



Borough of Middlesex
Mayor and Council Regular Meeting
~ Minutes ~

1400 Mountain Avenue
Middlesex, NJ

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

Tuesday, February 8, 2022

4:00 PM

Recreation Center

MAYOR'S STATEMENT

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

SALUTE TO FLAG

ROLL CALL

Mayor John Madden
Council President James Eodice
Councilwoman Amy Flood
Councilman Jack Mikolajczyk
Councilman Martin Quinn
Councilman Douglas Rex

Councilman Jeremiah Carnes -- **Absent**

Also Present:

Marcia Karrow Administrator
Christopher Corsini Borough Attorney

Others Absent:

PRESENTATIONS

APPOINTMENTS

1. Accepting the Resignation of Kristin Bennett from the Recreation Committee Effective January 26, 2022

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

2. Appointing Jason Sabino as a Regular Member to the Recreation Committee

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

3. Appointing Laura Thomasey as Alternate #1 to the Recreation Committee

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

PROCLAMATIONS

ORDINANCE(S) FOR INTRODUCTION

ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION

Borough Clerk Linda Chismar read Ordinance 2051-22 by title:

ORDINANCE 2051-22

AN ORDINANCE AMENDING CHAPTER 301 ENTITLED “PARKS AND RECREATION AREAS” TO REVISE THE FEE SCHEDULE APPLICABLE TO THE USE OF THE PARKS, FIELDS, AND COURTS OWNED BY THE BOROUGH OF MIDDLESEX

WHEREAS, it is the desire of the Borough of Middlesex to amend and revise the Borough’s current parks and recreation ordinance to introduce a new hourly fee schedule for the use of the parks, fields, and courts owned by the Borough.

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 301 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 301, Article I entitled “Use of Parks”, Sections 301-2, 301-3, 301-4, 301-5, and 301-7 are hereby amended as follows (bold and underlined text is to be added while strikethrough text is to be removed):

§ 301-2 Construction; word usage.

In the interpretation of this article and all succeeding park ordinances, the provisions shall be construed as follows:

A. Any term in the singular shall include the plural.

- B. Any term in the masculine shall include the feminine and neuter.
- C. Any requirement or prohibition of any act shall, respectively, extend to and include the causing and procuring, directly or indirectly, of such act.
- D. No provision hereof shall make unlawful any act necessarily performed by any officer or employee of the ~~Commission~~ **Department of Senior Services and Public Recreation** in line of duty or work, as such, or by any person, his agent or employees in the proper and necessary execution of the terms of any agreement with the ~~Commission~~ **Department of Senior Services and Public Recreation**.
- E. Any act otherwise prohibited by law or local ordinance shall be lawful if performed under, by virtue of and strictly within the provisions of a permit so to do, and to the extent authorized thereby.

§ 301-3 Territorial scope.

All Middlesex Borough park ordinances shall be effective within all the parks and lands under the administration of the ~~Commission~~ **Department of Senior Services and Public Recreation** and shall regulate the use thereof by all persons.

§ 301-4 Prohibited and restricted uses.

A. Animals.

- (1) No person shall cause or permit any animal owned by him, in his custody or under his control, to go or become at large.
- (2) Dogs shall be restrained by a leash not exceeding six feet in length.
- (3) No person shall hunt, molest, kill, wound, trap, take, chase, shoot, throw missiles at, remove or have in his possession any animal, reptile, bird or egg not owned by him, in his custody or under his control; nor shall he knowingly buy, receive, have in his possession, sell or give away any such animal, reptile, bird or egg.
- (4) No person over the age of 13 shall fish in any of the brooks, lakes and ponds bordering the parks unless he has a state license. No person shall kill, wound, discharge or throw missiles at any fish in such waters or place therein any piscivorous fish, poison or any other substances injurious to fish.

B. Disorderly conduct (N.J.S.A. 2A:170-1 to 170-96).

- (1) The possession or consumption of any alcoholic beverage by any person under the age of 21 in any public place or place of public assembly is prohibited. In addition, the consumption of any intoxicating beverage at recreational areas of Seneca, Simchock, Runyon fields, the tennis courts and any future developed athletic area in the Borough of Middlesex is prohibited, except by permit. Also, the possession or drinking of any intoxicating beverage by any person at any interscholastic athletic contest is prohibited.
- (2) No person shall throw stones or other missiles so as to annoy other persons. Games involving the throwing of missiles to be performed only in designated areas.
- (3) No person shall climb or stand upon any wall, fence, shelter, seat, statue or other erection.
- (4) No person shall litter in the park, or deposit on the ice or in the ponds any matter that would tend to damage the ice for skating or pollute the ponds.
- (5) No person shall fail to obey, nor shall any person interfere with, an officer

in the proper performance of his duties.

(6) No person shall remove or open permanent or temporary barriers, signs, directionals, gates or fences.

(7) No persons shall drive, operate and/or park any vehicle upon any grass area unless specifically permitted to do so.

(8) Golfing and the driving of golf balls is prohibited in all parks except Mountain View Park.

C. Explosives. No person shall bring into or have in his possession at said parks any explosives, including any substance, compound, mixture or article having properties of such a character that alone or in combination or conjunction with other substances or compounds may decompose suddenly and generate sufficient heat, gas or pressure or any or all of them to produce rapid flaming or combustion, or to administer a destructive blow to surrounding objects. Fireworks are excepted from this regulation, provided that written approval of the ~~Commission~~ **Department of Senior Services and Public Recreation**, local Police Department and State Department of Labor and Industry is secured for the specific occasion.

