# 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, March 15, 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**

**VI. PROCLAMATIONS**

1. Elk's Youth Week - March 28, 2022

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

1. **Ordinance 2053-22** ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

2. **Ordinance 2054-22** AN ORDINANCE AMENDING CHAPTER 80 (POLICE DEPARTMENT), ARTICLE I (ORGANIZATION), SECTION 80-16 (PROMOTIONS) OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX SO AS TO REVISE AND UPDATE THE CURRENT PROCEDURE FOR SUPERIOR OFFICER PROMOTION

3. **Ordinance 2055-22** AN ORDINANCE AMENDING CHAPTER 301 ENTITLED "PARKS AND RECREATION AREAS" TO REMOVE THE FEE SCHEDULE APPLICABLE TO RESIDENTS FOR THE USE OF CERTAIN PARKS, FIELDS, AND COURTS OWNED BY THE BOROUGH OF MIDDLESEX

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

## IX. ADOPTION OF MINUTES

1. Approval of the February 22, 2022 Regular & Executive Meeting Minutes

2. Approval of the March 7, 2022 Special 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 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.

2. **Resolution 90-2022** Acceptance of Standing Reports

3. **Resolution 91-2022** The Governing Body Approves the Performance Guarantee Release and Maintenance Bond Waiver for 99 Lincoln Boulevard, LLC (Gas Station with Convenience Store)

4. **Resolution 92-2022** Authorizing the Tax Collector to Adjust Off Taxes for Block 313 Lot 42

5. **Resolution 93-2022** Authorizing the Purchase of 2 Taser 7 Basic Bundles in the Amount of $7,499.99 for the Police Department

6. **Resolution 94-2022** Increasing Kelsey Meixner to an Annual Salary of $39,365.00 Based Upon her Completion of the "Municipal Finance Administration for Municipal Clerks " Class

7. **Resolution 95-2022** Accepting the Resignation of School Crossing Guards Matthew Wanthouse Effective January 22, 2022, Jane Dziadyk Effective February 3, 2022 and the Removal of Debra Lipari Effective February 13, 2022.

8. **Resolution 96-2022** Authorizing the Mayor to Execute the Contract Between the Borough of Middlesex and Fras Air for Heating and Air Conditioning Preventative Maintenance Services for Middlesex Borough Facilities Effective March 16, 2022 through December 31, 2022 in an Amount Not to Exceed $ 6,345.00

9. **Resolution 97-2022** Authorizing the Tax Collector to Issue Tax Title Lien Redemption's on Block 10, Lot 7

10. **Resolution 98-2022** Authorizing the Tax Collector to Issue Tax Title Lien Redemption's on Block 70.10 , Lot 4

11. **Resolution 99-2022** Hiring Douglas Lipari and Michael Mastroserio as School Crossing Guards Effective Immediately

12. **Resolution 100-2022** Awarding the Bid for Electrical Services for Borough Facilities to Elite Electrical Installations, Inc. for the period of 5/1/2022 - 4/30/2024

13. **Resolution 101-2022** Approval of Temporary Budget

14. **Resolution 102-2022** Accepting the Resignation of Phil Lore from the Office of Senior Services

15. **Resolution 103-2022** Resolution Determining the Form and Other Details of Not Exceeding $1,700,000 General Obligation Bonds, Series 2022A, of the Borough of Middlesex, in the County of Middlesex, New Jersey, and Providing for Their Sale to the New Jersey Infrastructure Bank and the State of New Jersey, Pursuant to the State Fiscal Year 2022 New Jersey Water Bank

16. **Resolution 104-2022** Resolution Authorizing the Execution and Delivery of Loan Agreements to be Executed by the Borough of Middlesex, in the County of Middlesex, New Jersey, and Each of the New Jersey Infrastructure Bank, and the State of New Jersey, Acting by and Through the Department of Environmental Protection, and Further Authorizing the Execution and Delivery of an Escrow Agreement, All Pursuant to the State Fiscal Year 2022 New Jersey Water Bank

17. **Resolution 105-2022** Allocating Sick, Vacation and Personal Days to Certain Borough Employees

**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 106-2022** 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 107-2022** 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 April 12, 2022

# PROCLAMATION

## Elk's Youth Week - March 28, 2022

***WHEREAS*,** the Benevolent and Protective Order of Elks has designated the week of March 28, 2022 as Elk's Youth Week to honor America's Junior Citizens for their accomplishments, and to give fitting recognition to their services to Community, State and Nation; and

***WHEREAS***, Middlesex Elks 1488 will sponsor an observance during that week in tribute to the Junior Citizens of this Community; and

***WHEREAS***, no event could be more deserving of our support and participation than one dedicated to these young people who represent the nation's greatest resource, and who in the years ahead will assume the responsibility for the advancement of our free society; and

***WHEREAS***, our Youth need the guidance, inspiration and encouragement which we alone can give in order to help develop those qualities of character essential for future leadership; and go forth to serve America; and

***WHEREAS***, to achieve this worthy objective we should demonstrate our partnership with Youth, our understanding of their hopes and aspirations and a sincere willingness to help prepare them in every way for the responsibilities and opportunities of citizenship.

***NOW THEREFORE, I John L. Madden***, Mayor of the Borough of Middlesex do hereby proclaim the week of March 28, 2022 as Elk's Youth Week and urge all departments of government, civic, fraternal and patriotic groups and our citizens generally, to participate wholeheartedly in its observance.

DATED: March 15, 2022

_____
Linda Chismar, RMC

_____
Mayor John L. Madden

# ORDINANCE #2053-22

## ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the two succeeding years; and,

**WHEREAS**, the Mayor and Borough Council of the Borough of Middlesex, in the County of Middlesex, New Jersey, finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Mayor and Borough Council hereby determines that a 1.0% increase in the budget for said year, amounting to $149,067.95 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary.

**WHEREAS,** the Mayor and Borough Council herby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to the final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Borough Council of the Borough of Middlesex, in the County of Middlesex, New Jersey, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Borough of Middlesex shall, in accordance with this ordinance and N.J.S.A. 40 A: 4-45.14, be increased by 3.5%, amounting to $521,737.83 and that the CY 2022 municipal budget for the Borough of Middlesex be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED,** that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years: and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

I Hereby Certify that the above Ordinance was introduced by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 15, 2022.

