Borough of Middlesex

Mayor and Council Regular Meeting

~ Minutes ~

1200 Mountain Ave
Middlesex, NJ

Linda Chismar
732 356-7400 x238
www.middlesexboro-nj.gov

Tuesday, January 28, 2020 **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

1. Mayor Madden made a motion to approve Ms. Amy Flood to fill the vacancy on Council seconded by Councilman Mikolajczyk and carried by a unanimous vote of Council.

SWEARING IN OF MS. AMY FLOOD

COMMENTS BY COUNCILWOMAN FLOOD

Thank you to Mayor Madden, Council members, and everyone here tonight who has been a part of giving me the opportunity to accept this seat on Council.

I say this often, but it bears repeating here tonight because it is true. I love living in Middlesex. I am proud to be a resident of this borough. I'm always happy to share with others my reasons why.

Middlesex is a special place. We ARE a STRONG community of residents who take care of our neighbors, and our friends. My husband and I moved here in November, 2005. We very quickly fell in love with this community, and have since had the privilege of raising our CHILDREN here. Now as I accept this position, I look forward to being a part of what Middlesex will become in the future. There are some people I'd like to mention and say thank you to. I believe most of you are here tonight: Bob Edwards, Rich Rutkowski, Rich Thomasey and Dave Polakiewicz. I'd also like to thank John Erickson, Mike Hompesch, Nancy Holmes, Matt Hoeltzel and Jason Carr for seeing the potential in me for this position. Some of my very dear friends AND residents of Middlesex who came to support me: Lileen, Nadeen and Tracy. Lastly, the most important people in my life - My Family, my children Kyle, Isabella and Joseph who never complain when I tell them I have a meeting to get to, and who somehow have the maturity to understand the importance of my time away from them.

I am usually the one cheering on everyone else in my family. Tonight they came along happily to cheer ME on. Thank you.

Thank you to my husband, Kyle for building me up with endless support, and for ALWAYS reminding me what I am capable of.

I am happy and excited to be a part of a new administration, elected on a platform of transparency and look forward to serving the community of Middlesex.

ROLL CALL

Mayor John Madden

Council President Jack Mikolajczyk
Councilman Jeremiah Carnes
Councilman Jason Carr
Councilman James Eodice
Councilwoman Amy Flood
Councilman Douglas Rex

Also Present:
Marcia Karrow Administrator
Christopher Corsini Borough Attorney

Others Absent:

2. Mayor Madden made a motion to add discussion on OLMV Litigation to the Executive Session Meeting.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jack Mikolajczyk, Council President
SECONDER:	Jason Carr, Councilman
AYES:	Mikolajczyk, Carnes, Carr, Eodice, Flood, Rex

PRESENTATIONS

APPOINTMENTS

PROCLAMATIONS

ORDINANCE(S) FOR INTRODUCTION

The Borough Clerk read ordinance 1990-20 by title:

ORDINANCE 1990-20

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, CHAPTER 248, LAND DEVELOPMENT, SECTION 248-10, FILING FEES

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

SECTION 1. Section 248-10 is hereby repealed in its entirety and replaced as follows:

An application to the Land Use Board for any application for development as defined herein shall be accompanied by a filing fee which shall be used to defray the administrative cost of processing the application as follows:

Type of Application	**Application Fee**	**Escrow Fee**
Minor Subdivision - Lot Line Adjustment	$250	$2,000
Minor Subdivision	$350	$3,000
Preliminary Major Subdivision	$350 + $50 per lot + $100 per lot	$4,000
Final Major Subdivision	$400	50% of preliminary subdivisio n
Variance with Subdivision	$400	$4,000 plus $500 per variance
Minor Site Plan	$500	$6,000
Major Site Plan	$500 + $100 per lot	$10,000 + $200 per lot
Variance with Site Plan	$500 + $100 per lot + $100 per variance	$10,000 +$200 per lot +$500 per variance
Redevelopment Application	$1,000 + $100 per lot + $100 per deviation	$10,000 + $200 per lot +$500 per deviation
Interpretation Application (40:55D-68 & 40:55D-70a, b)	$400	$1,500
Residential Variance Application	$400	$1,000
Special Meetings/Appeals	$1,000	$5,000
Variance Application - Residential Accessory Building		$250 $500
Site Plan Review & Requirements for New Jersey DEP Permits or County Environmental Protection Permits	$500	$6,000 + $100 per lot

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. The Clerk shall cause a copy of the final form of ordinance as adopted by the Council to be filed with the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

SECTION 6. This Ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final form of adopted ordinance by the Clerk with the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

RESULT:	**FIRST READING [UNANIMOUS]**	**Next: 2/11/2020 7:00 PM**
MOVER:	Douglas Rex, Councilman	
SECONDER:	Jason Carr, Councilman	
AYES:	Mikolajczyk, Carnes, Carr, Eodice, Flood, Rex	

ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION

The Borough Clerk read ordinance 1985-20 by title:

ORDINANCE 1985-20

AN ORDINANCE REPEALING CHAPTER 36 (ETHICS, CODE OF) OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX AND TRANSFERING THE INVESTIGATORY AND ENFORCEMENT POWERS CONTAINED THEREIN TO THE LOCAL FINANCE BOARD OF THE DIVISION OF LOCAL GOVERNMENT SERVICES IN NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS PURSUANT TO N.J.S.A 40A:9-22.7

WHEREAS, the Mayor and Council of the Borough of Middlesex recognize that the offices with which they are entrusted are public trusts and are therefore committed to ensuring the highest standard of ethical conduct for all government officers and employees in the service of the residents of Middlesex Borough; and

WHEREAS, the Municipal Code of the Borough of Middlesex currently provides for an Ethical Standards Board pursuant to Section 36-7 et seq.; and

WHEREAS, pursuant to the Local Government Ethics Law, N.J.S.A. 40A:9-22.7, the Local Finance Board of the Division of Local Government Services in the New Jersey Department of Community Affairs have plenary power to conduct inquiries and adjudicate complaints concerning the ethical standards of local government officials; and

WHEREAS, in order to ensure the efficient and impartial determination of inquiries into the ethical conduct of any local government officer or employee of the Borough of Middlesex as defined under N.J.S.A. 40A:9-22.3, the Mayor and Borough Council of the Borough of Middlesex seeks to repeal Chapter 36 it its entirety to the Local Finance Board; and

WHEREAS, N.J.S.A. 40A:9-22.1 et seq. currently serves as the Code of Ethics for all local

government officers and employees in the State of New Jersey and Chapter 36 is duplicative thereof; and

WHEREAS, the transfer of enforcement responsibilities to the Local Finance Board will ensure that the investigation and adjudication of all inquiries into the ethical conduct of local government officers or employees in the Borough of Middlesex will be conducted free from political interference and resolved in an honest and straightforward manner;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Middlesex, in the County of Middlesex, State of New Jersey, that Chapter 36 of the Municipal Code of the Borough of Middlesex be repealed in its entirety.

