



Borough of Middlesex
Mayor and Council Regular Meeting
~ Minutes ~

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Middlesex, NJ

Linda Chismar
732 356-7400 x238
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Tuesday, February 9, 2021

7:00 PM

Remote

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 James Eodice
Councilman Jeremiah Carnes
Councilwoman Amy Flood
Councilman Jack Mikolajczyk
Councilman Martin Quinn
Councilman Douglas Rex

Also Present:

Marcia Karrow Administrator
Christopher Corsini Borough Attorney

Others Absent:

2. Mayor Madden removed Ordinance No. 2020-21 from the Agenda and indicated that it would be introduced at the next meeting with amendments.

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

PRESENTATIONS

APPOINTMENTS

PROCLAMATIONS

ORDINANCE(S) FOR INTRODUCTION

The Borough Clerk read ordinance 2022-21 by title:

ORDINANCE 2022-21

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	\$40,000	\$65,000
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
Deputy Recreation Director	\$35,000	\$50,000
Court Administrator	\$55,000	\$70,000
Court Violations Clerk	\$35,000	\$55,000
Administrative Clerk/Purchasing Agent	\$45,000	\$65,000
Human Resources/Payroll Clerk	\$45,000	\$60,000
Administrative Assistant	\$32,000	\$45,000
Senior Administrative Assistant	\$42,000	\$55,000
Records Clerk	\$34,000	\$50,000
Certified Technical Assistant	\$45,000	\$65,000
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.

RESULT:	FIRST READING [UNANIMOUS]	Next: 2/23/2021 7:00 PM
MOVER:	James Eodice, Council President	
SECONDER:	Douglas Rex, Councilman	
AYES:	Eodice, Carnes, Flood, Mikolajczyk, Quinn, Rex	

ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION

The Borough Clerk read ordinance 2017-21 by title:

ORDINANCE 2017-21

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN
CHAPTER 19, CULTURAL AND HERITAGE COMMITTEE, SECTION 19-2,
APPOINTMENT; MEMBERSHIP; TERM**

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

THAT:

Section 19-2 shall be amended to read as follows:

§ 19-2 Appointment; Membership; Term

Appointment; Membership; Term. The Committee shall consist of eleven members, from among residents and Community Leaders. Members shall be appointed by the Mayor with the advice and consent of the Borough Council. Members shall be appointed for a term of three years, and all appointments shall expire on December 31st. The initial appointment terms will be staggered and shall be made for the balance of the one-, two- or three year term designated, ending on December 31 of the applicable year in order to prevent all eleven members' terms from expiring at the same time. Initial appointments will contain three one-year terms, four two-year term and four three-year term. In the event of a vacancy prior to the expiration of a member's term, the Mayor shall appoint, with advice and consent of the Council, a replacement to fill the remaining portion of the unexpired term.

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

Mayor Madden opened the public hearing on Ordinance No. 2017-21. Seeing that there were no public participation, Mayor Madden closed the hearing on Ordinance No. 2017-21.

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

The Borough Clerk read ordinance 2018-21 by title:

ORDINANCE 2018-21

AN ORDINANCE AMENDING CHAPTER 267 ENTITLED "SWIMMING POOL, MUNICIPAL" SECTION 267-3 ENTITLED "FEES AND CHARGES" TO REVISE THE MEMBERSHIP RATES EFFECTIVE SPRING, 2021.

WHEREAS, the Borough of Middlesex's current code provides various requirements for membership at the municipal pool within the Borough; and

WHEREAS, the Swim Pool Commission has found it necessary to modify the annual membership fees for the pool and modify the refund policy beginning in the spring of 2021; and

WHEREAS, the Swim Pool Commission proposed various fee increases and a revised refund policy in accordance with their needs; and

WHEREAS, it is the desire of the Borough of Middlesex to amend and revise the Borough's current ordinance to accommodate the Swim Pool Commission's proposal; 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 267 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 267, Section 267-3 is hereby amended as follows (bold and underlined text is to be added while strikethrough text is to be removed):

§ 367-3

<<https://ecode360.com/10337000?highlight=pool&searchId=34095408736543522>>Fees and charges.

Fees and charges shall be as follows:

A. Schedule of fees.

(1) Residential family membership: ~~\$264~~ **\$280** per season if paid after April 15 of each year and ~~\$247.50~~ **\$260** if paid prior thereto.

(2) Resident individual membership: ~~\$176~~ **\$195** per season if paid after April 15 of each year and ~~\$159.50~~ **\$175** if paid prior thereto.

(3) Resident senior citizen membership: ~~\$38.50~~ **\$50** per season **if paid after April 15 of each year and \$45 if paid prior thereto.**

(4) Nonresident family membership: ~~\$379.50~~ **\$400** per season **if paid after May 15 of each year and \$370 if paid prior thereto.**

(5) Nonresident individual membership: ~~\$242~~ **\$255** per season **if paid after May 15 of each year and \$235 if paid prior thereto.**

(6) Nonresident senior citizen membership: ~~\$71.50~~ **\$80** per season **if paid after April 15 of each year and \$75 if paid prior thereto.**

(7) Resident couple membership or resident parent/one child membership: ~~\$220~~ **\$235** per season **if paid after April 15th of each year and \$215 if paid prior thereto.**

(8) Nonresident couple membership or nonresident parent/one child membership: ~~\$310.75~~ **\$325** per season **if after May 15 of each year and \$300 if paid prior thereto.**

B. All fees shall be paid by the first day of full-time operation each year.

C. Fees for pool activities not otherwise covered in this chapter shall be determined by a 4/7 vote of the Board of Commissioners.

