



Borough of Middlesex
Mayor and Council Regular Meeting
~ Minutes ~

1200 Mountain Ave
Middlesex, NJ

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

Tuesday, April 12, 2022

7:00 PM

Municipal Building

MAYOR'S STATEMENT

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

SALUTE TO FLAG

ROLL CALL

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

Also Present:

Marcia Karrow Administrator
Christopher Corsini Borough Attorney

Others Absent:

2. Mayor Madden requested a motion to add the Congenital Diaphragmatic Hernia Awareness Day Proclamation to the Agenda

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

PRESENTATIONS

APPOINTMENTS

1. Accepting the Resignation of Lucy Laranjeiro from the Board of Health Effective Immediately

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

PROCLAMATIONS

1. National Arab American Heritage Month April 2022

National Arab American Heritage Month April 2022

WHEREAS, for over a century, Arab Americans have been making valuable contributions to virtually every aspect of American society: in medicine, law, business, education, technology, government, military service, culture; and

WHEREAS, since migrating to America, men and women of Arab descent have shared their rich culture and traditions with neighbors and friends, while also setting fine examples of model citizens and public servants; and

WHEREAS, they brought with them to America their resilient family values, strong work ethic, dedication to education, and diversity in faith and creed that have added strength to our great democracy; and

WHEREAS, Arab Americans have also enriched our society by sharing in the entrepreneurial American spirit that makes our nation free and prosperous; and

WHEREAS, the history of Arab Americans in the USA remains neglected or defaced by misconceptions, bigotry, and anti-Arab hate in the forms of crimes and speech; and

WHEREAS, Arab American issues, such as civil rights abuses, harmful stereotyping, and bullying must be combated in the forms of education and awareness; and

WHEREAS, they join all Americans in the desire to see a peaceful and diverse society, where every individual is treated equally and feels safe; and

WHEREAS, the incredible contributions and heritage of Arab Americans have helped us build a better nation; and

NOW, THEREFORE, we announce that the Arab America Foundation celebrates the contributions Arab Americans have made to society, and does hereby declare April 2022 to be National Arab American Heritage Month by Middlesex Borough.

We encourage our citizens to join us in this special observance.

Council President Eodice read the Proclamation above declaring April, 2022 National Arab American Heritage Month.

2. Arbor Day - April 29, 2022

ARBOR DAY - APRIL 29, 2022

WHEREAS, in 1949 the legislature set aside the last Friday of April as Arbor Day to promote the planting of trees and to encourage the protection of our forests from fires and pests that destroy the beauty and usefulness of our woodlands; and

WHEREAS, half of New Jersey's total land area is forested or tree covered; and

WHEREAS, trees play an important role in the ecosystem in which we live, and trees reduce the erosion of our precious topsoil caused by wind and water, clean the air we breathe and the water we drink, produce oxygen, provide habitat for birds and wildlife and reduce heating and cooling costs by moderating temperature; and

WHEREAS, trees are renewable resource giving us paper for fine literature, wood for homes, fuel for fires, and countless other wood products; and

WHEREAS, trees provide increased property value, enhanced economic viability, and pleasing aesthetic qualities along streets and properties in municipalities; and

WHEREAS, trees planted in yards and farms, in school yards and parks, and along street and highways creates an enduring heritage for generations that follow; and

NOW, THEREFORE, I, JOHN L. MADDEN, Mayor of the Borough of Middlesex, do hereby proclaim April 29, 2022, as

ARBOR DAY

In the community of Middlesex, and urge all citizens to support efforts to protect our trees and woodlands to support our Borough's Urban Forestry Program, and

FURTHER, I urge all citizens to plant trees to gladden hearts and promote the well being of present and future generations.

Councilman Rex read the Proclamation above declaring April 29, 2022 as Arbor Day.

3. Congenital Diaphragmatic Hernia Awareness Day April 19, 2022

**Congenital Diaphragmatic Hernia Awareness Day
April 19, 2022**

PROCLAMATION

WHEREAS, one in every 2,500 pregnancies are diagnosed with a congenital diaphragmatic hernia (CDH); and

WHEREAS, CDH occurs when a baby's diaphragm fails to fully form, allowing abdominal organs into the chest cavity and preventing lung growth; and

WHEREAS, since 2000, it is estimated that over 700,000 babies globally have been born

with CDH; however, only 50 percent of those babies survived; and

WHEREAS, CDH is as common as Spina Bifida and Cystic Fibrosis, however, very few people know about it or are aware of it; and

WHEREAS, 1,600 babies are born with CDH in the United States each year; and

WHEREAS, those with CDH often endure multiple surgeries and possible medical complications beyond their diagnosis that include heart defects, pulmonary complications, gastric and intestinal problems, developmental delays, and may require respiratory and medicinal support for years; and

WHEREAS, raising awareness of this congenital defect will help bring about acceptance and support for those suffering with CDH and will help advocate for urgently needed medical research and advances.

NOW, THEREFORE, I John L. Madden, Mayor of Middlesex Borough, hereby proclaim April 19th, 2022 as

**CONGENITAL DIAPHRAGMATIC HERNIA AWARENESS DAY
In Middlesex Borough**

Councilwoman Flood read the Proclamation above declaring April 29, 2022 as Congenital Diaphragmatic Hernia Awareness Day.

