



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, June 14, 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	☐	☐	☐	
Interim Administrator Joe Costa	☐	☐	☐	
Borough Attorney Christopher Corsini	☐	☐	☐	

IV. PRESENTATIONS

V. APPOINTMENTS

- 1. **Resolution 163-2022** Promoting Acting Captain Craig Comiskey to the Rank of Captain and Authorizing the Waiver of the Examination Requirement of Chapter 80 of the Municipal Code of the Borough of Middlesex Related Thereto
- 2. **Resolution 164-2022** Promoting Acting Lieutenant Thomas Carroll to the Rank of Lieutenant and Authorizing the Waiver of the Examination Requirement of Chapter 80 of the Municipal Code of the Borough of Middlesex Related Thereto
- 3. **Resolution 165-2022** Promoting Detective Sergeant Thomas Falk to the Rank of Lieutenant and Authorizing the Waiver of the Examination Requirement of Chapter 80 of the Municipal Code of the Borough of Middlesex Related Thereto

VI. PROCLAMATIONS

VII. ORDINANCE(S) FOR INTRODUCTION

1. **Ordinance 2062-22** BOND ORDINANCE PROVIDING VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITALEQUIPMENT, APPROPRIATING \$2,279,900 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,636,870 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY
2. **Ordinance 2063-22** AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING A NON-BINDING REFERENDUM TO CONSIDER WHETHER THE BOROUGH SHOULD ALLOW CLASS 5 CANNABIS RETAILERS WITHIN THE BOROUGH OF MIDDLESEX

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

1. **Ordinance 2060-22** AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 40, FIRE DEPARTMENT, SECTION 40-2 RULES AND REGULATIONS
2. **Ordinance 2061-22** AN ORDINANCE REPEALING CHAPTER 323 OF THE MUNICIPAL CODE TITLED "RENT CONTROL"

IX. ADOPTION OF MINUTES

1. Approval of the May 24, 2022 Regular & Executive Meeting Minutes

X. MAYOR'S REPORT

XI. COUNCIL MEMBER REPORTS

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

XII. ADMINISTRATOR'S REPORT

XIII. PRIVILEGE OF THE FLOOR

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

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

1. **Resolution 166-2022** Acceptance of Standing Reports
2. **Resolution 167-2022** Reimbursement of Temporary Board of Health Mercantile License in the Amount of \$25.00 to Tamiyah Yancey, 23 Deerfield Drive, West Orange, NJ, 07052 As She Will No Longer Be Participating in the June 2, 2022 Food Truck Festival at Hazelwood School
3. **Resolution 168-2022** Renewal of Liquor Licenses for 2022 - 2023
4. **Resolution 169-2022** Awarding the Bid for Tree Services to Predator Tree Service - 6/15/2022 – 5/31/2024
5. **Resolution 170-2022** Approving the Proposal from Colliers Engineering & Design for the Design, Construction Administration and Inspection Services for the 2021 and 2022 Road Projects, (2021 Judson Drive, Shearn Drive, 2022 Hazelwood Avenue, Lonanbe Drive, Misty Lane) and Authorizes the Mayor to execute the Client Contract
6. **Resolution 171-2022** A Resolution Authorizing Reimbursement of Medicare Premiums for Certain Eligible Pensioners Under Chapter III, Public Law 1973, NJ Health Benefits Plans
7. **Resolution 172-2022** Re-Appropriation of HUD Funds
8. **Resolution 173-2022** Approving the New Jersey Department of the Environment to Access Borough Property for the Construction of the Segment C2 Floodwall/Levee for the Green Brook Flood Damage Reduction Project
9. **Resolution 174-2022** Approving the Mayor to Execute the MCUA Temporary Discharge Approval Application from the Pumping Services Site to the MCUA Central Treatment Plant via the Borough's Wastewater Collection System and MCUA Middlesex Meter Chamber Effective August 1, 2022 - July 31, 2023
10. **Resolution 175-2022** Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Douglas Lane, Rutgers Lane and Princeton Drive Improvements project.
11. **Resolution 176-2022** Special Items of Revenue and Appropriation for the Clean Communities Grant Program
12. **Resolution 177-2022** Approval of the Proposal from Colliers Engineering & Design for the Construction Administration Services for the Route 28 Streetscape Project in an Amount Not to Exceed \$154,000.00 and Authorizing the Mayor to Execute the Client Contract

13. **Resolution 178-2022** Approval of Salaries for Non-Union Officers and Employees for 2022
14. **Resolution 179-2022** Approving a Block Party on July 3, 2022 Between 12PM and 9PM on B Street Between Walnut Street and Maple Street
15. **Resolution 180-2022** Hiring of Summer Playground Staff for 2022
16. **Resolution 181-2022** Authorizing the Borough of Middlesex to Enter into a Contract with Delta Dental of New Jersey, Inc. Effective August 1, 2022
17. **Resolution 182-2022** Accepting the Retirement of Acting Lieutenant Chad Corner Effective October 1, 2022 and Approving Using Terminal Leave Effective July 1, 2022 - September 30, 2022
18. **Resolution 183-2022** Authorizing an Additional Waiver of the Execution of a Developer's Agreement Pursuant to Section 56-47 of the Municipal Code of the Borough of Middlesex for the Property Known as 5 Factory Lane, Lot 1, Block 350 (PLANNING BOARD APP. NO. P2018-08)

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 184-2022** 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 185-2022** Executive Session

Personnel - Borough Administrator

Contract Negotiations - PBA

Contract Negotiations - Property Acquisition

XIX. ADJOURNMENT

1. The next Regular Meeting will be June 28, 2022

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

Resolution #163-2022

**PROMOTING ACTING CAPTAIN CRAIG COMISKEY TO THE RANK OF CAPTAIN
AND AUTHORIZING THE WAIVER OF THE EXAMINATION REQUIREMENT OF
CHAPTER 80 OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX
RELATED THERETO**

WHEREAS, Lieutenant Craig Comiskey has served as Acting Captain for a period of months in the Borough of Middlesex Police Department; and

WHEREAS, Chief Matthew Geist has undertaken the promotion process pursuant to Chapter 80 of the Municipal Code of the Borough of Middlesex; and

WHEREAS, Acting Captain Craig Comiskey is the only candidate for a promotion to the rank of full captain presently applying for that position; and

WHEREAS, Acting Captain Comiskey meets all requirements of Chapter 80 of the municipal code of the Borough of Middlesex, subject to the following, and Chief Geist has recommended that Acting Captain Comiskey be promoted to the rank of full captain; and

WHEREAS, as Acting Captain Comiskey is the only qualified candidate for the rank of full captain, and whereas Comiskey meets all other requirements for that rank pursuant to the municipal code, Chief Geist has requested that the examination pursuant to Section 80-16(D)(3)(c) be waived; and

WHEREAS, waiver of the examination requirement of Section 80-16(D)(3)(c) would save the Borough the examination fee and the strict application of Section 80-16(D)(3)(c) is unnecessary under the circumstances inasmuch as there is only one qualified applicant; and

WHEREAS, it is acknowledged that this waiver is a one-time, case-by-case waiver and limited to the specific instance herein described; and

WHEREAS, the Borough Attorney, Christopher M. Corsini, and the Borough's Labor Attorney, Steven Glickman, Esq., have both reviewed this waiver request and deemed it legally sufficient.

