Borough of Middlesex

Mayor and Council Regular Meeting

~ Minutes ~

1200 Mountain Ave
Middlesex, NJ

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

Tuesday, April 24, 2018 **7:00 PM** **Municipal Building**

MAYOR'S STATEMENT

UNDER THE PROVISIONS OF N.J.S.A. 10:4-6 ET SEQ., NOTICE OF THE TIME AND PLACE OF THIS MEETING WAS GIVEN BY WAY OF AN ANNUAL MEETING NOTICE TO THE STAR LEDGER, COURIER NEWS AND HOME NEWS, AND POSTED AT BOROUGH HALL.

SALUTE TO FLAG

ROLL CALL

Council Member Dan Parenti
Council Member Sean Kaplan
Council Member John Madden
Council President Robert Schueler
Council Member Jack Mikolajczyk
Mayor Ron DiMura

Council Member Kevin Dotey **-- Absent**

Also Present:
Brandon Goldberg Administrator
Aravind Aithal Attorney

Borough Auditor Greg Katzer attended the meeting on behalf of Hodulik & Morrison.

2. Public Hearing for the 2018 Budget

Mayor DiMura opened the Public Hearing on the 2018 Municipal Budget. Seeing that there was no public participation, Mayor DiMura closed the Public Hearing on the 2018 Municipal Budget.

NON-CONSENT AGENDA/RESOLUTIONS

The Borough Clerk read the following resolution:

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

RESOLUTION 106-2018

AMENDMENT TO THE 2018 BUDGET

BOROUGH OF
MIDDLESEX

MIDDLESEX
COUNTY, NEW
JERSEY

RESOLUTION TO
AMEND BUDGET

WHEREAS, the local municipal budget for the year 2018 was approved on the 27th day of March, and;

WHEREAS, the public hearing on said budget has been held as advertised, and;

WHEREAS, it is desired to amend said approved budget;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Middlesex, County of Middlesex, that the following amendments to the approved budget of 2018 be made:

CURRENT FUND -
ANTICIPATED
REVENUES

	From	To
1. **Surplus Anticipated**	2,200,000.00	2,211,000
3. Miscellaneous Revenues - Section F: Special		
Items Offset with Appropriations		
Public and Private Revenues		
NJ Div of Highway Traffic Safety - 2018 Udrive, Utext, Upay	0.00	6,600
Total Section F: Special Items Offset with Appropriations-Public & Private Revenue	87,586.00	94,186
Total Miscellaneous Revenues	4,321,640.16	4,328,240
5. Subtotal General Revenues	7,046,640.16	7,064,240
6. Amount to be Raised by Taxes for Support of Municipal Budget:		
a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	12,388,083.07	12,393,324
Total Amount to be Raised by Taxes for Support of Municipal Budget	12,882,178.07	12,887,419
7. Total General Revenues	19,928,818.23	19,951,659

CURRENT FUND
APPROPRIATIONS

	From	To
8. General Appropriations		
(A) Operations - within "CAPS"		
Police Other Expenses	143,600.00	154,60
Total Operations {Item 8(A)} within "CAPS"	12,432,226.00	12,443,22
B. Contingent		
Total Operations Including Contingent within "CAPS"	12,460,226.00	12,471,22
(H-1) Total General Appropriations for Municipal Purposes within "CAPS"	13,860,361.00	13,871,36
(A) Operations - Excluded from "CAPS"		
Public and Private Programs Offset by Revenue		
Municipal Alliance on Alcohol & Drug Abuse - Match	0.00	5,24
NJ Div of Highway Traffic Safety - 2018 Udrive, Utext, Upay	0.00	6,60
Total Public and Private Programs Offset by Revenues	87,586.00	99,42
Total Operations Excluded from "CAPS"	2,680,545.00	2,692,38
(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	5,193,457.23	5,205,29
(O) Total General Appropriations-Excluded from "CAPS"	5,193,457.23	5,205,29
(L) Subtotal General Appropriations {Items (H-1) and (O)}	19,053,818.23	19,076,65
(M) Reserve for Uncollected Taxes		
9. Total General Appropriations	19,928,818.23	19,951,65

BE IT FURTHER RESOLVED, that two (2) certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services for certification of the 2018 local municipal budget so amended.

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the

governing body on the 24th day of April, 2018 .

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

The Borough Clerk read the following resolution:

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

RESOLUTION 107-2018

ADOPTION OF THE 2018 MUNICIPAL BUDGET

BOROUGH OF MIDDLESEX
COUNTY OF MIDDLESEX

RESOLUTION TO ADOPT 2018 MUNICIPAL BUDGET

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Middlesex, County of Middlesex, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

(a)	$12,393,324.32	(Item 2 below) for municipal purposes
(e)	$ 494,095.00	(Item 5 below) Minimum Library Tax

Current
Fund:

SUMMARY OF REVENUES	
General Revenues	
Surplus Anticipated	$ 2,211,000.00
Miscellaneous Revenues Anticipated	4,328,240.16
Receipts from Delinquent Taxes	525,000.00
Amount to be Raised by Taxation for Municipal Purposes (Item 6[a], Sheet 11)	12,393,324.32
Amount to be raised by taxation minimum library levy	494,095.00
Total Revenues	$19,951,659.48

SUMMARY OF APPROPRIATIONS	
General Appropriations:	
Within	
"CAPS"	
(a&b) Operations Including Contingent	12,471,226.00
(e) Deferred Charges and Statutory Expenditures - Municipal	1,400,135.00
(f)	
Judgments	
Excluded from "CAPS"	
(a) Operations - Total Operations Excluded from "CAPS"	2,692,386.25
(c) Capital Improvements	65,000.00
(d) Municipal Debt Service	2,447,912.23
(e) Deferred Charges - Municipal	
(m) Reserve for Uncollected Taxes	875,000.00
Total Appropriations	$19,951,659.48

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 24th day of April, 2018. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2018 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

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

The Borough Clerk read the following resolution:

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

RESOLUTION 108-2018

PAY ALL CLAIMS

THE DISBURSING OFFICERS BE AND THEY ARE HEREBY AUTHORIZED TO PAY THE ATTACHED CLAIM LIST AS PRESENTED, IF FOUND CORRECT, AND APPROVED BY

THE FINANCE COMMITTEE. EXCLUDED VOUCHERS MAY BE PAID UPON BEING FOUND ACCEPTABLE.

