# Borough of Middlesex

**Mayor and Council Regular Meeting**

**~ Agenda ~**

1200 Mountain Ave
Middlesex, NJ

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

**Tuesday, February 22, 2022** **7:00 PM** **Municipal Building**

**I. 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.

**II. SALUTE TO FLAG**

**III. ROLL CALL**

| Attendee Name | Present | Absent | Late | Arrived |
|---|---|---|---|---|
| Mayor John Madden | ☐ | ☐ | ☐ | |
| Council President James Eodice | ☐ | ☐ | ☐ | |
| Councilman Jeremiah Carnes | ☐ | ☐ | ☐ | |
| Councilwoman Amy Flood | ☐ | ☐ | ☐ | |
| Councilman Jack Mikolajczyk | ☐ | ☐ | ☐ | |
| Councilman Martin Quinn | ☐ | ☐ | ☐ | |
| Councilman Douglas Rex | ☐ | ☐ | ☐ | |
| Administrator Marcia Karrow | ☐ | ☐ | ☐ | |
| Borough Attorney Christopher Corsini | ☐ | ☐ | ☐ | |

**IV. PRESENTATIONS**

**V. APPOINTMENTS**

1. Accepting the Resignation of Laura Thomasey and James Johansen from the Cultural & Heritage Committee

**VI. PROCLAMATIONS**

**VII. ORDINANCE(S) FOR INTRODUCTION**

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

**IX. ADOPTION OF MINUTES**

1. Approval of the January 25, 2022 Executive Meeting Minutes
2. Approval of the February 8, 2022 Regular & Executive Meeting Minutes

**X. MAYOR'S REPORT**

**XI. COUNCIL MEMBER REPORTS**

1. Council President Eodice
2. Councilman Carnes
3. Councilwoman Flood
4. Councilman Mikolajczyk
5. Councilman Quinn
6. Councilman Rex

**XII. ADMINISTRATOR'S REPORT**

**XIII. PRIVILEGE OF THE FLOOR**

During the conduct of the meeting, unless a Public Hearing is held or the Regular Order of Business is waived, the audience does not participate. A Public Portion is held at the end of the meeting. Individuals commenting from the audience will be provided an opportunity to address the Council but will not be permitted to speak again until everyone has had an opportunity to speak. If a group is represented by an attorney, the attorney will be given an opportunity to speak on behalf of all of the members of the group. The Council, pursuant to the Open Public Meeting Act, will not publicly discuss personnel matters and may choose not to respond to comments made by members of the public during this portion of the meeting; however, the Council will give all comments appropriate consideration and will refer all individual complaints to the Mayor or appropriate Borough representative for resolution.

**XIV. NEW BUSINESS/CONSENT AGENDA/RESOLUTIONS:** Matters listed within the Consent Agenda have been referred to members of the Borough Council for reading and study, are considered to be routine and will be enacted by one motion of the Council. If separate discussion is desired, the item may be removed from the Consent Agenda by Council action. The Resolutions listed below were submitted to the Borough Council for review and will be adopted by one motion.

1. **Resolution 75-2022** Acceptance of Standing Reports

2. **Resolution 76-2022** Requesting the Township of Piscataway to Air all Public Meetings of Middlesex Borough in a Timely Manner Following Each Meeting

3. **Resolution 77-2022** At the Recommendation of Police Chief Geist Extending the Temporary Appointment of Acting Captain Craig Comiskey Effective March 15, 2022 for a Period Not to Exceed 6 Months

4. **Resolution 78-2022** At the Recommendation of Police Chief Geist Extending the Temporary Appointment of Acting Police Lieutenant Chad Corner and Acting Police Lieutenant Thomas Carroll Effective March 1, 2022 for a Period Not to Exceed 6 Months

5. **Resolution 79-2022** At the Recommendation of Police Chief Geist Extending the Temporary Appointment of Acting Police Sergeant Mark Melchiorre, Acting Police Sergeant Ryan Skow and Acting Police Sergeant Sean Flanagan Effective March 1, 2022 for a Period Not to Exceed 6 Months

6. **Resolution 80-2022** Reimbursement of Dog License Fee to Karen Rees, 418 Melrose Avenue, Middlesex, NJ in the Amount of $10.00 and Carlos Broncano, 706 William Street, Middlesex, NJ in the Amount of $10.00