D. Firearms, weapons and tools; concealed weapons, according to N.J.S.A. 2A:151-41 to 2A:151-43. No person shall bring into or have in his possession:

(1) Any pistol, revolver or objects upon which loaded or blank cartridges may be used. Official starters at authorized track and field events are excepted from this restriction.

(2) Any tools, instruments, skeleton keys, picklocks, jimmy or other things known as burglar tools, except when authorized by law.

(3) Any rifle, shotgun, air gun, spring gun, slingshot, bow, paint gun or other instrument or weapon in which the propelling force is a spring or air.

E. Fires.

(1) No person shall kindle, build, maintain or use a fire, except in places designated for such a purpose.

(2) All fires shall be continuously under the care and direction of a competent person from the time it is kindled until it is extinguished.

(3) Gas stoves are permitted if a proper permit is obtained from the Bureau of Fire Prevention.

(4) Fuel. Only charcoal, charcoal lighters or fuel provided by the park will be permitted.

(5) No cigar, cigarette or lighted match shall be discarded carelessly or in a manner which may start a fire.

F. Closing hours.

(1) All parks shall close at 9:00 p.m. from September 1 through May 31 and at 10:00 p.m. from June 1 through August 31, except where and when specific closing hours are permitted.

(2) Because of the fact that Mountainview Park has provisions for night baseball and night football, Mountainview Park shall remain open until 11:00 p.m. on those days when baseball games and/or football games are in progress.

G. Opening hours. All parks shall open at sunrise, as defined by the U.S. Weather Bureau for the Somerville area, unless otherwise specified or designated by signs.

H. Vending. No person shall sell or offer for sale any object or merchandise or any other thing within the parks, except by permit of the ~~Commission~~ **Department of Senior Services and Public Recreation**.

I. Minors. No parent or guardian or custodian of any minor shall permit or allow him to do any act prohibited by this article.

J. Speed limit: Mountainview Park.

(1) The speed limit for both directions of traffic along the roadway within Mountainview Park in the Borough of Middlesex shall be established at 15 miles per hour.

(2) Regulating and warning signs shall be erected and maintained to effect the above designated speed limit as authorized by the Department of Transportation.

§ 301-5 Permitted uses and use regulations.

A. The following activities are permitted only at times and in areas so designated for that purpose by the ~~Commission~~ **Department of Senior Services and Public Recreation** and are otherwise prohibited within the parks:

- (1) Swimming, bathing, wading, fishing.
- (2) Ice skating, sledding, skiing.
- (3) Model-airplane flying.
- (4) Boating on ponds, without motors.
- (5) Basketball, baseball, **soccer**.
- (6) Horseshoe pitching.
- (7) Tennis.
- (8) Picnicking.
- (9) Camping.
- (10) Football and track.

B. All persons using the facilities of the parks must obey the posted rules and regulations established for the proper, effective and safe utilization of the said facility.

C. Advertising. No person shall post, paint, affix, distribute, hand out, deliver, place, cast or leave about any bill, billboard, placard, ticket, handbill, circular or advertisement of any of the following without written permission of the ~~Commission~~ **Department of Senior Services and Public Recreation**:

- (1) Display any flag, banner, transparency, target, sign, placard or any other matter for advertising.
- (2) Operate any musical instrument, sound track or drum for advertising purposes, for the purpose of attracting attention to any exhibition, show, performance or other display.

D. Public speeches and rallies will be allowed in accordance with Chapter 292 , Parades and Other Assemblies, and after obtaining a parks permit.

E. Soliciting. No person shall solicit for any purpose except when allowed by permit and also must have a borough license.

F. No horse shall be driven or ridden in the parks except when allowed by permit.

§ 301-7 Permits.

A. A permit shall be necessary for any organization or group of people ~~of 100 or more~~ desiring to use the park facilities **and shall be subject to the appropriate fee schedules as set out in Article II and Article III in this Chapter.**

B. There will be a fee of \$1 charged for this permit, which will cover the cost of printing and issuing said permit.

C. Such permit authorizing a person or organization to use any of the parks may be granted upon application to the ~~Commission~~ **Department of Senior Services and Public Recreation**, by written approval.

D. All conditions of the permit approval must be adhered to, and any violation of the terms, conditions, rules and regulations and any falsifications shall constitute grounds for revocation of the permit by the Commission or its authorized representative.

E. If the group obtaining a permit intends to vend or sell alcoholic beverages, permission must be granted by the State Alcoholic Beverage Commission, the local Police Department and the ~~Commission~~ **Department of Senior Services and Public Recreation**.

F. In the event a person, group or organization is denied a permit by the Borough, said person, group or organization may appeal the denial of said permit to the Mayor and Council by filing a written notice of appeal to the Mayor and Council within 48 hours after being officially notified of the denial of the permit by the Borough. The Mayor and Council shall thereafter, as soon as possible, schedule a hearing to ascertain all of the facts involving the application for the permit and the Mayor and Council may overrule the decision of the Borough and authorize the issuance of a permit.

Section II

Chapter 301, Article II entitled "Use of Athletic Facilities", Section 301-10 is hereby amended as follows (bold and underlined text is to be added while strikethrough text is to be removed):

§ 301-10 Permission required for use of certain facilities; fees.

