



Borough of Middlesex
Mayor and Council Regular Meeting
~ Minutes ~

Access to be Posted on Boro Website
Middlesex,, NJ

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

Tuesday, April 27, 2021

5:00 PM

Remote Zoom/Telephone Meeting

MAYOR'S STATEMENT

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

SALUTE TO FLAG

ROLL CALL

Mayor John Madden
Council President 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:

Mayor Madden added Resolution #143-2021 to the Consent Agenda

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

PRESENTATIONS

APPOINTMENTS

1. Mayor Madden appointed Councilwoman Flood, Leonard Vidal and Frank Ryan to a Vacant Property Subcommittee

PROCLAMATIONS

ORDINANCE(S) FOR INTRODUCTION

Borough Clerk Linda Chismar read Ordinance 2030-21 by title:

ORDINANCE 2030-21

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN
CHAPTER 244 JUNKYARDS AND JUNK DEALERS, SECTION 244-3 APPLICATION;
FEES; BOND TO INCLUDE SECTION 244-3A(10)**

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

Section 244-3A shall be amended to include (10) and read as follows:

(10) State any criminal record of the applicant or officers including any arrests or past convictions for any crime(s), disorderly persons offense(s), or municipal ordinance violation(s) within this or any other jurisdiction. The Chief of Police may, as part of the application process, require a fingerprint criminal background check through the Federal Bureau of Investigation, Criminal Justice Information Services Division, which may require an additional fee from the applicant.

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

RESULT:	FIRST READING [UNANIMOUS]	Next: 5/11/2021 5:00 PM
MOVER:	James Eodice, Council President	
SECONDER:	Jack Mikolajczyk, Councilman	
AYES:	Eodice, Carnes, Flood, Mikolajczyk, Quinn, Rex	

ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION

ADOPTION OF MINUTES

1. Approval of the April 13, 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

COUNCIL MEMBER REPORTS

Council President Eodice

Council President Eodice reported that the Swim Pool Commission met last Wednesday. Their membership numbers are looking good.

Councilman CarnesJoint Land Use Board

Last meeting on 4/14/21 the board heard a bifurcated - use of variance with site plan presentation from Facciponti. During the meeting members of the public spoke very vibrantly of neighborhood concerns, and a Middlesex Fire Department representative spoke on the presented projects public safety concerns as well. During the meeting the applicant's attorney stopped the presentation due to public feedback and applicant plans to return on the 23rd of June with a scaled down rendering of the presented project. The initial thought of the board was that it was way too intense a use for the property.

The next JLUB meeting is 4/28/21 and the meeting's agenda is posted on our borough website, borough hall, and Courier Newspaper. We will be meeting in person at the Recreation Center at 7pm.

Culture and Heritage Committee

The Committee's leadership has come to a consensus and finished its survey seeking the community's input on how to spend grant monies, and will be presenting the idea to the grantor for approval.

Committee is working on a mission statement, as well.

Recreation Committee

Plans for summer playground are being finalized and we can expect to hear the details next week.

Board of Ed

Last night's meeting covered a few future job descriptions, please visit the Schools website under employment opportunities, the descriptions mentioned in last night's meeting will be listed in the near future, please feel free to share.

You should have all received an email introducing the Middlesex Borough District Visual and Performing Arts Festival and they are eagerly awaiting to receive their RSVP. The brochure is being finalized and the district would like to ensure that all dignitaries are acknowledged for their time and support. Opening evening is May 17th, between 5-6pm.

Board of Ed meetings are held every 2nd & 4th week of the month, and meeting information is also located on Middlesex Borough School website.

Kids and parents are highly enjoying the children's return for in person learning, thank you for everyone involved who made this happen.

Redevelopment Committee

No updates

Councilwoman Flood

Councilwoman Flood made the following comments:

- Board of Fire Officials met April 19th. They acknowledged the resignation of Chris Dubois, and welcomed Joe Eckert as the Engineer of Lincoln Truck 21.
- Fire Departments Carnival was held April 20th through April 24th .
- Rescue Squad will meet this Wednesday.