7. **Resolution 81-2022** Approval of the 2022 HUD Funds

8. **Resolution 82-2022** Accepting the Resignation of Kevin Mulvaney from the Department of Public Works effective February 23, 2022

9. **Resolution 83-2022** Declaring Various Computer Items Stored at Borough Hall Surplus

10. **Resolution 84-2022** Authorizing the Reimbursement of $150.00 for the 2021-2022 Board of Health Mercantile License to Mohammad Niaz, 157 Somerset Avenue, South Plainfield, NJ

11. **Resolution 85-2022** Approving the Temporary Discharge Approval Application at the Factory Lane Site to be Submitted by the MCUA at the Request of New Fields, on Behalf of Bayer Crop Science, Inc.

**XV. NON-CONSENT AGENDA/RESOLUTIONS:** Matters listed within the Non-Consent Agenda will be individually addressed and acted upon accordingly. Council reserves the right to refer an item to Committee for further review and discussion. The Resolutions listed below were submitted to the Borough Council for review and will be adopted individually by motion.

1. **Resolution 86-2022** Pay All Claims

**XVI. AGENDA WORKSHOP ITEM**

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

During the conduct of the meeting, unless a Public Hearing is held or the Regular Order of Business is waived, the audience does not participate. A Public Portion is held at the end of the meeting. Individuals commenting from the audience will be provided an opportunity to address the Council but will not be permitted to speak again until everyone has had an opportunity to speak. If a group is represented by an attorney, the attorney will be given an opportunity to speak on behalf of all of the members of the group. The Council, pursuant to the Open Public Meeting Act, will not publicly discuss personnel matters and may choose not to respond to comments made by members of the public during this portion of the meeting; however, the Council will give all comments appropriate consideration and will refer all individual complaints to the Mayor or appropriate Borough representative for resolution.

**XVIII. EXECUTIVE SESSION**

1. **Resolution 87-2022** Executive Session

   Real Estate - Army Corp.

   Litigation - Gramercy Gardens

   Contract Negotiations - PBA Contract

   Contract Negotiations - Property Acquisition

   Contract Negotiations - Police Dispatch

   Contract Negotiations - Rescue Squad

**XIX. ADJOURNMENT**

1. The next Regular Meeting will be March 15, 2022

***Be it Resolved,*** by the Mayor and Council of the Borough of Middlesex, New Jersey that:

**Resolution #75-2022**

**ACCEPTANCE OF STANDING REPORTS**

The Governing Body hereby accepts the following Reports itemized below:

1. Acceptance of the 2021 Tax Year End Report

---

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on February 22, 2022.

***Be it Resolved,*** by the Mayor and Council of the Borough of Middlesex, New Jersey that:

**Resolution #76-2022**

**REQUESTING THE TOWNSHIP OF PISCATAWAY TO AIR ALL PUBLIC MEETINGS OF MIDDLESEX BOROUGH IN A TIMELY MANNER FOLLOWING EACH MEETING**

**Whereas,** Mayor and Borough Council of the Borough of Middlesex recognize the importance of keeping the Borough's residents informed and of encouraging public participation in local government; and

**Whereas,** Mayor and Borough Council of the Borough of Middlesex believes that having access to public information, including municipal meetings, is inherent for the public to participate; and

**Whereas,** the Borough of Middlesex has purchased equipment to video record public meetings for the public's benefit; and

**Whereas,** in furtherance of the aforementioned, the Borough of Middlesex wishes to provide the residents of the Borough with ready and available public access to the video recordings of all public municipal meetings, and

**Whereas,** Piscataway Township operates a regional pubic access cable television station which includes the area of Middlesex Borough,

**Now therefore**, be it resolved by the Governing Body of the Borough of Middlesex, County of Middlesex and State of New Jersey that:

1. The Middlesex Borough Council requests that the Township of Piscataway air all public meetings of Middlesex Borough on PCTV in a timely manner following each meeting.

2. This resolution shall take effect immediately.

---

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on February 22, 2022.