~~A. The use of the football field, running track and the girls field hockey field/soccer field is hereby prohibited, and these facilities~~ **Haverstick Park, Charlie Morgan/Runyon Field, and Simchock Park ("Cook Fields") and its facilities** may be used only on a limited basis when permission for the use of same is obtained from the governing body **Department of Senior Services and Public Recreation**.

B. The following fee schedule shall apply to use of Haverstick Park, Charlie Morgan/Runyon Field, and Simchock Park ("Cook Fields") for Middlesex Borough nonsponsored recreational or governing body sanctioned recreational activities:

(1)Residents:

(a) **Shall pay a fee per hour for the use of Haverstick Park, Charlie Morgan/Runyon Field, and Simchock Park ("Cook Fields"). Such fee**

shall be for one-hour blocks of time and may be obtained for multiple hour blocks.

(b) Shall pay a fee per hour for the use of the basketball courts and running track. Such fee shall be for one-hour blocks of time and may be obtained for multiple hour blocks.

(c) These fees shall be subject to a \$1 increase per year which shall be as follows:

(1) 2022 - \$5 for Parks/Fields; \$1 for Courts

(2) 2023 - \$6 for Parks/Fields; \$2 for Courts

(3) 2024 - \$7 for Parks/Fields; \$3 for Courts

(4) 2025 - \$8 for Parks/Fields; \$4 for Courts

(5) 2026 - \$9 for Parks/Fields; \$5 for Courts (max)

(6) 2027 - \$10 for Parks/Fields (max)

*Resident teams or organizations are equivalent to 51% or more Borough residents.

(2) Nonresidents:

(a) Shall pay a fee per hour for the use of Haverstick Park, Charlie Morgan/Runyon Field, and Simchock Park ("Cook Fields"). Such fee shall be for one-hour blocks of time and may be obtained for multiple hour blocks.

(b) Shall pay a fee per hour for the use of the basketball courts and running track. Such fee shall be for one-hour blocks of time and may be obtained for multiple hour blocks.

(c) These fees shall be subject to a \$2 increase per year which shall be as follows:

(1) 2022 - \$10 for Parks/Fields; \$2 for Courts

(2) 2023 - \$12 for Parks/Fields; \$4 for Courts

(3) 2024 - \$14 for Parks/Fields; \$6 for Courts

(4) 2025 - \$16 for Parks/Fields; \$8 for Courts

(5) 2026 - \$18 for Parks/Fields; \$10 for Courts (max)

(6) 2027 - \$20 for Parks/Fields (max)

Section III

Chapter 301, Article III entitled "Mountain View Park Regulations", Section 301-14 is hereby amended as follows (bold and underlined text is to be added while strikethrough text is to be removed):

§ 301-14 Regulations and fees for use of the park.

A. Mountain View Park, a park within Middlesex Borough shall be open to the public from

sunrise to 9:00 p.m. seven days per week, with the exception of May 31 through August 31 when the park will be open from sunrise to 10:00 p.m. seven days per week.

B. Permits are always required for the use of all athletic fields for organized and/or team use.

C. The following fee schedule shall apply to use of Mountain View Park for Middlesex Borough nonsponsored recreational or governing body sanctioned recreational activities:

(1) Residents:

~~(a) Teams 18 years old and under: \$10 per two-hour block.~~

~~(b) Teams 18 years old and over: \$20 per two-hour block.~~

~~(c) Seasonal pass, five or more dates (must present dates requested and insurance certificate): \$100. Seasons are March to May, June to August, and September to November of each year.~~

(a) Shall pay a fee per hour for the use of the Mountain View Park Fields. Such fee shall be for one-hour blocks of time and may be obtained for multiple hour blocks.

(b) Shall pay a fee per hour for the use of the Mountain View Park Courts (flying field, horseshoe pits, basketball and tennis courts). Such fee shall be for one-hour blocks of time and may be obtained for multiple hour blocks.

(c) These fees shall be subject to a \$1 increase per year which shall be as follows:

(1) 2022 - \$5 for Parks/Fields; \$1 for Courts

(2) 2023 - \$6 for Parks/Fields; \$2 for Courts

(3) 2024 - \$7 for Parks/Fields; \$3 for Courts

(4) 2025 - \$8 for Parks/Fields; \$4 for Courts

(5) 2026 - \$9 for Parks/Fields; \$5 for Courts (max)

(6) 2027 - \$10 for Parks/Fields (max)

*Resident teams **or organizations** are equivalent to 51% or more Borough residents.

(2) Nonresidents:

~~(a) Teams 18 years old and under: \$20 per two-hour block.~~

~~(b) Teams 18 years old and over: \$40 per two-hour block.~~

~~(c) Seasonal pass, five or more dates (must present dates requested and insurance certificate): \$200. Seasons are March to May, June to August, and September to November of each year.~~

(a) Shall pay a fee per hour for the use of the Mountain View Park Fields. Such fee shall be for one-hour blocks of time and may be obtained for multiple hour blocks.

(b) Shall pay a fee per hour for the use of the Mountain View Park Courts (flying field, horseshoe pits, basketball and tennis courts). Such fee shall be for one-hour blocks of time and may be obtained for multiple

hour blocks.