SECTION I.

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

SECTION II.

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

SECTION III.

This ordinance shall take effect upon adoption and publication in the manner required by New Jersey general law.

Mayor Madden opened the Public Hearing on Ordinance No. 1985-20. Seeing that there were no public comments, Mayor Madden closed the Public Hearing on Ordinance No. 1985-20. This ordinance was adopted as amended with a minor typographic error.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jack Mikolajczyk, Council President
SECONDER:	Jeremiah Carnes, Councilman
AYES:	Mikolajczyk, Carnes, Carr, Eodice, Flood, Rex

The Borough Clerk read ordinance 1986-20 by title:

ORDINANCE 1986-20

AN ORDINANCE AMENDING CHAPTER 10 IN THE BOROUGH CODE OF THE BOROUGH OF MIDDLESEX ENTITLED "CULTURAL ARTS COMMITTEE" TO INCLUDE ASPECTS OF HISTORICAL PRESERVATION AND EDUCATION

WHEREAS, by prior ordinance of the Borough Council of the Borough of Middlesex, a Cultural Arts Committee was created and established in Chapter 10 of the Municipal Code of the Borough of Middlesex; and

WHEREAS, the Borough Council of the Borough of Middlesex now seeks to amend the purpose and scope of the Cultural Arts Committee to include aspects of historical preservation and education and to change the name of said committee to the Middlesex Borough Culture and Heritage Committee; and

BE IT ORDAINED, by the Borough Council of the Borough of Middlesex in the County of Middlesex and State of New Jersey that Chapter 10 of the Municipal Code thereof is hereby amended as follows:

Section I

The title of Chapter 10 is hereby amended to "Cultural and Heritage Committee" and said title shall be henceforth reflected in the Municipal Code of the Borough of Middlesex.

Section II

Chapter 10-1 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

There is hereby established a ~~Cultural Arts~~ **Culture and Heritage** Committee ~~for~~ **which shall promote cultural engagement, historical education and preservation**, ~~pursue~~ the advancement of the creative arts in the Borough of Middlesex. The term "Committee," when used by itself in this Chapter, shall refer to the Borough of Middlesex ~~Cultural Arts~~ **Culture and Heritage** Committee.

Section III

Chapter 10-4 is hereby created and entitled "Organization" and shall appear in its entirety as follows:

A. The duties of the Committee shall consist of engaging and encouraging cultural, **historic** and artistic ~~exhibitions~~ **engagement**, events and all related activities. These duties may include, but shall not be limited to, the advancement of the following:

   (1) Visual arts, including, but not limited to, sculpture, painting, drawing, architectural design, photography, motion pictures, and television.
   (2) Literary arts, including, but not limited to, the writing of prose, poetry, drama and choreography.
   (3) Performing arts, including, but not limited to, music, dance, poetry-reading, and theater.
   (4) The collection and display of art objects.
   (5) The preservation or commemoration of the culture and history of the Borough of Middlesex.
   (6) Other activities which the Committee defines as advancing the creativity or culture in the Borough of Middlesex.

B. The Committee shall advise the Mayor and the Borough Council on ways and means for the encouragement of creative talent within the Borough of Middlesex, **for the preservation of the history and heritage of the Borough,** and for the recognition of persons who have made outstanding contributions to the development, expansion,

or preservation of culture and history in Middlesex, whether such person is or is not an artist.

C. The Committee is encouraged to establish cooperative efforts to seek voluntary assistance from other sources of expertise consistent with its purpose.

D. The Committee shall be authorized and encouraged to apply for and to accept grants and contributions under the auspices of and through the Borough of Middlesex from public and private sources to finance its initiatives. The Committee shall make no expenditure or commitment of Borough funds without the specific authorization of the Council, except that the Mayor, to the extent of staff availability, may authorize administrative staff support for grant applications and publicity.

Section IV

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

Section V

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

Section VI

This ordinance shall take effect upon adoption and publication in the manner required by New Jersey general law.

Mayor Madden opened the Public Hearing on Ordinance No. 1986-20. Seeing that there were no public comments, Mayor Madden closed the Public Hearing on Ordinance No. 1986-20.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jack Mikolajczyk, Council President
SECONDER:	Jason Carr, Councilman
AYES:	Mikolajczyk, Carnes, Carr, Eodice, Flood, Rex

The Borough Clerk read ordinance 1987-20 by title:

ORDINANCE 1987-20

AN ORDINANCE FIXING AND DETERMINING THE SALARY RANGE OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF MIDDLESEX

TITLE	**SALARY**	**RANGE**
Full Time Employees		
Chief of Police	160,000	195,000

Borough Administrator	100,000	150,000
Borough Clerk	65,000	100,000
Deputy Borough Clerk	45,000	75,000
Tax Collector	50,000	75,000
DPW Superintendent	90,000	120,000
Director - Office on Aging	50,000	75,000
Treasurer/CFO	60,000	90,000
Recreation Director	55,000	75,000
Court Administrator	55,000	70,000
Administrative Clerk/Purchasing Agent	45,000	65,000
Human Resources/Payroll Clerk	45,000	60,000

Part Time Employees

Assistant Recreation Director	11,000	14,000
Recreation Commission Secretary	1,100	1,500
Tax Assessor	20,000	40,000
Code Enforcer/Zoning Official	30,000	65,000
Construction Official	10,000	15,000
Electrical Sub-Code Official	11,500	17,000
Building Sub-Code Official	20,000	25,000
Resale Certificate Inspector	2,500	7,500
Plumbing Sub-Code Official	10,000	25,000
Fire Sub-Code Official	10,000	15,000
Planning/Zoning Clerk (per meeting)	200	400
Shade Tree Secretary	2,350	3,000
Juvenile Conference Committee Secretary	1,500	2,500
Municipal Magistrate	35,000	50,000

Hourly Employees	**Per Hour**	**Per Hour**
Administrative Clerk	13.00	20.00
Construction/Code Inspectors	13.00	16.00
DPW Laborer	13.00	20.00
Meals on Wheels Driver	13.00	20.00
Medical Transportation Driver	13.00	20.00
Senior Transportation Driver	13.00	20.00
Pre-School Program Coordinator	14.00	20.00
Pre-School Program Instructor	13.00	18.00
Playground Coordinator (Seasonal)	12.00	20.00
Playground Site Supervisor (Seasonal)	11.00	16.00
Playground Counselor (Seasonal)	10.30	14.00
Police Matrons	15.00	20.00
Crossing Guards	14.00	20.00

Custodian	15.00	20.00

SECTION 2

Rates of Compensation established above shall serve as a guide in employment and subsequent changes in rate of employees hired after passage of this ordinance.