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

PRESENTATIONS

1. Middlesex Rescue Squad

Ms. Cara Parese and Mr. Phil Lore attended the meeting on behalf of the Middlesex Rescue Squad and discussed the status of the Squad. Ms. Parese stated that at the present time there is only 1 active member and 27 affiliates who work an average of 6 hours per week. Ms. Parese noted that the membership of the squad had dropped below 40% this year, and indicated that they are now only scheduling to cover on Friday, Saturday, Sunday and Monday. She indicated that she has been in charge of the Squad for only 8 weeks but has reached out numerous ways to solicit for volunteers via media, website, Facebook & e-blasts and also has begun to change the bylaws and solicit for more cadets.

Ms. Parese also explained to council the many other things that the rescue squad does in the community and explained that if the borough outsources for services our residents would be required to pay. The calls taken during the 3 days that are not covered by the rescue squad will be outsourced and considered "scrambled calls". Ms. Parese indicated that most surrounding towns have gone to a "soft billing" and she stated that in order to do the "soft billing" we would need more members as each call would require 2 EMTs. Also, there are other requirements that involve taxes and vehicle approvals in order to do the "soft billing". Medicare would only cover the service if the resident is admitted. Ms. Parese indicated that last year the squad had 938 total calls, and they went out on 484 calls (28% of the calls were advanced aid calls).

Mayor DiMura was concerned that the Rescue Squad did not notify the Police Department, nor their council liaison that they were starting a 4 day schedule and had no knowledge what they intended to do on the other 3 days, as it puts a financial burden on the residents. The Mayor recommended that Ms. Parese meet with the Business Administrator to help promote the squad, check with the Fire Department to discuss potential ridership with the Chief and follow up with the Rescue Squad liaison in Mid-May to update.

APPOINTMENTS

PROCLAMATIONS

1. Older Americans Month - May, 2018

PROCLAMATION

WHEREAS, May, 2018 has been designated National Older Americans Month; and

WHEREAS, the Director of the Office on Aging has designated “Engage at Every Age” as

the theme for Older Americans Month; and

WHEREAS, Middlesex Borough recognizes the value and contributions of our older citizens.

NOW THEREFORE, I, RONALD J. DIMURA, Mayor of the Borough of Middlesex, hereby proclaim May, 2018 to be Older Americans Month and urge citizens of this community to honor and celebrate this special event.

ORDINANCE(S) FOR INTRODUCTION

ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION

The Borough Clerk read ordinance 1939-18 by title:

ORDINANCE 1939-18

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 244, JUNKYARDS AND JUNK DEALERS, ARTICLE I JUNK DEALERS, SECTION 244-6 FEES AND ARTICLE II MOTOR VEHICLE JUNKYARDS, SECTION 244-31 LICENSE REQUIREMENT

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

§244-6 Fees shall be amended as follows:

The license fees for the period from May 31 of each year to May 31 of the following year, both inclusive, or any portion of such period shall be as follows:

A. For each retail junk dealer or place of business, including one vehicle maintained by such retail junk dealer, $400; and for each additional vehicle maintained by such retailer, $50.

B. For each wholesale place of business, including one vehicle maintained by such wholesale junk dealer, $500; and for each additional vehicle maintained by such wholesaler, $50.

§244-31 License Requirements shall be amended as follows:

All licenses shall be numbered in the order in which they are issued, and shall state clearly the location of the junkyard, the date of issuance and expiration of the license and the name and address of the licensee. All licenses granted by the Mayor and Council shall expire on the 31st of May, and all such licenses issued shall be subject to the right of revocation reserved by the Council except that the licensee shall be entitled to a hearing before revocation.

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

Mayor DiMura opened the Public Hearing on Ordinance No. 1939-18. Seeing that there was no public participation, Mayor DiMura closed the Public Hearing on Ordinance No. 1939-18.

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

The Borough Clerk read ordinance 1940-18 by title:

ORDINANCE 1940-18

AN ORDINANCE UPDATING THE PERFORMANCE AND MAINTENANCE GUARANTEE SECTIONS OF THE BOROUGH'S LAND DEVELOPMENT CODE TO COMPLY WITH STATUTORY UPDATES TO THE MUNICIPAL LAND USE LAW

WHEREAS the Municipal Land Use Law (N.J.S.A. 40:55D -1 et seq.) delegates to municipalities the power to zone and regulate development and that statute is amended from time to time by the state legislature; and

WHEREAS the Planning Board of the Borough of Middlesex, at its regular meeting on March 28, 2018, has referred, to the governing body, the instant amendments to the Land Development Code for consideration in response to recent statutory amendments to the corresponding provisions in the Municipal Land Use Law; and

WHEREAS the statutory provisions regarding performance guarantees, maintenance guarantees and establishing a safety and security obligation were recently amended and supplemented by the legislature and the Borough now likewise amends its Land Development Code to comply with the revisions to the statute.

NOW THEREFORE BE IT RESOLVED THAT the following provisions of Chapter 248 Land Development Code of the Borough of Middlesex shall be amended and supplemented as follows:

Section 248-4 Definitions

Land Use Board

The Planning Board, Zoning Board of Adjustment or such other approving authority as may be designated by ordinance to review land development projects within the Municipality, which ever Board has jurisdiction over the underlying application or development project.

Municipal Engineer

The Planning Board Engineer, Zoning Board of Adjustment Engineer, Borough Engineer or such engineering consultant as may have been retained by the Municipality to provide professional engineering services.

Section 248-8 Improvements and guaranties prior to final approval

A. Before consideration of a final subdivision plat or final site plan, the developer will have installed the improvements, and obtains the permits, required under Section 248-16 of this Chapter, in the event that the improvements listed in Section 248-

20 A of this chapter have not been completed the Land Use Board shall require the posting of adequate performance guarantees to assure the installation of the required improvements as identified in Section 248-20 and N.J.S.A. 40:55D-53. The Borough may require up to 10% of the performance guarantee in the form of cash or other equivalent security. Further, the Land Use Board may stipulate that, for any approval, a certificate of occupancy shall not issue until all improvements are installed and approved by the Municipal Engineer. However, for a subdivision, at the Board's sole discretion, it may direct the final two certificates of occupancy shall not be issued until all improvements are installed and approved by the Municipal Engineer, provided that appropriate temporary certificate of occupancy guarantees, private buffer landscape guarantees and maintenance guarantees are provided as per Section 248-20 of this Chapter for the issuance of the initial certificates of occupancy of that subdivision.