- OEM met April 15th, and have completed the Emergency Operating Plan which is being submitted to the State for approval now.
- May 4th, OEM will participate in virtual Shelter Mask Care Fundamentals training.
- Looking forward to working with everyone on the Vacant Property Sub-Committee.
- The Legion thanked the Borough for the use of the Pavilion.

Councilman Mikolajczyk

Councilman Mikolajczyk reported that we have the monthly police report for approval tonight. Some of the highlights are:

1756 calls for March. Ticket volume is bouncing back to pre-pandemic levels with 169 summons and 35 radar summons issued.

We had 3 UCR crimes consisting of 1 robbery and 2 thefts and we had a 33% clearance rate for this month.

Councilman Quinn

No Report was given.

Councilman Rex

No Report was given.

ADMINISTRATOR'S REPORT

Administrator's Report April 27, 2021

- i. **Flood Management:**
- i. **Stormwater Ordinance**
- ii. **Update on Sewer Projects:**
 - i. **Phase I:**
 - a. **i-Bank (formerly EIT) funding reimbursement;**
 - b. ***Additional work on George Street needed**
 - c. **O&M Manual required by DEP**
 - ii. **Phase II Funding**
 - iii. **Phase IV: Sewer Bypass**
- iii. **Update on Other Public Works Projects:**
 - i. **Streetscape Project**
- iv. **Miscellaneous**
 - i. ***Recreation Coordinator Position**
 - ii. ***Personnel Manual Update**
 - iii. ***Cyber Security Program**
 - iv. ***2020 Safety Incentive Program**
 - v. ***2021 Budget**
 - vi. **Zoning Officer work load - A resolution will be put on the May 11, 2021 Regular Meeting to increase Mr. Costa to 6 more hours/week for an annual increase of \$10,000**
 - vii. ***150 Lofts PILOT Payment Update - No final numbers received yet**
 - viii. ***Supermarket ownership change- purchased by silent majority**

- ix. Vacant Properties - Mayor appointed 3 members to this committee to review parcels of public property that the Governing Body may want to consider selling
- x. American Legion Tables - A request was made by the American Legion to remove picnic tables from the gazebo. Administrator discussed that we consider moving to the Library or Municipal Building for employees and would check with DPW.

PRIVILEGE OF THE FLOOR

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

Dave Polakiewicz, 240 Hazelwood Ave.

To: Mayor Madden

I apologize for submitting my comments in writing as opposed to speaking to you directly. I am not able to access Zoom tonight and am listening via phone.

Over the weekend, I heard that representatives from the cannabis industry spoke during or after a Middlesex GOP meeting during April. I heard that a majority of the mayor and council, possibly the entire group, was present. I reached out to the town's Republican chairman via Facebook private message to ask about this, but did not receive a response.

If true, this council session in question was not advertised via Sunshine Notice. You may be able to offer an explanation, that technically, this was not an Open Public Meetings Act violation since it was a party function. However, anyone paying attention knows differently. If it was not a violation to the letter of the law, it was certainly a violation in spirit.

All of your constituents - whether they favor, oppose or are indifferent to the possibility of a dispensary being sited in Middlesex - had a right to simultaneously hear the same presentation the mayor and council did. Our exclusion was underhanded and intentional.

I hope that whomever arranged for this secret discussion is pleased with the result. That person or persons may have advanced the cause of siting a dispensary in Middlesex, but they have destroyed any claims going forward that this governing body stands for transparency.

Mayor Madden responded to Mr. Polakiewicz' comments and then requested any comments or questions from the public. Seeing that there were no further comments, Mayor Madden closed the Public Portion of the Meeting.

NEW BUSINESS/CONSENT AGENDA/RESOLUTIONS

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

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 131-2021**ACCEPTANCE OF STANDING REPORTS**

The Governing Body hereby accepts the following Reports itemized below:

1. Acceptance of the March, 2021 Police Department Report
2. Acceptance of the April, 2021 Board of Fire Officer's Report
3. Acceptance of the resignation of Chris Dubois as a member of the H.C. Pierce Hose Co and Fire Department
4. Acceptance of Joe Eckert as the Engineer of Lincoln, Truck 21

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 132-2021**INCREASING KELSEY MEIXNER TO AN ANNUAL SALARY OF \$37,500 BASED UPON HER COMPLETION OF THE "INFORMATION AND RECORDS MANAGEMENT" CLASS**

WHEREAS, Kelsey Meixner has successfully completed the Information and Records Management Class; and

WHEREAS, as per Resolution 187-2020, adopted by the Governing Body on August 11, 2020, Kelsey Meixner is entitled to a \$500.00 increase for completion of each of the 5 Municipal Clerk classes; and

WHEREAS, Kelsey Meixner's annual salary will be increased to \$37,500 effective immediately.