SECTION 3

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are and the same are hereby repealed.

SECTION 4

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

Mayor Madden opened the Public Hearing on Ordinance No. 1987-20.

Rich Thomasey, 109 Greene Avenue questioned how the salary range was determined. Borough Administrator Karrow explained how the range was done.

Seeing that there were no further public comments, Mayor Madden closed the Public Hearing on Ordinance No. 1987-20.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jeremiah Carnes, Councilman
SECONDER:	Douglas Rex, Councilman
AYES:	Mikolajczyk, Carnes, Carr, Eodice, Flood, Rex

The Borough Clerk read ordinance 1988-20 by title:

ORDINANCE 1988-20

AN ORDINANCE AMENDING CHAPTER 6 (BYLAWS OF COUNCIL) OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX

WHEREAS, the Mayor and Council of the Borough of Middlesex desires to amend the by-laws of the Borough Council to streamline council procedures and to more accurately reflect the Borough form of government; and

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Middlesex, in the County of Middlesex, State of New Jersey, that Chapter 6 of the Municipal Code of the Borough of Middlesex shall be amended to reflect the provisions attached hereto as Exhibit A.

SECTION I.

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

SECTION II.

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

SECTION III.

This ordinance shall take effect upon adoption and publication in the manner required by New Jersey general law.

EXHIBIT A

Article I **Government**

§ 6-1 **Rules of order.**

The deliberation of the Council shall be governed by Robert's Rules of Order.

Article II **Mayor**

§ 6-2 **Conduct of meetings; participation.**

The Mayor shall preside over the deliberations of the Council and shall conduct the meetings thereof. He or she shall also participate in the determination of Borough affairs to the extent permitted by statute.

§ 6-3 **Preservation of order.**

The Mayor shall on all occasions preserve the strictest order and decorum, and he or she shall cause the removal of all persons who disrupt the orderly proceedings of the Council.

§ 6-4 **Designating speaker.**

When two or more Councilmen shall speak at the same time the Mayor shall name the one entitled to the floor.

§ 6-5 **Question of order.**

The Mayor shall decide all questions of order without debate subject to an appeal to the Council, and he or she may call upon the Council for the opinion of the Council upon any question of order.

§ 6-8 **Absence of Mayor.**

In the absence of the Mayor, or if he or she is unable to perform his duties, the Council

President (or, in his or her inability to act, the Council members having the longest term as such) shall act as Mayor, as provided by statute.

Article III **Borough Clerk**

§ 6-9 **Duties, generally.**

The Clerk shall perform the duties enjoined upon him or her by the Revised Statutes of New Jersey and these bylaws.

§ 6-10 **Keeping minutes, ordinance books; other duties.**

The Clerk shall keep the minutes and ordinance books properly and fully indexed and shall perform all the duties usually devolving upon such officer and, in addition, such other duties or services as the Mayor and Council may direct.

§ 6-11 **Numbering and recording ordinances.**

Upon the introduction of an ordinance, the same shall be properly numbered and recorded at length by the Borough Clerk in the Ordinance Book. The assigned number should appear in the advertisement of such ordinance.

§ 6-12 **Preparation of addendum sheet for bylaws.**

The Clerk shall prepare an addendum sheet for insertion in all copies of Council bylaws currently listing all appointments in effect, including also the designated councilmanic representatives who are to serve as liaison between the Council and all boards and organizations.

Article IV **Meetings**

§ 6-13 **Annual meeting.**

The Mayor and Council shall hold an annual reorganization meeting on any day during the first week in January, which may be selected by the governing body, pursuant to the provisions in N.J.S.A. 40:45A-1. At this meeting, the Council will elect one of its members as Council President for the calendar year.

§ 6-14 **Regular meetings.**

The regular meetings shall be held at the Borough Hall or other location designated by the Mayor on the second and fourth Tuesdays of each month at 7:00 p.m. Regular meetings shall not be changed except by a resolution introduced at a regular meeting and acted upon at a subsequent regular meeting.

§ 6-15 **Agenda meetings.**

The agenda meetings may be held at the Borough Hall or other location designated by the

Mayor on the second and fourth Tuesdays of each month and will be included at the end of the regular meeting.

§ 6-16 **Special meetings.**

The Mayor shall, when necessary, call special meetings of the Council. In case of his absence, neglect or refusal, any four members of the Council may call such meeting. The meeting shall be held at Borough Hall or another designated location at such time designated by the Mayor or the four members of Council. In all cases of special meetings, reasonable advance notice, considered to be 48 hours except in the case of emergency, shall be given, by registered letter only by the person calling the meeting, to all members of the Council and Clerk.

§ 6-17 **Emergency meetings.**

These meetings can be called when an urgent and important matter arises and a delay of the meeting for the purpose of providing adequate notice would likely result in substantial harm to the public interest. The following procedural requirements must be complied with:

A. An affirmative vote of 3/4 of the members present to conduct the meeting.

B. The providing of notice of the meeting as soon as possible following the calling of such a meeting.

C. The inclusion in the minutes of a detailed statement explaining:

(1) The nature of the urgency and its importance;

(2) The nature of the substantial harm to the public interest likely to result from a delay in holding the meeting;

(3) That the meeting will be limited to those urgent and important matters;

(4) The time, place and manner in which notice of the meeting was provided; and

(5) That the need for such a meeting could not have been reasonably foreseen at a time when adequate notice could have been provided or, if such need could have been foreseen, the reason(s) why adequate notice was not provided.

§ 6-18 **Quorum.**

A quorum shall be as provided by the Revised Statutes of New Jersey, namely: three Councilpersons and the Mayor, and, in the absence of the Mayor, four Councilpersons.

§ 6-19 **Lack of quorum.**

If no quorum is present at any meeting, those assembled shall have the power and are hereby authorized to set a new meeting date, and then adjourn.