D. No refunds will be given ~~unless there is a waiting list for membership~~ **after the Monday of Memorial Day weekend. Membership refunds will be given prior to Memorial Day Monday if there is a waiting list for memberships or by a majority swim pool commission vote (4/7) on a case-by-case basis for other reasons.**

E. The Swim Pool Commission has the authority to increase the membership fees by no more than 10% per year with the stipulations that the rates are not raised more than 30% over the next five years.

F. Resident and nonresident family membership may include, for an additional fee of \$50 per season, one "nanny" or nonfamily childcare provider membership.

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).

Mayor Madden opened the public hearing on Ordinance No. 2018-21. Seeing that there were no public participation, Mayor Madden closed the hearing on Ordinance No. 2018-21.

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

The Borough Clerk read ordinance 2019-21 by title:

ORDINANCE 2019-21

AN ORDINANCE AMENDING CHAPTER 317 (PROPERTY MAINTENANCE) OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX BY ADDING ARTICLE V (SUMP PUMPS), SO AS TO DETAIL REGULATIONS REGARDING THE DISCHARGE OF SUMP PUMPS INTO THE SANITARY SEWER SYSTEM

WHEREAS, the unregulated connection of sump pumps into the sanitary sewer system has caused significant harm to the sewer system and expense for the Borough, and has negatively affected the health, safety, and welfare of the Borough's residents; and

WHEREAS, the Borough's current Chapter 317 addresses property maintenance standards for lots within the Borough; and

WHEREAS, the Borough Council of the Borough of Middlesex seeks to amend Chapter 317- Property Maintenance of the Borough Code by adding Article V, detailing regulations regarding the discharge of sump pumps;

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Middlesex in the County of Middlesex and State of New Jersey that Chapter 317 of the Municipal Code thereof be amended with the addition of the following:

SECTION I.

Article V of Chapter 317 of the Borough's Code is created and shall hereby be entitled "Sump Pumps."

SECTION II.

Sections 317-22 through 317-24 shall be caused to appear in the Borough's Code as follows (all text in this Section to be added):

ARTICLE V**Sump Pumps.****§ 317-22 Definitions.**

Sump Pump - For the purposes of this article, a sump pump is defined as any device or method which discharges drainage resulting from rainwater, springs, wells, or other groundwater.

§ 317-23 Regulation for all Sump Pumps.

No Sump pump, as defined in 317-22, shall discharge drainage resulting from rainwater, springs, wells, or other groundwater into the sanitary sewer system, nor shall any sump pump be permitted to discharge so as to create a hazardous condition to the public.

§ 317-24 Violations and Penalties.

- a. Any person or entity who shall violate any of the provisions of this Article or any order promulgated hereunder shall, after a summons is issued under the terms hereof, be punished as follows for each such violation occurring during any calendar day being considered a separate offense:
 - i. For a first offense, by a fine not less than \$500 nor more than \$2,000.
 - ii. For a second offense, by a fine not less than \$1,000 nor more than \$2,000.
 - iii. For a third or any subsequent offense, by a fine not less than \$1,500 nor more than \$2,000.
- b. The owner of any building, lot, or land where a violation of this Article has occurred, as well as any contractor, agent, or person who commits or knowingly assists in the commission of any such violation, shall each be guilty of a separate offense, and, upon conviction, shall each be liable to the penalties specified in this Section.

- c. Any person violating any provision of this Article shall become liable to the Borough for any expense, loss, or damage caused to the Borough because of such violation, in addition to all costs of collection and enforcement proceedings.

SECTION IV.

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.

SECTION V.

All Borough of Middlesex ordinances or parts of ordinances inconsistent with this enactment are hereby repealed to the extent of such inconsistency.

SECTION VI.

Should any section, paragraph, sentence, or clause of this ordinance be declared unconstitutional or invalid for any reason, 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.

SECTION VII.

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

Mayor Madden opened the public hearing on Ordinance No. 2019-21. Seeing that there were no public participation, Mayor Madden closed the hearing on Ordinance No. 2019-21.

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

The Borough Clerk read ordinance 2020-21 by title:

ORDINANCE 2020-21

AN ORDINANCE REPEALING AND REPLACING CHAPTER 158 (CERTIFICATES, RESALE/LEASED) IN THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX SO AS TO CLARIFY THE PROCEDURE FOR APPLICATION, REVIEW, AND INSPECTIONS REQUIRED FOR THE PERMITTING OF COMMERCIAL AND RESIDENTIAL SALES AND LEASING

WHEREAS, the existing Chapter 158- Certificates, Resale/Leased of the Municipal Code of the Borough of Middlesex currently covers the sale or lease of commercial property, as well as the sale, re-rent, re-lease, or change of occupancy of a residential property; and **WHEREAS**, a certificate and zoning permit must be issued upon any sale or lease of

commercial property to ensure compliance with the zoning scheme and code of the Borough of Middlesex; and

WHEREAS, a compliance certificate and re-sale/lease certificate must be issued before any occupancy of residential property to ensure compliance with safety regulations relating to fire and carbon monoxide, as well as ensure compliance with the code of the Borough of Middlesex; and

WHEREAS, the existing Chapter 158 does not address certain necessary safety, zoning, and compliance procedures and must be modernized to comply with all applicable Federal and State statutes and regulations; and

WHEREAS, the Borough Council of the Borough of Middlesex seeks to establish a clear and concise procedure for the application, review, and inspections required for the permitting of commercial and residential sales and leasing;

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Middlesex in the County of Middlesex and State of New Jersey, that Chapter 158 of the Municipal Code thereof is hereby repealed and replaced as follows:

SECTION I.

Article I of Chapter 158 of the Municipal Code of the Borough of Middlesex shall hereby be entitled "Sale or Lease of Commercial Property."

SECTION II.

Article II of Chapter 158 of the Municipal Code of the Borough of Middlesex shall hereby be entitled "Sale or re-rent, re-lease, or change of occupancy of residential property."

SECTION III.