(c) These fees shall be subject to a \$2 increase per year which shall be as follows:

(1) 2022 - \$10 for Parks/Fields; \$2 for Courts

(2) 2023 - \$12 for Parks/Fields; \$4 for Courts

(3) 2024 - \$14 for Parks/Fields; \$6 for Courts

(4) 2025 - \$16 for Parks/Fields; \$8 for Courts

(5) 2026 - \$18 for Parks/Fields; \$10 for Courts (max)

(6) 2027 - \$20 for Parks/Fields (max)

(3) Light permit for high school fields for baseball teams or softball teams: \$15 per day

~~(4) Courts for basketball teams and tennis teams: \$5 per two-hour block.~~

~~(5) Flying field (seasonal permits only):~~

~~(a) Resident: \$15.~~

~~(b) Nonresident: \$30.~~

(6) (4) Maintenance fees for all baseball and/or softball fields (resident and nonresident):

(a) Friday evening or Saturday (single game): \$90 per hour.

(b) Saturday doubleheader: \$90 per hour.

(c) Sunday: \$180 per hour.

(d) Any rentals for play exceeding three games in a single day shall incur a charge of not less than \$90 per hour, two-hour minimum. Such fees shall be estimated prior to issuance of a permit and shall be payable at the time of permit issuance.

D. Permits are always required for use of the picnic areas for groups of 10 or more people. Permits must be made 15 business days in advance.

E. The following fee schedule shall apply for the usage of picnic areas:

(1) Residents:

(a) Group of 10 to 25: \$20.

(b) Group of 26 to 50: \$40. Park maintenance fee: \$90.

(c) Group of 51 to 100: \$80. Park maintenance fee: \$180.

(d) Group of 101 to 200: \$100. Park maintenance fee: \$180.

(e) Group of 201 to 300 plus: \$200. Park maintenance fee to be determined.

(2) Nonresidents:

(a) Group of up to 25: \$40.

(b) Group of 26 to 50: \$80. Park maintenance fee: \$90.

(c) Group of 51 to 100: \$160. Park maintenance fee: \$180.

(d) Group of 101 to 200: \$200. Park maintenance fee: \$180.

(e) Group of 201 to 300 plus: \$400. Park maintenance fee to be determined.

F. Electricity fee: (resident and nonresident): \$10 per day.

G. Implementation of this fee schedule and scheduling the use of the park shall be the responsibility of the ~~Recreation Commission~~ and Department of Senior Services and Public Recreation. Summons will be issued for violations of any of the above permit requirements.

H. Parking:

- (1) Parking shall be prohibited on both sides of Van Ness Drive from Bound Brook Road to its intersection with the roadway that surrounds the park and the outlet from JFK Drive.
- (2) Parking, stopping or standing shall be prohibited on both sides of the roadway that surrounds the park and horseshoe pits.
- (3) Travel parking, stopping or standing shall be prohibited on the roadway that surrounds the basketball courts, tennis court, and hockey rinks.
- (4) Parking in Lots Two and Three shall be limited to three hours Monday through Friday, except legal holidays.
- (5) Parking on the grass shall be prohibited.

I. Alcohol: Use, possession, and consumption shall be prohibited at all times, except the Borough Council may issue a special permit for legitimate organizations or groups for picnics or social events, and all the permits shall be applied for 60 days before the use and a valid social affairs permit shall be procured as a condition of the exception.

J. Penalties:

- (1) Persons violating this article shall be punishable by fines up to \$1,000 or imprisonment up to six months, or both.
- (2) Exception: Parking violations shall be a fine not to exceed \$50.

K. Adoption of this article shall take effect immediately upon passage and shall repeal any ordinances or parts of ordinances inconsistent herewith.

Section IV

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

Section V

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 VI

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. 2051-22.

Carl Schaefer, Westfield, NJ spoke on behalf of the Model Airplane Organization expressed concern for the permitting process, and the effect it would have on the Organization.

The Director of Senior Services and Recreation as well as the Program Coordinator discussed with Mr. Schaefer the permitting process.

Jim Baggattii, Bridgewater, NJ spoke on behalf of the Model Airplane Organization. He suggested that the Borough consider a flat fee for licensing use of the flying field. Recommending that the Borough charge a

fee per individual in the club.

Albert Ferraro, Lebanon, NJ asked for clarification on the use and eligibility of individuals wanting to, in a spur of the moment, use the facilities at Mountain View Park. He additionally questioned the definition of what the Borough would consider a residential group.

The Recreation Program Coordinator further discussed the terms of field use with Mr. Ferraro.

Ryan Acker, 3 Center Place, Middlesex, NJ spoke on behalf of the Middlesex Youth Baseball. He expressed his concern that the new fee schedule would have a largely negative impact on their organization. The organization has need for use of several of the fields within town to conduct their activities. They serve about 175 families within the municipality.

Mr. Acker stated that the Middlesex Youth Baseball Organization does not receive any revenue from the Borough, and are fully self-funded.

Mr. Acker requested clarification on who the Borough intends to charge for field use, and if they are excluding non-profits from being charged, as well as the reason behind the implementation of the new fees. Mr. Acker stated that various surrounding towns receive funding from their municipality.

Upon discussion by the Governing Body, along with the Administrator and DPW Superintendent, a decision was made to table the Ordinance until the meeting of March 15th, to allow the Council to review various new items brought to their attention.

Seeing no further comments on Ordinance No. 2051-22, Mayor Madden then closed the Public Hearing on Ordinance No. 2051-22.

