



**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](http://www.middlesexboro-nj.gov)

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**Tuesday, July 27, 2021**

**7:00 PM**

**Remote Zoom/Telephone Meeting**

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**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.

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**SALUTE TO FLAG**

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**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 amended the Agenda to add Resolution #224-2021 to the Consent Agenda

|                  |                                                |
|------------------|------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                     |
| <b>MOVER:</b>    | James Eodice, Council President                |
| <b>SECONDER:</b> | Jack Mikolajczyk, Councilman                   |
| <b>AYES:</b>     | Eodice, Carnes, Flood, Mikolajczyk, Quinn, Rex |

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**PRESENTATIONS**

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**APPOINTMENTS**

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**PROCLAMATIONS**

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**ORDINANCE(S) FOR INTRODUCTION**

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Borough Clerk Linda Chismar read Ordinance 2039-21 by title:

**ORDINANCE 2039-21**

**BOND ORDINANCE PROVIDING VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, APPROPRIATING \$2,032,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,567,700 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY**

BE IT ORDAINED by the BOROUGH COUNCIL OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of Middlesex, in the County of Middlesex, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$2,032,000, said sum being inclusive of all appropriations heretofore made therefor, including the sum of \$385,875 grant funds expected to be received from the New Jersey Department of Transportation (NJDOT), and \$78,425 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$1,567,700, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the obligations are to be issued consist of the following:

i) acquisition of various equipment for the Police Department, including but not limited to, body worn cameras, patrol vehicles and related equipment, tasers with cameras and related equipment, traffic safety equipment, and tactical vest carriers, with a total appropriation and estimated cost of \$257,500, estimated amount of bonds and notes therefor of \$249,200, and an average period of usefulness of five (5) years;

ii) acquisition of alert pagers for the Office of Emergency Management (OEM), with a total appropriation and estimated cost of \$8,000, estimated amount of bonds and notes therefor of \$7,600, and an average period of usefulness of five (5) years;

iii) acquisition of various equipment for the Fire Department, including but not limited to, turnout gear, high rise equipment kits, AC/DC fans, gas detectors, and self-contained breathing apparatus (SCBA), with a total appropriation and estimated cost of \$87,500, estimated amount of bonds and notes therefor of \$83,250, and an average period of usefulness of five (5) years;

iv) acquisition of a garbage truck, with a total appropriation and estimated cost of \$150,000, estimated amount of bonds and notes therefor of \$142,500, and an average period of usefulness of ten (10) years;

v) acquisition of various vehicles for the Road Department, with a total appropriation and estimated cost of \$62,000, estimated amount of bonds and notes therefor of \$58,900, and an average period of usefulness of five (5) years;

vi) office improvements and the acquisition of a large party tent and storage for the Department of Senior & Disabled Services, with a total appropriation and estimated cost of \$15,000, estimated amount of bonds and notes therefor of \$14,250, and an average period of usefulness of 8.33 years;

vii) acquisition of a movie screen, sound system and storage for the Recreation Department, with a total appropriation and estimated cost of \$5,000, estimated amount of bonds and notes therefor of \$4,750, and an average period of usefulness of five (5) years;

viii) acquisition and installation of a new heating, ventilation, and air conditioning (HVAC) system and office furniture for the Public Library, with a total appropriation and estimated cost of \$235,000, estimated amount of bonds and notes therefor of \$223,250, and an average period of usefulness of 14.57 years;

ix) various capital improvements and acquisitions for the Buildings and Grounds Department, including but not limited to, office furniture, above ground fuel tanks, building maintenance, and HVAC units, with a total appropriation and estimated cost of \$250,000, estimated amount of bonds and notes therefor of \$238,000, and an average period of usefulness of 16.70 years;

x) Landfill Closure Plan, with a total appropriation and estimated cost of \$100,000, estimated amount of bonds and notes therefor of \$95,000, and an average period of usefulness of five (5) years;

xi) Milling and Overlay Program, with a total appropriation and estimated cost of \$503,500 including said \$385,875 grant funds expected to be received from the NJDOT, estimated amount of bonds and notes therefor of \$110,000, and an average period of usefulness of twenty (20) years;

xii) Phase III Americans with Disabilities Act (ADA) Playground at Mountainview Park, with a total appropriation and estimated cost of \$200,000, estimated amount of bonds and notes therefor of \$190,000, and an average period of usefulness of fifteen (15) years; and

xiii) various information technology (IT) improvements and acquisitions, including but not limited to, Barracuda updates, an uninterruptible power supply (UPS) for Borough Hall, servers for the Police Department and Borough Hall, new computers, and phone system maintenance, with a total appropriation and estimated cost of \$158,500, estimated amount of bonds and notes therefor of \$151,000, and an average period of usefulness of five (5) years,

together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$1,567,700, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$2,032,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$2,032,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$78,425 down payment for said purposes, and the sum of \$385,875 grant funds expected to be received from the NJDOT.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10.89 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by

\$1,567,700 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$350,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto.

Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

|                  |                                                |                                |
|------------------|------------------------------------------------|--------------------------------|
| <b>RESULT:</b>   | <b>FIRST READING [UNANIMOUS]</b>               | <b>Next: 8/24/2021 7:00 PM</b> |
| <b>MOVER:</b>    | James Eodice, Council President                |                                |
| <b>SECONDER:</b> | Jack Mikolajczyk, Councilman                   |                                |
| <b>AYES:</b>     | Eodice, Carnes, Flood, Mikolajczyk, Quinn, Rex |                                |

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**ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION**

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Borough Clerk Linda Chismar read Ordinance 2037-21 by title:

**ORDINANCE 2037-21**

**AMENDING CHAPTER 420 (ZONING) SO AS TO PERMIT CERTAIN CLASSES OF CANNABIS BUSINESSES IN APPROPRIATE ZONES**

**WHEREAS**, in 2020's general election, New Jersey voters approved a ballot measure supporting the legalization of recreational marijuana for persons at least 21 years of age; and

**WHEREAS**, the issue of recreational marijuana has been a prevalent topic in the New Jersey legislature since the election of Governor Phil Murphy in 2017; and

**WHEREAS**, on February 22, 2021, Governor Murphy signed into law the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16), which concerns the development, regulation, and enforcement of a recreational cannabis marketplace for persons 21 years of age or older; and

**WHEREAS**, the state-wide administrative body known as the Cannabis Regulatory Commission is tasked with overseeing the licensing process for applicants desiring to become involved with the recreational cannabis marketplace; and

**WHEREAS**, the Act establishes six classes of businesses for licensure:

Class 1- cultivators, for facilities involved in growing and cultivating cannabis;

Class 2- manufacturing and packaging, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;

Class 3- wholesaling, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;

Class 4- distributing, for businesses involved in transporting cannabis plants in bulk from one licensed cultivator to another, or cannabis items in bulk between any type of licensed cannabis business;

Class 5- retailing, for locations at which cannabis and cannabis items and related supplies are sold to consumers; and

Class 6- delivery services, for businesses providing courier services for consumer purchases; and

**WHEREAS**, the Act authorizes municipalities to adopt regulations governing the number of licensed cannabis establishments, distributors, or delivery services, as well as the location, manner, and times of operation of establishments and distributors but not times of operation for delivery services, as well as regulations establishing civil penalties for violation of an ordinance governing the number of cannabis establishments, distributors, or delivery services that may operate in such municipality, or their location, manner, or the times of operations; and

**WHEREAS**, the Act authorizes municipalities by ordinance to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and

**WHEREAS**, the Act states that any such ordinance must be adopted within 180 days of the effective date of the Act; and

**WHEREAS**, the failure to enact such an ordinance shall mean that, for a period of five years, the growing, cultivating, manufacturing, selling, and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis and cannabis items to consumers shall be permitted in commercial and retail zones; and

**WHEREAS**, at the conclusion of the initial five-year period following the failure to enact such an ordinance, the municipality shall have another 180-day period to enact an ordinance, but said ordinance would be prospective only and not be applicable to any existing cannabis establishments; and

**WHEREAS**, any ordinance enacted by a municipality prior to the effective date of the Act addressing recreational cannabis within its jurisdiction are made null and void by virtue of the act; and

**WHEREAS**, the Administration and Council of the Borough of Middlesex have determined that the retail sale of cannabis or cannabis items within Borough jurisdiction would be detrimental to the public health, safety, and welfare of the Township and its residents; and

**WHEREAS**, all Class Five licensees (retailers) are prohibited from operating anywhere in the Borough but other classes of cannabis businesses would be permitted to the extent allowed by the Borough's Zoning Ordinance, Chapter 420 of the Borough Code; and

**WHEREAS**, the Borough of Middlesex and its officials have determined that non-retailer cannabis establishments could be a good use in specific zones to fit with the character of the zone scheme and purpose of the Municipal Land Use Law, and have determined that amendments to the zoning ordinance are necessary to effectuate this goal;

**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 the Borough's Zoning Ordinance, Chapter 420 (Zoning) of the Borough's Code, is hereby amended as follows:

**SECTION I.**

Section 420-56 entitled "IND Industrial District[,]" subsection (C) governing "Conditional uses" is hereby amended to read as follows (struck through portions to be removed, bolded and underlined portions to be added):

C. Conditional uses. The following conditional uses may be permitted, provided that all of the terms and conditions specified for the particular use in § 420-59 are complied with:

(1) Commercial earth terminals.

**(2) Class 1 Cannabis Cultivation, Class 2 Cannabis Manufacturing, Class 3 Cannabis Wholesaling, Class 4 Cannabis Distributing, and Class 6 Cannabis Delivery as defined in the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act. Class 5 Cannabis Retailing remains a prohibited use in all zones pursuant to Chapter 321.**

**(3) Alternate Treatment Centers pursuant to the New Jersey Compassionate Use Medical Marijuana Act, N.J.S.A. 24:61-1 et. seq.**

## **SECTION II.**

Section 420-57 entitled "HI Heavy Industrial District[,]" subsection (C) governing "Conditional uses" is hereby amended to read as follows (struck through portions to be removed, bolded and underlined portions to be added):

C. Conditional uses. The following commercial uses may be permitted, provided that all the terms and conditions specified for the particular use in § 420-59 are complied with:

(1) Production and processing of chemicals as a principal use.

**(2) Class 1 Cannabis Cultivation, Class 2 Cannabis Manufacturing, Class 3 Cannabis Wholesaling, Class 4 Cannabis Distributing, and Class 6 Cannabis Delivery as defined in the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act. Class 5 Cannabis Retailing remains a prohibited use in all zones pursuant to Chapter 321.**

**(3) Alternate Treatment Centers pursuant to the New Jersey Compassionate Use Medical Marijuana Act, N.J.S.A. 24:61-1 et. seq.**

## **SECTION III.**

Section 420-59 entitled "Conditional uses" is hereby amended to read as follows (struck through portions to be removed, bolded and underlined portions to be added):

**M. Cannabis Establishments and Alternate Treatment Centers. Establishments with a license, or seeking a license, for Class 1 Cannabis Cultivation, Class 2 Cannabis Manufacturing, Class 3 Cannabis Wholesaling, Class 4 Cannabis Distributing, or Class 6 Cannabis Delivery as defined in the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act and Alternate Treatment Centers as provided in the New Jersey Compassionate Use Medical Marijuana Act may be permitted in the IND Industrial District and HI Heavy Industrial District, provided that:**

