



Borough of Middlesex
Mayor and Council Regular Meeting
~ Minutes ~

Access to be Posted on Boro Website
Middlesex,, NJ

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

Tuesday, April 28, 2020

7:00 PM

Remote Telephone Meeting

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

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:

Mayor Madden indicated that before we begin, he wanted to acknowledge that holding a Council Meeting by conference call is difficult at best. One of the issues during the last meeting was Council Members making motions and second simultaneously with our Clerk not being able to hear who said what. To facilitate a smoother meeting, and in consultation with our Attorney, he requested that the Council President make all motions and that Councilman Carr make all seconds. All Council Members did not object to this request.

PRESENTATIONS

APPOINTMENTS

Mayor Madden appointed Councilwoman Flood and Councilman Carr to work with Borough Administrator Karrow and Public Works Manager Teutsch as a subcommittee to discuss the Lighting for the Streetscape Project.

PROCLAMATIONS

ORDINANCE(S) FOR INTRODUCTION

The Borough Clerk read ordinance 1996-20 by title:

ORDINANCE 1996-20**AN ORDINANCE REPEALING SECTION 4-7 OF CHAPTER 4 (CRIMINAL BACKGROUND CHECK APPEAL PROCESS AND CRIMINAL BACKGROUND CHECK APPEAL PANEL) OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX**

WHEREAS, the process for conducting background checks for employees and volunteers of programs or services conducted by the Borough for the Borough's minor residents is found in Chapter 4 of the Municipal Code of the Borough of Middlesex; and

WHEREAS, Section 4-7 of the Municipal Code of the Borough of Middlesex contains an appeal provision for employees or volunteers who are disqualified from service due to an unfavorable background check; and

WHEREAS, in consultation with the Director of Recreation, the Administration has recommended the repeal of this appeals process; 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 Section 4-7 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 stated that the Public Hearing on Ordinance 1996-20 will be held May 12, 2020.

RESULT:	FIRST READING [UNANIMOUS]	Next: 5/12/2020 7:00 PM
MOVER:	Jack Mikolajczyk, Council President	
SECONDER:	Jason Carr, Councilman	
AYES:	Mikolajczyk, Carnes, Carr, Eodice, Flood, Rex	

ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION

ADOPTION OF MINUTES

1. Approval to the April 14, 2020 Regular Meeting Minutes

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

MAYOR'S REPORT

Mayor Madden stated that he received calls from residents questioning the information on Nixle reports. The Mayor indicated that If you look below the Nixle report there is the tag line and you will see a more extended report regarding the number of cases.

COUNCIL MEMBER REPORTS

Administrator Karrow offered condolences to Mayor Madden on the death of his mother last week.

Council President Mikolajczyk

Council President Mikolajczyk had nothing to report.

Councilman Carnes

Councilman Carnes had nothing to report.

Councilman Carr

Councilman Carr had nothing to report

Councilman Eodice

Councilman Eodice reported that on Friday he attended a meeting with OEM to discuss the County OEM's. There is good news concerning the availability of PPE's and bad news where we are seeing that we need to keep up with social distancing for a little while longer.

Mayor Madden also mentioned that we just learned that the N95 masks can be resanitized and used again. The Borough Administrator indicated that we have entered into a shared service contract to have the resanitizing done for free for all first responders.

Councilwoman Flood

Councilwoman Flood had nothing to report.

Councilman Rex

Councilman Rex reported that due to COVID - 19 the Shade Tree meeting has been cancelled. The Commission is looking at alternate venues for future meetings, pending if quarantine situation remains in effect.

In regard to the Seniors Councilman Rex reported that he has remained in contact with Melissa and Sally and they are both busy scheduling and organizing Meals on Wheels deliveries, plus other issues for Seniors that need assistance. Councilman Rex gave a big shout out and kudo's to the MPD and other volunteers who help to deliver meals. In addition, he gave a big thanks to restaurants, fast food, and supermarkets for their food and supply donation for the Seniors. He had no numbers for how many

meals were delivered, but they are surely similar to or maybe greater than last reported. Hopefully will have this with next report.