RESULT:	TABLED [UNANIMOUS]	Next: 3/15/2022 4:00 PM
MOVER:	James Eodice, Council President	
SECONDER:	Jack Mikolajczyk, Councilman	
AYES:	Eodice, Flood, Mikolajczyk, Quinn, Rex	
ABSENT:	Carnes	

Borough Clerk Linda Chismar read Ordinance 2052-22 by title:

ORDINANCE 2052-22

**AN ORDINANCE AMENDING CHAPTER 359 TITLED "STREETS AND SIDEWALKS" TO
CREATE AN ARTICLE V TITLED "ENFORCEMENT OF TITLE 39 ON PRIVATE
PROPERTY" AND A NEW CHAPTER 359-24 TITLED "LOCATIONS FOR
ENFORCEMENT" AND ADDING MIDDLESEX VILLAGE TOWNHOMES TO THE
LOCATIONS FOR ENFORCEMENT**

WHEREAS, by letter dated November 8, 2021, the Middlesex Village Homeowners Association requested that the Borough enforce Title 39 traffic regulations on its property; and

WHEREAS, the Borough has the power to accept such requests pursuant to N.J.S.A. 39:5A-1 and enforce Title 39 traffic regulations on said property; and

WHEREAS, the Borough Council has determined that enforcement of Title 39 traffic regulations on the Property will benefit the citizens of the Borough; and

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

Section I

The Borough Council of the Borough of Middlesex hereby accepts the November 8, 2021 request of Middlesex Village Homeowners Association for Title 39 Enforcement.

Section II

A new Article V, titled "Enforcement of Title 39 on Private Property", is created within Chapter 359.

Section III

A new Chapter 359-24, titled "Locations for Enforcement", is created within Article V and shall read as follows:

Pursuant to N.J.S.A. 39:5A-1, the traffic control provisions of Subtitle 1, entitled Motor Vehicle and Traffic Laws, of Title 39 of the Revised Statutes of the State of New Jersey shall be enforced by the Borough of Middlesex Police Department, and/or any other authorized police enforcement agency, at the following locations:

A. Middlesex Village Townhomes

Section IV

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

Section V

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 VI

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. 2052-22. Seeing that there was no public participation, Mayor Madden closed the hearing on Ordinance No. 2052-22.

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

ADOPTION OF MINUTES

1. Approval of the January 25, 2022 Regular Meeting Minutes

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

MAYOR'S REPORT

Mayor Madden made the following comments:

The purpose of this revaluation is to spread the tax burden for each property equitably throughout the Borough.

The assessment of each property will be conducted on the basis of fair market value. Each structure will be inspected both inside and outside. The last revaluation in Middlesex Borough was done 38 years ago.

An increase in assessment of the property does not necessarily mean an increase in all property taxes. As a general rule of thumb, upon the conclusion of the revaluation program, 1/3 of properties will see a tax increase, 1/3 will remain flat and 1/3 will experience a reduction.

Your cooperation to allow the property to be fully assessed may be beneficial for proper assessment.

If not, the property may be assessed at a much higher tax basis.

Revaluation is a mandatory program by orders of the Middlesex County Board of Taxation and NJ State Division of Taxation, through the Department of the Treasury. All pertinent information is available on our website.

COUNCIL MEMBER REPORTS

Council President Eodice

No Report was given

Councilman Carnes

Councilwoman Flood

Councilwoman Flood made the following comments:

The Board of Education as well as the Swim Pool Commission will be meeting later this month.

Councilwoman Flood commented on the revaluation letter that was mailed to residents.

Councilman Mikolajczyk

Councilman Mikolajczyk commended the work DPW did for the recent snowstorm and commented on the revaluation letter.

Councilman Quinn

No Report was given.

Councilman Rex

Councilman Rex made the following comments:

During the month of January the public works crews were busy with Road maintenance, Salting and Plowing streets, and preventive maintenance on equipment and vehicles.

Road Maintenance:

- ☐ Road patching was done on South Ave, Mountain Ave, Hazelwood Ave, Washington Ave, Warrenton Ave, Baekeland Ave, Starlit Ave, Cedar Ave, Green brook Rd, Borough hall, Police station, and all areas around schools.
- ☐ 200 storm drains were cleaned in anticipation of upcoming storms
- ☐ Painted corridor of Police station
- ☐ Building preventive maintenance
- ☐ Recreation center repairs to ceiling tiles

Sewer Maintenance:

- ☐ Checked and Maintained sanitary sewer and troubled areas

Sanitation Department:

- ☐ Roughly 280 tons of household garbage was picked up
- ☐ Branches and Christmas trees were picked up throughout town
- ☐ Assisted MCIA in curbside pickup due to impending storm, Thursday pick up only (Paid for by Solterra)

Parks Department:

- ☐ Park and playground maintenance on all parks
- ☐ Thermal blankets installed to various areas

Salting, Brining, and Plowing:

- ☐ 20 miles of salt brine was applied to roads
- ☐ Approximately 30 tons of road salt was applied to main roads and all Borough buildings
- ☐ Crews were called in to plow all roads during snowstorm
- ☐ Cleared and salted all Borough sidewalks

Mechanics:

- ☐ 6 oil changes on Police vehicles
- ☐ 12 fluid checks on police vehicles
- ☐ Maintenance on garbage truck, skid steer, and mason dumps
- ☐ Maintenance to snow removal equipment (salter, plows, Brine tank)