The current Chapter 158, currently Sections 158-1 through 158-22 consisting of three separate Articles, is repealed and replaced by new Chapter 158, Sections 158-1 through 158-16 consisting of two separate Articles as outlined in Sections I and II of this resolution, and shall be caused to appear in the Borough's Code as follows (struck through portions are to be removed; other portions are to be added):

Article I

Sale or Lease of Commercial Property.

§ 158-1 Certificate required for the sale of, or change of tenant in, commercial, industrial or business property.

Each time there is a sale of, or change of tenant in, any commercial, industrial, or business property, or unit therein, leased within the Borough of Middlesex, each property seller or new lessee of such property or unit must obtain from the Zoning and Construction Office of the Borough of Middlesex at least 10 days prior to but not more than 30 days prior to the change of ownership and/or occupancy a:

- a. Continued Commercial Occupancy Certificate (hereinafter "CCOC");
- b. Tenancy Review and Zoning Permit (hereinafter "Tenancy Review/Zoning Permit" or "Permit") certifying that the intended use or continued use is a permitted use in the zone in which the property is located.

Additionally, each property seller or new lessee must submit:

- c. An Affidavit stating that there have been no structural, electric, plumbing, or fire protection/prevention changes made that required UCC permitting, inspections, and approvals;
- d. An Affidavit along with required documentation that the property is in compliance with Borough Chapter 224 - Flood Damage Prevention.

§ 158-2 Applications for a CCOC and Tenancy Review/Zoning Permit.

Applications for a CCOC and Tenancy Review/Zoning Permit, and affidavits as detailed in Sections 158-1(c) and (d), shall be submitted to the Zoning and Construction Office of the Borough of Middlesex. When the completed applications and affidavits have been received, reviewed, and once the required inspections are completed, the CCOC and Tenancy Review/Zoning Permit shall be issued or denied.

§ 158-3 Inspection of premises.

Before a CCOC shall be issued, the designated inspector(s) shall make an inspection of the premises to ensure the property is in compliance with all provisions of the Borough Code and no violations exist, including, but not limited to: Property Maintenance, within Chapter 317 as it presently exists; and the Uniform Construction Code and fire codes as they existed when the building was initially constructed. All violations cited must be abated prior to the issuance of a CCOC.

§ 158-4 Affidavit describing intended use of property and operation to be conducted thereon.

Applications for a Tenancy Review/Zoning Permit shall contain an affidavit from the applicant as to the intended use of the property or unit and a detailed description of the intended operation to be conducted thereon. Applications for a Permit shall be submitted to the Zoning and Construction Office of the Borough of Middlesex, and, once the application has been deemed complete, it will be reviewed by the Zoning Official for compliance with the Borough of Middlesex's Code. The Zoning Official will either issue an approved zoning permit or a denial. Denials will indicate the reason for the denial and inform the applicant of their rights should the applicant desire to apply before the Borough Joint Land Use Board.

§ 158-5 Information required for emergencies; notification of changes.

All applications for a Tenancy Review/ Zoning Permit shall contain the name, address and phone number of the person to contact in case of an emergency and said person must be available and able to act in an emergency. A copy of this information shall be filed in the office of the Chief of Police of the Borough of Middlesex. The lessee shall be responsible for notifying the Chief of Police any time there is a change in any emergency information required by this article during the term of their tenancy.

§ 158-6 Fee.

The fees associated with a sale of, or change of tenant in any commercial, industrial or business property are as follows:

- a. \$300 for a CCOC; and
- b. \$100 for a Permit.

The fee for a CCOC is waived for undeveloped properties.

§ 158-7 Failure to obtain certificate; fine.

No commercial, industrial, or business operation may operate or continue to operate unless all fees are paid, violations abated, and all applicable federal, state, and local permits, licenses, and inspections are completed and issued. In the event that a new lessee of any commercial, industrial, or business property in the Borough of Middlesex fails to obtain any of the required permits, licenses, or inspections, the lessee or property owner shall be subject to a fine of \$500 per day and shall cease all business activities in the leased property until such time as the required certificates are obtained.

—Article II

Sale or re-rent, re-lease, or change of occupancy of residential property.

§ 158-8 Certificates required for the sale or re-rent, re-lease, or change of occupancy of residential property.

No single-family, two-family, or multi-family residence, dwelling unit, or apartment shall be sold rented or occupied unless and until the issuance of a:

- a. Sale/Re-Rent Certificate;
- b. Smoke Detector, Carbon Monoxide Detector, and Fire Extinguisher Compliance Certificate (SDCMFE Compliance Certificate) in accordance with N.J.A.C. 5:70-2.3.

Additionally, each property seeking a Sale/Re-Rent Certificate for the purposes of a sale will be subject to a Flood Hazard Review as detailed in Chapter 224 - Flood Damage Prevention.

§ 158-9 Applications for a Sale/Re-Rent Certificate and SDCMFE Compliance Certificate.

Applications for a Sale/Re-Rent Certificate and SDCMFE Compliance Certificate shall be submitted to the Zoning and Construction Office of the Borough of Middlesex, and, once the completed application has been received and the required review and inspections are completed, the Sale/Re-Rent Certificate and SDCMFE Compliance Certificate shall be issued or denied.

§ 158-10 Conditions for Issuance/Denial; Inspection; Fees.