ADMINISTRATOR'S REPORT

Administrator's Report April 28, 2020

*Items with asterices * have updates*

- i. *COVID update
- ii. Flood Management:
- iii. Update on Sewer Projects:
 - i. Phase I:
 - a. Additional work on George Street
 - b. O&M Manual required by DEP - no update
 - c. I/I Study
 - d. Sampling Program
 - ii. Phase II Funding: Pending with i-bank (DEP)
 - iii. Phase IV (Sewer Bypass)
- iv. Update on Other Public Works Projects:
 - i. *Streetscape Project
 - ii. Safe Routes to Schools - no update
 - iii. *Road Design (2019 DOT Grant)
 - iv. *Road Design (2020 DOT Grant)
 - v. *Road Design (2021 DOT Grant)
- v. Update on Other Projects:
 - i. *Library HVAC system
 - ii. *Mountain View Park
- vi. *Video Taping of Meetings
- vii. Miscellaneous
 - i. Dredging of Lake/Mosquito Control Commission
 - ii. *Budget
 - iii. Eagle scout project - dog park
 - iv. Presentations at Upcoming Meetings
 - v. *JIF MEL Training Credit
 - vi. *Reminder to all boards and commissions Financial Disclosure Statements due
 - vii. *Bullet Proof Glass purchase
 - viii. *Extension of Additional Licenses
 - ix. *Extension of Tax Appeals
 - x. *Optional Extension of 2nd Quarter Property Tax Collection
 - xi. *School District Shared Services

PRIVILEGE OF THE FLOOR

There were no Public Comments emailed to the Deputy Clerk.

Mayor Madden recessed the meeting for 5 minutes to allow the public to email any additional questions and/or comments to the Borough Administrator to discuss during the privilege of the floor. A motion was made by Council President Mikolajczyk and seconded by Councilman Carr.

After the recess Mayor Madden addressed the Borough Administrator regarding any additional questions and/or comments she may have received during the 5 minute recess. Borough Administrator Karrow read the following questions and/or comments that she received.

Kevin Redzinski 441 Fairview Ave. had the following comments:

- Stop creating costs on ANY level. Anything that can potentially create new costs to the boro considering what we know the future is bringing sounds like insanity to me.
- To address Councilwoman Flood's comments regarding tax payments I think she's glossing over the fact that a major reason the extension is not a good fit for our town is because our surplus has been depleted by past administrations, to say it's due to "stinky" actions taken by our Governor is nothing more than politics.
- Why is bulletproof glass for offices that are closed until further notice even being discussed?

Dave Polakiewicz, 240 Hazelwood Avenue questioned who should taxpayers speak to if they feel they have a legitimate hardship case on their property tax bill?

Administrator Karrow responded to all questions and/or comments that were received.

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 110-2020

ACCEPTANCE OF STANDING REPORTS

The Governing Body hereby accepts the following Reports itemized below:

1. Acceptance of the March, 2020 Police Department Report

The Borough Clerk read the following resolution:

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

RESOLUTION 111-2020

**ACKNOWLEDGING THE CHANGE IN STATUS FOR CERTAIN PROPERTIES UNDER
THE SENIOR CITIZEN/DISABLED PERSON/VETERAN TAX DEDUCTIONS**

WHEREAS, certain Senior Citizens/Disabled Persons/Veterans were the owners of property in the Borough of Middlesex for the year 2019, and

WHEREAS, once homeowner is deceased said Senior Citizens/Disabled Persons / Veteran deductions remain on property until the property is sold or until the end of the year , and

WHEREAS, said deductions were not removed at the end of 2019, and

THEREFORE, the Tax Collector has disallowed the following Senior Citizen/Disabled Person/Veteran deduction for the 2019 year totaling \$250.00.