INTRODUCED: 03/15/2022

DATE OF PUBLICATION:
OF INTRODUCTION

# ORDINANCE #2054-22

## AN ORDINANCE AMENDING CHAPTER 80 (POLICE DEPARTMENT), ARTICLE I (ORGANIZATION), SECTION 80-16 (PROMOTIONS) OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX SO AS TO REVISE AND UPDATE THE CURRENT PROCEDURE FOR SUPERIOR OFFICER PROMOTION

WHEREAS, Section 80-16 of the Municipal Code of the Borough of Middlesex mandates the procedure for promotion in the Department of Police; and

WHEREAS, the Mayor and Council of the Borough of Middlesex, in consultation with and at the request of the Chief of Police of the Borough of Middlesex, seek to amend the current policy to provide a more detailed procedure for appointments for superior officers; and

WHEREAS, the current promotions policy as currently stated in Section 80-16 shall be reorganized in a manner which will replace the current provisions found in that section with novel provisions, and all relevant existing provisions shall be redistributed into the next policy here ordained; and

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Middlesex, in the County of Middlesex, State of New Jersey, that Chapter 80, Article I, Section 80-16 of the Municipal Code of the Borough of Middlesex, County of Middlesex, State of New Jersey, is hereby modified as follows:

SECTION I.

The present content of Section 80-16 shall be replaced in its entirety by the provisions founds in Section II hereof, and all current provisions that remain relevant shall be reincorporated therein.

SECTION II.

Section 80-16 is hereby amended as follows (all provisions herein are novel and shall replace the provisions currently present in the section in the manner outlined above):

A. Vacancy

When the Chief of Police determines that a vacancy exists in the rank of Corporal or above, the Chief shall so inform the Mayor and Council in writing and request to fill the vacancy. Upon receipt of this notice, the Mayor and Council shall decide whether to commence the procedures for filling the vacancy.

B. Announcement

If the Mayor and Council decide to fill the aforementioned vacancy, they shall so inform the Chief of Police, who will issue a memorandum containing the following information:

1. The position for which the vacancy exists;
2. The eligibility requirements for consideration for the promotion;

3. The promotional process that will be utilized to fill the vacancy; and
4. Notice of the date of the oral exam, which shall be no less than 8 weeks from the date of the announcement.

C. Qualifications for Eligibility

1. Corporal and Sergeant

a. A Police Officer who has completed the probationary period and five years of continuous service with the Middlesex Borough Police Department may be eligible for promotion to Corporal or Sergeant. Such service shall be without interruption except for an approved leave of absence. The six years of service must have been completed on or before the date of the Chief's announcement to begin the promotional process to fill the vacancy.

b. Candidates shall have satisfactorily completed all assigned training to be eligible for promotion.

2. Lieutenant, Captain, and Chief of Police

a. Candidates shall have held the rank of Sergeant with the Middlesex Borough Police Department for at least two years may be eligible for promotion to Lieutenant, Captain or Chief of Police. The two years of service must have been completed on or before the date of the Chief's announcement to begin the promotional process to fill the vacancy. The candidates must have served continuous permanent service with the Middlesex Police Department. Such service shall be without interruption except for an approved leave of absence.

b. Candidates shall have satisfactorily completed all assigned training to be eligible for promotion.

D. Promotional Process

1. Corporal and Sergeant

a. Notice to fill the vacancy will be posted on the police department's bulletin board. It shall contain the information listed in Section 80-16(B).

b. Eligible candidates who desire to participate in the promotional process shall notify the Chief of Police in writing within fifteen (15) days of the Chief's issuance of the memorandum announcing the promotional process for the vacant position. Candidates desiring to be considered for promotion shall submit a resume to the Chief of Police within the time constraints delineated in the memorandum.

c. Candidates shall be given an oral examination administered by the New Jersey State Association of Chiefs of Police. A score of at least a 65 must be attained. Any candidate scoring less than a 65 will be eliminated from the remainder of the process. The weighted score of the oral examination will be obtained by multiplying the exam score times .2.

The oral examination shall cover a range of topics including but not limited to:

a) Attorney General's Guidelines
b) Department Policy and Procedures
c) Department Rules and Regulations
d) Borough Ordinances
e) NJ Criminal and Motor Vehicle Law
f) Organizational, administrative, supervisory and leadership skills and knowledge

d. In addition, candidates shall be evaluated based upon their qualifications as assessed through a review of each candidate's performance and personnel file. The Chief of Police and a designee shall review each candidate's personnel file. A maximum of 50 points will be assessed based upon the following criteria:

1) Education (from an accredited college or university): Maximum 5 points
Associate's Degree - 1 point
Bachelor's Degree - 2 points
Master's Degree - 3 points
Doctoral Degree - 5 points

2) Military Service: Maximum 2 points
To qualify for Military Service credit an employee must have accrued four (4) or more years of military service, and have an honorable discharge from service, or be on active/reserve status.

3) Seniority shall be based on the number of completed years with the Middlesex Borough Police Department as of the date of the announcement of the vacancy. One-quarter point per year of service to a maximum of 20 years. A maximum of 5 points will be awarded.

4) Performance Appraisals (review of last 5 years): Maximum of 18 points
Scores from the last 5 years of performance appraisals will be tabulated. Performance evaluations with scoring/rating guidelines 1-6 will be added together and divided by 3. Performance evaluations with scoring/rating guidelines 1-4 will be added together and divided by 2. The scores are then added together and divided by 5 to obtain the average score.

5) Commendations (review of last 10 years): Maximum 5 points
Medal of Honor - 1
Police Combat Cross - .75
Meritorious Service - .75
Wound Medal - .75
Perfect Attendance Citation Bar - .75
Exceptional Service - .50
Honorable Service - .50
Chief's Achievement Award - .50
Life Saving - .50
Unit Citation - .25

Certificate of Commendation - .125

6) Discipline (last 10 years): Maximum of 5 points
No Discipline - 5 points
Oral Reprimand - minus 1 point
Written Reprimand - minus 3 points
Suspension - minus 5 points

7) Training or Special Skills: Maximum 5 points
Within the last 5 years ie. Special Training, Department Training Instructor, Field Training Officer

8) Chief of Police & Command Officer Interview: Maximum 5 points

2. Lieutenant

a. Notice to fill the vacancy will be posted on the police department's bulletin board. It shall contain the information listed in Section 80-16(B).

b. Eligible candidates who desire to participate in the promotional process shall notify the Chief of Police in writing within fifteen (15) days of the Chief's issuance of the memorandum announcing the promotional process for the vacant position. Candidates desiring to be considered for promotion shall submit a resume to the Chief of Police within the time constraints delineated in the memorandum.

c. Candidates shall be given an oral examination administered by the New Jersey State Association of Chiefs of Police. A score of at least a 65 must be attained. Any candidate scoring less than a 65 will be eliminated from the remainder of the process. The weighted score of the oral examination will be obtained by multiplying the exam score times .2.

