



Borough of Middlesex
Mayor and Council Special Meeting
~ Minutes ~

1400 Mountain Avenue
Middlesex, NJ

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

Tuesday, November 10, 2020

7:00 PM

Recreation Center

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 added the Administrator's Report to this evening's Special Meeting Agenda

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

ROLL CALL

Mayor John Madden
Council President Jack Mikolajczyk
Councilman Jeremiah Carnes
Councilman James Eodice
Councilwoman Amy Flood
Councilman Douglas Rex

Also Present:

Marcia Karrow Administrator
Christopher Corsini Borough Attorney

Others Absent:

PRESENTATIONS

APPOINTMENTS

PROCLAMATIONS

ORDINANCE(S) FOR INTRODUCTION

The Borough Clerk read ordinance 2014-20 by title:

ORDINANCE 2014-20

**AN ORDINANCE AMENDING CHAPTER 407 ENTITLED "VEHICLES AND TRAFFIC"
SECTION 407-6 ENTITLED "STOP INTERSECTIONS; SIGNS" TO ADD STOP SIGNS TO
THE INTERSECTION OF DAYTON AVENUE AND WOODROW STREET**

WHEREAS, in October 2020, the Middlesex Borough Police Department conducted a seven-day traffic study on Dayton Avenue to identify the average speed and volume of vehicles traveling along the street; and

WHEREAS, the results of the study indicated that the average speed of vehicles traveling along Dayton Avenue was 26 miles-per-hour and the weekly volume of vehicles totaled 4,325 vehicles (1,870 traveling north; 2,455 traveling south); and

WHEREAS, stop signs were recently installed on Washington Avenue, which runs parallel to Dayton Avenue, and

WHEREAS, the results of the traffic study indicate that stop signage is needed on Dayton Avenue at the intersection of Woodrow Street to control the increased vehicle volume and influx of vehicles at the intersection; and

WHEREAS, it is the desire of the Borough Council of the Borough of Middlesex to amend and revise the Borough's current ordinance to add additional stop signage to Dayton Avenue within the Borough of Middlesex; 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 407 of the Municipal Code of the Borough of Middlesex, County of Middlesex, State of New Jersey be and is hereby amended as follows:

Section I

Chapter 407, Section 407-6 is hereby amended as follows (bold and underlined text is to be added while strikethrough text is to be removed):

A. Borough officials designate the following stop intersections pursuant to N.J.S.A. 39:4-140:

(1) Edgeworth Street and Pierrepont Avenue: stop signs shall be installed on Pierrepont Avenue.

(2) Ashland Road and D Street-Oak Drive: stop signs shall be installed on D Street-Oak Drive.

(3) Coleman Street and Martin Street: stop signs shall be installed on Martin Street.

(4) Orchard Road and Lydecker Place: stop signs shall be installed on Lydecker Place.

(5) William Street and Blackford Avenue: stop signs shall be installed on Blackford Avenue.

- (6) Second Street and Fulton Street: stop signs shall be installed on Fulton Street.
- (7) Clay Avenue and Runyon Avenue: stop signs shall be installed on Runyon Avenue.
- (8) Smalley Avenue and Runyon Avenue: stop signs shall be installed on Runyon Avenue.
- (9) Lincoln Boulevard and Lincoln Avenue: stop signs shall be installed on Lincoln Boulevard (local portion).
- (10) Cedar Avenue and Old New Market Road: stop signs shall be installed on Old New Market Road. Since county roadways are involved county consent must be obtained.
- (11) South Woodland Avenue and Benart Place (the most southerly intersection): stop signs shall be installed on Benart Place.
- (12) South Woodland Avenue and Osceola Avenue: stop signs shall be installed on Osceola Avenue.
- (13) Vorhees Avenue and Sheridan Avenue: stop signs shall be installed on Sheridan Avenue.
- (14) Egel Avenue and Blackford Avenue: stop signs shall be installed on Blackford Avenue.
- (15) Wood Avenue and Blackford Avenue: stop signs shall be installed on Blackford Avenue.
- (16) Fulton Street and High Street: stop signs shall be installed on Fulton Street.
- (17) Fulton Street and First Street: stop signs shall be installed on Fulton Street.
- (18) Maple Avenue and B Street: stop signs shall be installed on Maple Avenue.
- (19) Maple Avenue and C Street: stop signs shall be installed on Maple Avenue.
- (20) Ambrose Avenue and Hazelwood Avenue: stop signs shall be installed on Ambrose Avenue.
- (21) Greene Avenue and South Drive: stop signs shall be installed on Greene Avenue.
- (22) Mohawk Avenue and Melrose Avenue: stop signs shall be installed on Mohawk Avenue.
- (23) Delaware Avenue and Melrose Avenue: stop signs shall be installed on Delaware Avenue.