ORDINANCE(S) FOR INTRODUCTION

Borough Clerk Linda Chismar read Ordinance 2056-22 by title:

ORDINANCE 2056-22

**AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX,
CHAPTER 407, VEHICLES AND TRAFFIC, ARTICLE III, STOP INTERSECTIONS,
SECTION 407-6, STOP INTERSECTIONS; SIGNS**

BE IT ORDAINED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey, that:

SECTION 1. In accordance with N.J.S.A. 39:4-8.b.(1) and N.J.S.A. 39:4-197(e), Section 407-6 is hereby supplemented, amended and revised to reflect:

(80) Hazelwood Avenue and Dorn Avenue: The intersection is hereby established as a 4-way stop intersection. Stop signs and stop bars are to be installed on Hazelwood Avenue at the northeast corner and southwest corner of Dorn Avenue.

SECTION 2. The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged invalid and shall not be deemed to effect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION 3. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 4. This Ordinance shall take effect immediately upon final passage and publication according to law.

RESULT:	FIRST READING [UNANIMOUS]	Next: 4/26/2022 7:00 PM
MOVER:	James Eodice, Council President	
SECONDER:	Jack Mikolajczyk, Councilman	
AYES:	Eodice, Carnes, Flood, Mikolajczyk, Quinn, Rex	

ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION

Borough Clerk Linda Chismar read Ordinance 2053-22 by title:

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 hereby 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.

Mayor Madden opened the public hearing on Ordinance No. 2053-22. Seeing that there were no public comments, Mayor Madden closed the public hearing on Ordinance No. 2053-22.

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

Borough Clerk Linda Chismar read Ordinance 2054-22 by title:

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 found 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:

- (1) Attorney General's Guidelines
 - (2) Department Policy and Procedures
 - (3) Department Rules and Regulations
 - (4) Borough Ordinances
 - (5) NJ Criminal and Motor Vehicle Law
 - (6) 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:

- (1) Attorney General's Guidelines
 - (2) Department Policy and Procedures
 - (3) Department Rules and Regulations
 - (4) Borough Ordinances
 - (5) NJ Criminal and Motor Vehicle Law
 - (6) 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:

- (1) Attorney General's Guidelines
 - (2) Department Policy and Procedures
 - (3) Department Rules and Regulations
 - (4) Borough Ordinances
 - (5) NJ Criminal and Motor Vehicle Law
 - (6) 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

(8) 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

1. 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.
2. 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.
3. 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.

Mayor Madden opened the public hearing on Ordinance No. 2054-22. Seeing that there were no public comments, Mayor Madden closed the public hearing on Ordinance No. 2054-22.

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

Borough Clerk Linda Chismar read Ordinance 2055-22 by title:

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

- 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".**
- C. 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. 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.

Mayor Madden opened the public hearing on Ordinance No. 2055-22. Seeing that there were no public comments, Mayor Madden closed the public hearing on Ordinance No. 2055-22.

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

2022 BUDGET INTRODUCTION

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 109-2022**INTRODUCTION OF 2022 MUNICIPAL BUDGET****BOROUGH OF MIDDLESEX
MIDDLESEX COUNTY, NEW JERSEY**

Municipal Budget of the Borough of Middlesex, County of Middlesex for the Year 2022.

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2022;

BE IT FURTHER RESOLVED, that said Budget be published in the Courier News, NJ.

The Governing Body of the Borough of Middlesex does hereby approve the following as the Budget for the year 2022:

General Appropriations:

Appropriations Within "CAPS"	\$15,162,525.00
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Municipal Purposes

Appropriations Excluded from "CAPS"	\$5,544,141.91
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Municipal Purposes

Reserve for Uncollected Taxes - Based on	\$775,000.00
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Estimated 98+ Percent of Tax

Collections

Total General Appropriations	\$21,481,666.91
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Less: Anticipated Revenues Other Than	\$7,512,755.72
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Current Property Tax

Difference: Amount to be Raised by
Taxation

For Support of Municipal Budget

Local Tax for Municipal Purposes

Including

Reserve for Uncollected Taxes	\$13,334,453.56
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Municipal Library Tax	\$634,457.63
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Included in Amount to be Raised by
Taxation

Swimming Pool Utility Operating Fund

Total Swimming Pool Revenues	\$474,528.00
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Total Swimming Appropriations	\$474,528.00
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Notice is hereby given that the Budget and Tax Resolution was approved by the Mayor and Borough Council of the Borough of Middlesex, County of Middlesex on April 12, 2022.

A hearing on the Budget and Tax Resolution will be held at the Municipal Building on May 10, 2022 at 7:00 o'clock PM at which time and place objections to said Budget and Tax Resolution for the year 2022 may be presented by taxpayers or other interested persons.

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

ADOPTION OF MINUTES

1. Approval of the March 15, 2022 Regular & Executive Session Meeting Minutes

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

2. Approval of the March 7, 2022 Executive Meeting Minutes

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

MAYOR'S REPORT

No Report was given.

COUNCIL MEMBER REPORTS

Council President Eodice

No Report was given.

Councilman Carnes

No Report was given.

Councilwoman Flood

Councilwoman Flood made the following comments:

Swim Pool Commission met Wednesday March 16th. New ideas are activities are being discussed for the upcoming year. April 15th is the last day for discounted membership rates.

Membership applications can be found on the Borough Website.

BOE met on Thursday March 17th to adopt the 2023 Budget. They met again on March 28th. Councilwoman Flood met with the Mayor and our Sewer Engineer on March 22nd.

Councilman Mikolajczyk

Councilman Mikolajczyk made the following comments:

Rescue Squad met Sunday evening. The buildings roof repair was discussed.

Met with OEM Coordinator Jack Costa and discussed several programs for 2022.

Councilman Quinn

No Report was given.

Councilman Rex

No Report was given.

ADMINISTRATOR'S REPORT

- i. **Flood Management:**
- ii. **Update on Sewer Projects:**
 - i. **Phase II: Pump Stations: *Pump Station project additional work - A proposal for additional work which amounts to 1.7% of the project was given to the Administrator for the Pump Station project. Councilman Quinn made a motion to approve this additional work seconded by Councilman Mikolajczyk. After discussion regarding this matter a motion was made by Councilman Quinn to withdraw this motion. This matter will be addressed at the April 26, 2022 Regular Meeting.**
 - ii. ***Phase IV: Sewer Bypass - Baekeland - a Resolution will be put on the April 26, 2022 Meeting for the pipe material needed (approximately \$380,000) regarding the sewer bypass work on Baekeland Avenue to proceed ASAP, as Piscataway is working on this road at the present time.**
- iii. **Update on Other Public Works Projects:**
 - i. ***Streetscape Project - Borough Engineer preparing bid documentation for this project.**
 - ii. **2019 DOT: Fisher and Ashland**
 - iii. **2020 DOT: Harris, Sherman, Chestnut, Hazelwood:**
 - iv. **2021 DOT: Hazelwood, Judson, Shearn, and Sherman**
 - v. **2022 DOT: Hazelwood, Lonnabe Drive; Misty Lane**
- iv. **Miscellaneous**
 - i. ***Update on Federal Land Transfer, Municipal Building renovation and new DPW/OEM - Borough Administrator responded 4 times to this submittal and we are hoping to receive approval to obtain this property for free.**
 - ii. **Condition of Creighton lake**
 - iii. **Landfill Closure Plan**
 - iv. ***Fire Department Rules and Regulations - These have been forwarded to the Fire Chief to respond by April 27.**
 - v. **Warrenville Road**
 - vi. **JFK Blvd and Bound Brook Road**
 - vii. ***BANs Bond Sale in June - Acting CFO and Administrator attended bond meeting regarding this sale, and were informed that it is difficult to upgrade our bond standing to AA status.**

- viii. *Bayer Crop Science MCUA Sewer Permit- Resolution on tonight's meeting agenda.
- ix. *Hazelwood - Ordinance on tonight's meeting agenda.
- x. *Debt Policy - Prepared by Acting CFO and on tonight's meeting agenda.
- xi. *Mountain View Park improvement plan - This grant (50/50 County Grant) still has remaining funds available from 2018/2019 Mountain View Park project. Freehold Soil permits expired in January and council discussed if they want to keep them open to be compliant as part of the plan. There was a consensus of Council to review the finances regarding the funding of this project.
- xii. Annual Report - Administrator forwarded to Governing Body last night.

PRIVILEGE OF THE FLOOR

Rich Rutkowski, 211 Maple Street, asked for an update on the Lincoln Park Statue. Mr. Rutkowski also questioned why the Council Meetings are not being currently filmed.

Dave Polakiewicz, 240 Hazelwood Avenue, asked for clarification that the Municipality will have the same tax levy as last year. Mr. Polakiewicz asked for an update on the Business Administrators Position, what the current Administrator plans to do and whether or not she is staying with the Borough.

Tricia Thompson, Lincoln Blvd, expressed concern for unfinished work done on a sidewalk by her property as well as an unsightly cut down telephone pole. She asked how the sidewalk can be fixed and finished in front of her property as well as removing the pole.

Mrs. Thompson also expressed her interest in bringing a Cannabis retail store to the Borough and asked the council to consider the idea of allowing a retail establishment in the Borough.

NEW BUSINESS/CONSENT AGENDA/RESOLUTIONS

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

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 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 to read as follows:

1. Condition 1C shall be modified as follows:

The discharge shall not exceed 65 gpm, 50,000 gallons per day monthly average and 72,000 gallons per day peak daily flow. The total volume of groundwater discharged over the term of this Temporary Discharge Approval shall not exceed 1,850,000 gallons.

2. Condition 1D shall be modified as follows:

MCUA reserves the right to modify the monitoring frequencies and discharge limitations set forth herein when necessary; to protect its collection system and/or treatment system, the public health and welfare and/or the environment; to satisfy any federal or state law, rule or regulation or any amendment thereof or supplement thereto or for other reasons as set forth in Section 5.17 of the MCUA's Rules and Regulations. No discharge shall occur during storm events, if specifically requested by the MCUA or the Borough of Middlesex prior to, or during such an event.

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 above under "Conditions" Item 1C and 1D.
2. This resolution shall take effect immediately.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 110-2022

ACCEPTANCE OF STANDING REPORTS

The Governing Body hereby accepts the following Reports itemized below:

1. Acceptance of the February, 2022 Police Report
2. Accepting the resignation of Brian Forsite and Ricco Mills from the Middlesex Fire Department.

3. Acceptance of the transfer of Brian Oliver from Beechwood to Lincoln.
4. Approving the March, 2022 Tax Totals

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 111-2022

HIRING LISARIELLA DEANGELIS AS THE PART TIME VIOLATIONS CLERK FOR 28 HOURS A WEEK AT \$15.00 PER HOUR EFFECTIVE APRIL 18TH

The Governing Body hereby approves hiring Lisarielle DeAngelis, Bound Brook NJ as the Part-time violations clerk for 28 hours a week at \$15.00 per hour pending satisfactory screening, physical and background check Effective April 18th.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 112-2022

AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE.

WHEREAS, the Borough of Middlesex has determined that the personal property listed below are no longer needed for public use; and

WHEREAS, the sales are being conducted pursuant to N.J.S.A. 40A:11-36 and the guidance set forth in the Division of Local Government Services' Local Finance Notice 2019-15; and

WHEREAS, the Borough of Middlesex intends to utilize the online auction services of Municibid.com located at 2401 Walnut Street, Philadelphia, PA; and

WHEREAS, the Borough of Middlesex has the right to reject all bids pursuant to N.J.S.A. 40A:11-36(5); and

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

1. The Purchasing Agent is hereby authorized to sell the surplus personal property as indicated below on an online auction website entitled Municibid.com, 2401 Walnut Street, Philadelphia, PA.
2. All fees are to be paid for by the buyer as per the terms and conditions of the agreement entered into between Municibid.com and the Borough of Middlesex and are available at www.municibid.com <<http://www.municibid.com>> and in the office of the Purchasing Agent.

3. Pursuant to N.J.S.A. 40A:11-36 notice of the date, time, and place of the public sale together with a description of the items to be sold and the conditions of sale shall be published in the borough's office newspaper. Such sale shall be held not less than seven nor more than 14 days after the latest publication of the notice thereof.
4. This Resolution shall take effect immediately.

<u>Quantity</u>	<u>Item</u>	<u>Model #</u>
46 (Used)	Cisco IP Phones 7900 Series	CP-7941G VoIP
25 (Used)	Cisco IP Phones 7900 Series	CP-7961G VoIP
4 (Used)	Cisco IP Phones 7900 Series	CP-7911G VoIP
1 (Used)	Cisco IP Phone 7900 Series	CP-7936
14 (New)	Cisco IP Phones 7900 Series	CP-7941G VoIP
1 (New)	Cisco IP Phone 7900 Series	CP-7961G VoIP
4 (New)	Cisco IP Phone 7900 Series	CP-7911G VoIP
1	Side Cart	
10	Wall Mounts	

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 113-2022

AUTHORIZING WAIVING SEWER CHARGES ON BLOCK 123, LOT 10

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

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

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

WHEREAS, as per the appeal process the proper supporting documentation was submitted and reviewed, and;

THEREFORE, the following charges on the below property has been waived or adjusted and/or a refund is due:

Block/Lot: 123 / 10
 Original Amount: \$1,049.02
 New Amount: 0.00

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 114-2022

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

WHEREAS, per (N.J.S.A. 54:4-8.10 et seq.as amended by P.L. 2019 c.413; N.J.A.C. 18:27-1.1 et seq.), certain Veterans were the owners of property in the Borough of Middlesex on or before October 1, 2021, and

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

WHEREAS, the Tax Assessor has allowed the following Veteran deduction(s) for the 2022 tax year totaling \$250.00

Name: Vitelli, Anthony
Block/Lot: 239 / 40
Amount: \$250.00

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 115-2022

AUTHORIZING THE BOROUGH ATTORNEY TO FORECLOSE CERTAIN PROPERTIES FOR DELINQUENT TAXES IN THE BOROUGH OF MIDDLESEX

WHEREAS, Darcy DelVecchio, tax collector for the Borough of Middlesex, has prepared and presented to the Borough Council of the Borough of Middlesex an In Rem Foreclosure List with a list of municipal liens; and

WHEREAS, N.J.S.A. 54:5-104.35 provides in pertinent that the Governing Body may by Resolution, foreclose any of the tax sale certificates held by it, by the summary proceedings In Rem as provided in the In Rem Foreclosure Act [L.1948, c, 96]; and

WHEREAS, the Borough administration has determined that holding title to the properties listed below would be beneficial moving forward;

NOW THEREFORE IT BE RESOLVED, by the Borough Council of the Borough of Middlesex, in the County of Middlesex and in the State of New Jersey, that Christopher M. Corsini, Esq. and Matthew R. Flynn, Esq. of Savo Schalk Corsini Gillespie O'Grodnick & Fisher, 56 East Main Street, Suite 301, Somerville, NJ 08876 are hereby authorized to initiate an action and foreclose the property listed below as noted on the In Rem Foreclosure List, a copy of which is attached hereto and made a part hereof:

Cert #	Blk. Lot	Property Location	Owner Name
15-01844	Block 28, Lot 15	Victoria Place	Weir, R C/O Robert R Graham

16-00049	Block 98, Lot 1	Beechwood Ave	Mentor Associates, Inc.
17-00014	Block 189, Lot 33	Howard Ave	Jansen, K H&E A%WM F Wragg
03-01643	Block 127, Lot 1	Union Avenue	Krase William & Frances
16-00002	Block 127, Lot 3	Union Avenue	Chiara et. al.
11-01778	Block 325, Lot 1	Lincoln Blvd.	Ryan, Walter C Jr % K Motte
10-01740	Block 277, Lot 40	Pershing Avenue	Shern, Ttl Harry Est S W Dodge
81-01432	Block 332, Lot 47	Hooker Street	Bernstein, Herman & Charles

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 116-2022

AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR DMHAS GRANT FUNDING THROUGH THE GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FOR YEAR ONE GRANT TERM JUNE 1, 2022 - MARCH 14, 2023 IN THE AMOUNT OF \$5,000.00

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse (GCADA) established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.in coordination with GCADA, the New Jersey Department of Human Services/Division on Mental Health and Addiction Services (DMHAS) has awarded a Youth Leadership Grant to the GCADA Municipal Alliance Program.

WHEREAS, the Borough Council of the Borough of Middlesex, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Borough Council has applied for DMHAS Youth Leadership funding through the Governor's Council on Alcoholism and Drug Abuse through the County of Middlesex;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Middlesex, County of Middlesex, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of an application for DMHAS Grant funding for the Middlesex Borough Municipal Alliance for Year One Grant Term 7/1/22-3/14/23 in the amount of :

DMHAS Grant Funding	\$5,000.00
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2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit

requirements.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 117-2022

**THE TAX COLLECTOR AUTHORIZES THE INTEREST AND PAYMENTS ON THE
FOLLOWING TAX TITLE LIEN REDEMPTION CALCULATED FOR APRIL 12, 2022 FOR
BLOCK 105, LOT 10**

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: 12/10/2019

Block/Lot: 105 / 10

Amount: \$19,508.52

Premium: \$23,000.00

Certificate: 18-00011

Payable To: Phoenix Funding, Inc.
1148 Springfield Avenue
Mountainside, NJ 07092

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 118-2022

**ADOPTION OF THE BOROUGH OF MIDDLESEX DEBT MANAGEMENT POLICY - *Item
Removed from Consent***

The Governing Body hereby authorizes the adoption of the Borough of Middlesex Debt Management Policy which sets forth guidelines to be used in the consideration of financing of the Borough's capital needs.

RESULT:	TABLED BY CONSENT VOTE [4 TO 2]
MOVER:	James Eodice, Council President
SECONDER:	Martin Quinn, Councilman
AYES:	Eodice, Carnes, Flood, Quinn
NAYS:	Mikolajczyk, Rex

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 119-2022

PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$5,050,000 GENERAL OBLIGATION BONDS, AUTHORIZED IN AND BY THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

WHEREAS, the Borough of Middlesex, in the County of Middlesex, New Jersey (the "Borough"), adopted the various bond ordinances (collectively, the "Bond Ordinances") listed in Attachment A annexed hereto, authorizing the construction and/or acquisition of various general capital improvements and the issuance of \$5,050,000 bonds pursuant thereto (as described below); and

WHEREAS, the Borough has issued Bond Anticipation Notes (the "Notes") pursuant to the Bond Ordinances as set forth in Attachment A and the Borough desires to refund said Notes through the issuance of the bonds hereinafter described (the "2022 Project"); and

WHEREAS, the United States Securities and Exchange Commission has adopted *Rule 15c2-12(b)(5)* requiring brokers and dealers which desire to serve as underwriter in a primary offering of certain municipal securities, such as the bonds hereinafter described, to determine that the issuer of such securities has made a written undertaking to provide continuing disclosure of certain information during the term of the municipal securities; and

WHEREAS, the Local Bond Law, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (*N.J.S.A. 40A:2-1 et seq.*) (the "Local Bond Law"), governs the issuance of bonds by the Borough; and

WHEREAS, the Borough has determined that it is in the best interests of the Borough to issue bonds pursuant to said authorizations in order to permanently finance the 2022 Project.

NOW THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. Authorization for the Bonds and Projects to be Funded. Pursuant to the Local Bond Law and by virtue of the proceedings herein described, the Borough hereby authorizes the sale and issuance of General Obligation Bonds in an aggregate principal amount not to exceed \$5,050,000, as hereinafter set forth to finance the 2022 Project. Said bonds shall consist of not to exceed \$5,050,000 General Obligation Bonds, Series 2022 (the "Bonds") issued pursuant to the Bond Ordinances.

Section 2. Details of the Bonds.

(a) The Bonds shall be dated the date of delivery (which is expected to be May 12, 2022), or other date consistent with the Notice of Sale, shall be issued, and shall mature on May 1st of each year (the date is subject to modification approved in the reasonable discretion of the Chief Financial Officer of the Borough (herein the "Finance Officer") in consultation with Bond Counsel (hereinafter described) and Municipal Advisor) in the principal amounts as determined by the Finance Officer.

(b) The Bonds are subject to redemption prior to maturity, as set forth herein in Section 3.

(c) The Bonds shall bear interest payable on May 1, 2023, and semiannually thereafter on the 1st days of November and May in each year until maturity (the "Interest Payment Dates") (the dates are subject to modification approved in the reasonable discretion of the Finance Officer in consultation with Bond Counsel and Municipal Advisor), or on the next business day if an Interest Payment Date is not a business day.

(d) One certificate shall be issued for the aggregate principal amount of the Bonds maturing in each year, and shall be issued in fully registered form, without coupons, as to both principal and interest, shall be numbered from 1 upwards, and shall be in denominations of \$5,000 or any integral multiple thereof (with a minimum purchase of \$5,000 required) or such other denomination as is determined by the Finance Officer, consistent with the provisions of this Resolution and the Notice of Sale. The final maturity may contain a denomination other than \$5,000 if the maturity does not equal a multiple of \$5,000. The Bonds shall be executed by the manual or facsimile signatures of the Mayor and Finance Officer, under the official seal of the Borough affixed, imprinted or reproduced thereon and attested to by the manual signature of the Municipal Clerk or Deputy Clerk.

(e) The Bonds shall be payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public or private debts. Interest on the Bonds shall be payable by check, draft or wire transfer, mailed, transmitted or delivered on the Interest Payment Dates to the registered owners thereof as of each respective April 15th and October 15th preceding each interest payment date (the "Record Dates") (the dates are subject to modification approved in the reasonable discretion of the Finance Officer in consultation with Bond Counsel and Municipal Advisor) at his or her address as shown on the registration books (the "Bond Register") of the Borough kept for that purpose at the office of the Finance Officer. The Bonds as to principal, when due, will be payable at the office of the Finance Officer upon presentation and surrender of the Bonds.

(f) The Bonds are transferable only upon the Bond Register by the registered owner or by his attorney duly authorized in writing, upon surrender of a Bond with a written instrument of transfer satisfactory to the Finance Officer duly executed by the registered owner or his duly authorized attorney and upon the payment of any tax, fee, governmental or administrative charge or expense. Upon surrender for transfer of a Bond, the Finance Officer shall issue in the name of the transferee a Bond or Bonds identical in aggregate principal amount, interest rate, maturity and tenor to the Bond so surrendered for transfer. The Borough may deem and treat the person in whose name a Bond is registered as the

absolute owner thereof for all purposes whatsoever, including the payment of the principal and interest due thereon.

Section 3. Redemption of Bonds. The Bonds maturing prior to May 1, 2030 are not subject to redemption prior to their stated maturities. The Bonds maturing on or after May 1, 2030 are redeemable at the option of the Borough in whole or in part, on any date on or after May 1, 2029 at par, plus unpaid accrued interest to the date fixed for redemption. The dates of redemption subject to modification approved in the reasonable discretion of the Finance Officer in consultation with Bond Counsel and Municipal Advisor. Notice of redemption shall be mailed by first-class mail, with postage prepaid, to the registered owners of the Bonds or portions thereof which are to be redeemed, at their respective addresses as they last appear on the registration books. So long as DTC (defined below) (or any successor thereto) acts as depository for the Bonds, notice of redemption shall be sent to such depository and shall not be sent to the Beneficial Owners (defined below) of the Bonds. Any failure of such depository to advise any of its participants or any failure of any participant to notify any Beneficial Owner of any notice of redemption shall not affect the validity of the redemption proceedings. If the Borough determines to redeem a portion of the Bonds prior to maturity, such Bonds shall be selected by the Borough (or the Paying Agent, if any). The Bonds to be redeemed having the same maturity shall be selected by the securities depository in accordance with its regulations.

Section 4. Form of the Bonds. (a) The Bonds shall be in substantially the form annexed hereto as Attachment B, subject to such modifications as are approved in the reasonable discretion of the Finance Officer in consultation with Bond Counsel, and consistent with applicable law.

(b) If any Bond is mutilated, destroyed, lost or stolen and replaced in accordance with the Local Bond Law, including specifically N.J.S.A. 40A:2-36, the owner thereof shall be responsible for all costs incurred in connection with the replacement thereof, including legal, printing and other related costs.

(c) At the discretion of the Finance Officer, upon advice of Bond Counsel, the Bonds may have printed thereon a copy of the written opinion with respect to the Bonds (complete except for omission of its date), which is to be rendered by the law firm of GluckWalrath LLP, Freehold, New Jersey, Bond Counsel for the Bonds ("Bond Counsel"). The Municipal Clerk is hereby authorized and directed to certify to the correctness of the copies of such opinions by executing, by manual or facsimile signature, a certificate on each of the Bonds, in form satisfactory to said firm, and to file a signed duplicate of such written opinions in said Municipal Clerk's office.

Section 5. Book-Entry-Only Form. The Bonds are authorized to be issued in book-entry-only form and the Mayor, Finance Officer, Municipal Clerk, Auditor, Borough Attorney, and Bond Counsel (collectively, the "Borough Officials") are hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary and proper to effectuate the initial issuance of the Bonds as book-entry obligations. Bonds will consist of one certificate for the aggregate principal amount of the Bonds maturing in each year. The Bonds will be registered in the name of The Depository Trust Company, New York, New York ("DTC") or its nominee, Cede & Co. So long as the Bonds are registered in the name of DTC or its nominee, Cede & Co., or a successor securities depository, all references to the owners or holders of the Bonds shall mean DTC or its nominee. Actual purchasers ("Beneficial Owners") of the Bonds shall

receive evidence of their ownership interests and payments of principal and interest on the Bonds in accordance with the procedures established by DTC. The Borough or DTC may determine to discontinue the availability of book-entry-only form of the Bonds through DTC upon reasonable notice and compliance with the provisions of the Blanket Letter of Representations and other documents reflecting their agreement. In the event a successor securities depository is not selected, the Bonds will be issued in certificated form to the Beneficial Owners upon proof of their ownership interest.

Section 6. Disclosure Undertaking. A Continuing Disclosure Certificate in substantially the form contained in Attachment C is hereby approved and the Finance Officer is hereby authorized and directed to execute and deliver a Continuing Disclosure Certificate on behalf of the Borough in substantially such form, with such insertions and changes as the Finance Officer may approve, such approval to be evidenced by his or her execution thereof.

Section 7. Additional Matters. The following additional matters are hereby determined, declared, recited and stated:

(a) The Bonds have not been heretofore sold or issued and the Bond Ordinances described herein have not been rescinded and now remain in full force and effect as authorization for the aggregate principal amount of the Bonds.

(b) The purposes for which the Bonds have been authorized to be issued are purposes for which bonds may lawfully be issued pursuant to the Local Bond Law.

(c) All Bonds issued hereunder, except to the extent otherwise specifically set forth herein, shall mature in such principal amounts and at such times as may be determined by the Finance Officer and shall bear interest at such rates as shall be determined by receipt and acceptance of bids from potential purchasers by the Finance Officer, who shall report on the sale of the bonds to the Borough as hereinafter provided.

(d) All improvements or purposes set forth in the Bond Ordinances have a period of usefulness or remaining usefulness of at least 5 years. The weighted useful life of the Bonds is 13.78 years.

Section 8. Tax Matters. (a) The Borough hereby covenants, to the extent permitted by the Constitution and laws of the State of New Jersey and to the extent that such action is within the control of the Borough, that it will comply with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") applicable to the Bonds and will take all lawful action within the Borough's control and which is necessary under the Code to ensure that interest on the Bonds will remain excluded from the gross income of the recipients thereof for Federal income tax purposes and to refrain from taking any action that would cause interest on the Bonds to become included in such gross income.

(b) The Bonds issued hereunder shall not be "private activity bonds" within the meaning of Section 141 of the Code in that, among other requirements, either no more than 5% of the proceeds of the Bonds are to be used for any private business use or repayment of no more than 5% of the proceeds is secured by property used for a private business use, and no loan from the proceeds shall be made to any persons other than governmental units.

(c) To the extent that moneys of the Borough are used to finance, on an interim

basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto. This Resolution shall constitute a declaration of official intent for the purposes and within the meaning of Section 1.150-2(e) of the United States Treasury Regulations.

Section 9. Security for the Bonds. Any Bond issued pursuant to the Bond Ordinances shall be a general obligation of the Borough, and the Borough's full faith and credit are hereby pledged to the punctual payment of the principal of and the interest on the Bonds and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 10. Sale of the Bonds. The Finance Officer is hereby authorized and directed to offer and award the Bonds at public sale by electronic bidding process. The Bonds shall be sold upon electronic bid proposals on April 26, 2022, or a date as approved in the reasonable discretion of the Finance Officer. All electronic bid proposals will be received by the Finance Officer until 11:00 a.m., prevailing time, on said date (or such other time established by the Finance Officer and consistent with the Notice of Sale), at which time they, consistent with the procedures related to the use of BiDCOMP/PARITY Competitive Bidding System (BiDCOMP/Parity) described in Annex I of the Notice of Sale, will be publicly opened and announced for the purchase of the Bonds. The award of the Bonds will be made by the Finance Officer after 11:30 a.m. (or such other time established by the Finance Officer and consistent with the Notice of Sale), with no withdrawals of bids allowed until 3:00 p.m., prevailing time, on said date and only if such award has not been made prior to the withdrawal.

Section 11. Notice of Sale. The Notice of Sale of the Bonds and Summary of the Notice of Sale, annexed hereto as Attachment D, are hereby approved as to both form and content, subject to such modifications as are approved in the reasonable discretion of the Finance Officer and consistent with applicable law, and the Municipal Clerk or Deputy Clerk is hereby authorized and directed to publish the Notice of Sale in the official local newspaper of the Borough and to publish the Summary of the Notice of Sale in *The Bond Buyer*, or other national financial newspaper published and circulating in the City of New York, State of New York, the first publications to be not less than seven (7) days prior to the date of sale, all in consultation with Bond Counsel and in accordance with the Local Bond Law. The terms of the final form of the Notice of Sale are incorporated herein and made a part hereof.

Section 12. Official Statement and Credit Rating or Enhancement. The Mayor, Finance Officer, Municipal Clerk, Deputy Clerk, Auditor, Borough Attorney, Bond Counsel, and Municipal Advisor, are hereby authorized and directed to prepare the Official Statement in preliminary and final form and to comply with the provisions of Securities and Exchange Commission Rule 15c2-12. The Borough Officials and representatives are authorized to distribute the Official Statement in preliminary and final form in connection with the sale of the Bonds. The Mayor and/or Finance Officer are authorized to sign the Official Statement on behalf of the Borough in as many counterparts as are needed for the Closing (defined herein) and delivery of the Bonds. Borough Officials are hereby authorized and directed to take all action necessary and convenient to the Borough's issuance of the Bonds including, as said officials deem appropriate, the preparation of the reports and disclosure information on the Bonds and the Borough and to apply to various nationally recognized credit rating agencies to obtain a credit rating on the Bonds from one or more such service,

to apply to various insurers of municipal bonds in order to acquire a policy of municipal bond insurance for the Bonds and to take all action relating thereto and to pay the premium associated therewith, to obtain fee information from potential printers of the Official Statement and the Bonds, and to contact securities depositories regarding the issuance of the Bonds in Book-Entry-Only form. The Finance Officer is hereby delegated the authority to select a bond insurer based upon premium and conditions imposed.

Section 13. Delegation of Authority. The Finance Officer is hereby authorized and directed to determine all matters in connection with the Bonds not determined by this or a prior or subsequent resolution, all in consultation with Bond Counsel, Municipal Advisor and Auditor, and the manual or facsimile signature of the Finance Officer upon the Bonds shall be conclusive as to such determinations. The Mayor, Finance Officer and the Municipal Clerk or Deputy Clerk are hereby authorized and directed to execute and deliver such documents as are necessary for the issuance and delivery of Bonds and to take such actions or refrain from such actions as are necessary for the issuance of the Bonds, in consultation with Bond Counsel.

Section 14. Closing and Delivery of the Bonds. The Borough shall cause the Bonds to be prepared and made ready for delivery on the date of Closing, which shall be on or about May 12, 2022, or a date as approved in the reasonable discretion of the Finance Officer (the "Closing"). The delivery of and payment for the Bonds shall take place at the offices of GluckWalrath LLP, Freehold, New Jersey, Bond Counsel, or at such other place as is agreed to by the Finance Officer. If the purchaser shall so request, the Bonds shall be made available before the Closing for purposes of inspection and packaging. At the Closing, the Borough will deliver the Bonds to the purchaser or upon his order in definitive or temporary form duly executed, together with the other required documents and, subject to the terms and conditions hereof, the purchaser will accept such delivery and pay the aggregate purchase price of the Bonds in immediately available funds.

Section 15. Application of Bond Proceeds. The proceeds of the Bonds shall be applied to pay the costs of the projects described in the Bond Ordinances and the costs of issuance of said Bonds.

Section 16. Report on the Bonds. The Finance Officer is hereby directed to report in writing to the governing body of the Borough at the meeting next succeeding the date of delivery of the Bonds. Such report shall include the principal amount, description, interest rate and maturities of the Bonds sold, the price obtained and the name of the purchaser.

Section 17. Effective Date. This resolution shall take effect immediately.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 120-2022

**AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE THE COMMODITY
RESALE AGREEMENT BETWEEN THE MIDDLESEX BOARD OF EDUCATION,**

**TOWNSHIP OF GREEN BROOK AND THE BOROUGH OF DUNELLEN FOR AN
ADDITIONAL FIVE (5) YEARS EFFECTIVE JUNE 1, 2022**

WHEREAS, Pursuant to the Commodity Resale Provisions of the Cooperative Purchasing Rules (*N.J.A.C. 5:34-7.1 et seq.*), Middlesex Borough desires to renew the Commodity Resale Agreement between the Middlesex Board of Education, Township of Green Brook and the Borough of Dunellen for an additional five (5) years; and

WHEREAS, Middlesex Borough will be the Lead Agency for the sale of gasoline and diesel fuel; and

WHEREAS, Middlesex Borough agrees to sell gasoline and diesel fuel which is purchased by the Borough of Middlesex at a cost of .20 per gallon for years one (1) and two (2) and .25 per gallon for years three (3), four (4) and five (5) above the cost paid by the Borough of Middlesex.

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

1. The Governing Body hereby approves the five (5) year renewal Commodity Resale Agreement between the Borough of Middlesex and the Middlesex Board of Education, Township of Green Brook and Borough of Dunellen.
2. The Mayor and Borough Clerk are hereby authorized to execute said Agreement.
3. This resolution shall take effect June 1, 2022.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 121-2022

**EXTENDING THE SITE ACCESS AGREEMENT BETWEEN THE BOROUGH OF
MIDDLESEX AND CLAREMONT CONSTRUCTION, FORMERLY ABSOLUTE AUTO &
TRUCK SALVAGE CO. INC. UNTIL DECEMBER 31, 2023**

WHEREAS, the Borough of Middlesex is the owner of 1200 Mountain Avenue which neighbors the premises commonly known Absolute Auto Truck Salvage Co. Inc. and is designated as 245 Mountain Avenue; and

WHEREAS, the owner of 245 Mountain Avenue (Claremont Construction, previously Absolute Auto Truck Salvage Co. Inc.) has advised Middlesex Borough that it desires a right of access to the property for itself and its environmental consultant JM Sorge, Inc. and its Licensed Site Remediation Professional, John Bracken; and

WHEREAS, on February 11, 2020 the Governing Body adopted Resolution #70-2020 which gave approval of the Site Access Agreement between the Borough of Middlesex and Absolute Auto & Truck Salvage Co. Inc.; and

WHEREAS, the owner of 245 Mountain Avenue's environmental consultant and Licensed Site Remediation Professional would like to extend that Site Access Agreement to continue

to evaluate potential contamination at the Property through collection and analysis of surface water, sediment and soil samples and resident biota, including plant and/or animal tissue samples in the target areas until December 31, 2023; and

WHEREAS, this investigation is required by the New Jersey Department of Environmental Protection rules, regulations and guidance, as part of its investigation of contamination potentially migrating off of the Neighboring Premises.

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

1. The Governing Body authorizes the extension of the Site Access Agreement between the Borough of Middlesex and Claremont Construction, previously Absolute Auto Truck Salvage Co. to permit its environmental consultant and their subcontractors a non-exclusive and limited right of access to the property to perform such investigation until December 31, 2023.
2. This resolution shall take place immediately.

NON-CONSENT AGENDA/RESOLUTIONS

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 122-2022

PAY ALL CLAIMS

THE DISBURSING OFFICERS BE AND THEY ARE HEREBY AUTHORIZED TO PAY THE ATTACHED CLAIM LIST AS PRESENTED, IF FOUND CORRECT, AND APPROVED BY THE FINANCE COMMITTEE. EXCLUDED VOUCHERS MAY BE PAID UPON BEING FOUND ACCEPTABLE.

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

AGENDA WORKSHOP ITEM

PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS

EXECUTIVE SESSION

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 123-2022**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 including (1) Potential Litigation - Personnel; (2) Contractual Issues - DPW; (3) Contract Negotiations - PBA Contract; (4) Potential Litigation - Flood Issues; (5) Litigation - Gramercy Gardens; (6) Real Estate - Army Corp.; (7) Contract Negotiations Rescue Squad; and (8) Contract Negotiations - Property Acquisition; 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 as outlined in N.J.S.A. 10:4-12 and the minutes will be kept, and once the matter involving the confidentiality of the items no longer require confidentiality, the minutes can be made public.

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

Potential Litigation - Personnel

Contractual Issues - DPW

Contract Negotiations - PBA Contract

Potential Litigation - Flood Issues

Litigation - Gramercy Gardens

Real Estate - Army Corp.

Contract Negotiations - Rescue Squad

Contract Negotiations - Property Acquisition

ADJOURNMENT

The next Regular Meeting will be April 26, 2022

Respectfully yours,

Linda Chismar, RMC
Borough Clerk