§ 6-20 Agendas

The Mayor, in consultation with the Council President, Borough Administrator, and Borough

Clerk, shall set the agenda for any meeting of the Borough Council. Any member of the Council may place an item on the agenda for either action or discussion by notifying the Borough Clerk at least two (2) business days prior to meeting in question. A member of the Council who intends to propose a new ordinance, amendment to an existing ordinance, or a resolution for adoption by the Borough Council, shall cause copies of the proposal to be circulated for review to the other Council members and the Mayor as far in advance of the date when the proposals shall be made as may reasonably appropriate and practical. This Section shall not be considered as discouraging either a proposal resulting from an emergency, or any other proposal during the course of a Council meeting as the result of matters arising therein.

§ 6-21 **Regular meeting order of business.**

The following is the recommended order of business. However, the format may be changed by the Mayor, Council President in the absence of the Mayor, or senior member of the Council in the absence of the Mayor and Council President, if there are no relevant agenda items to a certain order, to accommodate the audience, or expedite certain matters before the Council:

A. Open Public Meetings Statement
B. Flag Salute
C. Presentations
D. Public Hearing
E. Appointments
F. Proclamations
G. Ordinances for Introduction
H. Ordinances for Public Hearing and Final Adoption
I. Adoption of minutes
J. Mayor's Report
K. Council Reports
L. Administrator's Report
M. Public Comment
N. New Business/Consent Agenda/Resolutions
O. Non-Consent Agenda/Resolutions/Payment of Claims
P. Agenda Workshop Items
Q. Public Comment on Agenda Workshop Items
R. Executive Session
S. Adjournment

§ 6-22 **Action to be by majority vote; exception.**

Except as otherwise required by the statute or specifically provided in these bylaws, all actions of the Council shall be by a majority vote of those present.

§ 6-23 **Roll call votes.**

Upon demand of one member of the Council, or when ordered by the Mayor or when directed by the statute, a roll call vote shall be taken and the yeas and nays entered in the minutes of the meeting.

Article V **Council Representatives**

§ 6-24 **Council Representative.**

The Council may appoint, by resolution thereof, appoint council representatives who shall serve as liaison between the Council and all boards, commissions, committees, or organizations as deemed necessary thereby. The Council may appoint representatives to the following boards, commissions, committees, or organizations, and may also, by resolution, appoint representatives to other entities at its discretion.

A. Board of Health
B. County SWAC/County Transportation
C. Housing & Community Development
D. OEM/Rescue/Fire
E. Joint Land Use Board
F. Recreation Committee/Department
G. Shade Tree Commission
H. Swim Pool Commission
I. Police/Municipal Court
J. Zoning/Code Enforcement/Construction
K. Department of Public Works
L. Finance/Administration
M. Disabled & Senior Services

§ 6-25 **Reports to Mayor and Council.**

The council representative may report to the Mayor and Council at each regular meeting on the principal activities and achievements of the board, commission, committee, or organizations that they represent.

Article VI **Bills, Claims and Vouchers**

§ 6-26 **Form.**

All bills or claims against the Borough shall be in writing, fully itemized, and on such forms

as the Borough shall provide for that purpose. As required by statute, they shall be sworn to by the claimant before submission for approval and payment.

§ 6-27 **Review of vouchers.**

The Borough Clerk will make available all checked vouchers, with supporting papers attached, to the Mayor and Council by the Friday preceding the regular Council meeting, for review thereby.

§ 6-28 **Action by Council.**

A. All vouchers shall be presented to the Council by the Borough Clerk at a regular meeting or an adjacent regular meeting.

B. Authorization to draw the checks and pay the amounts of the approved vouchers shall be by motion of the Council.

§ 6-29 **Checks.**

The corresponding vouchers shall accompany all checks drawn in payment thereof when said checks are presented to the Mayor, the Collector-Treasurer and to the Borough Clerk for signature.

§ 6-30 **Filing.**

All bills, vouchers and paid checks shall be filed in a safe place and be made available for public inspection whenever requested.

Article VII **Amendments**

§ 6-31 **Procedure.**

A. The Mayor or any member of the Council may propose amendments to these bylaws at any regular meeting or adjourned regular meeting by resolution.
B. The Council will then appoint, by majority vote, a special committee of three of its members to consider the proposed amendments, and in addition may submit other suggested changes.

§ 6-32 **Recommendations.**

The special committee will present its recommendations at a regular meeting or adjourned regular meeting of the Council.

§ 6-33 **Vote required.**

These bylaws shall only be altered or amended by a 3/4 vote on a roll call, taken at two

successive regular meetings of the Council.

Mayor Madden opened the Public Hearing on Ordinance No. 1988-20. Seeing that there were no public comments, Mayor Madden closed the Public Hearing on Ordinance No. 1988-20. This ordinance was adopted as amended with a minor typographic error.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jason Carr, Councilman
SECONDER:	Jack Mikolajczyk, Council President
AYES:	Mikolajczyk, Carnes, Carr, Eodice, Flood, Rex

The Borough Clerk read ordinance 1989-20 by title:

ORDINANCE 1989-20

ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING THE REDEVELOPMENT PLAN FOR THE LINCOLN BOULEVARD REHABILITATION AREA

WHEREAS, the Borough of Middlesex, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., adopted Ordinance No. 1723-07 entitled an "Ordinance of the Borough of Middlesex, in the County of Middlesex, Adopting the Redevelopment Plan for the Lincoln Boulevard Rehabilitation Area" on September 18, 2007, hereinafter the "Redevelopment Plan;" and

WHEREAS, in consultation with the Borough's Professional Planner, Paul Ricci, the Borough Council has determined that it is in the Borough's best interest to amend the Redevelopment Plan to increase certain technical aspects thereof; and

WHEREAS, the Borough Council has previously amended the Redevelopment Plan on August 9, 2011 (Ord. No. 1798-11), December 27, 2016 (1903-16) and December 12, 2017 (1929-17), and February 26, 2019 (Ord. No. 1955-19);

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

1. Pursuant to the statutory authority conferred to Middlesex Borough under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq, the Mayor and Council have adopted a Redevelopment Plan for the Lincoln Boulevard Rehabilitation Area in the manner described above and incorporated by reference herein.

2. In consultation with the Borough's Planner, and in furtherance of the redevelopment of the Lincoln Boulevard Rehabilitation Project, the Mayor and Council of the Borough of Middlesex have caused amendments pursuant to N.J.S.A. 40A:12A-7(e) to the Redevelopment Plan, attached and incorporated herein, which shall be referred to the Joint Land Use Board, acting in its statutory capacity as the Borough's Planning Board, for its consideration and also maintained on file with the Borough Clerk.