(24) Osceola Avenue and Melrose Avenue: stop signs shall be installed on Osceola Avenue.

(25) Greenlawn Avenue and Melrose Avenue: stop signs shall be installed on Greenlawn Avenue.

(26) Melrose Avenue and Seneca Avenue: stop signs shall be installed on Melrose Avenue.

(27) Grant Avenue and Beechwood Avenue: stop signs shall be installed on Grant Avenue.

(28) Wellington Avenue and Treetop Road: stop signs shall be installed on Treetop Road.

(29) Hawthorne Avenue and Sycamore Road: stop signs shall be installed on Sycamore Road.

(30) Valley Brook Drive and West Second Street: stop signs shall be installed on Valley Brook Drive.

(31) Rolling Road and West Second Street: stop signs shall be installed on Rolling Road.

(32) Orchard Road and Beechwood Avenue: stop signs shall be installed on Orchard Road.

(33) Hazelwood Avenue and Orchard Road: stop signs shall be installed on Hazelwood Avenue.

(34) Pierrepont Avenue and Benart Place: stop signs shall be installed on Benart Place.

(35) Farragut Avenue and Vorhees Avenue: stop signs shall be installed on Farragut Avenue.

(36) Grandview Avenue and Stephenson Avenue: stop signs shall be installed on Grandview Avenue.

(37) Farragut Avenue and Seneca Avenue: stop signs shall be installed on Farragut Avenue.

(38) Main Street and Market Street: stop signs shall be installed on Main Street.

(39) Pearl Place and Second Street: stop signs shall be installed on Pearl Place.

(40) Milton Place and Second Street: stop signs shall be installed on Milton Place.

(41) Hancock Street and Pierrepont Avenue: stop signs shall be installed on Hancock Street.

- (42) A Street and Ashland Road: stop signs shall be installed on A Street.
- (43) Ambrose Avenue and Dorn Avenue: stop signs shall be installed on Ambrose Avenue.
- (44) B Street and Ashland Road: stop signs shall be installed on B Street.
- (45) Barbara Place and Louis Avenue: stop signs shall be installed on Barbara Place.
- (46) C Street and Ashland Road: stop signs shall be installed on C Street.
- (47) Clinton Avenue and Delaware Avenue: stop signs shall be installed on Clinton Avenue.
- (48) Decatur Avenue and Delaware Avenue: stop signs shall be installed on Decatur Avenue.
- (49) Drake Avenue and Farragut Avenue: stop signs shall be installed on Drake Avenue.
- (50) E Street and Walnut Avenue: stop signs shall be installed on E Street.
- (51) Elmwood Avenue and Dorn Avenue: stop signs shall be installed on Elmwood Avenue.
- (52) Elmwood Avenue and Grant Avenue: stop signs shall be installed on Elmwood Avenue.
- (53) F Street and Ashland Road: stop signs shall be installed on F Street.
- (54) First Street and Cap Lane: stop signs shall be installed on First Street.
- (55) Fitzsimmons Avenue and Grandview Street: stop signs shall be installed on Fitzsimmons Avenue.
- (56) Fourth Street and Rock Avenue: stop signs shall be installed on Fourth Street.
- (57) Fulton Street and Main Street: stop signs shall be installed on Fulton Street.
- (58) George Avenue and Oak Drive: stop signs shall be installed on George Avenue.
- (59) Lynn Avenue and Barbara Place: stop signs shall be installed on Lynn Avenue.
- (60) Madison Avenue and Cook Avenue: stop signs shall be installed on Madison Avenue.
- (61) Market Street and Grandview Street: stop signs shall be installed on Market Street.
- (62) Market Street and Second Street: stop signs shall be installed on Market Street.

(63) Mead Avenue and Seneca Avenue: stop signs shall be installed on Mead Avenue.