Section 248-16 Required improvements.

M. Street Trees. Where required by the Land Use Board. Two new street trees shall be installed on the owner's property so as not to interfere with utilities, roadways or walkways and sidewalks. Trees shall be two inches or more in diameter, 12 feet or more in height and shall include but not be limited to the following types: silver linden; European linden; sweet gum; Norway red, crimson, king or sugar maple; and red, pink black or scarlet oak. All plant material must be certified to be nursery-grown stock or the equivalent and not collected material. Street trees shall not be required if two or more equivalent trees exist and are to remain in the front-yard area.

N. Water mains. Water mains as required by the water company and or the Municipal Engineer and identified on the approved plans, if any, shall be required.

O. Public improvements to open space. All public improvements to open space, if any, as provided for on the approved plans shall be required.

P. Except as provided by N.J.S.A. 5:21-1 et seq.

Section 248-20 Performance guarantees, maintenance guarantee and inspection fee.

A. Prior to granting approval of the final plat for site plan or subdivision or the recording of a minor subdivision deed, the developer shall have installed or shall have furnished performance guarantees to the Borough in an amount not to exceed 120% of the costs of installation as provided for in N.J.S.A. 40:55D-53 for improvements required by an approval or developer's agreement, ordinance or regulation, to be dedicated to a public entity, and that have not yet been installed. The improvements shall be shown on the approved plans and include the following; streets, pavement, gutters, curbs, sidewalks, street lighting, street trees, surveyor's monuments, as shown on the final map and required by the "map filing law" PL 2011 c. 217 or N.J.S.A. 46:26B-1 through N.J.S.A. 46:26B-8, water mains, sanitary sewers, community septic systems, drainage structures, public improvements of open space and any grading necessitated by the preceding improvements.

(1) The Borough may also require a performance guarantee to include, within an approved phase or section of a development, privately owned perimeter buffer landscaping, as required by local ordinance or imposed as a condition of approval. At the developer's option a separate performance guarantee may be posted for the privately owned perimeter buffer landscaping.

(2) Such performance guarantee(s) shall run for a period no more than two years. However, with the consent of the owner and the surety, if there is one, the governing body may, by resolution, extend the term of such performance

guarantee an additional period, not to exceed three years. The amount of the performance guarantee may be reduced by the governing body by resolution when the portions of the required improvements have been installed and approved by the Municipal Engineer as provided for herein.

(3) The cost of installation of improvements for the purposes of this section shall be estimated by the Municipal Engineer based on documented construction costs for the public improvements prevailing in the general area of the municipality.

B. No final plat, or minor subdivision deed, shall be approved by the Land Use Board until the completion of all such required improvements has been certified to the Land Use -Board by the Municipal Engineer, unless the developer shall have filed with the Borough of Middlesex a performance guarantee sufficient in amount to cover the cost of all such on-tract improvements, to be dedicated to a public entity, as provided for in subsection A above, or uncompleted portions thereof, as estimated by the Municipal Engineer, and insuring the installation of such uncompleted improvements on or before an agreed date. Such performance bond or surety company bond shall be approved as to form, amount and execution by the Borough Attorney, the details of which shall be provided for in the Developer's Agreement between the developer and the Borough.

(1) In the event that a developer shall seek a temporary certificate of occupancy for a development, unit, lot, building or phase of development, as a condition of the issuance thereof the developer shall furnish a separate guarantee referred to herein as "temporary certificate of occupancy guarantee" in compliance with the provisions of N.J.S.A. 40:55D-53(1)(c) et seq.. The municipal official designated to administer this provisions of this section is the Zoning Officer. At no time may a municipality hold more than one guarantee or bond with respect to the same item.

(2) Should a successive developer request a permit update under the State Uniform Construction Code for the purpose of updating the name and address of the owner of property on a construction permit, as a condition of such permit update, the new owner shall provide replacement performance guarantees, safety and stability guarantees and or maintenance guarantees as applicable to the then current stage of development.

C. Safety and stabilization guarantee. The developer shall furnish to the Borough a safety and stabilization guarantee to be available to the Borough for the purpose of returning property that has been disturbed to a safe and stable condition or otherwise implementing measures to protect the public from access to an unsafe or unstable condition in compliance with the provisions of N.J.S.A. 40:55D-53(1)(d) et seq..

(1) At the developer's option the safety and stabilization guarantee may be provided as a separate guarantee or as a line item in the performance guarantee.

(2) The amount of the safety and stabilization guarantee shall be as follows; for bonded improvements in an amount not exceeding $100,000 the guarantee shall be $5,000. The amount of the safety and stabilization guarantee for a development with bonded improvements exceeding $100,000 shall be calculated as a percentage of all the bonded improvements, or applicable phase or stage of development, as follows: $5,000 for the first $100,000 of bonded

improvements plus 2.5% of bonded improvement costs in excess of $100,000 up to $1,000,000 plus 1% of bonded improvements costs in excess of $1,000,000.

(3) The Borough shall release the safety and stabilization guarantee upon the Municipal Engineer's determination that the development of the project site has reached a point that the improvements installed are adequate to avoid any potential threat to public safety.

D. Failure of Developer. Should the developer fail to complete all or any of ~~if~~ the required improvements in accordance with the performance guarantee(s), the obligor and surety shall be liable thereon to the Borough of Middlesex for the reasonable costs of the improvements not installed, and upon receipt of the proceeds of the performance guarantee the Borough of Middlesex shall install such improvements. Such completion or correction of the public improvements shall be subject to the public bidding requirements of the "Local Public Contacts Law" N.J.S.A. 40A:11-1 et seq. Should the developer fail to complete the development after disturbance of the site or halt construction for the periods defined in N.J.S.A. 40:55D-53 the Borough shall also collect the safety and stabilization guarantee and shall use those proceeds to take such actions as are reasonable to protect the safety and security of the public from unsafe or unstable conditions in the site.