Shade Tree Commission

- ☐ A remote call-in meeting was held due to Covid concerns. Jason Bond was elected as Chairman of the commission with Sean Johnson elected as Vice Chairman.
- ☐ New Jersey Tree Recovery campaign was discussed. Application and approval for participation must be in before February 17th. They require elected official (Mayor, council) to support the community participation in this program. We are asking for this approval. This is the same yearly program that the Municipality was been involved in previous years. Looking for a Yes to go forward.
- ☐ Tree Management Plan renewal - this needs to be done in early 2022 and will be addressed at February meeting.
- ☐ Potential Ordinance Amendment - Allowing residents to request Shade Tree approval to remove shade trees and for them to pay for removal. This and other issues will be discussed during the March meeting.
- ☐ Shade Tree Commission is requesting dedication of the property on Raritan Avenue as a legacy tree arboretum. Presently looking for approval to go forward so that a resolution can be written.
- ☐ JLUB is reviewing tree planting on 3 sites. Chairman Bond will be attending this meeting to answer any questions that may arises.
- ☐ Had received 13 Emails from residents with concerns over shade trees on their property. Selected commission members had visited each site and gave their recommendations. These ranged from removal to pruning. As only the temporary budget is being approved this work will be submitted to the tree contractor, for pricing.
- ☐ Received 2 Emails after agenda was printed. Plans were made to visit these locations for discussion at next meeting.

ADMINISTRATOR'S REPORT

- i. **Flood Management**
- ii. **Update on Sewer Projects:**
 - i. **Phase I:**
 - a. **O&M Manual required by DEP**
 - ii. **Phase II: Pump Stations: Funding**
 - iii. **Phase IV: Sewer Bypass.**
- iii. **Update on Other Public Works Projects:**
 - Streetscape Project**
 - ii. **2019 DOT: Fisher and Ashland**
 - iii. **2020 DOT: Harris, Sherman, Chestnut, Hazelwood:**
 - iv. **2021 DOT: Hazelwood, Judson, Shearn, and Sherman**
 - Award: \$385,875
 - Construction estimates:
 - Hazelwood \$557,840.00
 - Judson 146,262.50
 - Shearn 150,032.50
 - Sherman 523,805.00
- v. **2022 DOT: Hazelwood, Lonnabe Drive; Misty Lane**
- vi. *** Baekeland Sewer stub - Cedar Avenue - Resolution on the February 22, 2022 Meeting**
- iv. **Miscellaneous**
 - i. **Update on Federal Land Transfer, Municipal Building renovation and new DPW/OEM**
 - ii. **Condition of Creighton lake**
 - iii. **John Sweeney Plaque/tree/resolution**

- iv. **Landfill**
 - v. **Fire Department Rules and Regulations**
 - vi. **Middlesex School Agreement Re Sanitation**
 - vii. ***PILOTs - Every PILOT has been paid as of the second day of tax collection**
 - viii. ***Warrenville Road - Guardrails will be installed soon.**
 - ix. ***JFK Blvd and Bound Brook Road**
 - x. ***Newsletter-Last edition had a 56 - 62% readership rate.**
 - xi. ***Veolia Contract - Resolution to approve on the Agenda.**
 - xii. **Library Audit - Yesterday records were obtained by the Administrator and Library Director from the former auditor, which never completed the 2019 Library Audit. Our new auditor will be completing this audit.**
-

PRIVILEGE OF THE FLOOR

Christine George, Library Director, MCIS read the following:

February 8, 2022

To the Mayor, Council, and Public:

As Middlesex Borough department heads and staff, we would like to share our input with the Mayor, Council, and members of the public, in response to the upcoming expiration of Business Administrator Marcia Karrow's contract.

We request this letter in its entirety to be entered into the minutes and public record. As the ones who work behind the scenes to seamlessly maintain day to day activity within the Borough - some of us as residents and taxpayers, as well - we represent an often unseen, unheard, and unrepresented viewpoint on "how things run". It's vital to acknowledge that the consistently loudest voices are not the only ones that should garner merit, worth, or weight. The list of overwhelmingly positive changes in the Borough during Administrator Karrow's tenure is hard to ignore. Our Administrator acted as liaison between the Army Corps of Engineers and the Borough, revamped and revitalized the CRS coordinator position, took the lead in collecting and maintaining valuable PILOT compensation, organized unclaimed properties and zoning regulations, grew and maintained floodplain management plans, and reevaluated environmentally safe sewer upgrades and aesthetically pleasing streetscape projects - all while not only saving millions of taxpayer funds, but gaining significant revenue to a municipality that was hemorrhaging money and credibility. Cyber security initiatives and training to protect from network vulnerabilities. Bridging the communication divide with the Board of Education, bringing in valuable shared service agreements and revenue that haven't been seen in years. Creating a Human Resources department with the most comprehensive and up to date Personnel Policy and staff evaluation procedure for the first time in at least twenty years. These are all projects that Borough staff, volunteers, nor residents could not have taken on without her leadership and initiative.

We could be here all evening recognizing the extensive inventory of accomplishments during the Administrator's Middlesex time. Within every task, it's important to note that the Administrator created detailed paper trails - within the law, without yielding to partisan will at ANY time - for all departments. She is responsible for providing the scaffolding of the much needed transparency that the municipality was lacking.

As the staff (and residents/taxpayers), we wholeheartedly appreciate these accomplishments. Today, we are here to stress the immeasurable benefit Administrator Karrow's support, dedication, and leadership has had on the staff, which is directly proportional to providing our residents and town with the highest level of service possible.