The oral examination shall cover a range of topics including but not limited to:

a) Attorney General's Guidelines
b) Department Policy and Procedures
c) Department Rules and Regulations
d) Borough Ordinances
e) NJ Criminal and Motor Vehicle Law
f ) Organizational, administrative, supervisory and leadership skills and knowledge

d. In addition, candidates shall be evaluated based upon their qualifications as assessed through a review of each candidate's performance and personnel file. The Chief of Police and a designee shall review each candidate's personnel file. A maximum of 54 points will be assessed based upon the following criteria:

1) Education (from an accredited college or university): Maximum 5 points
Associate's Degree - 1 point
Bachelor's Degree - 2 points

Master's Degree - 3 points
Doctoral Degree - 5 points

2) Military Service: Maximum 2 points
To qualify for Military Service credit an employee must have accrued four (4) or more years of military service, and have an honorable discharge from service, or be on active/reserve status.

3) Service Time: Maximum of 3 points.
One-quarter point is awarded for each fully completed year of service at the rank of Sergeant in the Middlesex Police Department.

4) Performance Appraisals (review of last 5 years): Maximum of 24 points.
Scores from the last 5 years of performance appraisals will be tabulated. Performance evaluations with scoring/rating guidelines 1-6 will be added together and divided by 3. Performance evaluations with scoring/rating guidelines 1-4 will be added together and divided by 2. The scores are then added together and divided by 5 to obtain the average score.

5) Commendations (review of last 10 years): Maximum 5 points
Medal of Honor - 1
Police Combat Cross - .75
Meritorious Service - .75
Wound Medal - .75
Perfect Attendance Citation Bar - .75
Exceptional Service - .50
Honorable Service - .50
Chief's Achievement Award - .50
Life Saving - .50
Unit Citation - .25
Certificate of Commendation - .125

6) Discipline (review of last 10 years): Maximum of 5 points
No Discipline - 5 points
Oral Reprimand - minus 1 point
Written Reprimand - minus 3 points
Suspension - minus 5 points

7) Training and Special Skills: Maximum 5 points
Within the last 5 years i.e. Special Training, Department Training Instructor, Field Training Officer

8) Chief of Police Interview: Maximum 5 points

3. Captain

a. Notice to fill the vacancy will be posted on the police department's bulletin board. It shall contain the information listed in Section 80-16(B) of this policy.

b. Eligible candidates who desire to participate in the promotional process shall notify the Chief of Police in writing within fifteen (15) days of the Chief's issuance of the memorandum announcing the promotional process for the vacant position, and shall submit a resume to the Chief of Police within the time constraints delineated in the memorandum.

c. Candidates shall be given an oral examination administered by the New Jersey State Association of Chiefs of Police. A score of at least a 65 must be attained. Any candidate scoring less than a 65 will be eliminated from the remainder of the process. The weighted score of the oral examination will be obtained by multiplying the exam score times .2.

The oral examination shall cover a range of topics including but not limited to:

a) Attorney General's Guidelines
b) Department Policy and Procedures
c) Department Rules and Regulations
d) Borough Ordinances
e) NJ Criminal and Motor Vehicle Law
f ) Organizational, administrative, supervisory and leadership skills and knowledge.

d. In addition, candidates shall be evaluated based upon their qualifications as assessed through a review of each candidate's performance and personnel file. The Chief of Police and a designee shall review each candidate's personnel file. A maximum of 49 points will be assessed based upon the following criteria:

1) Education (from an accredited college or university): Maximum 5 points
   Associate's Degree - 1 point
   Bachelor's Degree - 2 points
   Master's Degree - 3 points
   Doctoral Degree - 5 points

2) Military Service: Maximum 2 points
   To qualify for Military Service credit an employee must have accrued four (4) or more years of military service, and have an honorable discharge from service, or be on active/reserve status.

3) Service Time: Maximum 3 points
   Service time shall be based on the number of completed years in rank as of the date of the announcement of the vacancy. One-quarter point is awarded for each fully completed year of service at the rank of Lieutenant in the Middlesex Police Department. One-tenth point is awarded for each fully completed year of service at the rank of Sergeant in the Middlesex Police Department.

4) Performance Appraisals (review of last 5 years): Maximum of 24 points
   Scores from the last 5 years of performance appraisals will be tabulated. Performance evaluations with scoring/rating guidelines 1-6 will be added together and divided by 3. Performance evaluations with scoring/rating guidelines 1-4 will be added together and divided

by 2. The scores are then added together and divided by 5 to obtain the average score.

5) Commendations (review of last 10 years): Maximum 5 points
Medal of Honor - 1
Police Combat Cross - .75
Meritorious Service - .75
Wound Medal - .75
Perfect Attendance Citation Bar - .75
Exceptional Service - .50
Honorable Service - .50
Chief's Achievement Award - .50
Life Saving - .50
Unit Citation - .25
Certificate of Commendation - .125

6) Discipline (review of last 10 years): Maximum of 5 points
No Discipline - 5 points
Oral Reprimand - minus 1 point
Written Reprimand - minus 3 points
Suspension - minus 5 points

7) Training and Special Skills: Maximum 5 points
Within the last 5 years i.e. Special Training, Department Training Instructor, Field Training Officer

3) Candidates will be interviewed by the Mayor and Council in the same manner as described in Section 80-16(D)(4)(B).