(64) Osterman Avenue and Grandview Street: stop signs shall be installed on Osterman Avenue.

(65) Second Street and Cap Lane: stop signs shall be installed on Second Street.

(66) Sheridan Avenue and Drake Avenue: stop signs shall be installed on Sheridan Avenue.

(67) Vail Street and Fisher Avenue: stop signs shall be installed on Vail Street.

(68) Venice Avenue and Bound Brook Road: stop signs shall be installed on Venice Avenue.

(69) Walnut Street and Ashland Road: stop signs shall be installed on Walnut Street.

(70) West Pershing Avenue and Madison Avenue: stop signs shall be installed on West Pershing Avenue.

(71) Willow Drive and Union Avenue: stop signs shall be installed on Willow Drive.

(72) Wood Avenue and Wagner Street: stop signs shall be installed on Wood Avenue.

(73) Zoar Place and Fairfield Avenue: stop signs shall be installed on Zoar Place.

(74) Washington Avenue and Woodrow Street: The intersection is hereby established as a four-way stop intersection. Stop signs and stop bars are to be installed on Washington Avenue at the north and south approaches to the intersection with Woodrow Street.

(75) Washington Avenue and Nelson Street: The intersection is hereby established as a four-way stop intersection. Stop signs and stop bars are to be installed on Washington Avenue at the north and south approaches to the intersection with Nelson Street.

(76) Washington Avenue and Wilson Street: The intersection is hereby established as a three-way stop intersection. Stop signs and stop bars are to be installed on Washington Avenue at the north and south approaches to the intersection with Wilson Street.

(77) Washington Avenue and Dogwood Drive: Stop signs are to be installed on Dogwood Drive at the intersection with Washington Avenue.

(78) Starlit Drive and June Way: Stop signs are to be installed on June Way at both intersections with Starlit Drive.

(79) Dayton Avenue and Woodrow Street: The intersection is hereby established as a four-way stop intersection. Stop signs and stop bars are to be installed on Dayton Avenue at the north and south approaches to the intersection with Woodrow Street.

B. Pursuant to N.J.S.A. 39:4-198, proper signs must be erected at all locations designated in this article and must conform to the current Manual on Uniform Traffic Control Devices for Streets and Highways.

C. Convictions for stop sign regulations are to be charged as violations of N.J.S.A. 39:4-144 and are subject to the general penalty provisions of N.J.S.A. 39:4-203.

Section II

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

Section III

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 IV

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

RESULT:	FIRST READING [UNANIMOUS]	Next: 11/24/2020 7:00 PM
MOVER:	Jack Mikolajczyk, Council President	
SECONDER:	James Eodice, Councilman	
AYES:	Mikolajczyk, Carnes, Eodice, Flood, Rex	

The Borough Clerk read ordinance 2015-20 by title:

ORDINANCE 2015-20

AN ORDINANCE AMENDING CHAPTER 272 ENTITLED "MASSAGE AND BODYWORK THERAPY ESTABLISHMENTS" SECTION 272-3 ENTITLED "PERMITS REQUIRED" TO ADD A PROVISION ON LICENSE RENEWALS

WHEREAS, the Borough of Middlesex's current code provides various requirements for massage and bodywork therapy establishments and therapists to operate within the Borough; and

WHEREAS, the current code does not include language regarding permit/license renewals of massage and bodywork therapy establishments/therapists; and

WHEREAS, it is the desire of the Borough of Middlesex to amend and revise the Borough's current ordinance to add a provision concerning massage and bodywork therapy permit/license renewals; 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 272 of the Municipal Code of the Borough of Middlesex, County of Middlesex, State of New Jersey be and is hereby amended as follows:

Section I

Chapter 272, Section 272-3 is hereby amended as follows (bold and underlined text is to be added while strikethrough text is to be removed):

§ 272-3 Permits required.

A Massage and bodywork therapy establishment permit required. No person, firm, corporation, organization or other entity shall own, maintain, operate or conduct a massage and bodywork therapy establishment or utilize any premises in the Borough of Middlesex as or for a massage and bodywork therapy establishment unless or until such person or entity first obtained a permit for such establishment or premises from the Borough of Middlesex in accordance with the terms and provisions of this chapter.