While writing this letter, there is one word that we all expressed consistently: teamwork. Our twenty year veterans have confirmed that the Borough has never had such a cohesive, cooperative, strong team of departments that work together as a unit for the betterment of the town. It is without hesitation that we ALL agree that this teamwork is attributed to Administrator Karrow's guidance and influence.

One of the most valuable qualities of strong leadership is not just the ability to recognize the skills and backgrounds of your individuals, but how to bring those singular talents together to empower and unify. Administrator Karrow has always recognized, celebrated, and strengthened the skill set each of us have. She has taught us how to lean on our colleagues' talents in order to learn and strengthen our own. When the Administrator goes into Mentor mode, she has the innate ability to chameleonize herself based on the audience. The most successful teachers are those who are able to reach their students at the place where that student is at - NOT at the place where the teacher is at. All of us standing up here tonight could come up with stories on how Administrator Karrow has mentored us, and guaranteed they all employed specific, personalized approaches. *That* is what results in personal growth and development.

A good leader meets you where you are. A *great* leader, however, *carries* you up to your fullest potential. Taking on those challenges *with* you, *beside* you. All of us have assumed leadership responsibilities in municipality operations since our Administrator began. This is not a coincidence. She gives us the space to supervise without micromanaging, respecting our expertise and competencies, while availing herself to us at all times to lean on. She "has our back" every step of the way. Without her certitude in our abilities, we wouldn't have the dedicated, intelligent, creative, and *confident* one of a kind team we have now.

The Administrator has held weekly department head meetings for the past three years. This keeps us all in the loop on what our other departments have going on, what the town has going on, while encouraging us to rely, trust, and help each other as a - you guessed it - team. Everyone standing up here today puts their heart and soul into making Middlesex a better place. When you harness that passion with a strong, supportive leader and encourage a trust within a team, a powerful dynamic is created to provide Middlesex with the utmost quality. The greatest amount of departmental collaborations this municipality has ever seen have occurred as a result of Administrator Karrow's guidance and leadership - Tax Collection and Senior Services, Library and Department of Public Works, Senior Services and Department of Public Works, Recreation and Senior Services, Recreation and the Library. In fact, after a visit from the NJ State Library this past summer, the State Librarian Jennifer Nelson remarked that this municipality has, "the best collaborative relationship among its departments that I have ever seen. It's a rarity, that's for sure."

Administrator Karrow has never shied away from a difficult decision. She makes the unpopular decisions and solves the uncomfortable problems. It is clearly evident that Administrator Karrow's decisions - however polarizing as they may be - are always in the best interests of the Borough. Her choices are never influenced by political or partisan leverages, and she sees residents as people, not votes. She is consistent and transparent, within the law, ordinances, and regulations at all times. She is available. She is here. Her door has always been open for us and the town to ask questions, offer feedback, and most of all, to learn.

Administrator Marcia Karrow has grown and cultivated the borough outwardly thorough all of her accomplishments, and, just as important, inwardly by leading all of us and our departments with vision, creativity, empathy, accountability, humility, and resilience. Should you choose not to renew her contract, these are the qualities, environment, and support that we hope to find in our future Administrator, so that we can continue to provide the best for the Borough and its residents. We will always appreciate the leadership she has given to help us grow and thrive, and continue to run our Borough departments with the integrity she has instilled in us all.

Steve Jobs has said, "Management is about persuading people to do things they do not want to do, while leadership is about inspiring people to do things they never thought they could."

Thank you,

Sincerely,

Christine George, Library Director, MCIS

Merari Gaud, CMCA

Toni Kisly, HR/Finance

Darcy DelVecchio, Tax Collector

Maximilian Vasile, Recreation Coordinator

Carmen Modica, Purchasing Agent

Caroline Benson, CFO/Treasurer
Melissa DeMarino, Director of Recreation & Senior Services
Leonard Vidal, Superintendent of DPW
Joe Costa, Code Enforcer
Daniella Cordero

NEW BUSINESS/CONSENT AGENDA/RESOLUTIONS

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

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 63-2022

ACCEPTANCE OF STANDING REPORTS

The Governing Body hereby accepts the following Reports itemized below:

1. Acceptance of the December, 2021 Police Report
2. Reinstating Alan Kriney to the Office of Emergency Management

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 64-2022

AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT BETWEEN THE NEW JERSEY TRANSIT CORPORATION AND MIDDLESEX BOROUGH FOR THE INSTALLATION AND MAINTENANCE OF BUS SHELTERS

The Governing Body hereby approves the Mayor to execute the Agreement between the New Jersey Transit Corporation and Middlesex Borough for the installation and maintenance of bus shelters in accordance with the terms of the agreement.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 65-2022

REIMBURSEMENT OF DOG LICENSE FEE IN THE AMOUNT OF \$10.00 TO SIDDHARTH SINGH, 51 COTTONWOOD CT, SOUTH BRUNSWICK, NJ

The Governing Body hereby approves the reimbursement fee for Dog License to Mr. Siddharth Singh, 51 Cottonwood Ct, South Brunswick, New Jersey in the amount of \$10.00 due to him applying in the wrong municipality for a license.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 66-2022

AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A SHARED SERVICE AGREEMENT BETWEEN THE TOWNSHIP OF GREENBROOK FOR FIRE SERVICES

WHEREAS, the Township of Greenbrook has requested to enter into a Shared Service Agreement for Fire Services; and

WHEREAS, the Mayor and Borough Clerk are required to execute this Agreement.