- a. Each time there is a transfer of ownership or re-rent, re-lease, or change of

occupancy of single-family, two-family or multi-family residences, dwelling units, or apartments within the Borough of Middlesex, the owner of such property must:

- i. Pass a pre-occupancy inspection to ensure the unit is in compliance with all provisions of the Borough Code, including, but not limited to, Chapter 317-Property Maintenance as it presently exists, and the Uniform Construction Code and fire codes as they existed when the building was initially constructed.
 - ii. Pass a Smoke Detector, Carbon Monoxide Detector, and Fire Extinguisher Compliance inspection conducted by the Middlesex County Fire Marshal or his designee. The application form must be obtained from the Borough Zoning and Construction office.
 - iii. Occupancy can only be permitted when:
 - a. Sale/Re-Rent Certificate is issued by the Middlesex Borough Zoning and Construction Office;
 - b. An SDCMFE Compliance Certificate is issued by the Middlesex County Fire Marshal;
 - c. All fees, fines, liens, and violations on the property have been satisfied
 - iv. For the sale of single-family, two-family, or multi-family residences, compliance with Chapter 224 - Flood Damage Prevention of the Borough Code.
- b. The fee for a Sale/Re-Rent Certificate shall be \$175 per dwelling unit and includes re-rents, leases, and re-sales resulting in a change of occupancy. Fees are due prior to scheduling inspection. The fee to reschedule a no-show inspection shall be \$75. In addition, there shall be an additional charge of \$50 per each inspection of the premises made by the inspector after the initial inspection to ensure compliance.
- c. The fees for the Compliance Certificate issued by the Middlesex County Fire Marshal is \$50 and will be billed by and paid directly to the County Fire Marshal Office.
- d. In the event the structure is deemed uninhabitable by the Department of Code Enforcement, the Sale/Re-Rent certificate will be denied. The property owner/agent may then request a Change of Title Certificate for an additional fee of \$100. The owner/agent must:
- i. Submit a notarized Hold Harmless indemnification agreement to the Borough; and
 - ii. Pay all inspection fees.

When rehabilitation work is completed, the owner/agent will be required to have the structure and all dwelling units re-inspected as detailed in Section 158-10 herein.

§ 158-11 Installation of fire detection system required.

- a. Every building or structure constructed for single-family and two-family occupancy shall have installed therein and thereafter maintained an approved fire detection system. The detector shall be of the ionization or other approved type, sensitive to any of the products of combustion except that detectors sensitive to heat only are unacceptable. The detector shall be of the types operated by battery or electricity on a specific circuit. A minimum of one detector shall be required on each level and within 10 feet of any bedroom door. Alarm signaling devices shall be clearly audible in all bedrooms when all intervening doors are closed. For the purpose of installation and maintenance, only the applicable sections of National Fire Prevention Association (N.F.P.A.) No. 72, "Standard for the Installation, Maintenance, and Use of a House Fire Warning System," shall constitute accepted practices.
- b. In the case of rental properties, the occupants of the dwelling units shall be responsible for replacing batteries in fire detection devices whenever new batteries are required.
- c. Failure to install and/or maintain a fire detection system as mandated by this section will subject the offender to a fine not to exceed \$500 per day per each location of violation.

§ 158-12 Carbon monoxide detector requirements.

- a. In any case in which a change of occupancy of any dwelling unit in a building with fewer than three dwelling units is subject to a municipal ordinance requiring the issuance of a certificate of occupancy, certificate of inspection, or other documentary certification of compliance with laws and regulations relating to the safety, healthfulness, and upkeep of the premises, no such certificate shall be issued until the officer or agency responsible for its issuance has determined that the dwelling unit is equipped with one or more carbon monoxide sensor devices or that there is no potential carbon monoxide hazard in the dwelling unit. Any such determination shall be made in accordance with rules adopted by the Commissioner of the Department of Community Affairs.
- b. In the case of an initial occupancy or a change of occupancy of any dwelling unit in a building with fewer than three dwelling units to which the provisions of paragraph a. do not apply, no owner shall sell, lease, or otherwise permit occupancy for residential purposes of that dwelling unit without first obtaining from the relevant enforcing agency under the Uniform Fire Safety Act, P.L. 1983, c. 383 (N.J.S.A. 52:27D-192 et seq.) a certificate indicating that the dwelling unit is equipped with one or more carbon monoxide sensor devices or that there is no potential carbon monoxide hazard in the dwelling unit. Any such determination shall be made in accordance with rules adopted by the Commissioner of the Department of Community Affairs.
- c. The local governing body having jurisdiction over the enforcing agency or, where the Division of Fire Safety is the enforcing agency, the Commissioner of the Department

of Community Affairs, may establish a fee which covers the cost of inspection and the issuance of the certificate; however, if an inspection is being made and a certificate is being issued evidencing compliance with § 2 of P.L. 1991, c. 92 (N.J.S.A. 52:27D-198.2), the fee authorized therein shall cover the costs of complying with this subsection.

d. For purposes of this subsection:

- i. "Carbon Monoxide Sensor Device" is defined as: a carbon monoxide alarm or detector that bears the label of a nationally recognized testing laboratory and has been tested and listed as complying with the most recent Underwriters Laboratories standard 2034 or its equivalent.
- ii. "Dwelling Unit" is defined as: a structure, or a room or group of rooms within a structure, used or intended for use, in whole or in part, for residential purposes.

e. An owner who sells, leases, or otherwise permits occupancy of a dwelling unit without complying with the provisions of this section shall be subject to a fine of not more than \$100, which may be collected and enforced by the local enforcing agency by summary proceedings pursuant to the Penalty Enforcement Law of 1999, P.L. 1999, c. 274 (N.J.S.A. 2A:58-10 et seq.; N.J.S.A. 52:27D-133.3).

§ 158-13 Information required for emergencies; notification of changes.

All applications for a Sale/Re-Rent Certificate shall contain the name, address, and phone number of the person to contact in case of an emergency and said person must be available and able to act in an emergency. A copy of this information shall be filed in the office of the Chief of Police of the Borough of Middlesex. The new owner/lessee shall be responsible for notifying the Chief of Police any time there is a change in any emergency information required by this article during the term of his ownership or tenancy.

§ 158-14 Failure to obtain Sale/Re-Rent Certificate; fine.