B. Massage and bodywork therapist registration/documentation required. No person shall practice massage and bodywork therapies, unless he/she has a valid and subsisting massage and bodywork therapist permit or license issued to him/her by the New Jersey Board of massage and bodywork therapy, pursuant to the terms and provisions of N.J.S.A. 45:11-53 et seq., and evidence of same has been submitted to the Borough of Middlesex in accordance with the terms and provisions of this chapter.

C. Permit renewals. Permits shall be subject to annual renewal as of June 1st of each year. All permit renewal applications shall be submitted to the Borough in the same manner as the initial permit along with any appropriate annual application fees pursuant to this Chapter.

Section II

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

Section III

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 IV

This ordinance shall take effect upon adoption and publication in the manner required by New Jersey general law but, in no event, less than 20 days after its final passage by the Borough Council and approval by the Mayor, where such approval is required pursuant to

N.J.S.A. 40:69A-181(b).

RESULT:	FIRST READING [UNANIMOUS]	Next: 11/24/2020 7:00 PM
MOVER:	Jack Mikolajczyk, Council President	
SECONDER:	James Eodice, Councilman	
AYES:	Mikolajczyk, Carnes, Eodice, Flood, Rex	

ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION

ADOPTION OF MINUTES

1. Approval of the October 27, 2020 Regular Meeting Minutes

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

MAYOR'S REPORT

Mayor Madden read Councilman Carr's resignation letter effective November 2, 2020 into the record:

Dear Mr. Mayor,

This letter serves as notice of my resignation effective November 2, 2020 - as a member of the Borough of Middlesex, New Jersey Council, this is inclusive of my duties as Council Representative to the Middlesex Borough Police Department, Swim Pool Commission and service as a member of the Borough of Middlesex Redevelopment Committee.

Representing the residents of Middlesex and serving on the Borough Council since January of 2019 has been a tremendous honor and responsibility. As you are aware, I have accepted an employment opportunity outside the State of New Jersey and thus will no longer have primary residence within the Borough.

Mr. Mayor, I am confident under your leadership the Borough will recover and transform after decades of gross negligence and corruption within the Mayor's office before you. The aftermath of incompetent leadership in the Borough over the prior 30+ years is overwhelming and in all honesty, the pace is staggering at which hidden and complex issues continue to unfold each day. I am truly sorry that I will not be able to continue on as part of this epic long-term transformation. In departing, I do ask that residents and taxpayers please remember this; government in our great country was intended to succeed on the basis of consensus. Consensus can be a very time-consuming process and therefore this administration needs all of your patience.

Thank you to everyone that I have worked with during my service to the Borough and I wish you all the best.

Sincerely,
Jason A. Carr
Borough of Middlesex Council Member

COUNCIL MEMBER REPORT

Council President Mikolajczyk

No report was given.

Councilman Carnes

Councilman Carnes stated that the Joint Land Use Board's next meeting will be held in December.

Councilman Carnes announced the revised hours of the recycling center, which will now be open at 6am on Thursday.

Councilman Carnes also mentioned that the Culture & Heritage Committee members are coming up soon, and that Middlesex Schools started this week and seem to be going smoothly so far.

Councilman Eodice

Councilman Eodice stated that the Board of Health will hold a virtual meeting on November 12th. In addition, the rabies clinic will not be happening this month, however they are still looking into the following months to see what they can do.

Councilwoman Flood

Councilwoman Flood stated that the Recreation Committee met on November 9th. She mentioned that the first event held by the new Director, Ashley White, went very well. Future programs and events are up in the air right now, one of which being a Tree Lighting with a twist. She also stated that the outlook for winter sports is not good.

Councilwoman Flood mentioned that the Board of Education successfully opened with Phase 2 on November 9th, however Watchung Elementary School will be closed for the next two weeks due to a positive case of Covid-19.

Councilman Rex

Regular November monthly meeting for SWAC was canceled and replaced with annual Solid Waste Training and Outreach Event. Presentations will focus on the topics of updates on policies for transport and use of imported fill, regulations of scrap tires, requirements for integrated pest management in schools, and educational efforts to reduce single use plastics.