E. Notice of completed improvements. When all of the required improvements have been completed, the obligor shall notify the governing body in writing, by certified mail and addressed in care of the Municipal ~~C~~lerk, of the completion of said improvements and shall send a copy there of to the Municipal Engineer. There upon, the Municipal Engineer shall inspect all of the improvements and shall file a detailed report, in writing, within 45 days, with the governing body with a copy to the obligor, indicating either, approval, partial approval or rejection of the improvements, with a statement of reasons for any rejection. If partial approval is indicated, the cost of the improvements rejected shall be set forth.

F. The governing body shall, by resolution, either approve, partially approve or reject the improvements on the basis of the report of the Municipal Engineer within 45 days of receipt of such report, and shall notify obligor in writing, by certified mail, of the action of the approving authority with relation thereto. Where partial improvement is granted, the obligor shall be released from all liability pursuant to its performance guarantee, except for that portion adequately sufficient to secure provision of the improvements not yet approved. Failure of the governing body to adopt a resolution within said 65 days of receipt of the report from the Municipal Engineer shall be deemed to constitute approval of the improvements, and the obligor and surety, if any shall be released from all liability pursuant to such performance guarantee.

G. If any portion of the required improvements are rejected, the Borough, may require the obligor to complete such improvements and, upon completion, the same procedure of notification as set forth in this section shall be followed. The obligor shall continue to provide to the Borough performance guarantees of not less than 30% of the cost of installation of all improvements, as set forth in N.J.S.A 40:55D-53 until all improvements are completed. The amount of the safety and security guarantee, if any, shall also be adjusted as provided or in N.J.S.A. 40:55D-53 to provide continuing assurances of public safety during such period.

H. Nothing herein, however, shall be construed to limit the right of the obligor to

contest by legal proceedings any determination of the governing body or Municipal Engineer.

I. Construction in phases. Upon completion and approval of a section of improvements, but prior to the acceptance of same by Borough, or the release of any performance guarantee or safety and stabilization guarantee with respect to that phase or portion of the development, the developer shall be required to file a maintenance bond sufficient in amount to guarantee that the completed improvements will be maintained by the developer until completion of improvements in the remaining portions or sections of the subdivision and for a stated period thereafter not to exceed two years from the date of completion of all improvements. The Municipal Engineer shall determine the amount of the maintenance bond, and it shall be approved by the Borough Attorney as to form, sufficiency and execution and shall be approved by the mayor.

J. Maintenance guarantee. As a condition precedent to the issuance of a zoning permit, the Borough shall require the furnishing of a maintenance guarantee to be posted with the governing body as provided for herein. Upon final acceptance of the improvements by the governing body consistent with the procedures as outlined in this Section, and before the release of the performance guarantee, the developer shall post a maintenance guarantee with the Borough in the amount of 15% of the costs of the installation of the public improvements which are being released. The developer shall also post a maintenance guarantee in an amount not to exceed 15% of the costs of the installation of the following private site improvements; stormwater management basins, inflow and water quality structures within the basins, and the outflow pipes and structures of the stormwater system, if any. Said maintenance guarantee(s) to run for a period of two years after final acceptance of the improvements if such are dedicated to the public, or the date of approval by the Municipal Engineer if private improvements. In the event that other governmental agencies or public utilities automatically will own the utilities to be installed or the improvements are covered by a maintenance guarantee to another governmental agency, no maintenance guarantee shall be required by the municipality for such utilities or improvements. Cash cannot be required as any part of such maintenance guarantee by the Borough, though the developer, at its option, may so provide all or a portion in cash.

K. Inspection fees. The obligor shall reimburse the Borough for reasonable inspection fees paid to the Municipal Engineer for the foregoing inspections of improvements, provided that the Borough may require of the developer a deposit for the inspection fees in the amount, except for extraordinary circumstances, the greater of $500 or 5% of the cost of bonded improvements subject to a performance guarantee as determined pursuant to this section and N.J.S.A. 40:55D-53(3) (h) et seq. and further, the developer shall deposit escrow fees not exceed 5% of the costs of the private site improvements that are not subject to the performance guarantee, for the cost of their inspection.

(1) if the Borough determines that the amount in escrow for the payment of inspection fees, as calculated pursuant to N.J.S.A. 40:55D-53, is insufficient to cover the costs of additional required inspections, the Borough may require the developer to deposit additional funds in escrow provided the Borough delivers to the developer a written inspection escrow deposit request, signed by the Municipal Engineer which; informs the developer of the need for the additional inspections, details the items undertakings that require inspection, estimates the time required for those inspections and estimates the cost for performing those

inspections.

(2) At the option of the developer the inspection fees may be paid in installments as provided for in N.J.S.A. 40:55D-53.

L. Surety. If a developer posts a bond as guarantee, there must be attached to said bond an authority of the surety company empowering the person or persons who executed said bond for the surety company to do so. If the bonding company is not a licensed New Jersey entity, there should also be attached to the bond proof of its authority to do business in New Jersey and a copy of its financial condition. If the principal on the bond is a partnership, corporation, limited liability company or other business entity, there must be attached to the bond a certified copy of a resolution adopted by its Board of Directors, members or partners, as appropriate, authorizing the execution and delivery of said bond. Said bond must also bear the seal of the surety and the principal if a corporation.

Mayor DiMura opened the Public Hearing on Ordinance No. 1940-18. Seeing that there was no public participation, Mayor DiMura closed the Public Hearing on Ordinance No. 1940-18.

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

ADOPTION OF MINUTES

1. Approval of the April 10, 2018 Regular & Executive Session Meeting Minutes

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

MAYOR'S REPORT

Mayor DiMura requested that a Special Meeting of the Governing Body be scheduled for Tuesday, May 1 at 7 PM to discuss the proposed Payment in Lieu of Taxes for the Pathmark properties and to award the bid for the Phase I Sewer Project. Council approved.

REPORTS - STANDING COMMITTEES

Finance/Taxation/Real Estate/Insurance/Public Utilities

Fire/OEM/Rescue Squad

1. Approval of the Fire Report for March, 2018

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

Recreation/Recreation Fields/Swim Pool/Community Celebrations

Public Works/Buildings & Grounds/Recycling

1. Complimentary Letter

Councilman Parenti read the following letter from Mr. Ed Johnson to the Governing Body with regard to the Department of Public Works:

I am taking the time to write to you to congratulate you and the members of the DPW Department on the great job that they have done during the winter months and this Spring in removing snow and picking up the branches and debris left from the numerous storms that have affected the Borough this year.