In the event that the current owner or purchaser of property in the Borough of Middlesex fails to obtain a Sale/Re-Rent Certificate and a SDCMFE Compliance Certificate, the current owner or purchaser shall be subject to a fine of \$500 per day for each day that the violation continues.

§ 158-15 "Right of entry":

- a. Upon reasonable belief that a violation of this Chapter exists, the enforcement officer, as detailed in Section 158-16- Enforcement, bearing proper credentials and identification, shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling, and testing at any reasonable hours and notice to the property owner. Such right of entry shall include the right to

inspect activity.

- b. The Borough Council may designate an individual by resolution to serve as the primary party and any additional parties responsible for the inspection of sump pumps and any connections to the sanitary sewers.
- c. If a party declines to grant access during common business hours during a weekday after having been given reasonable notice in writing of no less than two business days, the Borough may seek whatever administrative remedy may be appropriate in order to gain access to conduct the aforementioned inspection.

§ 158-16 Enforcement.

Provisions of this chapter shall be enforced by the Borough Zoning Officer, Construction Official, Code Enforcement Officer, or their designee.

SECTION IV.

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.

SECTION V.

All Borough of Middlesex ordinances or parts of ordinances inconsistent with this enactment are hereby repealed to the extent of such inconsistency.

SECTION VI.

Should any section, paragraph, sentence, or clause of this ordinance be declared unconstitutional or invalid for any reason, 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.

SECTION VII.

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

RESULT:	WITHDRAWN
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The Borough Clerk read ordinance 2021-21 by title:

ORDINANCE 2021-21

**AN ORDINANCE DELETING CHAPTER 28 OF THE MUNICIPAL CODE OF THE
BOROUGH OF MIDDLESEX ENTITLED "ELECTION DISTRICTS"**

WHEREAS, it is the desire of the Borough Council of the Borough of Middlesex to amend and revise the Borough's current ordinances regarding election districts; and

WHEREAS, Chapter 28 of the municipal code was codified by ordinance on February 25, 1969 setting out ten (10) separate election districts within the Borough of Middlesex and designating a polling place for each district.

WHEREAS, this Chapter has become outdated because various designated polling locations do not exist anymore and there is no longer a need for these polling locations within the Borough of Middlesex; and

WHEREAS, it is the Borough Council's specific intention to delete in its entirety Chapter 28 of the Municipal Code of the Borough of Middlesex.

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

Section I

Chapter 28 entitled "Election Districts" is hereby deleted in its entirety.

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).

Mayor Madden opened the public hearing on Ordinance No. 2021-21. Seeing that there were no public participation, Mayor Madden closed the hearing on Ordinance No. 2021-21.

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

ADOPTION OF MINUTES

1. Approval of the January 26, 2021 Regular Meeting Minutes

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

MAYOR'S REPORT

Mayor Madden stated that the Mayor and Council have no regulatory authority on school matters.

COUNCIL MEMBER REPORTS

Council President Eodice

Council President Eodice made the following comments:

First I want to make a reminder to council to check your bio's on the website. We have not yet updated things but should do that soon. Mostly, if you had assignments listed for 2020, we should update for 2021.

This afternoon I attended my first Middlesex County Solid Waste Advisory Council or SWAC meeting, which was held remotely due to Covid. While there were several representatives unable to attend for one reason or another, the meeting was still very informative. The SWAC laid out some of their plans and objectives for 2021 and discussed some programs they will be looking at in the future. One area of particular interest to me was the concern for proper disposal of lithium batteries, as there have been recent cases where improper disposal in regular trash pickups have led to fires.

Last night I attended the Board of Education meeting, and while I have some strong opinions about what I saw and heard, I will concede to my fellow council persons whom are representatives to that body in case they wish to speak on the subject. I will say that I have reached out personally to the BOE President and we have begun a dialog.

Also, on February 4th I attended the kick-off meeting of the Cultural & Heritage Committee; and they seem off to a great start. Again, I congratulate Councilman Carnes (and all the members of the group) for getting it up and running. It is a big accomplishment, and you should be proud.

And with that said, I would also like to mention that I have started the ball rolling with Administrator Karrow and others to get our Environment Commission back up and running. Much like Councilman Carnes' Committee, I am passionate to get this Commission back on its feet. Not only for the benefit it provides our community in many areas, but also for the large grant dollars that can assist with larger environmental projects. The good news is the ordinance is still on the books and minus a couple of tweaks, will make things easier. So please stay tuned.

And lastly, I would like to extend my deepest condolences on behalf of this entire body to our borough family members in this meeting tonight who have lost loved ones recently. You are and have been in our thoughts and prayers.

Councilman Carnes

Councilman Carnes made the following comments:

Joint Land Use Board

- ☐ Rockefeller Group and returned to modified their site plan with minor changes, approved plans from last year.
- ☐ Our next is FEB 10TH 2021 meeting has new applications which the topics can viewed on our boroughs website.

Culture and Heritage Committee

It's with a little sadness to announce, the grant I applied for wrapping utility boxes around our borough was declined. A meeting is being setup for more information on how this decision was reached. While it's no fun receiving such news, we will learn and move forward.

Officers were established in last meeting, thank you all for such patience, understanding and perseverance we know the journey to launching has been met with many trials. We got this! The Governing Body intends to appoint the following 2 additional members to the Committee at their February 23, 2021 regular Meeting:

- ☐ Sherley Penrose - 2 year term
- ☐ James Johansen - 3 year term.

Discussion of possible Sub Committee Ideas for Formation

- ☐ Grants
- ☐ Youth
- ☐ Volunteer
- ☐ Event

Meetings will be the 1st Thursday of the Month, so next meeting is March 4th 2021.
Recreation Committee

I attended last night's rec meeting, this was my first meeting with the committee and basic introductions and information we're discussed. Looking forward working with everyone.
Board of Ed

After attending several board of education meetings I have prepared a statement. My words are my own and in no way reflect the Borough Council, Mayor or Administration, in any way, shape or form.