Name: Pohl, Donald

Block/Lot: 242 / 12.01

Amount: \$250.00

Reason: DOD 3/4/2018- Deduction Not Removed

The Borough Clerk read the following resolution:

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

RESOLUTION 113-2020

**AUTHORIZING THE PURCHASE OF ONE 24" PLANER UNDER ESCNJ CO-OP
PRICING SYSTEM, CO-OP # 65MCESCCPS**

WHEREAS, as a member of the Educational Services Commission (ESCNJ) Cooperative Pricing System, the Governing Body of the Borough of Middlesex wishes to purchase a 24" Planer, High Flow under said CO-OP #65MCESCCPS; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Contracts Law, 40A:11-12; and

WHEREAS, Garden State Bobcat is under the ESCNJ Cooperative Pricing System, CO-OP # 65MCESCCPS through 02/21/2021 for Grounds Equipment; and

WHEREAS, the cost for the purchase of a 24" Planer is not to exceed \$18,549.22; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of a 24" Planer under ESCNJ Cooperative Pricing System be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed \$18,549.22 available in Account No. C-04-19-979-000-077.

Caroline Benson, Acting CFO

The Borough Clerk read the following resolution:

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

RESOLUTION 114-2020

REQUEST BY THE MIDDLESEX BOROUGH COUNCIL TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION TO RESTRICT LEFT TURNS FROM VAN NESS DRIVE ONTO BOUND BROOK ROAD BETWEEN THE HOURS OF 7AM - 9AM AND 2PM - 4PM AND TO DESIGNATE BOUND BROOK ROAD FROM SEVENTH STREET TO THIRD STREET A 25 MPH ZONE WHEN CHILDREN ARE PRESENT

WHEREAS, the Middlesex Borough Police Department has recommended to the Governing Body that the Borough restrict left turns from Van Ness Drive onto Bound Brook Road between the hours of 7 AM - 9AM and 2PM - 4PM; and

WHEREAS, the Middlesex Borough Police Department have also recommended to designate Bound Brook Road, from Seventh Street (Mile Post 10.15) to Third Street (Mile Post 10.31) a 25 MPH Zone when children are present; and

WHEREAS, the NJDOT has notified the Borough of Middlesex that the initial step in the "Traffic Regulation Order" (TRO) process is to receive a Resolution of Support from the municipal governing body pursuant to N.J.S.A. 39:4-8.4c.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of Middlesex, County of Middlesex, State of New Jersey, do hereby support a Traffic Regulation Order for the following:

1. Restrict left turns from Van Ness Drive onto Bound Brook Road between the Hours of 7AM - 9AM and 2PM - 4PM.
2. Designate Bound Brook Road, from Seventh Street (Mile Post 10.15) to Third Street (Mile Post 10.31) a 25 MPH Zone when children present.

The Borough Clerk read the following resolution:

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

RESOLUTION 115-2020

APPROVAL OF A TEMPORARY BUDGET FOR 2020 TO COVER COMMITMENTS MADE FROM JANUARY 1, 2020 UNTIL THE ADOPTION OF THE ANNUAL BUDGET

WHEREAS, an emergent condition has arisen with respect to providing temporary appropriations sufficient to cover commitments made during the period of January 1, 2020 to the date of adoption of the annual budget and no adequate provision has been made in the 2020 temporary appropriations to cover such commitments, and N.J.S.A. 40A: 4-20 provides for the creation of an emergency temporary appropriation for the purpose of covering such commitments; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2020 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A: 4-20) including this resolution total \$11,671,891.64 for the Current Fund Budget, \$80,000.00 for the Swimming Pool Utility Budget;

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all of the members thereof affirmatively concurring) in accordance with the provisions of N.J.S.A.