The Shade Tree Commission Meeting was held remotely on October 5, 2020. The Commission received 5 communications via email from residents with various concerns about conditions of the Shade tree on their property. They were discussed and various members volunteered to inspect the related sites and report back at next meeting. This evenings meeting listed the status for 23 communications pending work to be done or had been already accomplished. An additional work group was formed to complete the fencing and add mulch for the seedlings, planted in the spring, along Rattan Avenue. As previously reported, they are all in good condition and it was determined that out of 41 planted, there were only 4 that did not survive to date.

Middlesex Borough continues to be the path to receive the TREE SHADE USA award. New Jersey Forestry Consortium had reduced, due to COVID 19, the requirement and time line to apply for and receive this award. The Commission continues to get quotes and planting locations for fall planting. Two commission members said they will put this on top of their list and relay information back to the secretary so the funds can be encumbered.

ADMINISTRATOR'S REPORT

**Administrator's Report
November 10, 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

- iii. Phase IV (Sewer Bypass) - Design/engineer/i-bank
- iv. MCUA Lining Project

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)****vi. * Local Freight Impact Fund**

v. Update on Other Projects:

i. *Mountain View Park

vi. Miscellaneous

- i. Dredging of Lake/Mosquito Control Commission
- ii. Eagle scout project - dog park
- iii. Presentations at Upcoming Meetings
- iv. School District Shared Services
- v. Sewer Ordinance
- vi. FEMA Hazardous Mitigation Plan
- vii. CO inspection for illegal discharge into sewer system ordinance
- viii. OEM Membership
- ix. Stop Intersection at Dayton and Woodrow
- x. Extension of Outdoor Dining Permit from ABC
- xi. ***Potential sale of land near Victor Crowell Park - Council did not approve of the sale of Block 150, Lot 1**

PRIVILEGE OF THE FLOOR

Mike Hompesch, 5 Kalman Court questioned if the student that tested positive for COVID 19 at Watchung School would be quarantined and if they had siblings that attended any other borough school.

Mr. Hompesch was advised that all contact tracing for this student would be handled by the Board of Education.

NEW BUSINESS/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 253-2020

APPROVAL OF THE INTERLOCAL HEALTH SERVICES CONTRACT WITH MIDDLESEX COUNTY EFFECTIVE JANUARY 1, 2021 - DECEMBER 31, 2022

The Governing Body hereby authorizes the Mayor and Borough Clerk to execute the Public Health Interlocal Services Contract with the County of Middlesex to provide health services effective January 1, 2021 - December 31, 2022.

RESULT:	TABLED [UNANIMOUS]	Next: 11/24/2020 7:00 PM
MOVER:	Jack Mikolajczyk, Council President	
SECONDER:	Amy Flood, Councilwoman	
AYES:	Mikolajczyk, Carnes, 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 254-2020

ACCEPTING THE RESIGNATION OF SCHOOL CROSSING GUARD WILL ADAMS EFFECTIVE OCTOBER 29, 2020

The Governing Body hereby accepts the resignation of school crossing guard Will Adams effective October 29, 2020.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jack Mikolajczyk, Council President
SECONDER:	James Eodice, Councilman
AYES:	Mikolajczyk, Carnes, 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 255-2020

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 2016, 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, homeowner's date of death was May of 2016, and

WHEREAS, said deduction(s) were not removed at the end of 2016, and

THEREFORE, the Tax Collector has disallowed the following Senior Citizen/Disabled Person/Veteran deduction for the year(s) 2017, 2018, 2019 & 2020 totaling \$1000.00.

Name: Dorothy Temple

Block/Lot: 330/25

Reason: DOD 5/2016 - Deduction Not Removed

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jack Mikolajczyk, Council President
SECONDER:	James Eodice, Councilman
AYES:	Mikolajczyk, Carnes, 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 256-2020

REIMBURSEMENT OF ZONING PERMIT FEE IN THE AMOUNT OF \$50.00 TO BARRY PROCTOR, 120 JAY PLACE, MIDDLESEX, NJ

WHEREAS, Barry Proctor, applied to the Construction Office for a Zoning Permit for 120 Jay Pl; and

WHEREAS, Barry Proctor submitted a check in the amount of \$50.00 on 10/26/20 in payment of said Zoning Permit for a proposed construction of fence; and

