cleaning Services for the Recreation/Senior Building;

WHEREAS, there were two (2) bids received, bids are listed below:

1) Independence at Home & Beyond, LLC - $70/day
2) BK & J Spotless, LLC - $50/day

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

1. Based upon the recommendation of the Purchasing Agent, the governing body hereby awards the bid for Janitorial/Cleaning Services for five (5) days per week to BK & J Spotless, LLC for a one (1) year contract beginning July 1, 2019 and ending July 1, 2020.

NOW FURTHER BE IT RESOLVED, that the Treasurer hereby certifies that funds in an amount not to exceed $13,000 are available in Account No. 9-01-26-310-000-105.

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 June 11, 2019.

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

Resolution #169-2019

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 June 11, 2019.