3. The amendments to the Redevelopment Plan shall consist of the following:

    a. The maximum permissible building footprint shall be increased from 330,000 square feet to 385,000 square feet (referenced in Section 4.5 of Appendix 5.0 of the Redevelopment Plan).
    b. The maximum lot coverage permitted for a principle building shall be increased from 40% to 45% (referenced in Section 3.6 of Appendix 5.0 of the Redevelopment Plan).
    c. "Warehouses and Distribution Facilities" shall be stricken and removed from Section 8.4 (Prohibited Uses) of the Redevelopment Plan.
    d. "Warehouses and Distribution Facilities" shall be added to Section 8.4 (Permitted Uses) of the Redevelopment plan.

4. The Borough Council acknowledges receipt of the resolution of the Planning Board approved on November 13, 2019 concerning the Lincoln Boulevard Redevelopment Area and hereby requests the Joint Land Use Board of the Borough of Middlesex, acting in its statutory capacity as a Planning Board, to review the five (5) recommendations contained in Section (c)(1) thereof for concurrence therewith.

5. Prior to the adoption of the amendments to the Redevelopment Plan, the Joint Land Use Board shall, within forty-five (45) days of referral, transmit to the Mayor and Council a report containing its recommendation regarding the Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7(e) et seq.

6. Upon receipt of the Joint Land Use Board's recommendation or if the Joint Land Use Board fails to transmit a recommendation within forty-five (45) days after referral, the Mayor and Council may act upon this Ordinance amending the Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7.

7. Upon adoption of this Ordinance, the Redevelopment Plan shall be deemed amended and the Redevelopment Plan shall identify the date of adoption of this Ordinance amending the Redevelopment Plan.

8. If any part of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

9. Should any section, paragraph, sentence, or clause of this ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect and, to this end, the provisions of this ordinance are hereby declared severable.

10. This Ordinance shall take effect twenty (20) days after final passage, adoption and publication as mandated by law.

Mayor Madden opened the Public Hearing on Ordinance No. 1989-20.

Dave Polakiewicz, 240 Hazelwood Avenue questioned if adoption of this ordinance would hold

consequences for properties other than absolute and if the developer had requested the change in the footprint. Also, Mr. Polakiewicz mentioned that he had no objection to the cleanup of the property but wanted to be sure that the borough does not make the mistake that was made previously with the Lincoln Boulevard redevelopment and hold the developer responsible to give the borough something back. He also applauded the Council for bringing in the redevelopers to the next 3 meetings and questioned if there would be a public portion to speak.

Jeff Bastow, the redeveloper for Claremont discussed the contaminated wetlands on the property that is being redeveloped and the two acres that have to be remediated, costing them between $15 - 18 million dollars, which is what led to need a bigger footprint. Mr. Bastow mentioned that this warehouse will bring between 150 - 250 jobs to town, and they have worked with the redevelopment attorney and Administrator to design the traffic flow through William Street**.** Mr. Bastow feels that this is a classic redevelopment case where they are taking a contaminated property and making productive use of it by bringing jobs to town.

Rich Rutkowski, 211 Maple Street stated that Paragraph 3B increases the maximum lot coverage and questioned if it was strictly for this lot. Mr. Rutkowski also congratulated Councilwoman Flood on her appointment to fill the Council vacancy. Also, Mr. Rutkowski mentioned that he has seen many OPRAs and stated that Mr. Ricci deals a lot with the developers prior to them coming before any of the boards in town.

Evan Walters, 837 W. Second Street questioned if Council was willing to make a precedent tonight with this decision for this ordinance, as another developer might also want to change things in the future. Also, Mr. Walters questioned what the contaminates were on the property.

Rich Thomasey, 109 Greene Avenue just wanted to confirm that this footprint discussed is just for the Claremont project that they are speaking about.

Seeing that there were no further public comments, Mayor Madden addressed all comments and closed the Public Hearing on Ordinance No. 1989-20.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jack Mikolajczyk, Council President
SECONDER:	Jason Carr, Councilman
AYES:	Mikolajczyk, Carnes, Carr, Eodice, Flood, Rex

ADOPTION OF MINUTES

1. Approval of the December 17, 2019 Executive Session Meeting Minutes

RESULT:	**APPROVED [3 TO 0]**
MOVER:	Jason Carr, Councilman
SECONDER:	Jack Mikolajczyk, Council President
AYES:	Mikolajczyk, Carr, Rex
ABSTAIN:	Carnes, Eodice, Flood

2. Approval of the January 1, 2020 Reorganization Meeting Minutes

RESULT:	**APPROVED [5 TO 0]**
MOVER:	Jack Mikolajczyk, Council President
SECONDER:	Jason Carr, Councilman
AYES:	Mikolajczyk, Carnes, Carr, Eodice, Rex
ABSTAIN:	Flood

MAYOR'S REPORT

COUNCIL MEMBER REPORTS

Council President Mikolajczyk

Nothing to report

Councilman Carnes

Councilman Carnes reported that the first meeting of the Joint Land Use Board took place on 1-22-2020 with the following updates:

- Established of Board Leadership - Chairman - Mr. Michael Conahan, Vice Chairman - Mr. Robert Sherr and Secretary - Mr. Martin Quinn
- Adopted Joint Land Use Board annual meeting calendar and it has been published the courier news with meetings to be held the 2nd and 4TH Wednesday of the month
- RFP sub-committee was formed by 4 members which included the following members: Steve Greco, Frank Ryan, Bob Sherr and Michael Conahan
- Members of the Joint Land Use Board issued the Planning Board Meeting Audio CD Issued Dates 7-10-19 &8-28-19 which is required material to review before the next meeting.
- Additional Reference Material was Handed out which included: Master Plan, Planning Board Meeting Audio CD Issued Dates 7-10-19 &8-28-19, March 27 2019 Meeting Minutes, Zoning Ordinance, Chp. 248 Land Development, Chp. 420 Zoning, The New Jersey Planner and ongoing Site Plans Applications

There will be an extra meeting on the 5th to handle administrative procedures, for by-laws and RFP (Request for Proposal) reviews.

DPW:
Mr. Carnes Congratulated Mr. Schwartz on his retirement.

Coffee with Council:
There will be a newly started program to connect with our fellow residents and get to hear their concerns. The Meetings will be 10:30 - 12:00 at the Recreation Center the last Friday of every month.

Councilman Carr

Nothing to report.

Councilman Eodice

Thank you Mayor Madden. I am pleased to report that it has been a productive 2 weeks since we all last met, and I have been able to forge connections with most all of the entities I am representing.

On January 20th I attended a meeting with representatives from our Local OEM, as well as a group of young people involved with our Cert Program, as well as the County Cert Manager. It was very inspiring to see the spirit of volunteering these individuals have at such a young age.