***Be it Resolved,*** by the Mayor and Council of the Borough of Middlesex, New Jersey that:

**Resolution #77-2022**

**AT THE RECOMMENDATION OF POLICE CHIEF GEIST EXTENDING THE TEMPORARY APPOINTMENT OF ACTING CAPTAIN CRAIG COMISKEY EFFECTIVE MARCH 15, 2022 FOR A PERIOD NOT TO EXCEED 6 MONTHS**

At the recommendation of Police Chief Geist, the Governing Body hereby approves extending the temporary appointment of Acting Captain Craig Comiskey for an additional six months at the annual salary for a Police Captain of $148,105. This appointment is effective March 15, 2022 for a period not to exceed 6 months.

---

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on February 22, 2022.

***Be it Resolved,*** by the Mayor and Council of the Borough of Middlesex, New Jersey that:

**Resolution #78-2022**

**AT THE RECOMMENDATION OF POLICE CHIEF GEIST EXTENDING THE TEMPORARY APPOINTMENT OF ACTING POLICE LIEUTENANT CHAD CORNER AND ACTING POLICE LIEUTENANT THOMAS CARROLL EFFECTIVE MARCH 1, 2022 FOR A PERIOD NOT TO EXCEED 6 MONTHS**

At the recommendation of Police Chief Geist, the Governing Body hereby approves extending the temporary appointments of Acting Lieutenant Chad Corner and Acting Lieutenant Thomas Carroll for an additional six months at the annual salary for a Police Lieutenant of $135,876. This appointment is effective March 1, 2022 for a period not to exceed 6 months.

---

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on February 22, 2022.

***Be it Resolved,*** by the Mayor and Council of the Borough of Middlesex, New Jersey that:

**Resolution #79-2022**

**AT THE RECOMMENDATION OF POLICE CHIEF GEIST EXTENDING THE TEMPORARY APPOINTMENT OF ACTING POLICE SERGEANT MARK MELCHIORRE, ACTING POLICE SERGEANT RYAN SKOW AND ACTING POLICE SERGEANT SEAN FLANAGAN EFFECTIVE MARCH 1, 2022 FOR A PERIOD NOT TO EXCEED 6 MONTHS**

At the recommendation of Police Chief Geist, the Governing Body hereby approves extending the temporary appointments of Acting Police Sergeant Mark Melchiorre, Acting Police Sergeant Ryan Skow and Acting Police Sergeant Sean Flanagan for an additional six months at the annual salary for a Police Sergeant of $124,657. This appointment is effective March 1, 2022 for a period not to exceed 6 months.

---

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on February 22, 2022.

***Be it Resolved,*** by the Mayor and Council of the Borough of Middlesex, New Jersey that:

**Resolution #80-2022**

**REIMBURSEMENT OF DOG LICENSE FEE TO KAREN REES, 418 MELROSE AVENUE, MIDDLESEX, NJ IN THE AMOUNT OF $10.00 AND CARLOS BRONCANO, 706 WILLIAM STREET, MIDDLESEX, NJ IN THE AMOUNT OF $10.00**

The Governing Body hereby approves the reimbursement fee for Dog License to Ms. Karen Rees, 418 Melrose Avenue, Middlesex, New Jersey in the amount of $10.00 for a duplicate license and Mr. Carlos Broncano, 706 William Street, Middlesex, New Jersey in the amount of $10.00 due to insufficient rabies vaccination..

---

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on February 22, 2022.

***Be it Resolved,*** by the Mayor and Council of the Borough of Middlesex, New Jersey that:

**Resolution #81-2022**

**APPROVAL OF THE 2022 HUD FUNDS**

The following items have been approved by the Housing and Community Development Committee to be submitted to the Middlesex County Housing & Community Development for approval for the use of the 2022 Grant Funds:

| | |
|---|---|
| Senior Coordinator Salary | $10,000 |
| Senior Van Driver | $9,205 |
| Code Enforcement | $10,575 |
| Nutritional Program | $6,500 |
| Legion Park Tot Lot Equipment | $11,836.99 |
| Library Awning | $15,737.01 |
| **TOTAL** | **$63,854** |

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on February 22, 2022.

***Be it Resolved,*** by the Mayor and Council of the Borough of Middlesex, New Jersey that:

**Resolution #82-2022**

**ACCEPTING THE RESIGNATION OF KEVIN MULVANEY FROM THE DEPARTMENT OF PUBLIC WORKS EFFECTIVE FEBRUARY 23, 2022**

The Governing Body hereby accepts the resignation of Kevin Mulvaney from the DPW effective February 23, 2022. Mr. Mulvaney was employed part time in the Sanitation Department.