I believe our children should be back in school, and also have the ability to freely play outside without fear of judgement.

We're in a pandemic, I feel this needs to be defined: a prevalent over a whole country or the world. We're all hurting, I'll speak quickly of my personal life. The Covid pandemic has its dug it's dark claws into almost every aspect of my world, robbing me of my grandfather's life a few days before Christmas, who was constant pillar in my heart and the ability for my family to mourn his loss properly. Even my normal day to day life operations: being a stay at home daddy/teacher, my work life as substitute teacher has completely halted, and even into the personnel trenches of my big heart.. It's near villainous what covid has done to our families, our country, and our communities, but we need to March forward, together, united.

The sad and scary part, is my story isn't unique, many people in our community have similar stories to tell, death, money, extreme stressful pressure on our personnel life, we've all been effected many different unique ways, it's hard to say them all. Lightly said, the end result is the same, we're hurting.

That being noted, it is an honor and privilege to serve the public. Everyone elected by the public has the blessing to use the title "HONORABLE" and it's weird receiving mail with this title attached to my name, Honorable JEREMIAH CARNES, I was sort of blown away. I know on the local level it's used as patchwork, but still the title is there. This made me think deeply on that, and what it means to be a local leader. The definition of honorable: deserving of respect or high regard. Beyond this there are only 565 municipalities in NJ, and only a few people are able to serve as this capacity. It's rare and hard title to achieve, it takes teamwork, compassion, and an open heart and mind.

While certain decisions maybe defendable in a law book, it is just plain inexcusable how I've been seeing our residents treated by a small portion of the Board of Ed. The damage that has been done by

these individual's actions has tarnished the image of being a community leader. Through my personnel observation and many conversations with our residents I have come to the follow decision. I am asking both Superintendent [Dr. Frederick Williams](#), and Assistant Superintendent [Dr. Paul Rafalowski](#) to either offer public apologies for their actions against our residents or immediately resign. As for Board President Kelly Giardina, while I can see there was good intention in your heart and mind, your words and actions are far from HONORABLE have caused anger and outrage from our residents, so I politely request a public apology followed by an immediate resignation.

This statement was hard to prepare as I know what is to follow will feel as a huge step backwards for the board and council future relationship. Everyone who knows me, knows I wish for a new united front with our Board of Ed and bridge our community together, not cause division. I'm asking the rest of the board of education members to please hear to cry of our people and to take action. They're hurt, hurt by the ones who are supposed to healing and guide, yet the people sit in confusion, fear and anger.

Councilwoman Flood

Councilwoman Flood made the following comments:

- Fire, Rescue and OEM are meeting later this month.
- An exempt fireman passed away recently
- Board of Education met on February 8, 2021. Dr. Williams gave guidance on what needs to be done for schools to reopen. He hopes that if Covid cases can remain at 40 cases or less for two weeks then they can reopen.

Councilman Mikolajczyk

Councilman Mikolajczyk made the following comments:

- ☐ Middlesex DPW has done a great job with snow removal.
- ☐ Thanks Lenny and his crew for their work as well as the Police.
- ☐ Following up with Administrator Karrow in regards to a letter sent to the other members of the Council.
- ☐ Shows support of Councilman Carnes statement.

Councilman Quinn

Councilman Quinn made the following comments:

The DPW have done an amazing job clearing away all the snow that we have been dealing with for the past few weeks, we are in for some more this weekend, the roads will be brined in preparation. We received a letter to Mayor and Council advising us that Bob Teutsch will be retiring on the 1st of March, 2021. I would like to thank him for his service to the borough, and wish him happiness and fulfillment in his future endeavors. Some residents have issues with recycling collection by Solterra Recycling, I called the customer service and have yet to hear back from them.

The next Shade Tree Commission meeting is 18th of February at 730PM.

SCHOOL ISSUES:

Speaking as a parent in the Borough I have been watching closely the actions of the school board and superintendent, and I have to say whether its Dr. Williams rolling his eyes as parents ask questions, or the BOE President Kelly Giardina abruptly cutting off residents, it is wholly and totally unprofessional. The schools at this time need to get back to business as close to as usual as can be done. The CDC states there is low risk of transmission among students enrolled in IN PERSON schooling as long as mask and sanitary procedures are adhered to. Due to the total unwillingness of the leadership of the borough school board, I would like to as a citizen second Councilman Carnes and ask Dr. Williams, Dr. Rafalowski, and

Kelly Giardina to resign immediately so we can begin the transition back to in person learning.

Councilman Rex

Councilman Rex expressed his support for Councilmen Carnes, Councilman Quinn and Council President Eodice's in regards to their comments about the actions the BOE and school administrators were taking with Schools not being open for children to return full time.

ADMINISTRATOR'S REPORT

Administrator Karrow indicated that she did not have a report for this meeting.

PRIVILEGE OF THE FLOOR

Mayor Madden opened the public portion of the meeting and the Borough Clerk received the following comments:

Kevin Redzinski, 441 Fairview Ave

Mayor, during last night's Board of Ed meeting BOE member Dr Hrevnack spoke of his conversations with parents and students dealing with the impact of months of full remote learning. Children from varying grade levels wanting to do nothing but sleep while others are barely able to sleep, over eating or barely eating, overly emotional or void of any emotion. To say the leadership in our school district has dropped the ball would be a compliment. The poor decisions and choices made by the Board of Ed has created an entire community of at risk children and every minute that goes by without drastic changes not only tempts fate but taunts it. We've all seen and heard the stories of immeasurable loss suffered by families who's children simply could not take any more. As the leader of this community it is your responsibility to take the swiftest action possible to right the ship and anything short of that is inviting tragedy. If you attended last night's BOE meeting I may have missed your name amongst the other attendees, if that's not the case I'm at a total loss as to why you and all other members of council were not in attendance. Taxpaying members of this community do not cut checks made out to the Board of Ed, they don't drop their checks off at the front desk of the HS they give their money to the office at Boro Hall. To best of my knowledge it is the Boro that distributes the funds so contrary to popular belief the council does in fact work with the Board of Ed in some capacity they just don't do it well and that needs to change as soon as possible.