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. Kelsey Meixner's salary is hereby increased to an annual salary of \$37,500, based upon her completion of the Municipal Clerk's Class "Information and Records Management"
2. This resolution shall take effect immediately.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 133-2021**THE TAX COLLECTOR AUTHORIZES THE INTEREST AND PAYMENTS ON THE FOLLOWING TAX TITLE LIEN REDEMPTION CALCULATED FOR APRIL 27, 2021 FOR BLOCK 200, LOT 5**

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 April 27th, 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: 12/2/2020
Block/Lot: 200 / 5
Amount: \$1,484.53
Premium: \$2,000
Certificate: 19-00023
Payable To: US Bank Cust Actlien
50 South 16th St.
Suite 2050
Philadelphia, PA 19102

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 134-2021

**APPROVING THE MAYOR TO EXECUTE THE SFY 2021 BODY-WORN CAMERA
GRANT PROGRAM APPLICATION FOR THE MIDDLESEX POLICE DEPARTMENT**

The Governing Body hereby approves the Mayor to execute the SFY 2021 Body-Worn Camera Grant Program Application for the Middlesex Police Department.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 135-2021

**AUTHORIZING THE REIMBURSEMENT OF \$75.00 FOR THE 2021-2022 BOARD OF
HEALTH MERCANTILE LICENSE TO SHERRI JONES, 550 UNION AVENUE,
MIDDLESEX, NJ**

The Governing Body hereby approves the reimbursement of \$75.00 for the 2021-2022 Board of Health Mercantile License to Sherri Jones, 550 Union Avenue, Middlesex, NJ as

she was inadvertently charged a late fee for said 2021-2022 Board of Health Mercantile License.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 136-2021

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

WHEREAS, certain Senior Citizens/ Disabled Persons were the owners of the property in the Borough of Middlesex on or before October 1, 2020, and

WHEREAS, said Senior Citizens / Disabled Persons did file their claims for the Senior Citizen/ Disabled Person deduction with the proper official of the Borough of Middlesex, Middlesex County prior to December 31, 2020; and

WHEREAS, the Tax Collector has disallowed the following Senior Citizen/ Disabled Person deduction for the 2020 year totaling \$2000.00.

Name: Aza Nietzsche
Block/Lot: 1/2
Amount: \$250.00
Reason: Form Returned as Undeliverable
Year: 2020

Name: Schley, Quentin L & Beverly Ann
Block/Lot: 78/24
Amount: \$250.00
Reason: Over Income
Year: 2020

Name: Robertson, Edward
Block/Lot: 170/46
Amount: \$250.00
Reason: Over Income
Year: 2020

Name: Merola, Kathy
Block/Lot: 173/50
Amount: \$250.00
Reason: Over Income
Year: 2020

Name: Catona, Josette
Block/Lot: 180/9
Amount: \$250.00
Reason: Form Returned as Undeliverable

Year: 2020

Name: Smith, Edgar & Carol Ann
Block/Lot: 188/17
Amount: \$250.00
Reason: Over Income
Year: 2020

Name: Vietri, Bridget & Anthony
Block/Lot: 329/2
Amount: \$250.00
Reason: Over Income
Year: 2020

Name: Jones, Alexandria
Block/Lot: 209 / 72
Amount: \$250.00
Reason: Form Not Returned

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 137-2021

AUTHORIZING THE REFUND OF 1ST QTR. 2021 TAXES ON BLOCK 6, LOT 2.02 Q C0042 IN THE AMOUNT OF \$706.65

WHEREAS, 1st Qtr. 2021 payment was sent in for Block 6 Lot 2.02 Q C0004, via check # 46023802, in the amount of \$706.65, and;

WHEREAS, the payer notified the borough the payment was for the wrong qualifier and should have been for Block 6 Lot 2.02 Q C0042, and