WHEREAS, a Zoning Permit was already issued on August 10,2020 for inground pool and fence.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex that the disbursing officers be and they are hereby authorized to draw a check in the amount of \$50.00 in favor of Barry Proctor, 120 Jay Pl. Middlesex NJ 08846, for refund of fee for Zoning Permit.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jack Mikolajczyk, Council President
SECONDER:	James Eodice, Councilman
AYES:	Mikolajczyk, Carnes, 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 257-2020

**APPROVING FILING OF CY2020/SFY2021 BEST PRACTICES INVENTORY
QUESTIONNAIRE - *Item Removed from Consent***

WHEREAS, the New Jersey State's Fiscal Year Appropriations Act requires that each municipalities final 5% allocation of its CMPTRA and ETR aid will be disbursed based upon the results of their completed Best Practices Inventory; and

WHEREAS, Local Finance Notice 2020-20 requires that this Inventory be completed and filed with the Division of Local Government services by November 5, 2020 and that the Inventory must be discussed at regular meeting of the Borough Council; and

WHEREAS, the Borough's Chief Financial Officer and Borough Administrator completed and filed the Best Practice Checklist on November 3, 2020.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, County of Middlesex and State of New Jersey that they hereby approve the CY2020/SFY2021 Inventory, a requirement of the New Jersey State's Fiscal Year Appropriations Act, which is attached hereto and made part of this resolution.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jack Mikolajczyk, Council President
SECONDER:	James Eodice, Councilman
AYES:	Mikolajczyk, Carnes, 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 258-2020

**APPROVING THE TAX COLLECTOR TO REFUND 4TH QUARTER PROPERTY TAXES
IN THE AMOUNT OF \$1,877.28 ON BLOCK 84, LOT 19**

WHEREAS, payment was sent in error via WIRE for Block 84 Lot 19 for 4th Qtr. 2020 in the amount of \$1,877.28 and processed on 11/3/2020; and

WHEREAS, homeowner of property has been granted a full Disabled Veteran Exemption as of February 2020; and

WHEREAS, the mortgage provider has requested a refund for the error in the payment; and

WHEREAS, the property owner is entitled to a refund via the mortgage company.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex and State of New Jersey that a check in the amount of \$1,877.28 should be made payable to:

CoreLogic
3001 Hackberry Rd.
Irving, TX 75063

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jack Mikolajczyk, Council President
SECONDER:	James Eodice, Councilman
AYES:	Mikolajczyk, Carnes, 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 259-2020

**SPECIAL ITEMS OF REVENUE AND APPROPRIATION - MUNICIPAL ALLIANCE
GRANT PROGRAM**

WHEREAS, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Middlesex, County of Middlesex, hereby requests that the Director of Local Government Services approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$1,997.20 along with an additional 25% cash match of \$499.30, which item is now available as a revenue from the extension of the 2019-2020 Municipal Alliance Grant Program in the amount of \$2,496.50;

BE IT FURTHER RESOLVED that the like sum of \$2,496.50 is hereby appropriated under the caption of "Municipal Alliance Grant Program"; and

BE IT FURTHER RESOLVED that the above is a result of a State Grant of \$2,496.50 from the Municipal Alliance Grant Program.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jack Mikolajczyk, Council President
SECONDER:	James Eodice, Councilman
AYES:	Mikolajczyk, Carnes, 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 260-2020

CANCELLATION OF THE BUDGET APPROPRIATION TO REFLECT THE CHANGE IN THE 2020-2021 MIDDLESEX COUNTY DRUG & ALLIANCE GRANT

WHEREAS, the 2020 Operating Budget appropriated funding for the 2020-2021 Middlesex County Drug & Alliance Grant; and

WHEREAS, Middlesex County has reduced the amount of the 2020-2021 Grant due to restrictions from Covid-19

NOW THEREFORE BE IT RESOLVED that the Borough of Middlesex is cancelling \$13,416.00 from the original appropriation in the 2020 Operating Budget to reflect the change in the 2020-2021 Middlesex County Drug & Alliance Grant.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jack Mikolajczyk, Council President
SECONDER:	James Eodice, Councilman
AYES:	Mikolajczyk, Carnes, 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 261-2020

AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT ("CARES ACT") REIMBURSEMENT AGREEMENT WITH MIDDLESEX COUNTY - *Item Removed from Consent*