---

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on February 22, 2022.

***Be it Resolved,*** by the Mayor and Council of the Borough of Middlesex, New Jersey that:

**Resolution #83-2022**

**DECLARING VARIOUS COMPUTER ITEMS STORED AT BOROUGH HALL SURPLUS**

**WHEREAS**, the Borough of Middlesex has determined that various computer items stored at Borough Hall, have been rendered obsolete, broken, and no longer serviceable by the IT Department; and

**WHEREAS**, the Borough of Middlesex intends to dispose of said obsolete, broken and no longer serviceable items stored at Borough Hall; 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 items stored at Borough Hall to be non-serviceable as surplus and authorize their disposal, effective immediately.

---

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on February 22, 2022.

***Be it Resolved,*** by the Mayor and Council of the Borough of Middlesex, New Jersey that:

**Resolution #84-2022**

**AUTHORIZING THE REIMBURSEMENT OF $150.00 FOR THE 2021-2022 BOARD OF HEALTH MERCANTILE LICENSE TO MOHAMMAD NIAZ, 157 SOMERSET AVENUE, SOUTH PLAINFIELD, NJ**

The Governing Body hereby approves the reimbursement of $150.00 for the 2021-2022 Board of Health Mercantile License to Mohammad Niaz, 157 Somerset Avenue, South Plainfield, NJ 07080, as he was inadvertently charged an incorrect fee for said 2021-2022 Board of Health Mercantile License.

---

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on February 22, 2022.

***Be it Resolved,*** by the Mayor and Council of the Borough of Middlesex, New Jersey that:

**Resolution #85-2022**

**APPROVING THE TEMPORARY DISCHARGE APPROVAL APPLICATION AT THE FACTORY LANE SITE TO BE SUBMITTED BY THE MCUA AT THE REQUEST OF NEW FIELDS, ON BEHALF OF BAYER CROP SCIENCE, INC.**

**WHEREAS**, New Fields, on behalf of Bayer Crop Science, Inc. is providing a copy of the Temporary Discharge Approval Application for Groundwater Remediation Control at the Factory Lane Site in Middlesex to be submitted to the Middlesex County Utilities Authority (MCUA); and

**WHEREAS**, New Fields, on behalf of Bayer Crop Science, Inc. is seeking MCUA's approval to discharge the treated water generated by these activities to the MCUA treatment plant via a metered connection to the Middlesex Borough's Sanitary Sewer System in Factory Lane; and

**WHEREAS**, New Fields, on behalf of Bayer Crop Science, Inc. is required to have the Borough's approval on a yearly basis for temporary use of the culverts that run under Factory Lane and the Conrail Port Reading Railroad, as the Factory Lane Site has resulted in arsenic impacts to soil and groundwater; and

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

The discharge shall be at a rate not to exceed 65 gpm and the total flow shall be 50,000 gallons a day monthly average with a daily peak of 72,000 gallons. The total volume of groundwater discharged over the term of this Temporary Discharge Approval shall not exceed 18,250,000 gallons.

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

1. Middlesex Borough hereby approves the execution of the Middlesex County Utilities Authority Temporary Discharge Approval Application for the Groundwater Remediation Control and approves New Fields, on behalf of Bayer CropScience, Inc., temporary use of the culverts that run under Factory Lane and the Conrail Port Reading Railroad, as amended under "Conditions" Item C to read as follows: "The discharge shall be at a rate not to exceed 65 gpm and the total flow shall be 50,000 gallons a day monthly average with a daily peak of 72,000 gallons. The total volume of groundwater discharged over the term of this Temporary Discharge Approval shall not exceed 18,250,000 gallons."

2. This resolution shall take effect immediately.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on February 22, 2022.

***Be it Resolved,*** by the Mayor and Council of the Borough of Middlesex, New Jersey that:

**Resolution #86-2022**

**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.

---

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on February 22, 2022.

***Be it Resolved,*** by the Mayor and Council of the Borough of Middlesex, New Jersey that:

**Resolution #87-2022**

**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: Real Estate - Army Corp.; Litigation - Gramercy Gardens; Contract Negotiations - PBA, Property Acquisition & Dispatch Contract; and Rescue Squad Lease; 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.

---

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on February 22, 2022.