Shortly after that, I also attended my first meeting with many of the fine men and women of our volunteer fire departments. Tonight, there will be a few MFD items in the standing reports, one of which will be requesting approval for Engine 21 to represent Middlesex in the St. Patrick's Day parade in Somerville.

Lastly, I want to mention that as a community, we have been hit with some difficult events and tragedies lately. As Thomas Paine said, these are the times that try men's (and women's) souls. While it is always heartwarming to see our community come together, I feel that there is simply not enough being done to address the issues of mental health. As the representative for the Board of Health, I plan to work with the board and task them with adding more focus on finding more community resources to address mental health. From my own research, this does not seem to be something the county resources really address, so we may need to think outside the box. It is well known however, that there remains a large stigma around mental health in general, and we should look to do our part to diminish that and bring more attention and awareness to it. I believe that May is mental health awareness month, and although it's close, perhaps we can work to get something together by then.

Councilwoman Flood

Councilwoman Flood reported that the HUD Meeting is scheduled for Thursday, January 30, 2020 at 7PM at Borough Hall.

Councilman Rex

Councilman Rex reported that the Shade Tree Reorganization Meeting was held January 9, 2020. Jason Bond was nominated for Chairman for 2020, Dan Gitler nominated for Vice Chairman. The Shade Tree Commission will be preparing the Community Forestry Management Annual Accomplishment Report for 2019 at their February Meeting. They also are planning to hold an Arbor Day Program in April at the Library and intend to distribute Tree Seedlings at the event.

Also, welcome Councilwoman Flood.

ADMINISTRATOR'S REPORT

Administrator's Report
January 28, 2020
Items with asterices* have updates

I. Flood Management: permitting
II. Update of Sewer Projects:
i. Phase I:
a. Additional work on George Street - no update
b. Funds remaining- no update
c. O & M Manual required by DEP - no update
d. I/I Study
e. Sampling Program - no update
ii Phase II Funding: Pending with i-bank (DEP) - no update
iii Phase IV (Sewer Bypass)

III. *Update on Other Public Works Projects:

i. Streetscape Project
ii. South Avenue Reconstruction: Issue with pole relocation/Lucas
iii. Safe Routes to Schools - no update
iv. Road Design (2019 DOT Grant)
v. Road Design (2020 DOT Grant)

IV. Update on Other Projects:
i. Library HVAC System
ii. Mountain View Park

V. *Video Taping of Meetings - Waiting on microphones

VI. *Miscellaneous
i. Dredging of Lake/Mosquito Control Commission - no update
ii. *Personnel Manual
iii. *Budget
iv. *MCUA right of way for construction project shared service
v. *Eagle scout project - dog park
vi. Community Day: August 29 with Rain date of August 30
vii. *Union Ave./Lorraine Ave. pedestrian crossing Hawk Beacon project
viii. *Transition with professionals
ix. *Redeveloper Presentations

PRIVILEGE OF THE FLOOR

John Erickson, 209 Second Street

- Commended Councilwoman Flood on filling the Council vacancy.
- Commended Council on adopting Ordinance 1985-20 and the Administrator working with the flood.
- Requested that when the borough is doing milling and paving in the future, he would like council to consider the smaller roads in town without curbing, as without curbing the flooding extends on to the lawn.

Dave Polakiewicz, 240 Hazelwood Ave.

- Mentioned questioned “Coffee with Councilmen” and questioned if they could rotate it every month, having it one month on Friday and one month on Saturday.
- Asked about borough being fully audited this year, rather than spending on fireworks, because of what has happened in the town.

Frank Ryan, 303 Maple Street

- Requested the Borough to be the first to sue the state to the follow the Federal Government over the State Immigration Trust Directive, which the State is overriding regarding ICE and Police matters.
- Request if the Chief has his hands tied regarding this Directive.
- Land Use Board off to a good start

Evan Walters, 837 West Second Street

- Supports Council delaying Hometown Day and use the funds to look into financial issues with the town.
- Questioned what fields are in disrepair and need to be addressed, and feels that fields should be used by everyone in the community, not just high school students.
- Question Resolution 54-20 regarding Plainfield owning property in the borough, the MCUA TDA application and the outstanding checks that are being cancelled.

Rich Thomasey, 109 Greene Ave.

- Would like Council to look at traffic prior to the bus company opening on Lincoln Boulevard by Clinton Boulevard.

- Would like Council also to look at traffic from Hazelwood from Union to Shepherd and Ashland Road to Raritan as cars go very fast, and some of these streets have no sidewalks.
- Questioned status of Phase II of Mountain View Park and the amount of unnecessary spending, which could have been used for a new Recreation Center.

Lileen Schwarz, 213 Beechwood Avenue

- Questioned how much of the PILOT goes to the school system for the children utilizing the school system.
- Does the Council know how many kids live in the new apartments.

Betty Platten, 4 Hooker Avenue

- Concerned that residents do not know what the town is doing for the school district and now that funds have become tight we cannot continue to subsidize them anymore.

The above individuals concerns were addressed by Mayor Madden, Administrator Karrow, Attorney Corsini, and Council members.

NEW BUSINESS/CONSENT AGENDA/RESOLUTIONS

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jack Mikolajczyk, Council President
SECONDER:	Jason Carr, Councilman
AYES:	Mikolajczyk, Carnes, Carr, Eodice, Flood, Rex

The Borough Clerk read the following resolution:

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

RESOLUTION 48-2020

ACCEPTANCE OF STANDING REPORTS

The Governing Body hereby accepts the following Reports itemized below:

1. Acceptance of Eric K. Powlison as an Active Member of the Middlesex Fire Department
2. Accepting the resignation of Greg Bradford as an Active Member of the Middlesex Fire Department
3. Approval of the December, 2019 Fire Chief's Report

The Borough Clerk read the following resolution:

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

RESOLUTION 49-2020

ACCEPTING AND ADOPTING THE CENTRAL JERSEY MUNICIPAL JOINT INSURANCE FUND'S 2020 SAFETY INCENTIVE PROGRAM

WHEREAS, Middlesex Borough is a member of the Central Jersey Municipal Joint Insurance Fund (CENTRAL JIF); and

WHEREAS, it is the policy of the CENTRAL JIF to achieve the best and most practical degree of freedom from accidents and / or injuries; and

WHEREAS, the CENTRAL JIF endeavors to ensure that all of their members' employees, volunteers and public are provided with a safe and healthy environment, free from any recognized hazards; and

WHEREAS, the CENTRAL JIF endeavors to ensure that all of their members are in compliance with applicable safety and health requirements; and

WHEREAS, the CENTRAL JIF's Safety Committee is made up of representatives of the Fund's Municipalities, along with the professionals employed by the Fund; and

WHEREAS, the new Program will assist all the Central JIF members in becoming or maintaining compliance with all Public Employees Occupational Safety and Health (PEOSH) Requirements; and

WHEREAS, the CENTRAL JIF has adopted the new 2020 SAFETY INCENTIVE PROGRAM which should succeed in providing a safe, healthful and pleasant environment; and

NOW; THEREFORE, BE IT RESOLVED, by the Borough Council of Middlesex, County of Middlesex, State of New Jersey that the Central Jersey Municipal Joint Insurance Fund SAFETY INCENTIVE PROGRAM be adopted by the Borough of Middlesex.