Matthew Kolis, 33 Dogwood Drive

Good

evening,

Over the last several months I have tried to be respectful and professional with my interactions with the Administration and BOE regarding this situation. The events of the last two weeks have shown me that the BOE and the administration isn't looking to hear the community or look for a compromise but is instead looking to point fingers and lay blame back on the community. You have heard multiple parents open up and share their concerns on how this year long remote learning is causing irreversible damage to our children; mentally, emotionally and academically. We have been repeatedly dismissed when asked if the community was going to be polled/surveyed and questions are blatantly not being answered, and in some instances flat out told no I will not answer that. I am extremely disappointed in this administration and the lack of leadership from the BOE. You have multiple parents who have spoken up respectfully and are educated in this matter. Between myself, who has helped hundreds of private employees return to the office safely, Jason Sabino who made hybrid work for another town 5 miles away and Dr. Carnes who is a double board certified physician, we have all offered up our assistance to try to find a common ground that would benefit all involved but no one from the BOE or the administration has reached out to work with us to find common ground even though we have reached out repeatedly. Instead the BOE and administration have listened to the points provided by the MEA which are made up of half-truths and are opinions based on emotion, not fact. Instead of referencing the NJDOH and our orange status, the MEA found a different site, Kinsa Health Weather, that showed us as red because it better fit their narrative. The request for vaccines in order to return to work is not

based in fact but yet again based on fear and emotion, in fact both the CDC and the NJEA support returning to in person schooling without vaccines and have deemed it safe to do so. When I asked this question to Dr. Williams last week, I was told, and I quote "The CDC does not control local decisions for Boards of Education and the local Superintendents. They share global information and we are tasked with applying the information, wherever applicable, to our individual districts" and that "The CDC is not aware as to why our faculty and staff has requested an opportunity to be vaccinated. Their concerns are related to our community, only, and does not pertain to information published by the CDC." Does this administration really believe that Middlesex Borough residents are doing more dangerous activities than other towns in the US or even NJ? Because that isn't what the statistics show. When you look at the infection rates per capita over the last two weeks compared to other surrounding NJ towns who have already returned to hybrid or full in person we are on par or better than most of those towns. Bound Brook is in person 5 days a week now and Dunellen is back in Hybrid, both of which have per capita infection rates above that of Middlesex Borough. As for the question you asked to the staff about comfort level of returning to work, during this current pandemic you can't expect anyone to be completely comfortable, regardless of if it's in a school systems or a private company you will have just as many "uncomfortable" responses as you did in your survey but that fact that 95% of the staff was willing to consider returning, who is the MEA representing? The 5% of Middlesex Borough Staff that would look for alternative means? Again, I don't blame the teachers for having anxiety, I myself asked my wife to take a leave back in April 2020 due to these concerns, but she educated herself on how to best protect herself, her patents and our family by following the science and guidelines and kept us all safe from COVID, that was last April and we know so much more now almost 12 months later. We need to educate on this topic with credible sources as to not interpret opinions as fact. This demand for vaccines before returning to in person is not representative of the majority of teachers and staff of this town and does not have the backing of the NJEA, the NJDOH or the CDC and is based on fear and emotion of a few instead of facts from experts but it looks like the BOE and administration believe they are better qualified than the experts to make this decision by blatantly disregard the facts. This administration is caving to unjustified requests which are creating more uncertainty for this community and is driving a wedge between a once unified community during a time of need when our children are hurting most. The Administration and BOE are turning their backs on our children by allowing the vocal opinions of the MEA rule the narrative when the majority of teachers are willing to return. Stop doing this to our children and figure out a compromise like good leaders do because waiting for vaccines is not a compromise, it is caving to the unfounded demands of the MEA. Please if you can answer a few questions below:

- 1 - Has there been any additional discussion or consideration to address the parents concerns that there was no poll or survey where parents can express their concerns on the negative impact this has had on our children mentally, emotionally and academically?
- 2 - Has there been any additional discussion or consideration on having more dedicated discussions on this topic whether in a public forum or with a group of parents where we can talk through finding a compromise. I would like to request for a meeting with the administration the BOE, the MEA and a few parents to represent the community to discuss this issue.
- 3 - Has there been any additional discussion around timeframes for how long after vaccines are available until we will return to Phase II? If not please consider setting some timeframe so the community can understand expectations
- 4 - When will there be guidance provided on next September's plan on whether we expect Phase 1, Phase 2 or Full time in person. Some of us in the community are unfortunately having to consider private schools because of the "abundance of caution" shown by this district.
- 5 - Why hasn't there been a vote on this topic within the BOE, I would request that each BOE member declare their position on this matter. We need this information for the upcoming election in November where there will be 5 positions up for re-election.

Lastly, I ask that the administration reconsider waiting until a vaccine is available to determine what to do next because the request is not fact-based, cases will decline before vaccines are available.

Ann Marie Kleiber, 116 Chestnut Street

Prior to tonight I have sent the Mayor and Council a more detailed message. I would like to reiterate my message by asking Mayor and Council to not sit idly by while so many children and families are suffering irreparable mental harm and anguish. The Council should be well aware, as several of them have children in district. It's time for drastic change. Please demand that the BOE re-open schools immediately. There is so much scientific evidence that it's safe to return to schools. So many school districts within miles of Middlesex are in school five days a week. Why can't the Middlesex BOE figure this out? We're no better today than we were on day 1 of the pandemic with no end in sight.