4. Chief of Police

a. The promotion to the position of Chief of Police shall be the sole prerogative of the Mayor and Council. Only superior officers (Sergeant or higher in rank) are eligible for promotion to Chief of Police. Eligible candidates will be evaluated and rated on a range of criteria to include, but not limited to, a resume, interview with the Mayor and Council, review of performance and personnel file. No minimum score is required in any one section in order to continue to any other section of the promotional process.

b. The candidates will be interviewed by the Mayor and Council, and they will review the candidate's personnel file, work history and job performance, will evaluate recommendations of the incumbent Chief of Police (if applicable), and any written recommendations in the candidate's file from members of the Middlesex Police Department or by other members of the general public, if any, and will also observe the manner in which the candidates answer questions in order to determine his or her ability to assume the duties and responsibilities of the Chief of Police.

c. Final decision for the promotion or appointment shall rest with the Mayor and Council.

E. Recommendation for Promotion

a. Notwithstanding Section 80-16(D)(4) (concerning the Chief of Police), scores of the candidates following the promotional process will be tabulated by the Chief of Police.

b. Notwithstanding Section 80-16(D)(4) (concerning the Chief of Police), the Chief of Police will provide the Governing Body with the names and scores of the three applicants attaining the highest scores along with his/her recommendation for promotion if he/she chooses to make a recommendation.

c. Final decision for the promotion or appointment shall rest with the Mayor and Council and be selected from the three applicants with the highest scores.

F. Probationary Period

All promotions shall be subject to a one-year probationary period. Officers not successfully completing the one-year probationary period will be returned to their previously held rank.

G. Eligibility List

An eligibility list will be established based on the final scores. The eligibility list shall remain in effect for a period of two years from the date posted. Discipline received while on the eligibility list can be considered as part of the promotional process. Any candidate that receives major discipline such as reduction in rank or suspension of more than five days while on the eligibility list will be disqualified and removed from the list.

H. Appeals Process

1. All candidates who participate in the promotional process will be allowed to review their scores and evaluations received after the official results are announced and posted, within the time constraints set by the Chief of Police. All appeals shall be submitted to the Chief of Police in the manner described herein.

2. Within 10 days of the release of the scores and ranking of candidates, a candidate may file a written letter of appeal with the Chief of Police. The letter of appeal must contain the reason(s) or justification(s) for an appeal. The Chief of Police will assess the appeal and make a determination of how the appeal will be addressed on a case-by-case basis. Appeals may challenge the following areas of the promotional process only:

   a. Review and re-tabulation of scored elements of the selection process;

   b. Review of any evaluation or internal document that was used in the personnel file review process related to the appellant;

   c. Seniority calculations.

3. If the appeal impacts upon the results of the promotional ranking as determined by the Chief of Police, the candidate may be permitted to be re-evaluated.

SECTION IV. If any part of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

SECTION V. Should any section, paragraph, sentence, or clause of this ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect and, to this end, the provisions of this ordinance are hereby declared severable.

SECTION VI. This ordinance shall take effect upon adoption and publication in the manner required by New Jersey general law.

---

I Hereby Certify that the above Ordinance was introduced by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 15, 2022.

INTRODUCED: March 15, 2022

DATE OF PUBLICATION:
OF INTRODUCTION March 18, 2022

# ORDINANCE #2055-22

## AN ORDINANCE AMENDING CHAPTER 301 ENTITLED "PARKS AND RECREATION AREAS" TO REMOVE THE FEE SCHEDULE APPLICABLE TO RESIDENTS FOR THE USE OF CERTAIN PARKS, FIELDS, AND COURTS OWNED BY THE BOROUGH OF MIDDLESEX

**WHEREAS**, The Borough Council of the Borough of Middlesex passed Ordinance No. #2051-22 on February 8, 2022 setting hourly fee schedules for Residents and Nonresidents for the use of the parks, fields, and courts owned by the Borough; and

**WHEREAS,** it is the desire of the Borough of Middlesex to amend and revise the ordinance to remove the fee schedule applicable to residents of the Borough of Middlesex.

**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**

**§ 301-10 Permission required for use of certain facilities; fees.**
**<https://ecode360.com/10335918>**
A. 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 Department of Senior Services and Public Recreation**, and, where applicable, a fee is paid to the Borough of Middlesex**.
**B. For purposes of this section, the term "Residents" shall include groups, teams, or organizations that are comprised of at least 51% of Middlesex Borough residents. Any group, team, or organization that is comprised of 51% or more of nonresidents of the Borough of Middlesex shall be considered "Nonresidents".**
**B. C. <https://ecode360.com/10335937>**The following **limitations and** 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 **not** 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~~ **Residents shall request usage of the parks and facilities in** one-hour blocks of time and may be obtained for multiple hour blocks.

(b) Shall **not** pay a fee ~~per hour~~ for the use of the basketball courts and running track. ~~Such fee shall be for~~ **Residents shall request usage of the courts and running track in** 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) <https://ecode360.com/10335942>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 II**

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

**Section III**

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

**Section IV**

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

---

I Hereby Certify that the above Ordinance was introduced by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on March 15, 2022.

INTRODUCED: March 15, 2022

DATE OF PUBLICATION:
OF INTRODUCTION March 18, 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 March 15, 2022.

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

**Resolution #90-2022**

**ACCEPTANCE OF STANDING REPORTS**

The Governing Body hereby accepts the following Reports itemized below:

1. Acceptance of the January, 2022 Police Department Report
2. Approval of Steven Tarbous as a driver for 18 & 22
3. Approval of Engine 21 attending the Somerville St Patrick's Day Parade on March 13, 2022 (Mayor Madden gave verbal approval as this request was for an event prior to the Council Meeting)

---

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 March 15, 2022.

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

**Resolution #91-2022**

**THE GOVERNING BODY APPROVES THE PERFORMANCE GUARANTEE RELEASE AND MAINTENANCE BOND WAIVER FOR 99 LINCOLN BOULEVARD, LLC (GAS STATION WITH CONVENIENCE STORE)**

**WHEREAS,** 99 Lincoln Boulevard, LLC has requested release of the Performance Bond and the Cash Bond for site improvements at 99 Lincoln Boulevard, Block 126, Lot 7.01; 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 in the amount $47,221.00 and the Cash Bond in the amount of $5,247.00 (plus any accrued interest), as well as the Safety and Stabilization Bond in the amount of $10,562.62 can be released; and

**WHEREAS,** the Borough Engineer has determined that the improvements have been constructed for longer than the normal Maintenance Bond period and therefore the Maintenance Bond requirement may be waived.