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 Borough Clerk are authorized to execute a Shared Service Agreement for Fire Services with the Township of Greenbrook which term will expire on December 31, 2024.
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 67-2022

AUTHORIZING THE MAYOR TO EXECUTE THE HAZARDOUS WASTE SITING FEE AGREEMENT BETWEEN THE BOROUGH OF MIDDLESEX AND VEOLIA, ES TECHNICAL SOLUTIONS, L.L.C.

The governing body hereby approves the Mayor to execute the Hazardous Waste Siting Fee Agreement Between the Borough of Middlesex and Veolia, ES Technical Solutions, L.L.C.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 68-2022

APPROVING OF THE RELEASE OF THE PERFORMANCE BOND IN THE AMOUNT OF \$137,285 AND THE ACCEPTANCE OF THE IRREVOCABLE STANDBY LETTER OF CREDIT IN THE AMOUNT OF \$17,520 FOR THE 5 FACTORY LANE (TEXAS PIPE) IMPROVEMENT PROJECT

WHEREAS, J.G. Petrucci Company, Inc. has requested release of the Performance Bond and acceptance of the Irrevocable Standby Letter of Credit for the site improvements at 5 Factory Lane (Texas Pipe); and

WHEREAS, the Borough Engineer has determined that the applicant has completed all site improvements; and

WHEREAS, it has been determined that the Performance Guarantee was posted by a Performance Bond No. HSHNSU0732635 in the amount \$137,285.00 can be released; and

WHEREAS, J.G. Petrucci has supplied an Irrevocable Standby Letter of Credit No. SBFTX303617 from Amegy Bank in the sum of \$17,520.00 representing 15% of the cost of the improvement project, as certified by the Borough Engineer, for a period of two (2) years expiring on January 20, 2024; and

WHEREAS, the above mentioned letter of credit has been reviewed by the Borough Attorney and is found to meet all legal requirements per N.J.S.A. 40:55D-53 and N.J.A.C. 5:36-4.4, which permits a letter of credit to be utilized as security in an alternative to a traditional two-year maintenance bond.

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Middlesex in the County of Middlesex that the Performance Bond No. HSHNSU0732635 be released and the Irrevocable Standby Letter of Credit No. SBFTX303617 be accepted.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 69-2022

AUTHORIZING THE TAX COLLECTOR TO CANCEL THE BALANCE OF 1ST QTR. 2022 TAXES AND 2ND QTR. TAXES 2022 FOR BLOCK 4 LOT 4

WHEREAS, per N.J.S.A. 54:4-3-30 the homeowner of Block 4 Lot 4 , 4 Valley Brook Drive has been declared a 100% Disabled Veteran by the Division of Veterans Affairs; and,

WHEREAS, the property owner has completed and submitted the proper paperwork to apply for the Exemption; and,

WHEREAS, the Tax Assessor has approved the application with a date of 1/26/2022; and,

NOW, THEREFORE, the Tax Collector is hereby authorized to cancel the balance of 1st Qtr. 2022 taxes in the amount of \$12.88 and 2nd Qtr. taxes 2022 in the amount of \$1737.43.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 70-2022

**AUTHORIZING THE MAYOR AND POLICE CHIEF TO EXECUTE THE SPECIALIZED
INVESTIGATIVE LAW ENFORCEMENT EQUIPMENT MEMORANDUM OF
UNDERSTANDING BETWEEN THE MIDDLESEX COUNTY PROSECUTOR'S OFFICE
AND THE MIDDLESEX POLICE DEPARTMENT**

The Governing Body hereby authorizes the Mayor and Police Chief to execute the Memorandum of Understanding by and between the Middlesex County Prosecutor's Office and the Middlesex Police Department for the use of Specialized Investigative Law Enforcement Equipment owned and maintained by the County of Middlesex and the Middlesex County Prosecutors Office for the period of January 1, 2022 to December 31, 2022.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 71-2022

**ACCEPTING THE RESIGNATION OF ADRIENE BACON FROM THE OFFICE OF
SENIOR SERVICES**

The Governing Body accepts the resignation of Adriene Bacon as a bus driver for the Office of Senior Services effective January 19, 2022.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 72-2022

**AUTHORIZING THE MAYOR TO EXECUTE THE ESTOPPEL CERTIFICATE WITH
REFERENCE TO THE REDEVELOPMENT AGREEMENT AND THE FINANCIAL
AGREEMENT WITH CP MIDDLESEX URBAN RENEWAL, LLC**

The Governing Body hereby authorizes the Mayor to execute the Estoppel Certificate with reference to the Redevelopment Agreement between CP Middlesex Urban Renewal, LLC and the Borough of Middlesex dated January 11, 2021 and the Financial Agreement between CP Middlesex Urban Renewal, LLC and the Borough Dated January 11, 2021.

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 73-2022

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, Flood, Mikolajczyk, Quinn, Rex
ABSENT:	Carnes

AGENDA WORKSHOP ITEM

PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS

EXECUTIVE SESSION

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 74-2022

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 which include Public Safety - Municipal Grounds, Lease Negotiations - Rescue Squad and Litigation - Grammercy Gardens; 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.

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

Public Safety - Municipal Grounds

Lease Negotiations - Rescue Squad

Litigation - Grammercy Gardens

ADJOURNMENT

The next Regular Meeting will be February 22, 2022

Respectfully yours,

Linda Chismar, RMC
Borough Clerk