The Borough Clerk read the following resolution:

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

RESOLUTION 50-2020

APPROVAL TO ADVANCE PATROLMAN PAUL MULDOWNEY TO PATROLMAN CLASS "C" EFFECTIVE JANUARY 27, 2020

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

WHEREAS, On January 14, 2020 Chief Geist recommended Police Officer Paul Muldowney 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 Paul Muldowney be and is hereby advanced in grade to Patrolman Class "C" effective January 27, 2020 at an annual salary of $94,994.

The Borough Clerk read the following resolution:

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

RESOLUTION 51-2020

THE GOVERNING BODY APPROVES THE PROPERTY TAX EXEMPTION FOR THE PROPERTY OWNER OF 3 ELMWOOD AVENUE AS PROPERTY OWNER HAS BEEN DECLARED A 100 % DISABLED VETERAN

WHEREAS, 100% Disabled Veterans are tax exempt, and;

WHEREAS, the homeowner of 3 Elmwood Avenue, has been declared a 100% Disabled Veteran by the Division of Veterans Affairs, application date 1/3/2020.

NOW THEREFORE BY IT RESOLVED by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the Tax Collector is hereby authorized to cancel the following taxes for 3 Elmwood Avenue:

1st Qtr 2020 in the amount of $3,957.86
2nd Qtr 2020 in the amount of $ 3,957.85

The Borough Clerk read the following resolution:

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

RESOLUTION 52-2020

APPEAL OF 2018 ADDED/OMITTED ASSESSMENT IN THE AMOUNT OF $5503.80 TO BE PAID TO STEWARD ROBEL, 68 GEORGE AVE., MIDDLESEX, NJ 08846.

WHEREAS, ADDED/OMITTED bills were issued in October of 2019 for the 2018 and 2019 tax years, and

WHEREAS, assessments are based on the Tax Assessor's evaluation, and

WHEREAS, a property owner has the right to file an appeal before December 1st on said ADDED assessment(s), and

WHEREAS, the property owner for 115 Grove Avenue, Block 262 Lot 42.01 Q C001 and 117 Grove Avenue, Block 262 Lot 42.01 Q C002, did file his appeal prior to December 1st, and

WHEREAS, the property owner appealed the 2018 ADDED assessment of $74,300.00 with a prorated amount of $61,917.00 for 10 months, and

WHEREAS, based on the above assessment the original amount of taxes billed for each unit was $5503.80, and

WHEREAS, the appeal was granted and the County Board Judgement has entered a change in the prorated months of five (5) and a prorated of $30,958.00, and

THEREFORE, the owner is entitled to a billing adjustment in the amount of $2571.90, for Block 262 Lot 42.01 Q C001 and $2571.90 for Block 262 Lot 42.01 Q C002.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that a check in the amount of $5503.80 be paid to Steward Robel, 68 George Ave., 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 53-2020

APPOINTING AMY FLOOD AS THE MAYOR'S REPRESENTATIVE AND JOHN ERICKSON AS THE GOVERNING BODY REPRESENTATIVE TO THE HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE FOR 2020

WHEREAS, it is necessary for the Borough of Middlesex to appoint a representative to the Middlesex County Housing & Community Development for the year 2020; and

WHEREAS, the Borough of Middlesex is authorized to have a representative appointed to this Committee, one to be appointed by the Mayor and one to be appointed by the Governing Body; and

WHEREAS, the Mayor has appointed Amy Flood as his Class I representative to the Housing and Community Development Committee for 2020; and

WHEREAS, the Governing Body has appointed John Erickson as their representative to the HUD Committee.

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

1. The Mayor hereby appoints Amy Flood as the Class I representative and the Governing Body hereby appoints John Erickson as its representative to the Middlesex County Housing & Community Development Committee for the year 2020.

2. The Borough Clerk is hereby authorized and directed to send a letter to the Housing & Community Development Committee advising the Committee of names, addresses and telephone numbers of the two people who will be serving as representatives for the Borough of Middlesex to the Housing & Community Development Committee for 2020.

3. 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 54-2020

CHANGE OF PROPERTY CLASS STATUS TO TAX EXEMPT - BLOCK 53, LOT 4

WHEREAS, the City of Plainfield owns Block 53 Lot 4, and:

WHEREAS, the formerly EXEMPT property had been placed back on the taxable list for 2017, and;

WHEREAS, the City of Plainfield filed a lawsuit claiming continued exemption status, and;

WHEREAS, in the Order and Final Judgement, the Tax Court of New Jersey, Docket No. 000160-2019, deemed the subject property to be Tax Exempt, on December 24, 2019, and;

THEREFORE, the status of BLOCK 53 Lot 4, Rear Bound Brook Rd., is changed back to Class 15C and the amount(s) of taxes to be waived are as follows:

2017 Qtr 3 - $4,149.12
2017 Qtr 4 - $4,149.12
2018 Qtr 1 - $2,074.56
2018 Qtr 2 - $2,074.56
2018 Qtr 3 - $2,192.16
2018 Qtr 4 - $2,192.16
2019 Qtr 1 - $2,133.36
2019 Qtr 2 - $2,133.36
2019 Qtr 3 - $2,266.80
2019 Qtr 4 - $2,266.80
2020 Qtr 1 - $2,200.08
2020 Qtr 2 - $2,200.08

The Borough Clerk read the following resolution:

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

RESOLUTION 55-2020

APPROVING THE TEMPORARY DISCHARGE APPROVAL APPLICATION AT THE FACTORY LANE SITE TO BE SUBMITTED BY THE MCUA AT THE REQUEST OF NEW FIELDS, ON BEHALF OF BAYER CROP SCIENCE, INC.