**NOW THEREFORE,** BE IT RESOLVED by the Borough Council of the Borough of Middlesex in the County of Middlesex that the Performance Guarantee pertaining to the subject property be released and the Cash Bond be returned with the Maintenance Bond requirement being waived, the application approved by the Planning Board.

---

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 March 15, 2022.

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

**Resolution #92-2022**

**AUTHORIZING THE TAX COLLECTOR TO ADJUST OFF TAXES FOR BLOCK 313 LOT 42**

**WHEREAS,** Block 313 Lot 42 , 520 Voorhees was split into 2 properties , Block 313 Lot 42 Q C001, 520 Voorhees Avenue and Block 313 Lot 42 Q C002 518 Voorhees Avenue; and

**WHEREAS,** Block 313 Lot 42 no longer exists: and,

**WHEREAS,** billing still remains in the tax system on Block 313 Lot 42; and

**WHEREAS,** taxes were collected on C001 & C002; and,

**NOW THEREFORE,** the Tax Collector is authorized to adjust off the following taxes on the original property of Block 313 Lot 42 for the amounts below,

2021 Qtr 3 - $2,022.95

2021 Qtr 4 - $2,022.94

2022 Qtr 1 - $1,978.41

2022 Qtr 2 - $1,978.40

---

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 March 15, 2022.

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

**Resolution #93-2022**

**AUTHORIZING THE PURCHASE OF 2 TASER 7 BASIC BUNDLES IN THE AMOUNT OF $7,499.99 FOR THE POLICE DEPARTMENT**

**WHEREAS,** the Governing Body of the Borough of Middlesex wishes to purchase 2 Taser 7 Basic Bundles for the Middlesex Borough Police Department under the NJ State Contract #17-FLEET-00738/T0106; and

**WHEREAS,** the purchase of goods and services by local contracting units is authorized by the Local Contracts Law, 40A:11-12; and

**WHEREAS,** Axon Enterprise, Inc., is under the NJ State Contract #17-FLEET-00738/T0106 through May 14, 2023, for the purchase of tasers and accessories; and

**WHEREAS,** the cost for said purchase of 2 Taser 7 Basic Bundles is $7,499.99; and

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Borough Council that the purchase of 2 Taser 7 Basic Bundles for the Middlesex Borough Police Department, in the amount of $7,499.00 under NJ State Contract #17-FLEET-00738/T0106 be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed $7,499.99 are available in the 2021 Police Department Capital Budget. Account number C-04-21-039-000-071.

---

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 March 15, 2022.

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

**Resolution #94-2022**

**INCREASING KELSEY MEIXNER TO AN ANNUAL SALARY OF $39,365.00 BASED UPON HER COMPLETION OF THE "MUNICIPAL FINANCE ADMINISTRATION FOR MUNICIPAL CLERKS " CLASS**

**WHEREAS,** Kelsey Meixner has successfully completed the Municipal Finance Administration for Municipal Clerks Class; and

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

**WHEREAS,** Kelsey Meixner's annual salary will be increased to $39,365.00 effective immediately.

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

1. Kelsey Meixner's salary is hereby increased to an annual salary of $39,365.00, based upon her completion of the Municipal Clerk's Class "Municipal Finance Administration for Municipal Clerks"

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 March 15, 2022.

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

**Resolution #95-2022**

**ACCEPTING THE RESIGNATION OF SCHOOL CROSSING GUARDS MATTHEW WANTHOUSE EFFECTIVE JANUARY 22, 2022, JANE DZIADYK EFFECTIVE FEBRUARY 3, 2022 AND THE REMOVAL OF DEBRA LIPARI EFFECTIVE FEBRUARY 13, 2022.**

The Governing Body hereby accepts the resignation of school crossing guards Matthew Wanthouse effective January 22, 2022, Jane Dziadyk effective February 3, 2022 and the removal of Debra Lipari effective February 13, 2022.

---

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 March 15, 2022.

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

**Resolution #96-2022**

**AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT BETWEEN THE BOROUGH OF MIDDLESEX AND FRAS AIR FOR HEATING AND AIR CONDITIONING PREVENTATIVE MAINTENANCE SERVICES FOR MIDDLESEX BOROUGH FACILITIES EFFECTIVE MARCH 16, 2022 THROUGH DECEMBER 31, 2022 IN AN AMOUNT NOT TO EXCEED $ 6,345.00**

**WHEREAS**, request for quotes were received on March 4, 2022, for Heating and Air Conditioning Preventative Maintenance Services for Middlesex Borough facilities;

**WHEREAS**, listed below are the three (3) quotes received for said project:

| | | |
|---|---|---|
| Supreme | Roan and King Inc. | Fras Air |
| 257 Wagner Street | 139 Jefferson Avenue | 178 US-206E |
| Middlesex, NJ | Greenbrook, NJ | Hillsborough, NJ |
| $12,000.00 | $10,500.00 | $6,345.00 |

**WHEREAS,** Fras Air, 178 US-206E, Hillsborough, NJ, is the lowest responsive, responsible bidder;

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

1. Based upon the recommendation of the Department of Public Works Supervisor and Purchasing Agent, the governing body hereby awards the contract for Heating and Air conditioning Preventative Maintenance Services contract beginning March 16, 2022 and ending December 31, 2022.
2. The Governing Body hereby authorizes the mayor to execute the Contract between the Borough of Middlesex and Fras Air for Heating and Air Conditioning Preventative Maintenance Services for Middlesex Borough facilities.

**NOW FURTHER BE IT RESOLVED**, funds in an amount not to exceed $6,345.00 will be allocated from the 2022 Operating Budget.

---

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 March 15, 2022.

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

**Resolution #97-2022**

**AUTHORIZING THE TAX COLLECTOR TO ISSUE TAX TITLE LIEN REDEMPTION'S ON BLOCK 10, LOT 7**

**WHEREAS,** pursuant to N.J.S.A. 54:5-54, a lien has been redeemed by the owners or those persons having an interest, and the purchasers of said property are legally entitled to receive redemption funds in the following specific amounts, and;

**WHEREAS,** the interest and payments on the following Tax Title Lien Redemptions were calculated for April 12, 2022, and;

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

Date of Sale: 12/7/2021

Block/Lot: 10 / 7

Amount: $327.84

Premium: $1,500.00

Certificate: 20-00001

Payable To: US Bank Cust/PC8 Firstrust Bank
50 South 16th St. Ste 2050
Suite 2050
Philadelphia, PA 19102

---

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 March 15, 2022.

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

**Resolution #98-2022**

**AUTHORIZING THE TAX COLLECTOR TO ISSUE TAX TITLE LIEN REDEMPTION'S ON BLOCK 70.10 , LOT 4**

WHEREAS, pursuant to N.J.S.A. 54:5-54, a lien has been redeemed by the owners or those persons having an interest, and the purchasers of said property are legally entitled to receive redemption funds in the following specific amounts, and;

WHEREAS, the interest and payments on the following Tax Title Lien Redemptions were calculated for April 12, 2022, and;

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

Date of Sale: 12/7/2021

Block/Lot: 70.10 / 4

Amount: $2,224.09

Premium: $1,500.00

Certificate: 20-00004

Payable To: US Bank Cust/PC8 Firstrust Bank
50 South 16th St. Ste 2050
Suite 2050
Philadelphia, PA 19102

---

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 March 15, 2022.

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

**Resolution #99-2022**

**HIRING DOUGLAS LIPARI AND MICHAEL MASTROSERIO AS SCHOOL CROSSING GUARDS EFFECTIVE IMMEDIATELY**

At the recommendation of Chief Geist, the Governing Body hereby hires the following as School Crossing Guards for the Borough of Middlesex effective immediately:

| | |
|---|---|
| Douglas Lipari | Michael Mastroserio |
| Middlesex, NJ | Middlesex, NJ |

The individuals have been investigated by the Middlesex Police Department and meet all of the requirements for the position.

---

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 March 15, 2022.

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

**Resolution #100-2022**

**AWARDING THE BID FOR ELECTRICAL SERVICES FOR BOROUGH FACILITIES TO ELITE ELECTRICAL INSTALLATIONS, INC. FOR THE PERIOD OF 5/1/2022 - 4/30/2024**

**WHEREAS,** a notice of advertisement for sealed bids and invitation to bid for Electrical Services for Borough facilities were prepared and advertised in accordance with the Local Public Contracts Law; and

**WHEREAS**, three (3) bids were received and opened publicly on March 8, 2022 for Electrical Services for Borough Facilities; and

**WHEREAS**, listed below are the bids received for this project:

| | Regular Time Year 1/Year 2 | Overtime Year 1/Year 2 | % Discount off MSRP Year 1/Year 2 |
|---|---|---|---|
| Star-Lo Electric | $143.22 / $147.52 | 1.5x $214.95<br>2x $286.46 **/**<br>1.5x $221.28<br>2x $295.04 | 20% / 20% |
| Magic Touch Construction | $93.00 / $95.65 | $139.50 / $143.48 | 0% / 0% |
| Elite Electrical Installations | $88.85 / $88.85 | $133.28 / $133.28 | 10% / 10% |

**WHEREAS**, the Purchasing Agent recommends awarding the contract to the lowest responsible, responsive bidder, Elite Electrical Installations, Inc., 212 Lincoln Blvd, Middlesex, NJ for the amounts listed above for year 1 and year 2.

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

1. At the recommendation of the Purchasing Agent, the Mayor and Council hereby award the bid for Electrical Services to Elite Electrical Installations, Inc. for the period of 5/1/2022 - 4/30/2024, subject to the appropriation of funds in the 2022, 2023 and 2024 budget.

2. The Governing Body hereby authorizes the mayor to execute the Contract between the Borough of Middlesex and Elite Electrical Installations, Inc. for Electrical Services for Middlesex Borough facilities.

**NOW FURTHER BE IT RESOLVED**, that the Treasurer hereby certifies funds are appropriated

in the 2022 adopted budget.

---

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 March 15, 2022.

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

## Resolution #101-2022

## APPROVAL OF TEMPORARY BUDGET

**WHEREAS**, an emergent condition has arisen with respect to providing temporary appropriations sufficient to cover commitments made during the period of January 1, 2022 to the date of adoption of the annual budget and no adequate provision has been made in the 2022 temporary appropriations to cover such commitments, and N.J.S.A. 40A: 4-20 provides for the creation of an emergency temporary appropriation for the purpose of covering such commitments; and

**WHEREAS,** the total emergency temporary resolutions adopted in the year 2022 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A: 4-20) including this resolution total $12,113,965.57 for the Current Fund Budget, $80,000.00 for the Swimming Pool Utility Budget;

**NOW, THEREFORE, BE IT RESOLVED** (not less than two-thirds of all of the members thereof affirmatively concurring) in accordance with the provisions of N.J.S.A.

| | **Salaries & Wages** | **Other Expenses** |
|---|---|---|
| **Appropriations Current Fund** | | |
| **General Government** | | |
| Administrator | $65,000.00 | $500.00 |
| Mayor & Council | $2,000.00 | $0.00 |
| Municipal Clerk | $65,000.00 | $1,000.00 |
| Printing & Advertising | $0.00 | $0.00 |
| Postage | $0.00 | $5,000.00 |
| Purchasing Agent | $0.00 | $0.00 |
| Finance Administration | $50,000.00 | $10,000.00 |
| Computer Services | $0.00 | $70,000.00 |
| Revenue Administration | $30,000.00 | $1,000.00 |
| Assessment of Taxes | $10,000.00 | $500.00 |
| Legal Services | $0.00 | $40,000.00 |
| Engineering Services | $0.00 | $30,000.00 |
| Environmental Services | $0.00 | $0.00 |
| Joint Land Use Board | $500.00 | $10,000.00 |
| Code Enforcement | $17,000.00 | $2,000.00 |
| CRS Floodplain | $0.00 | $12,500.00 |

| | | |
|---|---|---|
| Liability Insurance | $0.00 | $50,000.00 |
| Worker's Comp Insurance | $0.00 | $50,000.00 |
| Group Insurance | $0.00 | $400,000.00 |
| Temp Disability Insurance | $0.00 | $5,000.00 |
| Longterm Disability Insur | $0.00 | $2,500.00 |
| Health Benefit Waiver | $0.00 | $10,000.00 |
| | | |
| **Public Safety** | | |
| Police | $1,125,000.00 | $40,000.00 |
| Juvenile | $250.00 | $0.00 |
| Emergency Management | $0.00 | $0.00 |
| Fire Department | $0.00 | $35,000.00 |
| Fire Hydrants | $0.00 | $40,000.00 |
| Prosecutor | $0.00 | $0.00 |
| | | |
| **Public Works** | | |
| Streets & Roads | $100,000.00 | $20,000.00 |
| Shade Tree | $0.00 | $15,000.00 |
| Solid Waste | $55,000.00 | $0.00 |
| Garbage | $100,000.00 | $0.00 |
| Building & Grounds | $4,500.00 | $25,000.00 |
| Rescue Squad Rental | $0.00 | $1,200.00 |
| Sewers | $30,000.00 | $3,000.00 |
| | | |
| **Health & Human Services** | | |
| Board of Health | $0.00 | $15,000.00 |
| Animal Control | $0.00 | $8,000.00 |
| | | |
| **Parks & Recreations** | | |
| Recreation | $15,000.00 | $4,000.00 |
| Celebration of Public Events | $0.00 | $4,250.00 |
| Parks & Playgrounds | $170,000.00 | $5,000.00 |
| Sr Citizen Bus Transportation | $2,000.00 | $2,000.00 |
| Sr Nutrition | $2,000.00 | $0.00 |
| Title III | $16,000.00 | $0.00 |
| Medical Transportation | $2,000.00 | $0.00 |
| Sr Citizen Coordinator | $20,000.00 | $2,000.00 |
| Beautification Committee | | |
| | | |
| **Utility Expenses** | | |
| Electricity | $0.00 | $40,000.00 |
| Street Lighting | $0.00 | $40,000.00 |
| Telephone | $0.00 | $20,000.00 |
| Water | $0.00 | $5,000.00 |
| Natural Gas | $0.00 | $5,000.00 |
| Fuel Oil (Diesel) | $0.00 | $0.00 |

| | | |
|---|---|---|
| Gasoline | $0.00 | $0.00 |
| | | |
| **Other Operating** | | |
| Landfill | $0.00 | $100,000.00 |
| Construction | $45,000.00 | $0.00 |
| Municipal Court | $45,000.00 | $1,500.00 |
| Public Defender | $0.00 | $1,000.00 |
| Library | $0.00 | $115,000.00 |
| Utility Authority | $0.00 | $300,000.00 |
| Piscataway Sewer | $0.00 | $0.00 |
| Curbside Recycling | $0.00 | $75,000.00 |
| | | |
| **Statutory Expenses** | | |
| Social Security | $0.00 | $80,000.00 |
| DCRP CoMatch | $0.00 | $1,000.00 |
| Contingent | $0.00 | $10,000.00 |
| | | |
| **TOTAL CURRENT FUND** | **$1,971,250.00** | **$1,712,950.00** |
| | | |
| **Swim Pool Utility** | | |
| Operating Appropriations | $0.00 | $0.00 |
| | | |
| **TOTAL SWIM POOL** | **$0.00** | **$0.00** |

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 March 15, 2022.

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

**Resolution #102-2022**

**ACCEPTING THE RESIGNATION OF PHIL LORE FROM THE OFFICE OF SENIOR SERVICES**

The Governing Body accepts the resignation of Phil Lore as a driver for the Office of Senior Services effective March 7, 2022.

---

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 March 15, 2022.

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

**Resolution #103-2022**

**RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING $1,700,000 GENERAL OBLIGATION BONDS, SERIES 2022A, OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY INFRASTRUCTURE BANK AND THE STATE OF NEW JERSEY, PURSUANT TO THE STATE FISCAL YEAR 2022 NEW JERSEY WATER BANK**

**WHEREAS,** the Borough of Middlesex (the "Local Unit"), in the County of Middlesex, New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate or install the Project (the "Project") as defined in each of that certain Loan Agreement (the "I-Bank Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Infrastructure Bank (the "I-Bank") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the I-Bank Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the State Fiscal Year 2022 New Jersey Water Bank (the "Program");

**WHEREAS,** the Local Unit has determined to finance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the I-Bank (the "I-Bank Loan") and the State (the "Fund Loan", and together with the I-Bank Loan, the "Loans") pursuant to the I-Bank Loan Agreement and the Fund Loan Agreement, respectively;

**WHEREAS,** to evidence the Loans, each of the I-Bank and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's General Obligation Bonds, Series 2022A1, to the I-Bank (the “I-Bank Loan Bond”) and General Obligation Bonds, Series 2022A2, to the State (the "Fund Loan Bond", and together with the I-Bank Loan Bond, the "Local Unit Bonds"), said Local Unit Bonds to be issued in an aggregate principal amount not to exceed $1,700,000, pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements; and

**WHEREAS**, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law allows for the sale of the I-Bank Loan Bond and the Fund Loan Bond to the I-Bank and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the I-Bank Loan Bond to the I-Bank without any public offering, all under the terms and conditions set forth herein.

**NOW, THEREFORE, BE IT RESOLVED** by a 2/3 vote of the full membership of the governing body of the Local Unit as follows:

**Section 1.** In accordance with N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Local Unit hereby sells and awards its I-Bank Loan Bond to the I-Bank and its Fund Loan Bond to the State, in a total aggregate principal amount not to exceed $1,700,000, all in accordance with the provisions hereof. The Local Unit Bonds have been

referred to and are described in bond ordinance #1907-17 of the Local Unit, which bond ordinance is entitled "BOND ORDINANCE PROVIDING FOR A SANITARY SEWER REHABILITATION PROJECT FOR THE BOROUGH OF MIDDLESEX, NEW JERSEY, APPROPRIATING $2,450,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $2,327,500 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION" and was finally adopted by the Local Unit at a meeting duly called and held on February 28, 2017, at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law, and bond ordinance #2040-21 of the Local Unit, which bond ordinance is entitled "BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 1907-17 ADOPTED ON FEBRUARY 28, 2017, PROVIDING FOR A SANITARY SEWER REHABILITATION PROJECT FOR THE BOROUGH OF MIDDLESEX, IN ORDER TO EXPAND THE SCOPE OF IMPROVEMENTS TO INCLUDE PHASE II OF SAID PROJECT, AND TO INCREASE THE APPROPRIATION THEREFOR BY $500,000 FOR A TOTAL APPROPRIATION OF $2,950,000, TO INCREASE THE AUTHORIZED BONDS AND NOTES TO BE ISSUED TO FINANCE A PORTION OF THE COSTS THEREOF BY $500,000 FOR A TOTAL DEBT AUTHORIZATION OF $2,827,500, AND TO INCREASE THE ALLOCATION OF THE APPROPRIATION TO COSTS PERMITTED UNDER N.J.S.A. 40A:2-20, AUTHORIZED IN AND BY THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY" and was finally adopted by the Local Unit at a meeting duly called and held on September 14, 2021, at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

**Section 2.** The Chief Financial Officer of the Local Unit (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the I-Bank and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the I-Bank Loan Bond and the Fund Loan Bond:

(a) The aggregate principal amounts of the I-Bank Loan Bond and the Fund Loan Bond to be issued;

(b) The maturity and annual principal installments of the Local Unit Bonds, which maturity shall not exceed thirty (30) years;

(c) The date of the Local Unit Bonds;

(d) The interest rates of the Local Unit Bonds;

(e) The purchase price for the Local Unit Bonds; and

(f) The terms and conditions under which the Local Unit Bonds shall be subject to redemption prior to their stated maturities.

**Section 3.** Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Local Unit Bonds by the parties authorized under Section 4(c) hereof.

**Section 4.** The Local Unit hereby determines that certain terms of the Local Unit Bonds shall be as follows:

(a) The I-Bank Loan Bond shall be issued in a single denomination and shall be numbered 2022A-1. The Fund Loan Bond shall be issued in a single denomination and shall be numbered 2022A-2;

(b) The Local Unit Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and

(c) The Local Unit Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

**Section 5.** The I-Bank Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the I-Bank Loan Agreement and the Fund Loan Agreement, respectively.

**Section 6.** The law firm of GluckWalrath LLP is hereby authorized to arrange for the printing of the Local Unit Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the I-Bank and the State for the Program, to arrange for same. The Local Unit auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Local Unit Bonds. The Mayor, the Chief Financial Officer and the Local Unit Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information.

**Section 7.** The terms of the Local Unit Bonds authorized to be set forth by the Chief Financial Officer in accordance with Section 2 hereof shall be ratified by the affirmative vote of 2/3 of the full membership of the governing body of the Local Unit.

**Section 8.** The Mayor and the Chief Financial Officer are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Local Unit Bonds, and are further authorized to deliver same to the I-Bank and the State upon delivery of the Local Unit Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

**Section 9.** This resolution shall take effect immediately.

**Section 10.** Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to Meghan Ann Bennett, Esq., GluckWalrath LLP, bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the I-Bank.

---

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 March 15, 2022.

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

**Resolution #104-2022**

**RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN AGREEMENTS TO BE EXECUTED BY THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, AND EACH OF THE NEW JERSEY INFRASTRUCTURE BANK, AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL PURSUANT TO THE STATE FISCAL YEAR 2022 NEW JERSEY WATER BANK**

**WHEREAS,** the Borough of Middlesex (the "Local Unit"), in the County of Middlesex, New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate or install the Project (the "Project") as defined in each of that certain Loan Agreement (the "I-Bank Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Infrastructure Bank (the "I-Bank") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the I-Bank Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the State Fiscal Year 2022 New Jersey Water Bank (the "Program");

**WHEREAS,** the Local Unit has determined to finance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the I-Bank (the "I-Bank Loan") and the State (the "Fund Loan", and together with the I-Bank Loan, the "Loans") pursuant to the I-Bank Loan Agreement and the Fund Loan Agreement, respectively;

**WHEREAS,** to evidence the Loans, each of the I-Bank and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's General Obligation Bonds, Series 2022A1, to the I-Bank (the "I-Bank Loan Bond") and General Obligation Bonds, Series 2022A2, to the State (the "Fund Loan Bond", and together with the I-Bank Loan Bond, the "Local Unit Bonds") in an aggregate principal amount not to exceed $1,700,000 pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements; and

**WHEREAS**, the I-Bank and the State have expressed their desire to close in escrow the making of the Loans, the issuance of the Local Unit Bonds and the execution and delivery of the Loan Agreements, all pursuant to the terms of an Escrow Agreement (the "Escrow Agreement") to be entered into by and among the I-Bank, the State, the Local Unit and the escrow agent named therein.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Local Unit as follows:

**Section 1.** The I-Bank Loan Agreement, the Fund Loan Agreement and the Escrow

Agreement (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Local Unit by either the Mayor or the Chief Financial Officer in substantially the forms attached hereto as Exhibits A, B and C, respectively, with such changes as the Mayor or the Chief Financial Officer (each an "Authorized Officer"), in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit (collectively, the "Local Unit Consultants") and after further consultation with the I-Bank, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", and together with the Local Unit Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Local Unit Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Local Unit as determined hereunder and to affix the corporate seal of the Local Unit to such Financing Documents.

**Section 2.** The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Local Unit Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

**Section 3.** This resolution shall take effect immediately.

**Section 4.** Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to Meghan Ann Bennett, Esq., GluckWalrath LLP, bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the I-Bank.

---

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 March 15, 2022.

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

**Resolution #105-2022**

**ALLOCATING SICK, VACATION AND PERSONAL DAYS TO CERTAIN BOROUGH EMPLOYEES**

**WHEREAS,** the governing body is desirous to allocate certain sick, vacation, and personal days to a class of Borough employees for a period of time from August 2021 through January 2022;

**NOW, THEREFORE BE IT RESOLVED,** by the Borough Council of the Borough of Middlesex, County of Middlesex, State of New Jersey, that the following employees shall be credited sick, vacation, and personal days pursuant to the below chart:

| Employee | Sick | Personal | Vacation |
|---|---|---|---|
| Salvatore Dispenziere | 2.5 | 1 | 1.5 |
| Brian Donohue | 9 | 0 | .5 |
| Steve Tarbous | 3 | 0 | 4 |
| Thomas Ruszczyk | 1.5 | 5.5 | .5 |

---

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 March 15, 2022.

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

**Resolution #106-2022**

**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 March 15, 2022.

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

**Resolution #107-2022**

**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 March 15, 2022.