	Salaries & Wages	Other Expenses
Appropriations		
Current Fund		
General Government		
Administrator	\$0.00	\$0.00
Mayor & Council	\$1,500.00	\$0.00
Municipal Clerk	\$0.00	\$0.00
Printing & Advertising	\$0.00	\$0.00
Postage	\$0.00	\$0.00
Purchasing Agent	\$0.00	\$0.00
Finance Administration	\$0.00	\$20,000.00
Computer Services	\$0.00	\$20,000.00
Revenue Administration	\$7,500.00	\$1,500.00
Assessment of Taxes	\$5,000.00	\$0.00
Legal Services	\$0.00	\$20,000.00
Engineering Services	\$0.00	\$10,000.00
Environmental Services	\$0.00	\$0.00
Joint Land Use Board	\$0.00	\$0.00
Code Enforcement	\$0.00	\$0.00
Liability Insurance	\$0.00	\$0.00
Worker's Comp	\$0.00	\$0.00
Insurance		
Group Insurance	\$0.00	\$150,000.00
Temp Disability	\$0.00	\$2,500.00
Insurance		
Longterm Disability Insur	\$0.00	\$2,000.00
Public Safety		
Police	\$300,000.00	\$0.00
Juvenile	\$250.00	\$0.00
Emergency Management	\$0.00	\$0.00
Fire Department	\$0.00	\$0.00

Fire Hydrants	\$0.00	\$0.00
Prosecutor	\$0.00	\$0.00
Public Works		
Streets & Roads	\$0.00	\$0.00
Shade Tree	\$500.00	\$0.00
Solid Waste	\$0.00	\$0.00
Garbage	\$0.00	\$0.00
Building & Grounds	\$1,500.00	\$0.00
Rescue Squad Rental	\$0.00	\$0.00
Sewers	\$0.00	\$5,000.00
Health & Human Services		
Board of Health	\$0.00	\$15,000.00
Animal Control	\$0.00	\$0.00
Parks & Recreations		
Recreation	\$0.00	\$0.00
Celebration of Public Events	\$0.00	\$0.00
Parks & Playgrounds	\$20,000.00	\$0.00
Sr Citizen Bus Transportation	\$0.00	\$0.00
Sr Nutrition	\$0.00	\$0.00
Title III	\$2,000.00	\$0.00
Medical Transportation	\$0.00	\$0.00
Sr Citizen Coordinator	\$5,000.00	\$0.00
Beautification Committee	\$0.00	\$0.00
Utility Expenses		
Electricity	\$0.00	\$0.00
Street Lighting	\$0.00	\$0.00
Telephone	\$0.00	\$0.00
Water	\$0.00	\$0.00
Natural Gas	\$0.00	\$0.00
Fuel Oil (Diesel)	\$0.00	\$0.00
Gasoline	\$0.00	\$0.00
Other Operating		
Landfill	\$0.00	\$0.00
Construction	\$10,000.00	\$0.00
Municipal Court	\$30,000.00	\$0.00
Public Defender	\$0.00	\$7,500.00

Library	\$0.00	\$20,000.00
Utility Authority	\$0.00	\$0.00
Piscataway Sewer	\$0.00	\$0.00
Curbside Recycling	\$0.00	\$0.00

Statutory Expenses

Social Security	\$0.00	\$25,000.00
DCRP CoMatch	\$0.00	\$0.00
Contingent	\$0.00	\$0.00

TOTAL CURRENT FUND	\$383,250.00	\$298,500.00
---------------------------	---------------------	---------------------

The Borough Clerk read the following resolution:

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

RESOLUTION 116-2020**APPROVAL OF THE OUTDOOR LIGHTING SERVICE AGREEMENT AND COST SUMMARY FOR THE ROUTE 28 STREETScape PROJECT**

The Governing Body hereby approves the Mayor execute the Outdoor Lighting Service Agreement with PSE&G and the cost summary which includes 30 new Franklin Park LED Fixtures and 12" Montclair Poles for a one-time Upfront Cost of \$94,017.24 for the Route 28 Streetscape Project.

The CFO hereby certifies funds in the amount of \$94,017.24 are available in Account No. C04-19-962-000-050.

Caroline Benson, Acting CFO

The Borough Clerk read the following resolution:

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

RESOLUTION 117-2020**EXTENSION OF THE RENEWAL DATE FOR TOWING LICENSES FROM MAY 31, 2020 UNTIL JUNE 30, 2020**

Due to the COVID 19 Pandemic that have affected the inspections that are required for the approval of the Towing Licenses, the Governing Body will be extending the renewal date for the Towing Licenses from May 31, 2020 until June 30, 2020.