1. State licensure. The establishment or ATC has been properly licensed pursuant to the New Jersey Cannabis Regulatory Enforcement Assistance and Marketplace Modernization Act or New Jersey Compassionate Use Medical Marijuana Act, as necessary.
2. Distance between establishments. No cannabis establishment shall be located within 500 feet from any other cannabis establishment, nor shall an ATC be located within 500 feet from any other ATC, which shall be measured from the subject property line to property line. In the event that more than one land use application for an establishment or ATC of the same classification is submitted to the Borough in close proximity to one another, and if the applications comply with all the requirements of this chapter and the Permitting Authority, the Borough is not permitted to approve all of the applications because of the limitations set forth in this subsection. The Borough shall first review for approval the application that was first submitted and determined to be a complete and compliant application by the Borough Land Use Administrator, Zoning Officer, or other person with authority to make such determination.
3. Distance between establishments and certain uses. Establishments and ATCs shall not be located within 250 feet (measured from the subject property line to property line) of a residential zone; day care, child care center or nursery school; drug or alcohol rehabilitation center; public park or public pool; or, within 250 feet (measured from the subject property line to property line) of a public, private or special education elementary or secondary school property.
4. No marketing or advertisement of the site shall be permitted. No signage other than directional or discrete building identification shall be permitted.
5. ATC Dispensaries shall limit their hours of operation from 8:00 a.m. to 10:00 p.m., Monday to Sunday, or as otherwise provided in the special use permit. Retail distribution of cannabis is a prohibited use in all zones pursuant to Chapter 321 of the Borough code.
6. The cultivation of marijuana plants, for medicinal or recreational purposes, shall not be permitted on exterior portions of a lot. The cultivation, production, or possession of marijuana plants within a building or unit must not be perceptible from the exterior of the building or unit from a street or residential use.
7. ATCs and Cannabis establishments must limit signage to text on external signage. However, use of graphics shall allowed solely to display the logo for the business.
8. ATCs and Cannabis business signage shall not display on the exterior of the facility or windows advertisements for cannabis or a brand name except for purposes of identifying the building by the permitted name.

9. No products to be visible from public places. Cannabis plants, products, accessories, and associated paraphernalia contained in any cannabis establishment or medical marijuana business shall not be visible from a public sidewalk, public street or right-of-way, or any other public place. On-site storage of usable cannabis shall comply with applicable laws.
10. Sufficient measures and means of preventing smoke, odors, debris, dust, fluids, and other substances from exiting the cannabis business premises shall be provided at all times. In the event that any debris, dust, fluids, or other substances shall exit the business premises, the property owner and operator shall be jointly and severally responsible for full cleanup.
11. As applicable, cannabis businesses and ATCs shall be equipped with ventilation systems with carbon filters sufficient in type and capacity to eliminate cannabis odors emanating from the interior to the exterior of the premises discernible by reasonable persons. The ventilation system must be inspected and approved by the Construction Official.
12. If carbon dioxide will be used in any cultivation area, sufficient physical barriers or a negative air pressure system must be in place to prevent carbon dioxide from moving into the ambient air, into other units in the same building, or into an adjacent building in a concentration that would be harmful to any person, including persons with respiratory disease, and shall be inspected and approved by the Construction Official and the Fire Marshall.
13. Security and reporting. Security systems must be in place, along with a 24/7 recording system that records for a minimum thirty-day archive. This system must be shared with the Middlesex Borough Police Department electronically. Middlesex Borough Police Department shall be provided the name and phone number of a staff person to notify regarding suspicious activity during or after operating hours. Security staff is required on the premises during all hours of operation. Additionally:
  - a. The premises must only be accessed by authorized personnel and free of loitering;
  - b. All cultivation of cannabis shall take place in an enclosed, locked facility; and
  - c. Security personnel must be present during times of operation.

#### **SECTION IV.**

Upon introduction of this Ordinance, a true copy of same shall be sent by the Borough Clerk to all property owners listed in the tax duplicates in the affected zones and within a 200 foot radius of each zone; the clerks of the municipalities of Dunnellen, Bound Brook, and Piscataway; the County Planning Board; and sent to the Borough Joint Land Use Board for a consistency review pursuant to N.J.S.A. 40:55D-26.

**SECTION V.**

Any ordinances or parts thereof inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION VI.**

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

**SECTION VII.**

This ordinance shall take effect upon its passage and publication as otherwise provided for by law.

Mayor Madden opened the public hearing on Ordinance No. 2037-21 and requested if the Borough Clerk received any e-mailed comments or questions. The Borough Clerk did not receive any comments or questions regarding this Ordinance, and there were no comments or questions from the public. Mayor Madden then closed the public hearing on Ordinance No. 2037-21.

|                  |                                         |
|------------------|-----------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [5 TO 1]</b>                 |
| <b>MOVER:</b>    | James Eodice, Council President         |
| <b>SECONDER:</b> | Jack Mikolajczyk, Councilman            |
| <b>AYES:</b>     | Eodice, Carnes, Mikolajczyk, Quinn, Rex |
| <b>NAYS:</b>     | Flood                                   |

Borough Clerk Linda Chismar read Ordinance 2038-21 by title:

**ORDINANCE 2038-21****AN ORDINANCE AMENDING CHAPTER 129 (PET WASTE), CHAPTER 264 (LITTERING), AND CHAPTER 354 (STORM DRAINS) TO CONFORM TO NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION REQUIREMENTS**