The Governing Body hereby authorizes the Mayor and Borough Clerk to execute the Coronavirus Aid, Relief, and Economic Security Act (CARES ACT) County/Municipal Reimbursement Agreement. This Agreement authorizes Middlesex County to disburse the Stimulus Funds to eligible recipients in accordance with the term and provisions of the CARES Act per the guidelines or regulations issued by the United States Government or any of its agencies and/or departments.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jack Mikolajczyk, Council President
SECONDER:	James Eodice, Councilman
AYES:	Mikolajczyk, Carnes, 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 262-2020**EXTENDING MIDDLESEX BOROUGH'S LOCAL ENFORCEMENT GUIDELINES FOR EXECUTIVE ORDER 150 (MURPHY) AND SR-2020-10 (NJ ABC, AS AMENDED BY SR-2020-21) CONCERNING OUTDOOR DINING, OUTDOOR RETAIL SALES, AND SPECIAL COVID-19 EXPANSION PERMIT LIQUOR LICENSES - *Item Removed from Consent***

WHEREAS, in compliance with New Jersey Executive Order No. 150 (Murphy) and New Jersey Division of Alcoholic Beverage Control Special Ruling No. 2020-10 and pursuant to Borough Council Resolution 147-2020 (as amended), the Middlesex Borough Council approved local enforcement guidelines for outdoor dining, outdoor retail sales, and special COVID-19 Expansion Permits; and

WHEREAS, pursuant to New Jersey Alcoholic Beverage Control Special Ruling No. 2020-10, all COVID-19 Expansion Permits shall expire on November 30, 2020; and

WHEREAS, pursuant to Resolution No. 147-2020, as amended, of the Middlesex Borough Council, all Temporary Outdoor Dining Permits and Temporary Outdoor Retail Sales Permits shall expire contemporaneously to the New Jersey Division of Alcoholic Beverage Control's COVID-19 Expansion Permits on November 30, 2020; and

WHEREAS, on October 19, 2020, the New Jersey Division of Alcoholic Beverage Control issued Special Ruling 2020-10 extending COVID-19 Expansion Permits until March 31, 2021; and

WHEREAS, the Administration and Borough Council desire to extend all three temporary permit types referenced in Borough Council Resolution 147-2020 (as amended) to likewise expire on March 31, 2021; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Middlesex, County of Middlesex, State of New Jersey, exercising the power conferred thereto by Executive Order No. 150 (Murphy) and N.J.S.A. 40:48-2 hereby extends all permits issued pursuant to Borough Council Resolution No. 147-2020 (as amended) from November 30, 2020 until March 31, 2021; and

BE IT FURTHER RESOLVED that all prior approvals granted by any authority whatsoever and any permit issued by the Borough of Middlesex are confined and restricted to the terms and conditions authorized at the time of the granting of said approvals or permits; and

BE IT FURTHER RESOLVED that, in the event any permit holder seeks to expand upon the approval that said permit holder has already received from the Borough (including but not limited to the installation or utilization of additional heating or lighting elements), the aforementioned permit holder must submit an amended permit application pursuant to the applicable section of Borough Council Resolution No. 147-2020.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jack Mikolajczyk, Council President
SECONDER:	James Eodice, Councilman
AYES:	Mikolajczyk, Carnes, 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 263-2020

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:	James Eodice, Councilman
AYES:	Mikolajczyk, Carnes, 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 264-2020

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. Real Estate Negotiations: US Army Corps
2. Potential Litigation - Midmarket LLC & 150 Lincoln Boulevard

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

AGENDA WORKSHOP ITEMS

PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS

EXECUTIVE SESSION

1. Real Estate Negotiations: US Army Corps
 2. Potential Litigation - Midmarket LLC & 150 Lincoln Boulevard
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COMMENTS

Upon returning to open session, the Borough Administrator stated that she discussed with the Army Corp. the damage that was done with their heavy equipment to the Municipal Building Parking lot, and also to Cap Lane and the side streets in that area. The Administrator previously discussed this matter with the former mayor, and she has since negotiated with the Army Corp. an addendum to be added to their contract which will include the work on Cap Lane and the side streets that have been damaged with their heavy equipment, along with the paving of the parking lot behind borough hall, which should be completed next year.

ADJOURNMENT

The next Regular Meeting will be November 24, 2020

Respectfully yours,

Borough Clerk