The Borough Clerk read the following resolution:

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

RESOLUTION 118-2020

APPROVAL OF ADDITIONAL ENGINEERING FEES FOR REMINGTON & VERNICK ENGINEERS IN AN AMOUNT NOT TO EXCEED \$20,000 FOR THE SANITARY SEWER REHABILITATION PROJECT

WHEREAS, the Governing Body adopted Ordinance No. 1902-16 on December 13, 2016 which Appropriates \$2,450,000 and Authorizes the issuance of \$2,450,000 of Bonds or Notes for the Sanitary Sewer Rehabilitation Project; and

WHEREAS, Remington & Vernick Engineers have provided the engineering services for the Sanitary Sewer Rehabilitation Project which were approved to be for an amount not to exceed \$339,400; and

WHEREAS, due to the fact that the borough desires to do further work using contracted monies, which includes investigative (camera) and additional lining work, additional engineering fees will be needed; and

WHEREAS, an increase to the Engineering contract for time and material for this project needs to be amended to an amount not to exceed an additional \$20,000; and

WHEREAS, the NJDEP has indicated that there is money available under the Administrative and Contingencies line item in the Borough's Agreement, both in excess of the \$20,000 requested; and

WHEREAS, the NJDEP has also indicated that this additional work is also reimbursable through the same NJEIT loan that the borough is using to pay for additional contract work.

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

1. The Governing Body hereby approves increasing the current engineering fees for the Sanitary Sewer Rehabilitation Project to be a total amount not to exceed \$359,400.
2. This resolution shall take place immediately.

NOW FURTHER BE IT RESOLVED, that funds in the amount of \$20,000 are available in Account C-04-17-907-000-050.

Caroline Benson, CFO

The Borough Clerk read the following resolution:

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

RESOLUTION 119-2020**TEMPORARILY SUSPENDING THE FINGERPRINTING REQUIREMENT OF CHAPTER 4 OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX DUE TO THE COVID-19 PANDEMIC AND THE UNAVAILABILITY OF QUALIFIED FINGERPRINTING SERVICES - *Item Removed from Consent***

WHEREAS, Chapter 4 of the Municipal Code of the Borough of Middlesex requires that all employees and volunteers of a nonprofit youth serving organization request through the Department that the State Bureau of Identification in the Division of State Police conduct a criminal history record background check on each prospective and current employee or volunteer of the organization; and

WHEREAS, as a part of the background check process, Section 4-4 of the Municipal Code of the Borough of Middlesex requires that a set of valid fingerprints be submitted to the Borough as an element of the aforementioned background check; and

WHEREAS, due to the COVID-19 pandemic, qualified fingerprinting services are now unavailable; and

WHEREAS, at the recommendation of the Administrator and the Director of Recreation, the Borough Council of the Borough of Middlesex seeks provide a temporary waiver from this requirement; and

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey, does hereby temporarily waive the fingerprinting requirement of Section 4-4 of the Municipal Code of the Borough of Middlesex under the following conditions:

1. The aforementioned fingerprinting requirement of Section 4-4 of the Municipal Code of the Borough of Middlesex is hereby waived for employees or volunteers as therein defined who do not currently possess a valid set of fingerprints.
2. Any employee or volunteer as defined by Chapter 4 of the Municipal Code of the Borough of Middlesex who qualifies for a background check thereunder shall submit a valid set of fingerprints if they are in possession of same.
3. The foregoing waiver is temporary in nature as a direct result of the COVID-19 pandemic and said waiver shall expire upon the rescinding of the current restrictions preventing fingerprinting.
4. Upon availability of a qualified fingerprinting authority, any employee or volunteer who does not provide fingerprints in compliance with Section 4-4 of the Borough's Municipal Code shall provide such a set of fingerprints within fifteen (15) days of the rescinding of the current restrictions preventing fingerprinting.

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

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 120-2020

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

AGENDA WORKSHOP ITEM

PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS

EXECUTIVE SESSION

ADJOURNMENT

The next Regular Meeting will be May 12, 2020

Respectfully yours,

Borough Clerk