The DPW Department has always done a great job in keeping the town clean and usually, the only time people have anything to say about them is to complain. They do a wonderful job, and I am not the only one who appreciates what they do. All of my neighbors share my opinion. When you drive through neighboring communities and see the mess lying along the curbs of homes in those communities, you realize how lucky we are in Middlesex to have such dedicated and hard working employees.

Please extend to them my thanks and the thanks of all my neighbors for everything that they do. Congratulations to you for hiring such dedicated employees.

2. Approval of the March, 2018 DPW Monthly Report

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

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

1. Approval of the March, 2018 Police Report

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

2. Shade Tree Report

Councilman Mikolajczyk reported that we had a shade tree meeting on April 12th. Several issues regarding damaged trees were reviewed and acted upon. April 27th , Arbor Day, which is Latin for "Tree Day," is an

environmental holiday where citizens and groups are encouraged to plant trees and care for the already existing trees. Arbor Day was founded by J. Sterling Morton on April 10th, 1872 in Nebraska City, Nebraska, United States where over an estimated one million trees were planted on that single day. The committee discussed the need for a bit of education as to what the shade tree commission is, what it does, and how it relates to our borough and it's residents. This is especially pertinent as several residents have actually removed or damaged our shade trees not realizing that they are in fact violating town ordinance and can be fined. We are currently reviewing the current ordinances and will be providing a recommendation in the future for potential change.

RESULT: **FILED**

3. April 28, 2018 is Medicine Take Back Day at the Police Department from 10 AM - 2 PM

Councilman Mikolajczyk reminder the borough residents that the Police Department will be holding a Operation Medicine Take Back Day on April 28 from 10 AM - 2 PM at Police Headquarters.

RESULT: **FILED**

Administration/Department of Senior Services/Legislation/Licensing

1. CRS Report

Councilman Kaplan stated that he started this position in April of 2017 immediately (ending December) and started receiving phone calls from residents to assist them with questions regarding their property and BFE'S (Base Flood Elevations). Most residents that live in a flood zone are required to carry flood insurance by their mortgage company. The flood insurance has been increasing due to the countries disasters where FEMA steps in to help. This past year FEMA started to increase the rates 20% or more per year to get to the top tier of the insurance premium.

He attended quarterly meetings with the Middlesex County CRS/MS4 User Group in Sayreville Middlesex County training center & Woodbridge Municipality. In this group setting with other towns who are in the CRS and like our town looking to participate. We learned how to:

1. Leverage efficiencies of scale that result in a cost-effective, shared service by providign us with baseline data, information, and mapping services.
2. Lower cost for NFIP policyholders in flood areas.
3. Promote mitigation preparedness and activities in flood areas.
4. Assist Middlesex and other towns in the preparation fo their floodplain management plans and ordinances.
5. Provide peer support and access to assistance from County, State and Federal Agencies Through the User Group.
6. Increase Collaboration and strengthen relationships between the County and Municipalities.

Currently, Middlesex Borough has 367 Policies with the premiums totaling $784,778.00 as of 5/31/2017. We currently have 4 policies post firm (Post-FIRM: Structures completed or substantially improved after the issuance of the community's first FIRM.) Post-Flood Insurance Rate Map (FIRM) buildings are new construction and those built after the effective date of the first FIRM for a community. Insurance rates for Post-FIRM buildings are dependent on the elevation of the lowest floor in relation to the Base Flood Elevation (BFE).

Of the 367 Policies, 280 policies are in the SFHA (SPECIAL FLOOD HAZARD AREAS) (Areas within the SFHA are designated on the flood insurance rate map as Zone A, AO, A1-A30, AE, A99, AH, AR, AR/A, AFVAE, AR/AH, AR/AO, AR/A1-A30, V1-V30 or V. Land areas that are at high risk for flooding are called special flood hazard areas (SFHAs), or floodplains). With a total $719,326.00 in total premiums. That's an average of $2569.00.

Of the 367 Policies, 34 policies are in the X-STD/AR/A99 (while both Zone AR and Zone A99 designations offer reduced flood insurance premium rates, each zone has distinct flood protection system completion and floodplain management requirements) With a total $42,123.00 in total premiums. That's an average of $1,239.00.

Of the 367 Policies, 53 policies are in the PRP (Prefered Risk Policies). These are not eligible for CRS Premium Discounts. (Zone C, Zone X - Areas determined to be outside 500-year floodplain determined to be outside the 1% and 0.2% annual chance floodplains. Zone B, Zone X500 - Areas of the 500-year flood; areas of the 100-year flood with average depths of less than 1.)

See Community Repetitive Loss Sheet

I met with Mr. Watt (Program Development Specialist of the DEP). James surveyed the town and we sat down and reviewed what needs to get done for Middlesex Borough. We determined there are 39 homes in Middlesex with 4 or more losses in which 26 homes are substantial damage. This deos include the houses that were removed and paid for by the Hazard Mitigation Grant and Green & Blue acres. I appied to receive the claims data for the SD Structures and SRL properties post firm minus rated. Once I receive that I will sit down with Mr. Watt again for what they call housekeeping and get the numbers adjusted. We will then be able to enter into the Rating System.

I also attended a few of the meetings with the Army Corps of Engineers at Borough Hall. They asked if I can attend their meeting, being I was a CRS Coordinator for Middlesex. At the meeting, they asked me to share our desilting & de-snagging program along with the benefits of the Little Falls & Woodland Park Mayors. We also toured our town and showed what we accomplished with little investment.

I spoke with Bob Bucco from Najarian & Associates to ask if it is possible to do BFE'S for the town/flood areas. This benefit the residents who are currently paying $750.00 plus for a BFE in order to freeze their flood insurance with no increases. I asked for him to supply a quote to the town for BFE services. Najarian & Associates would do a bulk BFE which would be more competitive then what our residents are currently paying. These BFE's are very important to our taxpayers who are currently paying very high flood insurance premiums.

Many residents of Middlesex are contacting the NJDEP to get answers. When they contact the Borough they give them my contact information to answer questions or help acquire a BFE. I have received emails and calls from our Construction Official and Zoning Officer with questions regarding properties in town.