WHEREAS, New Fields, on behalf of Bayer Crop Science, Inc. is providing a copy of the Temporary Discharge Approval Application for Groundwater Remediation Control at the Factory Lane Site in Middlesex to be submitted to the Middlesex County Utilities Authority (MCUA); and

WHEREAS, New Fields, on behalf of Bayer Crop Science, Inc. is seeking MCUA's approval to discharge the treated water generated by these activities to the MCUA treatment plant via a metered connection to the Middlesex Borough's Sanitary Sewer System in Factory Lane; and

WHEREAS, New Fields, on behalf of Bayer Crop Science, Inc. is required to have the Borough's approval on a yearly basis for temporary use of the culverts that run under Factory Lane and the Conrail Port Reading Railroad, as the Factory Lane Site has resulted in arsenic impacts to soil and groundwater.

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

1. Middlesex Borough hereby approves the execution of the Middlesex County Utilities Authority Temporary Discharge Approval Application for the Groundwater Remediation Control and approves New Fields, on behalf of Bayer CropScience, Inc., temporary use of the culverts that run under Factory Lane and the Conrail Port Reading Railroad.

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 56-2020

THE TAX COLLECTOR AUTHORIZES THE INTEREST AND PAYMENTS ON THE FOLLOWING TAX TITLE LIEN REDEMPTIONS CALCULATED FOR JANUARY 28, 2020 FOR BLOCK 98, LOT 12

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

WHEREAS, the interest and payments on the following Tax Title Lien Redemptions were calculated for January 28, 2020, and;

NOW, THEREFORE, BE IT RESOLVED the Tax Collector is hereby authorized to issue a check to the said individual in the following amount(s):

Date of Sale:	12/10/2019
Block/Lot:	98 / 12
Amount:	$21,634.28
Premium:	$36,100.00
Certificate:	18-00010
Payable To:	BB 316 Investments LLC PO Box 953 Lakewood, NJ 08701

The Borough Clerk read the following resolution:

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

RESOLUTION 57-2020

AUTHORIZING THE TREASURER TO CANCEL ALL OUTSTANDING CHECKS FROM THE CURRENT OPERATING ACCOUNT DATED PRIOR TO JANUARY 1, 2019, INCLUDING A SMALL MISCELLANEOUS ADJUSTMENT

The Governing Body hereby authorizes the Treasurer to cancel all outstanding checks from the Current Operating Account dated prior to January 1, 2019 totaling $8,065.22. As well as small miscellaneous adjustment balances totaling $1.93.

Ck#	Amount	Ck Date
42005	$175.00	3/21/2016
42183	$318.00	4/13/2016
42184	$594.00	4/13/2016
42265	$366.00	5/13/2016
42671	$200.00	7/20/2016
42828	$102.72	8/17/2016
43103	$500.00	10/26/2016
43303	$24.45	11/23/2016
43559	$2.00	1/12/2017
44083	$200.00	4/26/2017
44251	$61.44	5/24/2017
44735	$455.25	8/23/2017
45080	$82.50	10/25/2017
45581	$125.00	1/24/2018
45882	$1,300.00	3/28/2018
46040	$420.00	4/26/2018
46421	$790.00	7/18/2018
46676	$21.41	8/29/2018
46742	$520.00	9/26/2018
47022	$447.25	11/21/2018
47314	$629.40	12/20/2018
47315	$730.80	12/20/2018
	$8,065.22	

The Borough Clerk read the following resolution:

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

RESOLUTION 58-2020

ACCEPTING THE RETIREMENT OF ERIC SCHWARTZ EFFECTIVE FEBRUARY 1, 2020

The Mayor and Council hereby accept Eric Schwarz's retirement effective February 1, 2020 and authorize the Treasurer to pay the full allowance of $25,372.92 in accordance with the personnel policy in the next regular Borough payroll of January 31, 2020. The benefits include the following:

30 Days Vacation Time	$ 9,261.60
50 Days Sick Time	$ 15,436.00
17.5 Hours Comp Time	$ 675.32
TOTAL	$ 25,372.92

The Borough Clerk read the following resolution:

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

RESOLUTION 59-2020

THE GOVERNING AUTHORIZES THE TREASURER TO CANCEL ALL OUTSTANDING CHECKS FROM THE PAYROLL ACCOUNT DATED PRIOR TO JANUARY 1, 2019

The Governing Body hereby authorizes the Treasurer to cancel all outstanding checks from the Payroll Account dated prior to January 1, 2019.

Ck#	Ck date	Amount
15467	3/4/2016	$123.13
15710	6/10/2016	$115.72
15995	8/5/2016	$407.83
16010	8/5/2016	$10.76
16057	8/19/2016	$126.17
16147	9/2/2016	$216.24
16231	9/30/2016	$235.32
16550	2/17/2017	$395.72
16833	6/9/2017	$981.35
17272	9/1/2017	$582.71
18257	8/3/2018	$118.30
18393	8/31/2018	$33.34
		$3,346.59

The Borough Clerk read the following resolution:

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

RESOLUTION 60-2020

TRANSFER OF FUNDS FROM THE CURRENT BUDGET OF 2019

The Treasurer hereby authorizes the transfer of funds for the Current Budget of 2019:

Department	From	To
Street Lighting	$6,000.00	
Electricity		$4,500.00
Printing & Advertising		$1,500.00
	$6,000.00	**$6,000.00**

The Borough Clerk read the following resolution:

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

RESOLUTION 61-2020

APPROVING LINCOLN FIRE CO. #1 TO TAKE ENGINE 21 TO SOMERVILLE ON MARCH 15, 2020 FOR THE ST. PATRICK'S DAY PARADE

The Governing Body hereby grants permission to Lincoln Fire Hose Co. #1 to take Fire Engine 21 to Somerville on March 15, 2020 for the St. Patrick's Day Parade.

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 62-2020

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:	Jack Mikolajczyk, Council President
SECONDER:	Jason Carr, Councilman
AYES:	Mikolajczyk, Carnes, Carr, Eodice, Flood, Rex

The Borough Clerk read the following resolution:

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

RESOLUTION 63-2020

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. 150 Lincoln Boulevard & 242 Lincoln Boulevard

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jason Carr, Councilman
SECONDER:	Jack Mikolajczyk, Council President
AYES:	Mikolajczyk, Carnes, Carr, Eodice, Flood, Rex

AGENDA WORKSHOP ITEM

PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS

EXECUTIVE SESSION

1. 150 Lincoln Boulevard & 242 Lincoln Boulevard

ADJOURNMENT

The next Regular Meeting will be February 11, 2020

Respectfully yours,

Borough Clerk