Borough Attorney Christopher Corsini stated that there is a very clear line of demarcation between the Borough Council and the School Board. It is mandated that the municipality collects the municipal taxes, and it is not optional, the municipality cannot refuse to collect them. Additionally, the school board is an independent body and there is nothing the Council can do about the schools, beyond expressing their opinions.

Mayor Madden then opened the Public Portion for public comments and the following individuals made public comments:

Roger Sanchez, 612 Beechwood Avenue, Kevin Redzinski, 441 Fairview Avenue, Emily DeScenza, 321 Salvatore Avenue & Bob Dessino, 405 Edgeworth Street commented on the following regarding the Board of Education:

- School Administrator's statement and photo in letter to parents
- Requested assistance of the Governing Body to defend parents and take a stand against school.
- Requested Mayor and Council to urge the Superintendent, Assistant Superintendent and President of the Board for their resignations
- Children are being denied their constitutional right to literacy
- Would have liked to see more people attend the BOE Meeting or tonight's Council Meeting and see everyone come together to get the Schools open

Bob Dessino 405 Edgeworth Street, Middlesex, NJ

- Asked Councilman Carnes about the price of the wraps per unit

NEW BUSINESS/CONSENT AGENDA/RESOLUTIONS

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

The Borough Clerk read the following resolution:

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

RESOLUTION 68-2021

**APPOINTING ALAMO INSURANCE GROUP INC. AS THE RISK MANAGEMENT
CONSULTANT FOR 2021**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to appoint Alamo Insurance Group Inc. having offices located at 55 Flanagan Way, Secaucus, NJ

07094 as the Risk Management Consultant for the Borough of Middlesex for the period of January 1, 2021 to December 31, 2021 at a fee set forth in the Agreement, a copy of which is available in the Borough Clerk's Office.

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

1. Alamo Insurance Group Inc. having his office located at 55 Flanagan Way, Secaucus, NJ 07094 is hereby appointed as the Risk Management Consultant for the Borough of Middlesex for the period of January 1, 2021 through December 31, 2021 at a fee as set forth in the Agreement, a copy of which is available in the Borough Clerk's Office.
2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

The Borough Clerk read the following resolution:

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

RESOLUTION 69-2021

**THE TAX COLLECTOR APPROVES THE TAX TITLE LIEN REDEMPTIONS BE
REFUNDED FOR BLOCK 309, LOT 3 CALCULATED EFFECTIVE FEBRUARY 9, 2021**

WHEREAS, pursuant to N.J.S.A. 54:5-54, a lien has 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 Redemption's were calculated for February 9, 2021, and;

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

Date of Sale: 12/5/2018

Block/Lot: 309 /3

Amount: \$12,887.96

Premium: \$4,500.00

Certificate: 17-00015

Payable To: Phoenix Funding, Inc.
1148 Springfield Avenue
Mountainside, NJ 07092

The Borough Clerk read the following resolution:

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

RESOLUTION 70-2021

THE TAX COLLECTOR APPROVES THE TAX TITLE LIEN REDEMPTIONS BE REFUNDED FOR BLOCK 47, LOT 8.01 CALCULATED EFFECTIVE FEBRUARY 9, 2021

WHEREAS, pursuant to N.J.S.A. 54:5-54, a lien has 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 February 9, 2021, and;

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

Date of Sale: 12/10/2019
Block/Lot: 47 / 8.01
Amount: \$13,499.81
Premium: \$7,000.00
Certificate: 18-00009
Payable To: Phoenix Funding, Inc.
1148 Springfield Avenue
Mountainside, NJ 07092

The Borough Clerk read the following resolution:

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

RESOLUTION 71-2021

REIMBURSEMENT OF DOG LICENSE FEE IN THE AMOUNT OF \$10.00 TO GIOVANNI GALATI, 338 FAIRVIEW AVENUE, MIDDLESEX

The Governing Body hereby approves the reimbursement fee for a Dog License to Mr. Giovanni Galati, 338 Fairview Avenue, Middlesex, New Jersey in the amount of \$10.00.

The Borough Clerk read the following resolution:

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

RESOLUTION 72-2021

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. - *Item Removed from Consent*

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; and

WHEREAS, at the recommendation of the Borough's Sewer Operator, the Governing Body is recommending that the Conditions on this Temporary Discharge Approval be amended in Section C to read as follows:

The discharge shall be at a rate not to exceed 65 gpm and the total flow per day shall not exceed 50,000 gallons. The total volume of groundwater discharged over the term of this Temporary Discharge Approval shall not exceed 18,250,000 gallons.

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, as amended under "Conditions" Item C to read as follows: "The discharge shall be at a rate not to exceed 65 gpm and the total flow per day shall not exceed 50,000 gallons. The total volume of groundwater discharged over the term of this Temporary Discharge Approval shall not exceed 18,250,000 gallons."
2. This resolution shall take effect immediately.

RESULT:	TABLED BY CONSENT VOTE [UNANIMOUS]	Next: 2/23/2021 7:00 PM
MOVER:	Jack Mikolajczyk, Councilman	
SECONDER:	James Eodice, Council President	
AYES:	Eodice, Carnes, Flood, Mikolajczyk, Quinn, 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 73-2021

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:	James Eodice, Council President
SECONDER:	Douglas Rex, Councilman
AYES:	Eodice, Carnes, Flood, Mikolajczyk, Quinn, Rex

AGENDA WORKSHOP ITEM

PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS

EXECUTIVE SESSION

ADJOURNMENT

The next Regular Meeting will be February 23, 2021

Respectfully yours,

Borough Clerk