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

PRIVILEGE OF THE FLOOR

Betty Platten, 4 Hooker Avenue questioned (1) microphones in the Courtroom, (2) soft billing, (3) the outline on the meeting agenda; and (4) requested an explanation from Councilman Mikolajczykk regarding the emergency bond discussed at the April 10, 2018 Meeting. Mayor DiMura and Councilman Mikolajczyk addressed Ms. Platten's concerns.

Rich Thomassey, 109 Greene Avenue expressed his concern regarding the matching grant that the borough received for the track, bleachers, road and parking lot at Mountain View Park.

Dave Polakiewicz, 240 Hazelwood Avenue questioned (1) the Flood Elevation Certificates that Najarian Associates will complete for borough residents for $400; (2) status of what has been done to help residents reduce their flood insurance; and (3) CRS position, decision to continue in position volunteering and required hours needed for position per week.

Rich Rutkowski, 211 Maple Street discussed (1) the reduction in insurance when elevating house; (2) the bankruptcy notice on the Pathmark Property and if there was any borough involvement; (3) The contract that expires with Direct Development; (4) the request made regarding information on Direct Development; and (5) the status of work to be done on the corner of Route 28.

Amy Flood, 351 Grant Avenue discussed (1) the hiring process for the CRS Coordinator; (2) the quotes obtained for the flood survey's; (3) Commended Cara Parese for her work with the Rescue Squad; (3) Promoting of the Rescue Squad and Council's support; (4) Names of the members on the Economic Development Committee; and (5) Viewing of the CRS Report. Mayor DiMura responded to Ms. Flood's concerns.

Bob Edwards, 243 Hazelwood Avenue expressed his concern that (1) He has been unable to electronically contact members of the governing body; (2) The Supreme Court has ruled that any public money is not allowed for private use with regard to the HUD Grant; and (3) The Borough Sub-leasing part of OLMV to the Surrogate's Office. Mayor DiMura addressed Mr. Edwards' concerns.

Betty Platten, 4 Hooker Avenue mentioned that former Councilman Corley's name has been removed from the borough website and replaced with Councilman Kaplan.

NEW BUSINESS/CONSENT AGENDA/RESOLUTIONS

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

The Borough Clerk read the following resolution:

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

RESOLUTION 109-2018

REFUND OF DUPLICATE PAYMENT IN THE AMOUNT OF $75.00 FOR MERCANTILE LICENSE - KLEAN KUTZ BARBER SHOP *- Item Removed from Consent*

The Disbursing Officer is hereby authorized to refund a duplicate payment for a 2018 Mercantile License due to a duplicate payment by Klean Kutz of 1229 Bound Brook Road, Middlesex, New Jersey in the amount of $75.00.

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

The Borough Clerk read the following resolution:

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

RESOLUTION 110-2018

AUTHORIZING THE TAX COLLECTOR TO REFUND A 2015 HOMESTEAD REBATE FOR BLOCK 84, LOT 15 IN THE AMOUNT OF $252.41

The Tax Collector is hereby authorized to refund the 2015 Homestead Rebate, in the amount of $252.41, that was applied electronically on Block 84 Lot 15, 40 Ramsey Road. The homeowner is a 100% Disabled Veteran and is exempt from property tax. The check is to be made payable to:

Peter Fusco
40 Ramsey Road
Middlesex, NJ 08846

The Borough Clerk read the following resolution:

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

RESOLUTION 111-2018

APPROVING A BLOCK PARTY ON MAY 26, 2018 ON DELAWARE AVENUE BETWEEN MELROSE AVENUE AND GREENE AVENUE

WHEREAS, the residents of 300 Greene Avenue have requested to have a block party on Delaware Avenue between Melrose Avenue and Greene Avenue on May 26, 2018 between the hours of 11a.m. and 10 p.m.; and

WHEREAS, all the designated officials have given approval for this block party.

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

Middlesex, County of Middlesex and State of New Jersey as follows:

1. The Governing Body hereby grants approval to the residents of 300 Greene Avenue to conduct a block party on Delaware Avenue between Melrose Avenue and Greene Avenue on May 26, 2018 between the hours of 11 a.m. and 10 p.m.

2. This resolution shall take effect immediately.

The Borough Clerk read the following resolution:

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

RESOLUTION 112-2018

AUTHORIZING THE TAX COLLECTOR TO REDEEM TAX SALE CERTIFICATE #16-00035 IN THE AMOUNT OF $1271.29 AND A TAX SALE PREMIUM IN THE AMOUNT OF $1100.00 FOR BLOCK 312, LOT 27

The Tax Collector is hereby authorized to issue a check in the amount of $1271.29 to redeem Tax Sale Certificate #16-00035 and a check in the amount of $1100.00 for a Tax Sale Premium, Block 312 Lot 27, 605 Mountain Avenue. Check is made payable to:

TWR as CST for Ebury Fund 1NJ
PO Box 37695
Baltimore, MD 21297-3695

The Borough Clerk read the following resolution:

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

RESOLUTION 113-2018

DECLARING A 1997 & 2011 FORD CROWN VICTORIA AND A 2006 FORD FOCUS SURPLUS *- Item Removed from Consent*

At the recommendation of the Police Chief, the Governing Body hereby approves declaring the following vehicles surplus: (1) 1997 Ford Crown Victoria, VIN No. 2FALP71W5VX210774; (2) 2011 Ford Crown Victoria, VIN No. 2FABP7BV1BX109437, and (3) 2006 Ford Focus, VIN No. 1FAHP36N36W122253.