WHEREAS, the mortgage company has requested a refund for the error in payment to the wrong property, and;

NOW THEREFORE BE IT RESOLVED, that a check in the amount of \$706.65 should be made payable to:

CoreLogic
3001 Hackberry Road
Irving, TX 75063
Attn: Refunds

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 138-2021

**ACKNOWLEDGING THE CHANGE IN STATUS FOR CERTAIN PROPERTIES UNDER
THE VETERAN TAX DEDUCTIONS**

WHEREAS, per (N.J.S.A. 54:4-8.10 et seq. as amended by P.L. 2019 c.413; N.J.A.C. 18:27-1.1 et seq.), certain Veterans were the owners of property in the Borough of Middlesex on or before October 1, 2020, and

WHEREAS, said Veterans did file their claims for the Veteran deduction with the proper official of the Borough of Middlesex, Middlesex County, and

WHEREAS, the Tax Assessor has allowed the following Veteran deductions for the 2021 year totaling \$750.00

Name: Wilson, Jean
Block/Lot: 305 / 63
Amount: \$250.00

Name: Zaleski, Mark S & Brittany C
Block/Lot: 44 / 7
Amount: \$250.00

Name: Ahearn, John J
Block/Lot: 81 / 21
Amount: \$250.00

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 139-2021

**AUTHORIZING THE REFUND OF THE FIRE PROTECTION PERMIT FEE TO RESIDENT,
324 SHEPHERD AVENUE, MIDDLESEX, NJ 08846 IN THE AMOUNT OF \$450.00**

WHEREAS, resident received a construction permit #20210071 on 02/9/21 for converting half bathroom into full bathroom; and

WHEREAS, resident submitted check #1219 dated 02/09/21, payable to the Borough of Middlesex for payment of said Construction Permit which included Building, Electric, Plumbing and Fire Protection; and

WHEREAS, the Fire Protection permit in the amount of \$450 was not required for this work.

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 \$450.00 in favor of resident, 324 Shepherd Ave., Middlesex, NJ 08846 for refund of fee for Fire Protection portion of Permit #20210071.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 140-2021

**APPROVAL OF THE UNUM GROUP BENEFITS MONTHLY PREMIUM RATE INCREASE
OF \$15.13 EFFECTIVE 5/1/2021 THROUGH 5/1/2022**

WHEREAS, Unum Group benefits premium rates have not increased since the year 2019 and are now being increased as noted below:

	Current Rate	Renew al Rate	Current Premium	New Premium	Effective Date	Guaranteed Through
Short Term Disability Insurance	0.93	0.93	\$2,305.31	\$2,305.31	5/1/2021	5/1/2022
Life Insurance	0.30	0.32	\$226.95	\$242.08	5/1/2021	5/1/2022
AD&D Insurance	0.01	0.01	\$7.57	\$7.57	5/1/2021	5/1/2022

WHEREAS, the premium rate increase will be effective 5/1/2021 and are guaranteed through 5/1/2022.

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. The Mayor and Council hereby approve monthly premium rate increase of \$15.13 effective 5/1/2021 through 5/1/2022.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 143-2021

**AT THE RECOMMENDATION OF THE TAX COLLECTOR ISSUING TAX TITLE LIEN
REDEMPTIONS ON BLOCK 329, LOT 34 IN THE AMOUNT OF \$51,484.17**

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 April 27th, 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: 329 / 34
Amount: \$51,484.17
Premium: \$9,000
Certificate: 17-00016
Payable To: Phoenix Funding, Inc.
1148 Springfield Avenue
Mountainside, NJ 07092

NON-CONSENT AGENDA/RESOLUTIONS

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 141-2021

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:	Jack Mikolajczyk, Councilman
AYES:	Eodice, Carnes, Flood, Mikolajczyk, Quinn, Rex

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 142-2021

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. Central Jersey JIF Contractual Issue

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

AGENDA WORKSHOP ITEM

PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS

EXECUTIVE SESSION

1. Central Jersey JIF Contractual Issue

ADJOURNMENT

The next Regular Meeting will be May 11, 2021

Respectfully yours,

Linda Chismar, RMC
Borough Clerk