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

- a) The examination requirement of Section 80-16(D)(3)(c) of the municipal code of the Borough of Middlesex concerning promotional examination is hereby waived in this instance for Acting Captain Craig Comiskey; and

- b) Acting Captain Craig Comiskey is hereby promoted to the rank of full captain pursuant to Chapter 80 of the municipal code of the Borough of Middlesex.

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 June 14, 2022.

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

Resolution #164-2022

PROMOTING ACTING LIEUTENANT THOMAS CARROLL TO THE RANK OF LIEUTENANT AND AUTHORIZING THE WAIVER OF THE EXAMINATION REQUIREMENT OF CHAPTER 80 OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX RELATED THERETO

WHEREAS, Sergeant Thomas Carroll has served as Acting Lieutenant for a period of months in the Borough of Middlesex Police Department; and

WHEREAS, Chief Matthew Geist has undertaken the promotion process pursuant to Chapter 80 of the Municipal Code of the Borough of Middlesex; and

WHEREAS, Acting Lieutenant Thomas Carroll, along with Detective Sergeant Thomas Falk, are the only candidates for a promotion to the rank of full lieutenant presently applying for that position; and

WHEREAS, Acting Lieutenant Thomas Carroll meets all requirements of Chapter 80 of the municipal code of the Borough of Middlesex, subject to the following, and Chief Geist has recommended that Acting Lieutenant Thomas Carroll be promoted to the rank of full lieutenant; and

WHEREAS, as Acting Lieutenant Thomas Carroll, along with Detective Sergeant Thomas Falk (subject of a separate resolution) are the only qualified candidate for the rank of full lieutenant, and whereas Carroll meets all other requirements for that rank pursuant to the municipal code, Chief Geist has requested that the examination pursuant to Section 80-16(D)(2)(c) be waived; and

WHEREAS, waiver of the examination requirement of Section 80-16(D)(2)(c) would save the Borough the examination fee and the strict application of Section 80-16(D)(3)(c) is unnecessary under the circumstances inasmuch as there are only two qualified applicants for two lieutenant positions; and

WHEREAS, it is acknowledged that this waiver is a one-time, case-by-case waiver and limited to the specific instance herein described; and

WHEREAS, the Borough Attorney, Christopher M. Corsini, and the Borough's Labor Attorney, Steven Glickman, Esq., have both reviewed this waiver request and deemed it legally sufficient.

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

- a) The examination requirement of Section 80-16(D)(2)(c) of the municipal code of the Borough of Middlesex concerning promotional examination is hereby waived in this instance for Acting Lieutenant Thomas Carroll; and
- b) Acting Lieutenant Thomas Carroll is hereby promoted to the rank of full lieutenant pursuant to Chapter 80 of the municipal code of the Borough of Middlesex.

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 June 14, 2022.

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

Resolution #165-2022

**PROMOTING DETECTIVE SERGEANT THOMAS FALK TO THE RANK OF
LIEUTENANT AND AUTHORIZING THE WAIVER OF THE EXAMINATION
REQUIREMENT OF CHAPTER 80 OF THE MUNICIPAL CODE OF THE BOROUGH
OF MIDDLESEX RELATED THERETO**

WHEREAS, Chief Matthew Geist has undertaken the promotion process pursuant to Chapter 80 of the Municipal Code of the Borough of Middlesex; and

WHEREAS, Detective Sergeant Thomas Falk, along with Acting Lieutenant Thomas Carroll, are the only candidates for a promotion to the rank of lieutenant presently applying for that position; and

WHEREAS, Detective Sergeant Thomas Falk meets all requirements of Chapter 80 of the municipal code of the Borough of Middlesex, subject to the following, and Chief Geist has recommended that Detective Sergeant Thomas Falk be promoted to the rank of full lieutenant; and

WHEREAS, as Detective Sergeant Thomas Falk, along with Acting Lieutenant Thomas Carroll (subject of a separate resolution), are the only qualified candidate for the rank of full lieutenant, and whereas Falk meets all other requirements for that rank pursuant to the municipal code, Chief Geist has requested that the examination pursuant to Section 80-16(D)(2)(c) be waived; and

WHEREAS, waiver of the examination requirement of Section 80-16(D)(2)(c) would save the Borough the examination fee and the strict application of Section 80-16(D)(3)(c) is unnecessary under the circumstances inasmuch as there are only two qualified applicants for two lieutenant positions; and

WHEREAS, it is acknowledged that this waiver is a one-time, case-by-case waiver and limited to the specific instance herein described; and

WHEREAS, the Borough Attorney, Christopher M. Corsini, and the Borough's Labor Attorney, Steven Glickman, Esq., have both reviewed this waiver request and deemed it legally sufficient.

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

- a) The examination requirement of Section 80-16(D)(2)(c) of the municipal code of the Borough of Middlesex concerning promotional examination is hereby waived in this instance for Detective Sergeant Thomas Falk; and

- b) Detective Sergeant Thomas Falk is hereby promoted to the rank of full lieutenant pursuant to Chapter 80 of the municipal code of the Borough of Middlesex.

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 June 14, 2022.

ORDINANCE #2062-22

BOND ORDINANCE PROVIDING VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITA EQUIPMENT, APPROPRIATING \$2,279,900 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,636,870 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

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

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of Middlesex, in the County of Middlesex, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$2,279,900, said sum being inclusive of all appropriations heretofore made therefor, including the sum of \$556,530 grant funds expected to be received from the New Jersey Department of Transportation (NJDOT), and \$86,500 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$1,636,870, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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

i) acquisition of various equipment for the Police Department, including, but not limited to, dispatch equipment, an interview recordation system, two (2) outfitted police vehicles, camera equipment for the Detective Bureau, tasers with cameras and related equipment, patrol rifle plates, traffic safety signs, replacement pepper spray canisters, and traffic signal upgrades, with a total appropriation and estimated cost of \$345,950, estimated amount of bonds and notes therefor of \$328,622, and an average period of usefulness of five (5) years;

ii) acquisition of various equipment for the Office of Emergency Management, including, but not limited to, an equipment storage trailer, evacuation shelter cots, alert pagers, and various shelter provisions, with a total appropriation and estimated cost of \$38,500, estimated amount of bonds and notes therefor of \$36,575, and an average period of usefulness of five (5) years;

iii) equipment repairs and acquisitions for the Fire Department, including, but not limited to, repairs to Engine Nos. 22 and 23 doors, and the purchase of turnout/bunker gear, a gear washer, various hoses and tools, accountability boards, and a generator for the Parker Fire House, with a total appropriation and estimated cost of \$80,050, estimated amount of bonds and notes therefor of \$76,048, and an average period of usefulness of 8.29 years;

iv) acquisition of a garbage truck, with a total appropriation and estimated cost of \$202,670, estimated amount of bonds and notes therefor of \$192,536, and an average period of usefulness of ten (10) years;

v) acquisition of a sign shop printer/cutter and various vehicles for the Road Department, with a total appropriation and estimated cost of \$78,030, estimated amount of bonds and notes therefor of \$74,079, and an average period of usefulness of five (5) years;

vi) acquisition of a stump grinder attachment for the Parks Department, with a total appropriation and estimated cost of \$11,150, estimated amount of bonds and notes therefor of \$10,542, and an average period of usefulness of five (5) years;

vii) acquisition of chairs for the Department of Senior & Disabled Services, with a total appropriation and estimated cost of \$3,040, estimated amount of bonds and notes therefor of \$2,888, and an average period of usefulness of five (5) years;

viii) upgrade to the Cook Field Playground and acquisition of various equipment for the Recreation Department, including, but not limited to, soccer goals/nets, a portable pickle ball net system, a portable gaga ball pit, a Christmas display, and a turf blanket, with a total appropriation and estimated cost of \$46,100, estimated amount of bonds and notes therefor of \$43,770, and an average period of usefulness of 10.49 years;

ix) acquisitions and upgrades for the Public Library, including the purchase of new computers for patrons and staff and replacement of existing non-tempered glass windows with tempered glass windows, with a total appropriation and estimated cost of \$14,190, estimated amount of bonds and notes therefor of \$13,431, and an average period of usefulness of ten (10) years;

x) various capital improvements and equipment acquisitions for the Buildings and Grounds Department, including, but not limited to, building maintenance, above ground fuel tanks, roof top heating, ventilation, and air conditioning (HVAC) units, and fire alarm panels for Police Headquarters, with a total appropriation and estimated cost of \$197,600, estimated amount of bonds and notes therefor of \$187,670, and an average period of usefulness of fifteen (15) years;

xi) road improvements to Hazelwood Avenue, Lonanbe Drive and Misty Lane, including, but not limited to, milling and overlay, with a total appropriation and estimated cost of \$810,670 including said \$556,530 grant funds expected to be received from the NJDOT, estimated amount of bonds and notes therefor of \$241,356, and an average period of usefulness of twenty (20) years;

xii) a sewer main line along Baekeland Avenue, with a total appropriation and estimated cost of \$364,800, estimated amount of bonds and notes therefor of \$346,560, and an average period of usefulness of forty (40) years;

xiii) acquisition of various information technology (IT) equipment, including, but not limited to, new computers and laptops, a Wi-Fi system for Borough Hall, data switches, and Cradlepoint routers for police vehicles, with a total appropriation and estimated cost of \$50,670, estimated amount of bonds and notes therefor of \$48,137, and an average period of usefulness of five (5) years; and

xiv) acquisition of a jet vac truck for the Sewer Department, with a total appropriation and estimated cost of \$36,480, estimated amount of bonds and notes therefor of \$34,656, and an average period of usefulness of twenty (20) years,

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

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$1,636,870, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$2,279,900, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$2,279,900 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$86,500 down payment for said purposes, and the sum of \$556,530 grant funds expected to be received from the NJDOT.

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

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

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

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 17.01 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,636,870 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$400,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

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

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

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

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

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

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 June 14, 2022.

INTRODUCED: June 14, 2022

DATE OF PUBLICATION:

OF INTRODUCTION

June 17, 2022

ORDINANCE #2063-22

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING A NON-BINDING REFERENDUM TO CONSIDER WHETHER THE BOROUGH SHOULD ALLOW CLASS 5 CANNABIS RETAILERS WITHIN THE BOROUGH OF MIDDLESEX

WHEREAS, municipalities in the State of New Jersey may, from time to time, and under the authority contained in N.J.S.A. 19:37-1, submit to the public a question or policy concerning municipal government to the voters in the municipality at a general election to ascertain the sentiment of residents of said municipality on a particular question of policy; and

WHEREAS, the results of said referendum are non-binding on the Borough but shall inform the governing body as to the views of the public as to the subject issue; and

WHEREAS, pursuant to Ordinance No. 2032-21 of the Borough Council of the Borough of Middlesex, as adopted on May 25, 2021, "Class 5" cannabis retailers, defined as "retail...locations at which cannabis and cannabis items and related supplies are sold to consumers" are not currently permitted to operate in the Borough; and

WHEREAS, it is the desire of the Borough Council of the Borough of Middlesex to submit to the public a non-binding referendum pursuant to N.J.S.A. 19:37-1 on the issue of the sale of cannabis at a retail locations ("Class 5 retailers") within the geographic boundaries of Middlesex Borough.

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

1. The Clerk of the County of Middlesex is hereby requested, pursuant to N.J.S.A. 19:37-1, to print upon the official ballots to be used at the November 8, 2022 general election the following proposition:

Do you support the establishment of retail stores that sell cannabis (marijuana) and cannabis-related items in the Borough of Middlesex?

2. The Clerk of the County of Middlesex is hereby requested to print upon the official ballots to be used at the November 8, 2022 general election the following Interpretive Statement:

A "yes" vote on this question means that you do want the Borough of Middlesex to take the necessary steps to make it legal to operate marijuana retail stores within the geographic boundaries of the Borough.

A "no" vote on this question means that you do not want the Borough of Middlesex to take the necessary steps to make it legal to operate marijuana retail stores within the geographic boundaries of the Borough.

BE IT FURTHER ORDAINED that a copy of this ordinance shall be filed with the Clerk of the

County of Middlesex in the manner prescribed in N.J.S.A. 19:37-1; and

BE IT FURTHER ORDAINED that the Mayor and Borough Clerk shall take whatever steps prescribed by law to effectuate the inclusion of referendum that is the subject of this Ordinance on the November 8, 2022 general election ballot; and

BE IT FURTHER ORDAINED that this ordinance shall become effective upon final publication as required by 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 June 14, 2022.

INTRODUCED: June 14, 2022

DATE OF PUBLICATION:
OF INTRODUCTION June 17, 2022

ORDINANCE #2060-22**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN
CHAPTER 40, FIRE DEPARTMENT, SECTION 40-2 RULES AND REGULATIONS**

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF MIDDLESEX
THAT:**

Section 40-2 shall be amended to read as follows:

§ 40-2 Rules and Regulations <<http://ecode360.com/10336906>>

- A. The Fire Department may adopt such rules and regulations as may be deemed advisable concerning the assignment of the Assistant Chiefs, Captains and other members of the Department and concerning the conduct of members of the Department on or about any station house, or while engaged in the service of the Department. The Borough's Rules and Regulations will prevail if or when there is a conflict between the two.
- B. **Membership:**
- (1) All persons seeking membership with the Fire Department must be approved by the Borough Council. The Borough Council, in its sole discretion and with cause, may also remove or suspend any members.
- (2) Minimum Training Requirements:
- Be a U.S. citizen.
 - Be at least 18 years old
 - Have a high school diploma or G.E.D.
 - Pass a background investigation.
 - Pass a physical exam.
- (3) The Chief shall report to the Mayor and Council and the Business Administrator any officer or member, who, by reason of age, disease, accident or other incompetency, does not, or cannot fully and properly perform the duties required of him.

- (4) Should any member of the Fire Department resign or pass away, the Chief or the designee shall secure all Borough equipment assigned to the former member.
- (5) The Chief shall submit without delay, the resignation of any member of the Fire Department to the Municipal Clerk. The Borough Council will formally accept the resignation at their next available Council Meeting.

C. Chief: Responsibilities

(1) Fire Calls

- a. The Chief shall have absolute command, control, charge, management, discipline, and supervision of every officer in the fire Department.
- b. The Chief shall attend all fires when possible. In the event the Chief is unable to physically be at the scene, the Chief will be contacted as soon as possible and made aware of the situation.
- c. The Chief shall have sole control, management and command at fires over all officers and members of the Department, and over all apparatus and appurtenances belonging to the Borough.
- d. The Chief shall cause to be extinguished all fires with the least possible danger to life and property, and prevent unnecessary damage at fires, from fire, water, etc.
- e. The Chief shall have power in case of fire to demolish buildings or parts of buildings, or other structures which in his judgment might cause further damage to life or property.
- f. The Chief shall have power to remove any obstacle which interferes with the operation of the Department in fighting a fire subject to all applicable statutes and regulations.
- g. The Chief shall have power to cause the removal of any property whenever it shall become necessary for the preservation of such property from fire or to prevent the spreading of fire or to protect adjoining property.
- h. The Chief shall submit monthly reports to the Mayor and Council containing the number of fires within the Borough and a record of alarms and fires. He will maintain the records of the cause if known, the damage done, a list of companies reporting and a list of individual members reporting for duty at each fire.

- i. The Chief shall, during the progress of a fire, serve as the primary responding officer and may, in collaboration and consultation with the Chief of Police or other appropriate command staff, direct the police force present, for the purpose of preserving property and the enforcement of order.
- j. The Chief or the designee shall record all fire accidents and report them immediately to the Business Administrator.

(2) Fire Department Operations

- a. The Chief or the designee shall keep an accurate record of all business transacted in the Fire Department.
- b. The Chief or the designee shall at all times supervise and keep in repair and ready or instant use all the property of the Borough connected with the Fire Department.
- c. The Chief is required to make special reports upon any matters which in his judgment require the attention of the Borough Council.
- d. The Chief shall provide a list of firefighters annually who qualify for the benefits of the LOSAP program.
- e. The Chief or the designee shall see that companies conduct regular drills.
- f. The Chief or the designee shall recommend to the Borough Administrator the purchase of new apparatus, hose, equipment, etc.
- g. The Chief or the designee shall requisition and account for all supplies.
- h. The Chief or the designee shall test and approve or disapprove, with the reasons therefore, when practicable, all apparatus, hose, equipment, or tools before purchase or acceptance of same.
- i. The Chief shall report annually to the Borough council the number of members of the Fire Department and their names, the number and names of all members who have been discharged during the year, and all statistics and information regarding the fires in the Borough during the year, the losses by fire, the causes of fire, and its prevention or extinguishment, and such other information and make such recommendations as he may deem wise.
- j. The Chief or the designee shall make an inventory of all property of the Borough and its condition in December of each year.

- k. The Chief shall certify all bills against the Borough chargeable to said department.
- l. The Chief or the designee shall supervise and direct the testing of all relevant equipment and apparatuses with appropriate timeframes, as determined by the National Fire Protection Association, NFPA.
- m. The Chief or the designee shall order equipment and training subject to the approval of the Business Administrator.

D. Requirement to Drive Borough Fire Apparatus

- (1) The Chief or the designee shall design and conduct an evaluation process to assess the driving skills, emotional maturity, and operational knowledge of potential drivers.
- (2) The Chief or the designee shall document the progression and approval, pursuant to the evaluation process referenced above, of each driver in thorough and complete detail and shall retain all records for each active driver and for all drivers affiliated with the Department for a period of five (5) years after the driver ceases driving for the Department.
- (3) Trainers must be aware to properly prepare the candidate before the evaluation. Trainers must be watchful of the candidate's skill, demeanor, and knowledge of driving large vehicles under extremely stressful conditions.
- (4) All Fire Apparatus Drivers must possess or achieve the following:
 - A valid NJ Driver's License
 - A minimum of three years driving experience
 - A minimum of three years firefighting experience
 - A minimum of one year experience with the Middlesex Fire Department to become familiar with specifics of the local roads and operations
 - Fire apparatus knowledge
 - Emotional maturity
 - Every driver must requalify annually

E. Requirement to Take Borough Fire Trucks out of Municipality:

- (1) In case a fire occurs in the municipalities within reasonable distance of the Borough's limit, when aid is requested, the Chief, in his discretion, may send such aid, but in no case shall more than two (2) companies leave the Borough at one time, unless on order from the Mayor or Business Administrator.
- (2) A Shared Services Agreement is required between the Borough and any neighboring municipality should a neighboring municipality request the Fire Department be "on call" on a regular basis. This Shared Services Agreement shall be a legal document between the two municipalities and shall be incorporated under the appropriate statute.
- (3) Unless fire apparatus is required as cited above or if there is a need for repair or maintenance, permission to take apparatus out of the municipality for any other reason (e.g., parades, wet-downs, demonstrations, funerals) approval must be granted in advance by the Borough Council.

F. Borough Apparatus and Equipment:

- (1) All members of the Fire Department are expected to treat Borough Apparatus and Equipment with care and respect. If any equipment is missing or damaged, it is to be reported immediately to the Business Administrator through the Chief or the designee.
- (2) Members abusing or mishandling equipment or who have repeatedly lost or caused equipment to be damaged shall be disciplined according to the Department's Progressive Discipline policy.

G. Discipline:

- (1) The Chief or the designee will develop and enact a progressive discipline policy for members of the Fire Department.
- (2) The Chief or the designee shall diligently inquire into any and all complaints of misconduct made by resident or other individuals against the Department members while on duty, and for neglect of duty or violation of the rules and regulations of the Department.
- (3) If charges are filed by the Chief against any officer or member of the Fire Department, the Chief shall immediately notify the Mayor and Business Administrator.
- (4) The Chief shall (have power to) summarily suspend any member of the Department from duty for flagrant violation of the rules and regulations where the

reputation and discipline of the Department would suffer if such action were not taken.

- (5) The Chief shall forward to the Mayor and Council and the Business Administrator report of his action in the above.
- (6) The Chief shall have power, in case of violation of rules and regulations, which violations have been proven, to demote or dismiss the offender from the Department and must report such at once to the Mayor and Council.
- (7) The Mayor and Council may, upon recommendation of the Board of Fire Officers and within their own discretion, suspend or expel any member of the Department who shall conduct himself at any time, whether on active duty or not, in such a manner as to be unbecoming to a member of the Fire Department.

This ordinance shall take effect upon final adoption and publication as required by 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 June 14, 2022.

INTRODUCED: 05/24/2022

DATE OF PUBLICATION:
OF INTRODUCTION May 27, 2022

ORDINANCE #2061-22

AN ORDINANCE REPEALING CHAPTER 323 OF THE MUNICIPAL CODE TITLED “RENT CONTROL”

WHEREAS, the existing Chapter 323 titled “Rent Control” is outdated and must be repealed in its entirety; and

WHEREAS, in consideration thereof, the Mayor and Council of the Borough of Middlesex desires to repeal Chapter 323 of the Municipal Code, titled “Rent Control”; and

NOW, BE IT THEREFORE ORDAINED, by the Borough Council of the Borough of Middlesex in the County of Middlesex and State of New Jersey that Chapter 323 of the Municipal Code of the Borough of Middlesex, County of Middlesex, State of New Jersey titled “Rent Control” is hereby repealed pursuant to the provisions hereof:

Section I

Chapter 323 is hereby repealed and deleted in its entirety.

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 but, in no event, less than 20 days after its final passage by the Borough Council and approval by the Mayor, where such approval is required pursuant to N.J.S.A. 40:69A-181(b).

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 June 14, 2022.

INTRODUCED: May 24, 2022

DATE OF PUBLICATION:
OF INTRODUCTION May 27, 2022

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

Resolution #166-2022

ACCEPTANCE OF STANDING REPORTS

The Governing Body hereby accepts the following Reports itemized below:

1. Acceptance of the May, 2022 Tax Totals

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 June 14, 2022.

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

Resolution #167-2022

**REIMBURSEMENT OF TEMPORARY BOARD OF HEALTH MERCANTILE LICENSE
IN THE AMOUNT OF \$25.00 TO TAMIYAH YANCEY, 23 DEERFIELD DRIVE, WEST
ORANGE, NJ, 07052 AS SHE WILL NO LONGER BE PARTICIPATING IN THE JUNE
2, 2022 FOOD TRUCK FESTIVAL AT HAZELWOOD SCHOOL**

The Governing Body hereby approves the reimbursement of \$25.00 for the temporary Board of Health Mercantile License to Tamiyah Yancey, 23 Deerfield Drive, West Orange, NJ, 07052 as she will no longer be participating in the June 2, 2022 Food Truck Festival at Hazelwood School.

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 June 14, 2022.

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

Resolution #168-2022

RENEWAL OF LIQUOR LICENSES FOR 2022 - 2023

The application for renewal of Liquor Licenses for the year 2022-2023 which have been approved by the Police Department be accepted; and the Borough Clerk is hereby authorized to issue the following licenses in consideration of the fees which have been paid to the Borough of Middlesex and the State of New Jersey:

Shri Radha Krishna Inc. t/a Endzone Lounge 425 Bound Brook Road	1211-33-001-005
OK Liquors, t/a Cub Liquors, Inc. 242 Lincoln Boulevard	1211-32-011-004
Pearldhyan, Inc. 657 Lincoln Boulevard	1211-44-006-003
Ellery's Grill, Inc. 701 Lincoln Boulevard	1211-32-004-002
Faron Realty Management, LLC t/a Ferraro's Pizza & Pub 275 Lincoln Boulevard	1211-33-002-010
Carpaccio Ristorante Inc. 651 Bound Brook Road	1211-33-010-004
John W. Lupu Memorial Post 306 The American Legion 707 Legion Place	1211-31-013-001
Vilaverdense t/a Vincenzo's Restaurant 665 Bound Brook Road	1211-33-012-004
Rikjo Liquors, Inc. t/a Middlesex Liquor Store 1323 Bound Brook Road	1211-44-005-003
Timothy Kerwin's Inc. 353 Bound Brook Road	1211-33-009-003

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 June 14, 2022.

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

Resolution #169-2022

**AWARDING THE BID FOR TREE SERVICES TO PREDATOR TREE SERVICE -
6/15/2022 – 5/31/2024**

WHEREAS, four (4) bids were received on May 20, 2022 at 11:00am and opened publicly for the proposal for tree removal/trimming and stump grinding; and

WHEREAS, listed below are the responsive and responsible bids received for this project:

	<u>Harmony Tree Care Year 1/Year 2</u>	<u>Predator Tree Svc Year 1/Year 2</u>	<u>Dom's Lawn Maker, Inc. Year 1/Year 2</u>	<u>Rich Tree Svc Year 1/Year 2</u>
Item #1 Tree Removal/Trimming	\$335.00/\$345.00	\$155.00/\$175.00	\$800.00/\$840.00	\$300.00/\$300.00
Item #2 Stump Grinding	\$10.00/\$12.00	\$4.00/\$4.75	\$12.50/\$13.13	\$7.00/\$7.00
Item #3 Daily Rate	\$90.00/\$95.00	\$1,100.00/\$1,200	\$3,200.00/\$3,360.00	\$1,600.00/\$1,600.00

WHEREAS, the Purchasing Agent recommends that Predator Tree Service LLC of Green Brook, New Jersey, the lowest responsive, responsible bidder be awarded this contract for the amounts listed above.

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

1. At the recommendation of the Purchasing Agent, the Mayor and Council hereby award the bid for the proposal for tree removal/trimming and stump grinding to Predator Tree Service LLC of Green Brook, New Jersey for the period of 6/15/2022 - 5/31/2024, subject to the appropriation of funds in the 2022, 2023 and 2024 budget.

NOW FURTHER BE IT RESOLVED, that the Treasurer hereby certifies funds are appropriated in the 2022 adopted budget.

Caroline Benson, Treasurer

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 June 14, 2022.

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

Resolution #170-2022

APPROVING THE PROPOSAL FROM COLLIERS ENGINEERING & DESIGN FOR THE DESIGN, CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES FOR THE 2021 AND 2022 ROAD PROJECTS, (2021 JUDSON DRIVE, SHEARN DRIVE, 2022 HAZELWOOD AVENUE, LONANBE DRIVE, MISTY LANE) AND AUTHORIZES THE MAYOR TO EXECUTE THE CLIENT CONTRACT

WHEREAS, Colliers Engineering & Design has provided a Proposal for the Design and Construction Administration Services for the 2021 and 2022 Road Projects, (2021 Judson Drive, Shearn Drive, 2022 Hazelwood Avenue, Lonanbe Drive, Misty Lane); and

WHEREAS, this proposal is for the Design and Construction Administration Services for this project in an amount not to exceed \$215,000.00; and

WHEREAS, The Borough has received grants from the NJDOT in 2022 in the amount of \$556,530.00 and \$385,875.00 for 2021 for the Borough's 2022 Road Program.

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

1. The Governing Body hereby approve the proposal from Colliers Engineering & Design for the Professional Engineering Design Services in an amount not to exceed \$215,000.00 and authorizes the Mayor to execute the Client Contract.

NOW FURTHER BE IT RESOLVED, that the Acting CFO certifies funds in the amount of \$215,000.00 are available in 2021 Capital Budget Account No. C-04-21-039-000-086.

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 June 14, 2022.

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

Resolution #171-2022

A RESOLUTION AUTHORIZING REIMBURSEMENT OF MEDICARE PREMIUMS FOR CERTAIN ELIGIBLE PENSIONERS UNDER CHAPTER III, PUBLIC LAW 1973, NJ HEALTH BENEFITS PLANS

WHEREAS, Chapter III of Public Laws 1973, which provided for reimbursement of Medicare premiums of certain eligible pensioners was adopted by the Mayor and Council by resolution on April 9, 1974; and

WHEREAS, certain retired employees of the Borough have applied for reimbursement.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex that the disbursing officers be and they are hereby authorized to draw checks, charged against Insurance (1) Group Insurance for Employees from the period January through June 2022, as follows:

Anello, John 108 Howard Ave Middlesex, NJ 08846	\$1,247.40	James L Benson 445 Harris Ave Middlesex, NJ 08846	\$1,428.60
Patricia A Benson 445 Harris Ave Middlesex, NJ 08846	\$1,428.60	Archie J Blood Jr 54 Lincoln Ave Barnegat, NJ 08005	\$578.40
Margie L Blood 54 Lincoln Ave Barnegat, NJ 08005	\$629.40	Cynthia Chomen 10 Oswego Ave Middlesex, NJ 08846	\$1,428.60
Anthony Cole 246 Oak Dr Middlesex, NJ 08846	\$867.60	Susan Cole 246 Oak Dr Middlesex, NJ 08846	\$867.60
Dorothy Coren 20 Mead Ave Middlesex, NJ 08846	\$663.00	Joseph Coren 20 Mead Ave Middlesex, NJ 08846	\$1,069.80
DeVuyst, Debra 272 Johnnycakes Dr Naples, FL 34110-1312	\$1,020.60	DeVuyst, Kenneth 272 Johnnycakes Dr Naples, FL 34110-1312	\$1,020.60
Donatelli, Dennis	\$238.10	Donatelli, Kathy	\$714.30

7 June Way
Middlesex, NJ 08846

Michele Lella Echols \$891.00
195 Shafer Ave
Phillipsburg, NJ 08865-
2414

Sheila Fuhrmann \$813.00
38 Whitney Dr
Middlesex, NJ 08846

John A Haverstick \$867.60
771 County Rt 16
Mexico, NY 13114-3193

Jerome Nowak \$578.40
6544 North Kennedy Ave
Fresno, CA 93720

Erica Schaefer \$629.40
58 Joe-Ent Rd
Flemington, NJ 08822

Maureen Schaefer \$813.00
58 Joe-Ent Rd
Flemington, NJ 08822

James Tolomeo \$629.40
45 Myrtle Ct
Whitehouse Station, NJ 08889

Roger Wahler \$629.40
16 Fitzsimmons Ave
Middlesex, NJ 08846

7 June Way
Middlesex, NJ 08846

John Fuhrmann \$813.00
38 Whitney Dr
Middlesex, NJ 08846

John Giuliano \$578.40
339 Second St
Middlesex, NJ 08846

Charlie Nash \$1,020.60
13 Homestead Terrace
Scotch Plains, NJ 07076

Arthur Roberts \$578.40
305 Harris Ave
Middlesex, NJ 08846

Jerry Schaefer \$629.40
58 Joe-Ent Rd
Flemington, NJ 08822

Charles Sebastian \$768.00
512 Clinton Ave
Middlesex, NJ 08846

Rita Wahler \$599.40
16 Fitzsimmons Ave
Middlesex, NJ 08846

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 June 14, 2022.

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

Resolution #172-2022

RE-APPROPRIATION OF HUD FUNDS

WHEREAS, the Housing and Community Development of Middlesex County provides funding to local governments for certain purposes of improving publicly used facilities in a designated area; and

WHEREAS, the Borough of Middlesex has been receiving and appropriating such funds throughout the designated area; and

WHEREAS, the Borough has identified unspent funds appropriated for completed projects which may be allocated to existing, unfinished projects;

THEREFORE BE IT RESOLVED, that the Borough wishes to reappropriate the HUD balances listed below to the existing 2018 project for ADA Improvements to Public Buildings.

2012	CD1221	Senior Center Improvements	\$1,877.76
2012	CD1226	Manhole Retrofit	\$ 139.00
2013	CD1329	Lincoln Fire House Doors	\$ 800.00
2013	CD1331	Passive Improvements	\$ 365.15

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 June 14, 2022.

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

Resolution #173-2022

**APPROVING THE NEW JERSEY DEPARTMENT OF THE ENVIRONMENT TO
ACCESS BOROUGH PROPERTY FOR THE CONSTRUCTION OF THE SEGMENT
C2 FLOODWALL/LEVEE FOR THE GREEN BROOK FLOOD DAMAGE REDUCTION
PROJECT**

The Governing Body hereby approves the Mayor and Borough Clerk to execute the Department of the Army Right of Entry to access portions of borough Property in order to commence construction of Segment C2 Floodwall/Levee for the Green Brook Flood Damage Reduction project. The land affected by this permit or right-of-entry is located in the State of New Jersey, County of Middlesex, and is described as follows: Block 244, Lot 11; Public ROW So. Lincoln; Public ROW Parker Street.

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 June 14, 2022.

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

Resolution #174-2022

APPROVING THE MAYOR TO EXECUTE THE MCUA TEMPORARY DISCHARGE APPROVAL APPLICATION FROM THE PUMPING SERVICES SITE TO THE MCUA CENTRAL TREATMENT PLANT VIA THE BOROUGH'S WASTEWATER COLLECTION SYSTEM AND MCUA MIDDLESEX METER CHAMBER EFFECTIVE AUGUST 1, 2022 - JULY 31, 2023

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

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

WHEREAS, the current Temporary Discharge Approval Application will expire on July 31, 2022 and must be renewed with an effective date of August 1, 2022 - July 31, 2023.

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

1. Middlesex Borough hereby approves the Mayor to execute of the Middlesex County Utilities Authority Temporary Discharge Approval Application for the discharge of treated groundwater from the Pumping Services Site to the MCUA Central Treatment Plant via the Borough of Middlesex wastewater collection system and MCUA Middlesex Meter Chamber to be effective from August 1, 2022 - July 31, 2023.
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 June 14, 2022.

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

Resolution #175-2022

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE DOUGLAS LANE, RUTGERS LANE AND PRINCETON DRIVE IMPROVEMENTS PROJECT.

NOW, THEREFORE, BE IT RESOLVED that Council of Borough of Middlesex formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk and Colliers Engineering & Design are hereby authorized to submit an electronic grant application identified as MA-2023-Douglas Lane, Rutgers Lane, and Princeton Drive-00076 to the New Jersey Department of Transportation on behalf of Borough of Middlesex.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Borough of Middlesex and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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 June 14, 2022.

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

Resolution #176-2022

SPECIAL ITEMS OF REVENUE AND APPROPRIATION FOR THE CLEAN COMMUNITIES GRANT PROGRAM

WHEREAS, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Middlesex, County of Middlesex, hereby requests that the Director of Local Government Services approve the insertion of an item of revenue in the budget of the year 2022 in the sum of \$29,107.73, which item is now available as a revenue from the Clean Communities Grant Program in the amount of \$29,107.73;

BE IT FURTHER RESOLVED that the like sum of \$29,107.73 is hereby appropriated under the caption of "Clean Communities Grant Program"; and

BE IT FURTHER RESOLVED that the above is a result of a State Grant of \$29,107.73 from the Clean Communities Grant Program.

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 June 14, 2022.

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

Resolution #177-2022

APPROVAL OF THE PROPOSAL FROM COLLIERS ENGINEERING & DESIGN FOR THE CONSTRUCTION ADMINISTRATION SERVICES FOR THE ROUTE 28 STREETSCAPE PROJECT IN AN AMOUNT NOT TO EXCEED \$154,000.00 AND AUTHORIZING THE MAYOR TO EXECUTE THE CLIENT CONTRACT

WHEREAS, Colliers Engineering & Design has provided a Proposal for the Construction Administration Services for the Route 28 Streetscape Project (Washington Avenue and Warrenton Road); and

WHEREAS, this proposal is for the Construction Administration Services for this project in an amount not to exceed \$154,000.00; and

WHEREAS, The Borough has received grants from the NJDOT in 2018 in the amount of \$1,030,560.00 for the Route 28 Streetscape Project.

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

1. The Governing Body hereby approve the proposal from Colliers Engineering & Design for the Construction Administration Services in an amount not to exceed \$154,000.00 and authorizes the Mayor to execute the Client Contract.

NOW FURTHER BE IT RESOLVED, that the Acting CFO certifies funds in the amount of \$154,000.00 are available in Account No. C-04-19-962-000-050.

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 June 14, 2022.

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

Resolution #178-2022

APPROVAL OF SALARIES FOR NON-UNION OFFICERS AND EMPLOYEES FOR 2022

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

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following salaries and rates of compensation for the year 2022 be hereby fixed respectively as follows:

<u>Title</u>	<u>2022 Salary</u>
Borough Clerk	\$86,700.00
Purchasing Agent	\$55,656.00
Clerk Admin Assistant	\$39,642.00
Acting CFO/Treasurer	\$70,752.00
HR/Payroll Manager	\$59,160.00
Tax Collector	\$71,400.00
Code Enforcer/Zoning Official	\$56,100.00
Senior/Recreation Director	\$76,500.00
Municipal Court Administrator	\$67,320.00
Municipal Magistrate	\$36,863.00
Construction Official	\$32,242.00
Electrical SubCode Official	\$14,438.00
Fire SubCode Official	\$13,443.00
Plumbing SubCode Official	\$19,106.00
Juvenile Committee Admin Asst	\$2,200.00
Resale Certificate Inspector	\$16.80
Code Enforcement Assistant	\$14.00
Public Works Laborers 1	\$14.30
Public Works Laborers 2	\$14.50
Recreation Admin Assistant	\$14.50
Custodian	\$16.80
Toddler Playgroup Coordinator	\$16.00
Toddler Playgroup Instructor	\$16.00

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 June 14, 2022.

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

Resolution #179-2022

APPROVING A BLOCK PARTY ON JULY 3, 2022 BETWEEN 12PM AND 9PM ON B STREET BETWEEN WALNUT STREET AND MAPLE STREET

WHEREAS, the residents of 237 B Street have requested to have a block party on B Street between Walnut Street and Maple Street on July 3, 2022 between the hours of 12 p.m. and 9 p.m.; and

WHEREAS, all the designated officials have given approval for this block party.

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

1. The Governing Body hereby grants approval to the residents of 237 B Street to conduct a block party on B Street between Walnut Street and Maple Street on July 3, 2022 between the hours of 12 p.m. and 9 p.m.
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 June 14, 2022.

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

Resolution #180-2022

HIRING OF SUMMER PLAYGROUND STAFF FOR 2022

The Governing Body hereby approves the hiring of the 2022 Summer Playground Staff listed below and agrees to pay these employees the hourly rate indicated. The Summer Program is effective from June 27, 2022 - August 5, 2022.

Kristen Bennett	120 Greene Ave, Middlesex, NJ 08846	Supervisor	\$20.00
Declan Swain	9 Garden Pl, Middlesex, NJ 08846	Counselor	\$13.00
Aidan Kozak	110 Wagner St, Middlesex, NJ 08846	Counselor	\$12.00
Jack Adamski	141 Beechwood Ave, Middlesex, NJ 08846	Counselor	\$12.00
Reetika Sheth	22 Sycamore Rd, Middlesex, NJ 08846	Counselor	\$12.00
Sarah Tiedermann	216 Shepard Ave, Middlesex, NJ 08846	Counselor	\$12.00
Serena Wright	421 Cook Ave, Middlesex, NJ 08846	Counselor	\$12.00
Hayleigh Hartley	232 Stephenson Ave, Middlesex, NJ 08846	Counselor	\$12.00
Jaelyn Craig	7 Dunlap Pl, Middlesex, NJ 08846	Counselor	\$12.00
Jax Jarvis	154 Vogel Pl, Middlesex, NJ 08846	Counselor	\$12.00
Delaney Swain	9 Garden Pl, Middlesex, NJ 08846	Counselor	\$12.00
Matthew Ianiero	312 Raphael Ave, Middlesex, NJ 08846	Counselor	\$12.00
Daniel Kannaley	37 Whitney Dr, Middlesex, NJ 08846	Counselor	\$12.00
Myah Lamourt	250 Vasser Dr, Piscataway, NJ 08854	Counselor	\$12.00

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 June 14, 2022.

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

Resolution #181-2022

AUTHORIZING THE BOROUGH OF MIDDLESEX TO ENTER INTO A CONTRACT WITH DELTA DENTAL OF NEW JERSEY, INC. EFFECTIVE AUGUST 1, 2022

WHEREAS, the Borough of Middlesex for the past several years has engaged the services of Principal Dental to provide dental claims administrative and dental network services a part of the health benefits for Borough employees; and

WHEREAS, The Borough of Middlesex desires to terminate the services of Principal Dental effective July 31, 2022 and engage the services of Delta Dental of New Jersey, Inc. effective August 1, 2022; and

WHEREAS, the enrollment application, including the group application and plan sponsor's certification, must be signed by an authorized contracting representative of the Borough of Middlesex as the policy holder; and

WHEREAS, the Borough of Middlesex desires to authorize Toni Kisly, Human Resources Manager, as the administrator of this policy; and

WHEREAS, authorization for this contract does not require public bidding pursuant to N.J.S.A. 40A:11-5(1)(m) as an insurance-related contract subject only to certification of availability of funds by the Chief Financial Officer.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that The Mayor and Human Resources Manager are authorized to execute the agreement with Delta Dental of New Jersey, Inc. for the Borough health benefit program for 2022 and are authorized to take all steps necessary to effectuate the purpose of this Resolution.

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 June 14, 2022.

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

Resolution #182-2022

**ACCEPTING THE RETIREMENT OF ACTING LIEUTENANT CHAD CORNER
EFFECTIVE OCTOBER 1, 2022 AND APPROVING USING TERMINAL LEAVE
EFFECTIVE JULY 1, 2022 - SEPTEMBER 30, 2022**

The Mayor and Council hereby accept the retirement of Acting Lieutenant Chad Corner from the Police Department effective October 1, 2022 and approve of him using his terminal leave commencing on July 1, 2022 until September 30, 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 June 14, 2022.

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

Resolution #183-2022

AUTHORIZING AN ADDITIONAL WAIVER OF THE EXECUTION OF A DEVELOPER'S AGREEMENT PURSUANT TO SECTION 56-47 OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX FOR THE PROPERTY KNOWN AS 5 FACTORY LANE, LOT 1, BLOCK 350 (PLANNING BOARD APP. NO. P2018-08)

WHEREAS, Section 56-47 of the Municipal Code of the Borough of Middlesex requires the execution of a developer's agreement between an applicant and a developer upon the granting of final site plan approval by the Joint Land Use Board (or predecessor Planning Board or Zoning Board of Adjustment) of the Borough of Middlesex; and

WHEREAS, on January 23, 2019, the Planning Board granted preliminary and final site plan approval to the applicant Reagent Chemical & Research, Inc., for the property located at 5 Factory Lane, Lot 1 of Block 350 in the HI Heavy Industrial Zone, with the resolution of said Board attached hereto; and

WHEREAS, Condition 6 of the resolution of the Board directs the Applicant to "request a waiver of the municipal requirement for a Developer's Agreement of from Governing Body" which Applicant has done through correspondence to the Borough dated September 2, 2021; and

WHEREAS, Applicant was approved for the construction of two (2) 1,050 sf modular buildings (the "Driver's building" and the "Office building") and additional parking spaces on a much larger site. As a result, there will be relatively minimal site work on the property, the oversight of which can be handled in accordance with the detailed resolution of the Planning Board, and in consideration of same waiver of the Borough's requirement for a developer's agreement is appropriate; and

WHEREAS, Resolution #59-2022 of the Borough of Middlesex waived the Developer's Agreement requirement; however, same was only in reference to initial 1,050 sf modular building ("Driver's building"); and

WHEREAS, the Applicant requested an additional waiver, correspondence to the Borough dated June 8, 2022, of the Developer's Agreement requirement for the second 1,050 sf modular building ("Office building"); and

WHEREAS, having reviewed the resolution of the Planning Board and having considered the recommendation of same, the Borough Council desires to grant the Applicant's request and waive the Developer's Agreement requirement of Section 56-47 of the Municipal Code of the Borough of Middlesex; and

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey, does hereby waive the Developer's Agreement requirement of Section 56-47 of the Municipal Code of the Borough of Middlesex for the project approved in Planning Board App. No. 2018-08 and granting preliminary and final

site plan approval to Reagent Chemical & Research, Inc., for the property located at 5 Factory Lane (Lot 1 of Block 350).

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 June 14, 2022.

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

Resolution #184-2022

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 June 14, 2022.

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

Resolution #185-2022

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) Personnel - Borough Administrator; (2) Contract Negotiation - PBA Contract; and (3) Contract Negotiation - 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 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 June 14, 2022.