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

The Borough Clerk read the following resolution:

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

RESOLUTION 114-2018

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING $2,327,500 GENERAL BONDS, OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY INFRASTRUCTURE BANK AND THE STATE OF NEW JERSEY AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN AGREEMENTS IN CONNECTION THEREWITH

WHEREAS, the Borough of Middlesex, in the County of Middlesex (the "Local Unit"), New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate, install or refinance the Project (the "Project"), as defined in each of that certain Loan Agreement (the "Bank Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Infrastructure Bank (the "Bank") and that certain Loan Agreement (the "Fund Loan Agreement" and, together with the Bank Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the New Jersey Infrastructure Bank Financing Program (the "Program");

WHEREAS, the Local Unit has determined to finance or refinance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the Bank (the "Bank Loan") and the State (the "Fund Loan" and, together with the Bank Loan, the "Loans") pursuant to the Bank Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Bank and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's General Bond, Series 2018A, to the State (the "Fund Loan Bond") and General Bond, Series 2018B, to the Bank (the "Bank Loan Bond" and, together with the Fund Loan Bond, the "Local Unit Bonds") pursuant to the terms of the Local Bond Law of the State, constituting Chapter 2 of Title 40A of the Revised Statutes of the State (the "Local Bond Law"), other applicable law and the Loan Agreements;

WHEREAS, the Local Unit Bonds have been authorized pursuant to a bond ordinance of the Local Unit adopted on February 28, 2017, entitled: "Bond ordinance providing for a sanitary sewerage rehabilitation project for the Borough of Middlesex, in the County of Middlesex, New Jersey, appropriating $2,450,000 therefor and authorizing the issuance of $2,327,500 bonds or notes of the Borough for financing part of such appropriation" (the "Bond Ordinance"); and

WHEREAS, the Bank and the State have expressed their desire to close in escrow the making of one or more Loans, the issuance of one or more Local Unit Bonds and the execution and delivery of one or more Loan Agreements, all pursuant to the terms of an Escrow Agreement (the "Escrow Agreement") to be entered into by and among the Bank, the State, the escrow agent named therein and the Local Unit; and

WHEREAS, N.J.S.A. §40A:2-27(a)(2) of the Local Bond Law allows for the sale of the Bank Loan Bond and the Fund Loan Bond to the Bank and the State, respectively, without any public offering, and N.J.S.A. §58:11B-9(a) allows for the sale of the

Bank Loan Bond to the Bank without any public offering, all under the terms and conditions set forth in the following resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS**:

Section 1. Award of the Local Unit Bonds. In accordance with N.J.S.A. §40A:2-27(a) (2) of the Local Bond Law and N.J.S.A. §58:11B-9(a), the Local Unit hereby sells and awards its (a) Bank Loan Bond to the Bank in accordance with the provisions of this resolution and (b) Fund Loan Bond to the State in accordance with the provisions of this resolution.

Section 2. Basic Terms of the Local Unit Bonds; Delegation of Power to Make Certain Determinations. The chief financial officer of the Local Unit or the treasurer of the Local Unit (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the Bank and the State under the Loan Agreements and the terms and conditions of this resolution, the following items with respect to the Bank Loan Bond and the Fund Loan Bond:

(a) The aggregate principal amount of the Bank Loan Bond to be issued and the aggregate principal amount of the Fund Loan Bond to be issued, which amounts in the aggregate shall not exceed $2,327,500;

(b) The maturity or maturities and annual and semi-annual principal installments of the Local Unit Bonds, which maturity or maturities shall not exceed thirty (30) years from the date of the Local Unit Bonds;

(c) The date or dates of the Local Unit Bonds;

(d) The interest rates of the Local Unit Bonds, provided that the effective interest rate of the Bank Loan Bond does not exceed seven per centum (7%) and that the interest rate on the Fund Loan Bond is zero per centum (0%);

(e) The purchase price for the Local Unit Bonds;

(f) The terms and conditions under which the Local Unit Bonds shall be subject to redemption prior to their stated maturities; and

(g) Such other matters with respect to the Local Unit Bonds as may be necessary, desirable or convenient in connection with the sale, issuance and delivery thereof including (1) adjusting the title of the Local Unit Bonds to reflect the issuance thereof in a calendar year other than 2018 and (2) issuing each Local Unit Bond in the form of multiple bonds from time to time if the project is funded in more than one installment by the Program and (3) combining the issuance of the Local Unit Bonds with the issuance of other bonds of the Local Unit authorized or to be authorized to be issued for other purposes.

Section 3. Determinations Conclusive. Any determination made by the Chief Financial Officer pursuant to the terms of this resolution shall be conclusively evidenced by

the execution and attestation of the Local Unit Bonds by the parties authorized under Section 4(c) of this resolution.

Section 4. Further Terms of the Local Units Bonds. The Local Unit hereby determines that certain terms of the Local Unit Bonds shall be as follows:

(a) The Fund Loan Bond shall be issued in a single denomination and shall be numbered RA-1, or as may otherwise be determined by the Chief Financial Officer. The Bank Loan Bond shall be issued in a single denomination and shall be numbered RB-1, or as may otherwise be determined by the Chief Financial Officer;

(b) The Local Unit Bonds shall be issued in fully registered form (convertible to bearer as therein provided) and shall (unless converted to bearer) be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America;

(c) The Local Unit Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, imprinted, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk or Deputy Local Unit Clerk (the "Local Unit Clerk"); and

(d) In order to distinguish the Local Unit Bonds from other bonds of the Local Unit, the Local Unit Bonds shall have such letters and/or numbers incorporated in their titles as shall be determined by the Chief Financial Officer.

Section 5. Forms of the Local Unit Bonds. The Bank Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the Bank Loan Agreement and the Fund Loan Agreement, respectively.

Section 6. Authorized Parties. The law firm of Hawkins Delafield & Wood LLP, bond counsel to the Local Unit, is hereby authorized to arrange for the printing of the Local Unit Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the Bank and the State for the Program, to arrange for same. The Local Unit auditor and financial advisor, if any, are hereby authorized to prepare the financial information necessary in connection with the issuance of the Local Unit Bonds. The Mayor, the Chief Financial Officer, the Local Unit Adminstrator and the Local Unit Clerk (each, an "Authorized Official") are hereby severally authorized to execute any certificates necessary or desirable in connection with the financial and other information.

Section 7. Report to the Local Unit. The Chief Financial Officer is hereby directed to report in writing to this Council at the next meeting of this Council next following the closing with respect to the Local Unit Bonds as to the terms of the Local Unit Bonds authorized to be determined by the Chief Financial Officer pursuant to and in accordance with the provisions of this resolution.

Section 8. Delivery of the Local Unit Bonds. Each Authorized Official is hereby authorized to execute any certificate or document necessary or desirable in connection with the sale of the Local Unit Bonds and is hereby further authorized to deliver same to the Bank and the State upon delivery of the Local Unit Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

Section 9. Execution of Agreements. The Bank Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Local Unit by an Authorized Official (other than the Local Unit Clerk) in substantially the forms required and traditionally used by the Bank and the State (which forms are available from the Bank and the State), with such changes as such Authorized Official, in his or her sole discretion, after consultation with counsel and any advisors to the Local Unit (the "Local Unit Consultants") and after further consultation with the Bank, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants" and, together with the Local Unit Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of each such Financing Document by an Authorized Official (other than the Local Unit Clerk). The Local Unit Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Official and to affix the corporate seal of the Local Unit to such Financing Documents.