**WHEREAS**, as part of the New Jersey Department of Environmental Protection (NJDEP) Municipal Stormwater General Permit issued to municipalities on a yearly basis, each municipality is required to make certain changes to its ordinances; and

**WHEREAS**, the Borough Council of the Borough of Middlesex has reviewed the required changes from the NJDEP in conjunction with the Borough Engineer and Borough Attorney and has determined to amend the ordinance accordingly; and

**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 Chapters 129 (Pet Waste), 264 (Littering), and 364 (Storm Drains) of the Borough Code be amended as follows (additions are indicated thusly and deletions ~~thusly~~):

**Section I**

A new Chapter 129-32.1 is hereby created as follows:

**Chapter 129-32.1. Information on Pet Waste Disposal to be Distributed with License**

Information on the Pet Waste Ordinance and the benefits of proper disposal of pet waste shall be distributed with pet licenses.

**Section II**

Chapter 264-1 is hereby amended as follows:

**§ 264-1 Definitions; word usage.**

For the purpose of this chapter, the following terms, phrases, words and derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense shall include the future; words used in the plural number include the singular number; and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

**BOROUGH**

The Borough of Middlesex in the County of Middlesex and State of New Jersey.

**FILL MATERIAL**

Includes all materials used for landfill and/or road-construction purposes, including industrial scraps, sand, gravel, macadam and concrete products (new or broken up), topsoil and other materials as may be approved by the Middlesex Borough Board of Health.

**GARBAGE**

The putrescible, animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

**LITTER**

~~Garbage, refuse and rubbish, as defined herein, and all other waste materials which, if thrown, deposited or blown, tend to create a danger to public health, safety and welfare. Any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspapers, magazines, glass, metal, plastic or paper containers or other packaging or construction material, but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing.~~

**LITTER RECEPTACLE**

A container suitable for the depositing of litter.

**PERSON**

~~Any person, firm, partnership, association, corporation, company or organization of any kind. Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.~~

#### **PUBLIC PLACE**

Any and all streets, sidewalks, alleys or other public ways, and any and all public parks, squares, spaces, grounds and buildings within the Borough.

#### **REFUSE**

Any putrescible solid wastes, including garbage, rubbish, ashes, street cleanings, dead animals, scrap metal, machinery, any solid market or industrial waste.

#### **RUBBISH**

Nonputrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper wrappings, cigarettes, cardboard, tin cans, grass, glass, bedding, crockery, building materials and similar other waste materials.

#### **SIDEWALK**

Includes that land between the curbline and property line, whether or not the land has been improved with a hard surface.

### **Section III**

Chapter 264-2 is hereby amended as follows:

#### **§ 264-2 Littering prohibited; regulations.**

No person shall throw or deposit or place, or cause to be blown or cause to be deposited or placed, upon any street, sidewalk or other public place within the Borough of Middlesex any litter, garbage, refuse or rubbish, except in a litter receptacle container, or as authorized under the rules and regulations of the Borough for regulating municipal garbage collection.

### **Section IV**

Chapter 354-4 is hereby amended as follows:

#### **§ 354-4 Design standard.**

Storm drain inlets identified in § 354-3 above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this section, "solid and floatable materials" means sediment, debris, trash and other floating, suspended or settleable solids. For exemptions to this standard see Subsection C below.

##### **A. Grates.**

(1) Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

(a) The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or

(b) A different grate, if each individual clear space in that grate has an area of no more than seven square inches, or is no greater than 0.5 inch across the smallest dimension.

(2) Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels and stormwater basin floors.

B. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven square inches, or be no greater than two inches across the smallest dimension.

C. This standard does not apply:

(1) Where the Municipal Engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;

(2) Where flows are conveyed through any device (e.g., end-of-pipe netting facility, manufactured treatment device or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:

(a) A rectangular space 4 5/8 inches long and 1 1/2 inches wide (this option does not apply for outfall netting facilities); or

(b) A bar screen having a bar spacing of 0.5 inch.

(3) Where flows are conveyed through a trash rack that has parallel bars with one-inch spacing between the bars; or

(4) Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

#### D. Retrofitting of Private Storm Drain Inlets.

Existing storm drain inlets which are in direct contact with repaving, repairing (excluding repair of individual potholes), reconstruction, resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), or alterations of facilities on properties not owned or operated by the municipality (except individual single family homes) shall be retrofitted to meet the standard of Attachment C of the most recent NJDEP Municipal Stormwater General Permit

#### **Section V. Severability:**

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

#### **Section VI. Effective Date:**

This Ordinance shall be in full force and effect from and after its adoption and any publication as required by law.

Mayor Madden opened the public hearing on Ordinance No. 2038-21 and requested if the Borough Clerk received any e-mailed comments or questions. The Borough Clerk did not receive any comments or questions regarding this Ordinance, and there were no comments or questions from the public. Mayor Madden then closed the public hearing on Ordinance No. 2038-21.

|                  |                                                |
|------------------|------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                     |
| <b>MOVER:</b>    | James Eodice, Council President                |
| <b>SECONDER:</b> | Jack Mikolajczyk, Councilman                   |
| <b>AYES:</b>     | Eodice, Carnes, Flood, Mikolajczyk, Quinn, Rex |

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#### **ADOPTION OF MINUTES**

1. Approval of the June 15, 2021 Regular & Executive Session Meeting Minutes

|                  |                                                |
|------------------|------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                    |
| <b>MOVER:</b>    | James Eodice, Council President                |
| <b>SECONDER:</b> | Jack Mikolajczyk, Councilman                   |
| <b>AYES:</b>     | Eodice, Carnes, Flood, Mikolajczyk, Quinn, Rex |

2. Approval of the June 29, 2021 Regular Meeting Minutes

|                  |                                                |
|------------------|------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                    |
| <b>MOVER:</b>    | James Eodice, Council President                |
| <b>SECONDER:</b> | Jack Mikolajczyk, Councilman                   |
| <b>AYES:</b>     | Eodice, Carnes, Flood, Mikolajczyk, Quinn, Rex |

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#### **MAYOR'S REPORT**

No report was given.

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#### **COUNCIL MEMBER REPORTS**

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##### **Council President Eodice**

Council President Eodice mentioned that the Swim Pool Commission recognized the service of one of their long time members, having served for more than 20 years on the Commission on July 21st.

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Councilman Carnes

Councilman Carnes made the following comments:

- Joint Land Use will meet in the next two weeks.
  - Recreation will be offering the photography program for an extended period.
  - Cultural & Heritage Committee is moving forward with its grant.
- 

## Councilwoman Flood

No report was given.

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## Councilman Mikolajczyk

Councilman Mikolajczyk expressed his concern of the number of expected Police Department retirements in the very near future.

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## Councilman Quinn

No report was given.

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## Councilman Rex

No report was given

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**ADMINISTRATOR'S REPORT****Administrator's Report  
July 27, 2021**

- i. **Flood Management:**
- ii. **Update on Sewer Projects:**
  - i. **Phase I:**
    - a. **\*Phase 1 funding: manhole refurbishment**
    - b. **i-Bank (formerly EIT) funding reimbursement;**
    - c. **O&M Manual required by DEP**
  - ii. **Phase II: Pump Stations: Bids are being reviewed by our attorney and We had no bids received on June 9<sup>th</sup>; it is being rebid with bids to be received on July 14**
- iii. **Phase IV: Sewer Bypass**
- iii. **Update on Other Public Works Projects:**
  - i. **Streetscape Project**
  - ii. **2019 DOT: Fisher and Ashland:**
  - iii. **2020 DOT: Harris, Sherman, Chestnut, Hazelwood:**
  - iv. **\*2021 DOT: Road Bid under review at this time.**
  - v. **2022 DOT: Hazelwood, Lonnabe Drive; Misty Lane**
- iv. **Miscellaneous**
  - i. **\*Flood Control Commission Member: John Sweeney will be honored at the meeting on Saturday.**
  - ii. **\* Municipal Tax Rate - 2021 rate was reduced from last year**
  - iii. **\*Autumn Newsletter**
  - iv. **\*Hunterdon County Show Stage - Awaiting assessment of roof**

- v. \*Update on Federal Land Transfer, Municipal Building renovation and new DPW/OEM - The Feds are coming the end of August and we will be starting the GSA Transfer Review.
- vi. \*Liquor License Increase - Ordinance will be introduced at 8/24/21 Meeting
- vii. \*Tie the Town Pink - Borough staff will participate at this event on September 30, 2021
- viii. \*Municipal Summer Hours - Friday office closure at 1PM
- ix. Sewer ordinance update
- x. John Sweeney Plaque/tree/resolution

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### PRIVILEGE OF THE FLOOR

Kevin Redzinski, 441 Fairview Avenue questioned how much money has been spent on the architect and who was the architect that provided the drawings of the potential DPW garage.

Borough Administrator Karrow responded to Mr. Redzinski.

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### NEW BUSINESS/CONSENT AGENDA/RESOLUTIONS

|                  |                                                |
|------------------|------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                     |
| <b>MOVER:</b>    | James Eodice, Council President                |
| <b>SECONDER:</b> | Jack Mikolajczyk, Councilman                   |
| <b>AYES:</b>     | Eodice, Carnes, Flood, Mikolajczyk, Quinn, Rex |

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Borough Clerk Linda Chismar read the following resolution:

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

### RESOLUTION 207-2021

#### ACCEPTANCE OF STANDING REPORTS

The Governing Body hereby accepts the following Reports itemized below:

1. Acceptance of the June, 2021 Tax Totals Report
2. Acceptance of the June, 2021 Police Report

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Borough Clerk Linda Chismar read the following resolution:

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

### RESOLUTION 208-2021

#### AUTHORIZING THE TAX COLLECTOR TO WAIVE AND ADJUST SEWER BILLS FOR VARIOUS PROPERTIES

**WHEREAS**, As per Ordinance 1889-16, all users which discharge more than 120,000 gallons of domestic sanitary wastewater per annum, shall be charged a service charge for flow, and:

**WHEREAS**, any dispute as to the billing or charges or to the amount of the bill or calculation thereof, may be appealed, and;

**WHEREAS**, said appeal shall be in writing and shall include in sufficient detail, the relief sought, the evidence, information or documents to support the relief sought, and;

**WHEREAS**, as per the appeal process the proper supporting documentation was submitted and reviewed by the Borough Engineer and;

**THEREFORE**, the following charges on the below properties have been waived or adjusted and/or a refund is due:

Block/Lot: 86.02 / 22  
Original Amount: \$167.85  
New Amount: 0.00

Block/Lot: 70.08 / 11.09  
Original Amount: \$94.41  
New Amount: 0.00

Block/Lot: 71.01 / 17.01  
Original Amount: \$576.96  
New Amount: 0.00

Block/Lot: 4.01 / 8  
Original Amount: \$303.55  
New Amount: 0.00

Block/Lot: 293 / 3.02  
Original Amount: \$681.87  
New Amount: 0.00

Block/Lot: 293 / 3.04  
Original Amount: \$419.60  
New Amount: 0.00

Block/Lot: 81 / 13  
Original Amount: \$409.12  
New Amount: 0.00

Block/Lot: 329 / 33  
Original Amount: \$1321.77  
New Amount: 0.00

Block/Lot: 75 / 4.01  
Original Amount: \$52.46  
New Amount: 0.00

Block/Lot: 40 / 48  
Original Amount: \$514.02  
New Amount: 0.00

Block/Lot: 62 /19  
Original Amount: \$20.98  
New Amount: 0.00  
Refund Amount: \$20.98

Block/Lot: 22.03 / 3.25  
Original Amount: \$1028.05  
New Amount: 0.00

Block/Lot: 25 / 19  
Original Amount: \$367.16  
New Amount: 0.00

Block/Lot: 293 / 301  
Original Amount: \$451.07  
New Amount: 0.00

Block/Lot: 79 / 5.01  
Original Amount: \$220.30  
New Amount: 0.00

Block/Lot: 167.01 / 14  
Original Amount: \$409.12  
New Amount: 0.00

Block/Lot: 86 / 22  
Original Amount: \$220.30  
New Amount: 0.00  
Refund Amount: \$220.30

Block/Lot: 344 / 3  
Original Amount: \$116,654.70  
New Amount: 0.00

---

Borough Clerk Linda Chismar read the following resolution:

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

**RESOLUTION 209-2021**

**APPROVING OEM TO PARTICIPATE IN THE BASILONE PARADE IN  
SOMERVILLE/RARITAN BOROUGH ON SEPTEMBER 19, 2021**

Approving OEM to participate in the Basilone Parade in Somerville/Raritan Borough on September 19, 2021.

---

Borough Clerk Linda Chismar read the following resolution:

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

**RESOLUTION 210-2021**

**DECLARING A SAVIN 9060 AND HP LASER JET 1320 PRINTER SURPLUS**

**WHEREAS**, the Borough of Middlesex has determined that the equipment listed below has been rendered obsolete, broken, and no longer serviceable or usable; and

- 1) Savin 9060 Multifunction Printer
- 2) HP Laser Jet 1320 desk top printer

**WHEREAS**, the Borough of Middlesex intends to dispose of said obsolete, broken and no longer serviceable or usable items; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Middlesex, County of Middlesex, State of New Jersey, hereby declare the non-serviceable items listed above as surplus and authorize their disposal, effective immediately.

---

Borough Clerk Linda Chismar read the following resolution:

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

**RESOLUTION 211-2021**

**APPROVAL OF LEASE AGREEMENT BETWEEN THE BOROUGH OF MIDDLESEX AND  
MIDDLESEX YOUTH BASEBALL INC.**

The Governing Body hereby approves the Lease Agreement between the Borough of Middlesex and Middlesex Youth Baseball Inc. effective August 1, 2021 - October 31, 2025.

---

Borough Clerk Linda Chismar read the following resolution:

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

**RESOLUTION 212-2021**

**APPROVAL TO ENTER INTO AGREEMENT WITH THE MIDDLESEX COUNTY  
IMPROVEMENT AUTHORITY FOR THE PROVISION OF YARD WASTE RECYCLING  
AND MARKETING SERVICES**

**WHEREAS**, Middlesex Borough's current contract with the Middlesex County Improvement

Authority for the provision of Yard Waste Recycling and Marketing Services will expire on August 31, 2021; and

**WHEREAS**, the MCIA will be awarding a contract for the continuation of these services to the Vendor at their meeting on July 14, 2021; and

**WHEREAS**, the Governing Body wishes to continue to participate in the County Collection of Yard Waste Recycling and Marketing Services for the term of September 1, 2021 through August 31, 2024, with two possible one year extensions, at the discretion of the MCIA.

**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 Governing Body hereby approve the continuation of Yard Waste Recycling Services and Marketing Services for the term of September 1, 2021 through August 31, 2024, with two possible one-year extensions, at the discretion of the MCIA.
2. This resolution will 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 213-2021**

**AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE THE LITTER PICK UP PROGRAM AGREEMENT BETWEEN MIDDLESEX COUNTY AND THE BOROUGH OF MIDDLESEX**

The Governing Body hereby authorizes the Mayor to execute the Litter Pick Up Program Agreement between the County of Middlesex and the Borough of Middlesex. This Agreement will provide funding to the borough to pick up litter on County maintained roads between May 1, 2021 and November 30, 2021 and for 2022 and 2023 litter may be picked up any time between March 1 and November 30.

---

Borough Clerk Linda Chismar read the following resolution:

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

**RESOLUTION 214-2021**

**AUTHORIZING THE TAX COLLECTOR TO WAIVE AND ADJUST SEWER BILLS ON BLOCK 42, LOT 5**

**WHEREAS**, As per Ordinance 1889-16, all users which discharge more than 120,000 gallons of domestic sanitary wastewater per annum, shall be charged a service charge for flow, and:

**WHEREAS**, any dispute as to the billing or charges or to the amount of the bill or calculation thereof, may be appealed, and;

**WHEREAS**, said appeal shall be in writing and shall include in sufficient detail, the relief sought, the evidence, information or documents to support the relief sought, and;

**WHEREAS**, as per the appeal process the proper supporting documentation was submitted and reviewed by the Borough Engineer and;

**THEREFORE**, the following charges on the below properties have been waived or adjusted and/or a refund is due:

Block/Lot: 42 /5  
Original Amount: \$2,412.74  
New Amount: \$1,039.18  
Refund Due: \$1,373.56

---

Borough Clerk Linda Chismar read the following resolution:

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

**RESOLUTION 215-2021**

**REIMBURSEMENT OF DOG LICENSE FEES IN THE AMOUNT OF \$13.00 TO SAPNA MARTHI, 50 KINGSLAND CIRCLE, MONMOUTH JUNCTION**

The Governing Body hereby approves the reimbursement fee for Dog License to Ms. Sapna Marthi, 50 Kingsland Circle, Monmouth Junction, New Jersey in the amount of \$13.00.

---

Borough Clerk Linda Chismar read the following resolution:

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

**RESOLUTION 216-2021**

**AT THE RECOMMENDATION OF POLICE CHIEF GEIST APPOINTING POLICE OFFICER JOLEEN AURICCHIO AND POLICE OFFICER JAMES DOLINSKI AS TEMPORARY ACTING SERGEANTS EFFECTIVE AUGUST 1, 2021 FOR A PERIOD NOT TO EXCEED 6 MONTHS**

At the recommendation of Police Chief Geist, the Governing Body hereby approves appointing Police Officer Joleen Auricchio and Police Officer James Dolinski as Temporary Acting Sergeants at the annual salary for a Police Sergeant of \$124,657 effective August 1, 2021 for a period not to exceed 6 months.

---

Borough Clerk Linda Chismar read the following resolution:

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

**RESOLUTION 217-2021**

**AUTHORIZING THE DPW TO SURPLUS AND SCRAP THE 1991 PENNSTYLE UTILITY TRAILER NO LONGER NEEDED FOR PUBLIC USE**

**WHEREAS**, the Borough of Middlesex has determined that the 1991 Pennstyle Utility Trailer, Vin # 1P9U612S1ML018134 is no longer needed for public use and declared surplus; and

**WHEREAS**, the Borough of Middlesex Department of Public Works intends to scrap the vehicle; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Middlesex, County of Middlesex, State of New Jersey, that the 1991 Pennstyle Utility Trailer, Vin # 1P9U612S1ML018134 is hereby declared surplus and will be scrapped.

---

Borough Clerk Linda Chismar read the following resolution:

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

**RESOLUTION 218-2021**

**HIRING OF SHONDA SANCHEZ OF SOMERSET, NJ AS THE ADMINISTRATIVE ASSISTANCE FOR THE OFFICE OF AGING AND DISABLED SERVICES AT AN ANNUAL SALARY OF \$40,000 EFFECTIVE SEPTEMBER 7, 2021 PENDING A SATISFACTORY PHYSICAL AND BACKGROUND CHECK**

**WHEREAS**, the Governing Body hereby approves the hiring of Shonda Sanchez of Somerset, NJ as the Administrative Assistant for the Office of Aging and Disabled Services; and

**WHEREAS**, Ms. Sanchez will be paid an annual salary of \$40,000 effective September 7, 2021, pending a satisfactory physical and background check; and

**WHEREAS**, Ms. Sanchez will be promoted to Senior Administrative Assistant and receive a \$5,000 increase following a minimum of two years of employment with the Borough of Middlesex the completion of both SHIP Certification and receiving certification as a Caregiving Support Group Facilitator and satisfactory performance reviews.

**NOW THEREFORE BE IT RESOLVED**, by the Governing Body of the Borough of Middlesex that:

1. The Governing Body hereby approves the hiring of Shonda Sanchez of Somerset, NJ effective September 7, 2021 at an annual salary of \$40,000. Ms. Sanchez will be entitled to a promotion to the title of Senior Administrative Assistant and increase of \$5,000 effective after two years of employment with the Borough of Middlesex, receiving SHIP certification and as a Certified Caregiving Support Group Facilitator, and satisfactory performance reviews and will be entitled to all terms and conditions of the White Collar Contract including annual raises as negotiated pending a satisfactory physical and background check.

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 219-2021**

**WAIVING THE BOARD OF HEALTH LICENSE FEE FOR KONA ICE OF HUNTERDON COUNTY THAT SERVED AS THE ICE CREAM VENDOR AT DINO DAY AT THE MIDDLESEX LIBRARY ON JULY 19, 2021**

The Governing Body hereby waives the Board of Health License Fee for Kona Ice of Hunterdon County that served as the ice cream vendor at the Dino Day Event held on July 19, 2021 at the Middlesex Library.

---

Borough Clerk Linda Chismar read the following resolution:

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

**RESOLUTION 220-2021**

**BASED UPON THE REVIEW AND APPROVAL OF THE BOROUGH ENGINEER, THE VARIOUS HOMEOWNERS LISTED BELOW HAVE SUBMITTED THE REQUIRED DOCUMENTATION AND ARE ENTITLED TO HAVE THEIR SEWER CHARGES EITHER WAIVED OR REDUCED**

**WHEREAS**, As per Ordinance 1889-16, all users which discharge more than 120,000 gallons of domestic sanitary wastewater per annum, shall be charged a service charge for flow, and:

**WHEREAS**, any dispute as to the billing or charges or to the amount of the bill or calculation thereof, may be appealed, and;

**WHEREAS**, said appeal shall be in writing and shall include in sufficient detail, the relief sought, the evidence, information or documents to support the relief sought, and;

**WHEREAS**, as per the appeal process the proper supporting documentation was submitted and reviewed by the Borough Engineer and;

**THEREFORE**, the following charges on the below properties have been waived or adjusted and/or a refund is due:

Block/Lot: 116 / 14  
Original Amount: \$41.95  
New Amount: 0.00

Block/Lot: 116 / 13  
Original Amount: \$125.87  
New Amount: 0.00

Block/Lot: 108 / 14  
Original Amount: \$73.43  
New Amount: 0.00

Block/Lot: 86.05 / 4  
Original Amount: \$136.37  
New Amount: 0.00

Block/Lot: 57 / 5  
Original Amount: \$786.76  
New Amount: 0.00

Block/Lot: 107 / 24  
Original Amount: \$587.46  
New Amount: 0.00

Block/Lot: 114 / 12  
Original Amount: \$293.72  
New Amount: 0.00

Block/Lot: 70.10 / 3  
Original Amount: \$912.65  
New Amount: \$98.61

Block/Lot: 18 / 19  
Original Amount: \$535.00  
New Amount: \$420.66

---

Borough Clerk Linda Chismar read the following resolution:

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

**RESOLUTION 221-2021**

**APPROVAL OF SALARIES FOR NON-UNION OFFICERS AND EMPLOYEES FOR 2021**

**WHEREAS**, the Mayor and Council has the sole discretion to fix and determine the salaries and compensation of the officers and employees of the Borough of Middlesex,

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following salaries and rates of compensation for the year 2021 be hereby fixed respectively as follows:

| <u>Title</u>     | <u>2021 Salary</u> |
|------------------|--------------------|
| Borough Clerk    | \$77,770.00        |
| Purchasing Agent | \$54,565.00        |

|                             |             |
|-----------------------------|-------------|
| Acting CFO/Treasurer        | \$69,365.00 |
| HR/Payroll Manager          | \$45,450.00 |
| Tax Collector               | \$64,289.00 |
| Tax Assessor                | \$27,179.00 |
| Recreation Asst Director    | \$12,844.00 |
| Municipal Magistrate        | \$37,779.00 |
| Construction Official       | \$31,610.00 |
| Electrical SubCode Official | \$14,155.00 |
| Fire SubCode Official       | \$13,179.00 |
| Plumbing SubCode Official   | \$18,732.00 |

|                              |         |
|------------------------------|---------|
| Resale Certificate Inspector | \$16.47 |
| Code Enforcement Assistant   | \$13.17 |
| Public Works Laborers        | \$14.15 |
| Recreation Admin Assistant   | \$14.15 |
| Custodian                    | \$16.47 |

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Borough Clerk Linda Chismar read the following resolution:

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

**RESOLUTION 222-2021**

**AMENDING HOURS OF USAGE FOR SPECIFIC FIELDS IN MIDDLESEX BOROUGH TO BE OPEN FROM 8AM - SUNSET, AS DEFINED BY THE U.S. WEATHER BUREAU FOR THE SOMERVILLE AREA**

Effective immediately the following fields without lights will be open at 8AM - sunset, as defined by the U.S. Weather Bureau for the Somerville area:

1. Charlie Morgan/Runyon - Softball Field
2. Mountain View Park - Soccer Field 1 (behind pool), Soccer Field 2 (next to flying field), Soccer Field 3 (next to tennis courts), Soccer Field 4 or Multi-Purpose Field
3. Haverstick Park - Baseball Field 1, Baseball Field 2
4. Hazelwood Field - Baseball Field, Soccer Field
5. Mauger Field - Baseball Field 1, Baseball Field 2, Soccer Field 1, Soccer Field 2, Soccer Field 3, Soccer Field 4
6. Watchung Field - Baseball Field, Soccer Field

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Borough Clerk Linda Chismar read the following resolution:

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

**RESOLUTION 224-2021**

**APPROVING THE MAYOR TO EXECUTE THE MCUA TEMPORARY DISCHARGE APPROVAL APPLICATION FROM THE PUMPING SERVICES SITE TO THE MCUA**

**CENTRAL TREATMENT PLANT VIA THE BOROUGH'S WASTEWATER COLLECTION SYSTEM AND MCUA MIDDLESEX METER CHAMBER EFFECTIVE AUGUST 1, 2021 - JULY 31, 2022**

**WHEREAS**, Prestige Environmental Inc. on behalf of Pumping Services Inc. has provided a copy of the Temporary Discharge Approval Application for a Dual Phase Extraction (DPE) remediation system that will remove both shallow groundwater and soil vapor using a single high vacuum process with a discharge of treated groundwater, to the MCUA Central Treatment Plant, via the Middlesex Borough wastewater collection system and the MCUA Middlesex Meter Chamber, from the Pumping Services Inc. location at 201 Lincoln Boulevard; and

**WHEREAS**, Prestige Environmental Inc. is required to have the Borough's approval on a yearly basis for discharge of treated groundwater from the Pumping Services Site to the MCUA Central Treatment Plant via the Borough of Middlesex wastewater collection system and MCUA Middlesex Meter Chamber; and

**WHEREAS**, the current Temporary Discharge Approval Application will expire on July 31, 2021 and must be renewed with an effective date of August 1, 2021 - July 31, 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. Middlesex Borough hereby approves the Mayor to execute of the Middlesex County Utilities Authority Temporary Discharge Approval Application for the discharge of treated groundwater from the Pumping Services Site to the MCUA Central Treatment Plant via the Borough of Middlesex wastewater collection system and MCUA Middlesex Meter Chamber to be effective from August 1, 2021 - July 31, 2022.
2. This resolution shall take effect immediately.

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**NON-CONSENT AGENDA/RESOLUTIONS**

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Borough Clerk Linda Chismar read the following resolution:

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

**RESOLUTION 223-2021**

**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.

|                  |                                                |
|------------------|------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                     |
| <b>MOVER:</b>    | James Eodice, Council President                |
| <b>SECONDER:</b> | Jack Mikolajczyk, Councilman                   |
| <b>AYES:</b>     | Eodice, Carnes, Flood, Mikolajczyk, Quinn, Rex |

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**AGENDA WORKSHOP ITEM**

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**PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS**

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**EXECUTIVE SESSION**

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**ADJOURNMENT**

The next Regular Meeting will be August 24, 2021

Respectfully yours,

Linda Chismar, RMC  
Borough Clerk