Section 10. Authorized Actions. The Authorized Officials are hereby further severally authorized to (i) execute and deliver and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officials or the Local Unit Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the Local Unit Bonds and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such document, instrument or closing certificate by the party authorized under this resolution to execute such document, instrument or closing certificate and (ii) perform such other actions as the Authorized Officials deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 11. Multiple Document Sets. Notwithstanding any other provision of this resolution to the contrary, if in connection with the participation of the Local Unit in the Program, the State and the Bank require that the Local Unit execute more than one set of documents, the provisions of this resolution shall be deemed to apply to the Local Unit Bonds and the Financing Documents related to each set of documents; provided, however, that in no event may the aggregate principal amount of all Local Unit Bonds issued and delivered pursuant to the provisions of this resolution be in excess of the amount referred to in Section 2(a) hereof.

Section 12. Interim Financing. In anticipation of the issuance of the Local Unit Bonds, the Local Unit hereby authorizes, if necessary or desirable, the issuance, sale and award of a bond anticipation note or notes, bond or bonds, or other obligation or obligations (the "Note") pursuant to the Bank's Construction Loan Program. The Note shall be substantially in the form provided by the Bank. The execution and delivery of the Note shall be in the same manner as herein prescribed with respect to the Local Unit Bonds. An Authorized Official is hereby authorized to determine, pursuant to the terms and conditions established by the Bank under its Construction Loan Program and the terms and conditions of this resolution, the following items with respect to the Note: (a) the aggregate principal amount of the Note to be issued, which amount shall not exceed $2,327,500; (b) notwithstanding any provisions of the Bond Ordinance or of N.J.S.A. 40A:2-8 to the contrary and as authorized by the provisions of N.J.S.A. 58:11B-9(e), the maturity of the Note, which shall be no later than three (3) years after the date of issuance thereof or such longer period

of time as may be permitted under the rules of the Bank's Construction Loan Program; (c) the date of the Note; (d) the interest rate or rates of the Note (including different interest rates applicable to different drawdowns on the Note), which shall not exceed three percent (3%) per annum; (e) the purchase price for the Note; and (f) such other matters with respect to the Note as may be necessary, desirable or convenient in connection with the sale, issuance and delivery thereof, including, without limitation (i) combining the issuance of the Note with the issuance of other notes of the Local Unit authorized or to be authorized to be issued for other purposes and (ii) issuing the Note in the form of multiple notes from time to time if the project is funded in more than one installment by the Bank. The Authorized Officials are hereby further severally authorized to manually execute and deliver and the Local Unit Clerk is hereby further authorized to attest by manual signature to such execution and to affix, imprint, engrave or reproduce the corporate seal of the Local Unit to any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officials or the Local Unit Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Note and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such document, instrument or closing certificate by the party authorized under this resolution to execute such document, instrument or closing certificate.

Section 13. Capitalized Terms. All capitalized words and terms used but not defined in this resolution shall have the meanings ascribed to such words and terms, respectively, in the preambles to this resolution.

Section 14. Prior Action. All action taken to date by the officers, employees and agents of the Local Unit with respect to the Local Unit Bonds hereby are approved, ratified, adopted and confirmed.

Section 15. Effective Date. This resolution shall take effect immediately.

The Borough Clerk read the following resolution:

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

RESOLUTION 115-2018

APPROVAL OF THE MEMORANDUM OF AGREEMENT WITH LOCAL 255, UNITED SERVICES WORKERS (DPW) EFFECTIVE JANUARY 1, 2018 - DECEMBER 31, 2020

Authorizing the Mayor and Borough Clerk to execute the Memorandum of Agreement with the Local 255, United Service Workers, IUJAT (Public Works Employees Contract) effective January 1, 2018 - December 31, 2020.

The Borough Clerk read the following resolution:

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

RESOLUTION 116-2018

APPROVAL OF THE PBA LOCAL 181 CONTRACT EFFECTIVE JANUARY 1, 2018 - DECEMBER 31, 2020

The Mayor and Borough Clerk are hereby authorized to execute the Contract between the Middlesex Borough PBA Local 181 and the Borough of Middlesex effective January 1, 2018 - December 31, 2020.

The Borough Clerk read the following resolution:

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

RESOLUTION 117-2018

APPROVAL OF THE MEMORANDUM OF AGREEMENT WITH LOCAL 255, UNITED SERVICES WORKERS (WHITE COLLAR) EFFECTIVE JANUARY 1, 2018 - DECEMBER 31, 2020

Authorizing the Mayor and Borough Clerk to execute the Memorandum of Agreement with the Local 255, United Service Workers, IUJAT (White Collar Employees Contract) effective January 1, 2018 - December 31, 2020.

The Borough Clerk read the following resolution:

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

RESOLUTION 118-2018

AUTHORIZING THE TAX COLLECTOR TO REDEEM TAX SALE CERTIFICATE #15-01847 IN THE AMOUNT OF $57,652.78 AND A TAX SALE PREMIUM IN THE AMOUNT OF $39,000.00 FOR BLOCK 242, LOT 9 *- Withdrawn*

The Tax Collector is hereby authorized to issue a check in the amount of $ 57,652.78 to redeem Tax Sale Certificate #15-01847 and a check in the amount of $39,000 for a Tax Sale Premium, Block 242 Lot 9, 110 S. Lincoln Avenue. Check is made payable to:

MTAG as Cust for Alterna
PO Box 54967
New Orleans, LA 70154

The Borough Clerk read the following resolution:

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

RESOLUTION 119-2018

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. Director of Senior & Disabled Services
2. Personnel Matter - Assistant Supervisor Position - DPW

AGENDA WORKSHOP ITEM

1. Amusement Licenses

Council will get information regarding the amusement license fees and discuss these annual licenses at the May 8, 2018 Regular Meeting.

PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS

EXECUTIVE SESSION

1. Director of Senior & Disabled Services

2. Personnel Matter - Assistant Supervisor Position - DPW

ADJOURNMENT

The next Regular Meeting will be May 8, 2018

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk