



**Borough of Middlesex**  
**Mayor and Council Regular Meeting**  
**~ Minutes ~**

1200 Mountain Ave  
Middlesex, NJ

Linda Chismar  
732 356-7400 x238  
[www.middlesexboro-nj.gov](http://www.middlesexboro-nj.gov)

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**Tuesday, June 14, 2022**

**7:00 PM**

**Municipal Building**

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**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.

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**SALUTE TO FLAG**

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**ROLL CALL**

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

Councilwoman Amy Flood -- **Absent**

**Also Present:**

Joe Costa Interim Administrator  
Christopher Corsini Borough Attorney

**Others Absent:**

2. Mayor Madden added Resolution 186-2022 and 187-2022 to the Consent Agenda

|                  |                                         |
|------------------|-----------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>              |
| <b>MOVER:</b>    | James Eodice, Council President         |
| <b>SECONDER:</b> | Jack Mikolajczyk, Councilman            |
| <b>AYES:</b>     | Eodice, Carnes, Mikolajczyk, Quinn, Rex |
| <b>ABSENT:</b>   | Flood                                   |

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**PRESENTATIONS**

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**APPOINTMENTS**

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Borough Clerk Linda Chismar read the following resolution:

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**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex 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.

Mayor Madden read the following highlights for Captain Comiskey:

Craig Comiskey graduated from Mansfield University in May of 1990 with a Bachelor of Science Degree in Business Administration. He was appointed to the Police Department on January 9, 1995. Upon completion of his basic training he was assigned to the Patrol Division.

Acting Captain Comiskey was a Field Training Officer; providing instruction and orientation for newly hired police officers, Traffic Safety Officer, and served as a Bicycle Patrol Unit Officer. He also served on the department's Fatal/Serious Accident Investigations Unit.

He is a Departmental Terminal Agency Coordinator and Computer Aided Dispatch and Records Management System Administrator. His certifications include Defensive Tactics Instructor, Expandable Baton Instructor, OC Instructor, Police Driving Simulator Instructor, Police Work Zone and Safety Instructor, Crash Report Instructor, and Radar Instructor.

In June of 2013 he was promoted to the rank of Sergeant and assigned to the Patrol Division.

In July of 2017 he was promoted to the rank of Lieutenant and assigned as the Patrol Division Commander.

In January of 2019 he graduated from the 53<sup>rd</sup> session of the prestigious New Jersey State Association of Chiefs of Police Command and Leadership Academy, a competitive fourteen (14) week training program where officers are challenged to take the various leadership theories they were taught and devise real world solutions to the complex problems presented to them. Participation in the Command and Leadership Program is based on applicants successfully completing a competitive selection process.

He has served as Acting Captain of the Middlesex Police Department since September of 2021.

Throughout his 27 ½ years of service, he has been awarded numerous awards and commendations; one of which was recognition for working his whole career of 27 years without a single sick day.

As a result of his promotion Captain Comiskey will be assigned as the Patrol Division Commander.

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|------------------|-----------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>              |
| <b>MOVER:</b>    | James Eodice, Council President         |
| <b>SECONDER:</b> | Jack Mikolajczyk, Councilman            |
| <b>AYES:</b>     | Eodice, Carnes, Mikolajczyk, Quinn, Rex |
| <b>ABSENT:</b>   | Flood                                   |

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Borough Clerk Linda Chismar read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex 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.

Mayor Madden read the following highlights for Lieutenant Carroll:

Thomas Carroll graduated from Montclair State University in July 2003 with a Bachelor of Arts Degree in Political Science. He was appointed to the Police Department on January 7, 2004. Upon completion of his basic training he was assigned to the Patrol Division.

Acting Lieutenant Carroll is a Departmental Defensive Tactics Instructor, Monadnock Expandable Baton Instructor, OC Instructor, Radar Instructor and Field Training Officer, providing instruction and orientation for newly hired police officers. He also served on the department's Fatal/Serious Accident Investigations Unit.

In 2015 he was assigned to the Detective Bureau where he served as a Detective until 2016.

In March of 2016 he was promoted to the rank of Sergeant and assigned to the Patrol Division supervising a Patrol squad.

Since September of 2021 he has served as Acting Lieutenant when he was assigned as the Records & Service Bureau Commander.

In May of 2022 he graduated from the Spring session of the prestigious New Jersey State Association of Chiefs of Police Command and Leadership Academy, a competitive fourteen (14) week training program where officers are challenged to take the various leadership theories they were taught and devise real world solutions to the complex problems presented to them. Participation in the Command and Leadership Program is based on applicants successfully completing a competitive selection process.

Throughout his 18 years of service, he has been awarded numerous awards and commendations.

|                  |                                         |
|------------------|-----------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>              |
| <b>MOVER:</b>    | James Eodice, Council President         |
| <b>SECONDER:</b> | Jack Mikolajczyk, Councilman            |
| <b>AYES:</b>     | Eodice, Carnes, Mikolajczyk, Quinn, Rex |
| <b>ABSENT:</b>   | Flood                                   |

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Borough Clerk Linda Chismar read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex 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.

Mayor Madden read the following highlights for Lieutenant Falk:

Thomas Falk graduated from Kean University in May 2000 with a Bachelor of Arts Degree in English Education. He was appointed to the Police Department on July 18, 2005. Upon completion of his basic training, he was assigned to the Patrol Division.

Detective Sergeant Falk is a Departmental Domestic Violence Instructor, CPR and First Aid Instructor, Autism Awareness Instructor, and Field Training Officer; providing instruction and orientation for newly hired police officers.

In May of 2016 he was assigned to the Detective Bureau where he served as a Detective.

In September of 2016 he was assigned as the department's School Resource Officer, developing critical connections and relationships with the borough's school aged youth.

He previously served as the department's Drug Abuse Resistance Education Officer. He is a certified Drug Recognition Expert and serves as the department's Social Media Coordinator.

He was instrumental with the redevelopment of the curriculum for the Middlesex Police Department Youth Academy that was afforded to Middlesex residents completing the 6<sup>th</sup> and 7<sup>th</sup> grades in June of 2017. This very important community policing initiative taught the principles of pride, integrity, and respect, while teaching teamwork and building community connections with our police officers.

In July of 2017 he was promoted to the rank of Sergeant and assigned to the Patrol Division supervising a Patrol squad.

In September of 2021 he was assigned to the Detective Bureau and served as the Detective Bureau Supervisor.

He was recently accepted to the 2022 Fall session of the prestigious New Jersey State Association of Chiefs of Police Command and Leadership Academy, after successful completion of a competitive selection process.

Throughout his 17 years of service, he has been awarded numerous awards and commendations.

As a result of his promotion Lieutenant Falk will be assigned as the Administration Division Commander.

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|------------------|-----------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>              |
| <b>MOVER:</b>    | James Eodice, Council President         |
| <b>SECONDER:</b> | Jack Mikolajczyk, Councilman            |
| <b>AYES:</b>     | Eodice, Carnes, Mikolajczyk, Quinn, Rex |
| <b>ABSENT:</b>   | Flood                                   |

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### PROCLAMATIONS

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### ORDINANCE(S) FOR INTRODUCTION

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Borough Clerk Linda Chismar read Ordinance 2062-22 by title:

#### 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.

|                  |                                         |                                |
|------------------|-----------------------------------------|--------------------------------|
| <b>RESULT:</b>   | <b>FIRST READING [UNANIMOUS]</b>        | <b>Next: 6/28/2022 7:00 PM</b> |
| <b>MOVER:</b>    | James Eodice, Council President         |                                |
| <b>SECONDER:</b> | Jack Mikolajczyk, Councilman            |                                |
| <b>AYES:</b>     | Eodice, Carnes, Mikolajczyk, Quinn, Rex |                                |
| <b>ABSENT:</b>   | Flood                                   |                                |

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Borough Clerk Linda Chismar read Ordinance 2063-22 by title:

**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.

|                  |                                    |                                |
|------------------|------------------------------------|--------------------------------|
| <b>RESULT:</b>   | <b>FIRST READING [4 TO 1]</b>      | <b>Next: 6/28/2022 7:00 PM</b> |
| <b>MOVER:</b>    | James Eodice, Council President    |                                |
| <b>SECONDER:</b> | Jack Mikolajczyk, Councilman       |                                |
| <b>AYES:</b>     | Eodice, Carnes, Mikolajczyk, Quinn |                                |
| <b>NAYS:</b>     | Rex                                |                                |
| <b>ABSENT:</b>   | Flood                              |                                |

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### **ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION**

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Borough Clerk Linda Chismar read Ordinance 2060-22 by title:

#### **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.

Mayor Madden opened the Public Hearing on Ordinance No. 2060-22. Seeing that there was no public participation, Mayor Madden closed the Public Hearing on Ordinance No. 2060-22.

|                  |                                         |
|------------------|-----------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>              |
| <b>MOVER:</b>    | James Eodice, Council President         |
| <b>SECONDER:</b> | Jack Mikolajczyk, Councilman            |
| <b>AYES:</b>     | Eodice, Carnes, Mikolajczyk, Quinn, Rex |
| <b>ABSENT:</b>   | Flood                                   |

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Borough Clerk Linda Chismar read Ordinance 2061-22 by title:

**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).

Mayor Madden opened the Public Hearing on Ordinance No. 2061-22. Seeing that there was no public participation, Mayor Madden closed the Public Hearing on Ordinance No. 2061-22.

|                  |                                         |
|------------------|-----------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>              |
| <b>MOVER:</b>    | James Eodice, Council President         |
| <b>SECONDER:</b> | Jack Mikolajczyk, Councilman            |
| <b>AYES:</b>     | Eodice, Carnes, Mikolajczyk, Quinn, Rex |
| <b>ABSENT:</b>   | Flood                                   |

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#### ADOPTION OF MINUTES

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

|                  |                                         |
|------------------|-----------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>             |
| <b>MOVER:</b>    | James Eodice, Council President         |
| <b>SECONDER:</b> | Jack Mikolajczyk, Councilman            |
| <b>AYES:</b>     | Eodice, Carnes, Mikolajczyk, Quinn, Rex |
| <b>ABSENT:</b>   | Flood                                   |

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#### MAYOR'S REPORT

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#### COUNCIL MEMBER REPORTS

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##### Council President Eodice

Council President Eodice wished everyone a Happy Flag Day.

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##### Councilman Carnes

**Councilman Carnes made the following comments:**

The JLUB Master Plan has been finalized. Thank you to everyone involved in the process.

Councilman Carnes asked the Council to consider creating a Park Committee.

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##### Councilwoman Flood

Councilwoman Flood was absent.

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**Councilman Mikolajczyk**

Councilman Mikolajczyk thanked everyone for coming to show support to the promoted officers.

Councilman Mikolajczyk also discussed that a meeting will be set up to discuss the future of the Recreation and Senior Services Programs, and what can be done to improve them.

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**Councilman Quinn**

Councilman Quinn reported that the Chairman of the Board of Health is planning to set up a meeting in regards to the Absolute Construction Site.

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**Councilman Rex****Councilman Rex made the following comments:**

Shade Tree Meeting June 9th, 2022

**New Communications:**

Received 6 emails from residents requesting that their shade tree be investigated with their associated concerns. Multiple commission members responded to look at the trees. Reports and actions needed to be taken will be discussed at the next meeting.

**Previous Communications:**

Status of 5 emails were reviewed. Remediation's were all discussed. Work to be done was forwarded the Borough tree vendors for quotes.

**Work Agenda:**

This consisted of 16 reports carried over from previous meetings. Each item was reviewed and discussed with actions for tree maintenance to be taken.

With all these communication's, the majority of the trees slated for removal were ASH trees effected by the worm borer.

**Transaction Data/ comments Vendor reference costs:**

List has growing to 20-line items. With shade tree budget having been recently approved it was decided to move forward and clear the list as monies have become available. Items are projected to be added in the future and cleaning it up was the best path to take.

**Abor Day planting:**

Planted a seedling from the famous SALEM OAK in front of the library. Recent status is that the tree looks great and protective shield was put in place for protection against animals. As the tree matures, the future plan is to place signage to identify it as a tree from the parent famous SALEM OAK tree.

**Unfinished Business:**

RFP for Tree Inventory. Chairman Bond continues to address this major project. There are concerns that it will be very expensive. The positive effect will be that the Borough will have a count, plus location of all

related shade trees.

Shade Tree Chapter 395 revisions for ordinance:

This ordinance has not been updated for many years. The Commission realizes the importance of updating this Ordinance. The Commission is being proactive and not just putting a document together to say it is done. Time is being taken to insure it is done correctly to the best of our abilities. Reviewing will occur over the summer with final review at the September meeting.

Update on dedication of property on Raritan Avenue for tree arboretum continues.

DPW Report 2022

Touch a truck was a huge success, showcasing 23 pieces of equipment and 1,024 children were in attendance. The Department of Public Works volunteered their time to assist in setup and cleanup of the entire event. Special thanks to Chrissy George and her staff at the Library for donating their time and efforts. We would like to also give many thanks to all of our sponsors who made this event possible.

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### ADMINISTRATOR'S REPORT

- **Memorial Day Parade** - Parade was a success and Joe Costa thanked Melissa DeMarino for helping to organize it
- **Touch a Truck** - This event was a success and Joe thanked Melissa, Max, Lenny and Chrissy. The event was well attended.
- **Master Plan update** - The Master Plan was adopted unanimously by the JLUB on June 8. The Council will get a copy and can begin to act upon the recommendations.
- **Borough Hall Security** - I have asked Tele (IT) to get us a price to install cameras that covers both hallways and all outside entrances with the feed going to the PD.
- **Sewer Ordinance** - A Meeting is set for Thursday June 23 with the Attorneys -and an Ordinance will be introduced at the June 28 council meeting.
- **770 Bound Brook Road (Old Stom's and House)** - Demo permits have been applied for and should be issued within the next 2 to 3 weeks.
- **Baekeland Ave. Pump Station** - We had a meeting this week with our engineers and we are moving forward with getting the proper equipment (pump station and properly sized line) installed underground before the roadway is top coated (which should happen sometime in late July). The reason to do this is to capture the industrial customers in that area. Currently they tie into the Piscataway system and we pay a lot of money to send the waste into that system. If we wait, there will be a 3 year moratorium on opening the road.
- **YouTube** - Video equipment currently in use and can be accessed on You Tube. A link is available through the Borough web site.

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### PRIVILEGE OF THE FLOOR

Frank Ryan, 303 Maple Street, commented on the road work that has been done on Chestnut Street, asking the Council to consider an Ordinance that requires all work to pave from curb to curb. Additionally, he commented on the Ordinance for code violations on lawn maintenance and uncut grass, asking the Council to consider a stricter enforcement of it. He also commented on the Ordinance for introduction on Cannabis.

Bruce Sanders, 10 Venice Avenue, expressed his concerns for the Ordinance that has been introduced tonight about Cannabis Stores. He asked the Mayor why it was created. Mr. Sanders also asked the Mayor and Council to speak to the Chief of Police to discuss this Ordinance, and the effects a Cannabis Store has had on other municipalities. Additionally, he asked the Council the status of viewing the Council meetings online. Mr. Sanders also asked the status of the grant under the CARES Act and what it was allotted for.

Michelle Tackach, 149 Benart Place, stated that she believes the revenue that a cannabis store would bring in would be a benefit to the Borough.

Dave Polakiewicz, 240 Hazelwood Avenue, asked the Mayor and Council to consider the implications of allowing a Cannabis store and how they will be zoned.

Sean Early, 130 Stephenson Avenue, stated that the Borough will save money in the long run by requiring everyone to pave the roads curb to curb.

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### NEW BUSINESS/CONSENT AGENDA/RESOLUTIONS

|                  |                                         |
|------------------|-----------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>              |
| <b>MOVER:</b>    | James Eodice, Council President         |
| <b>SECONDER:</b> | Jack Mikolajczyk, Councilman            |
| <b>AYES:</b>     | Eodice, Carnes, Mikolajczyk, Quinn, Rex |
| <b>ABSENT:</b>   | Flood                                   |

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Borough Clerk Linda Chismar read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex 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

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Borough Clerk Linda Chismar read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex 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.

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Borough Clerk Linda Chismar read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex 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<br>425 Bound Brook Road              | 1211-33-001-005 |
| OK Liquors, t/a Cub Liquors, Inc.<br>242 Lincoln Boulevard                      | 1211-32-011-004 |
| Pearldhyan, Inc.<br>657 Lincoln Boulevard                                       | 1211-44-006-003 |
| Ellery's Grill, Inc.<br>701 Lincoln Boulevard                                   | 1211-32-004-002 |
| Faron Realty Management, LLC t/a Ferraro's Pizza & Pub<br>275 Lincoln Boulevard | 1211-33-002-010 |
| Carpaccio Ristorante Inc.<br>651 Bound Brook Road                               | 1211-33-010-004 |
| John W. Lupu Memorial Post 306<br>The American Legion<br>707 Legion Place       | 1211-31-013-001 |
| Vilaverdense t/a Vincenzo's Restaurant<br>665 Bound Brook Road                  | 1211-33-012-004 |
| Rikjo Liquors, Inc. t/a Middlesex Liquor Store<br>1323 Bound Brook Road         | 1211-44-005-003 |
| Timothy Kerwin's Inc.<br>353 Bound Brook Road                                   | 1211-33-009-003 |

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Borough Clerk Linda Chismar read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex 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<br/>Care Year 1/Year<br/>2</u> | <u>Predator Tree Svc<br/>Year 1/Year 2</u> | <u>Dom's Lawn Maker,<br/>Inc. Year 1/Year 2</u> | <u>Rich Tree Svc Year<br/>1/Year 2</u> |
|--------------------------------------|------------------------------------------------|--------------------------------------------|-------------------------------------------------|----------------------------------------|
| Item #1 Tree<br>Removal/<br>Trimming | \$335.00/\$345.00                              | \$155.00/\$175.00                          | \$800.00/\$840.00                               | \$300.00/\$300.00                      |
| Item #2 Stump<br>Grinding            | \$10.00/\$12.00                                | \$4.00/\$4.75                              | \$12.50/\$13.13                                 | \$7.00/\$7.00                          |
| Item #3 Daily<br>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

\_\_\_\_\_  
Borough Clerk Linda Chismar read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex 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.

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Borough Clerk Linda Chismar read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex 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        | \$1,247.40 | James L Benson      | \$1,428.60 |
| 108 Howard Ave      |            | 445 Harris Ave      |            |
| Middlesex, NJ 08846 |            | Middlesex, NJ 08846 |            |
| Patricia A Benson   | \$1,428.60 | Archie J Blood Jr   | \$578.40   |

|                                                                       |            |                                                                 |            |
|-----------------------------------------------------------------------|------------|-----------------------------------------------------------------|------------|
| 445 Harris Ave<br>Middlesex, NJ 08846                                 |            | 54 Lincoln Ave<br>Barnegat, NJ 08005                            |            |
| Margie L Blood<br>54 Lincoln Ave<br>Barnegat, NJ 08005                | \$629.40   | Cynthia Chomen<br>10 Oswego Ave<br>Middlesex, NJ 08846          | \$1,428.60 |
| Anthony Cole<br>246 Oak Dr<br>Middlesex, NJ 08846                     | \$867.60   | Susan Cole<br>246 Oak Dr<br>Middlesex, NJ 08846                 | \$867.60   |
| Dorothy Coren<br>20 Mead Ave<br>Middlesex, NJ 08846                   | \$663.00   | Joseph Coren<br>20 Mead Ave<br>Middlesex, NJ 08846              | \$1,069.80 |
| DeVuyst, Debra<br>272 Johnnycakes Dr<br>Naples, FL 34110-1312         | \$1,020.60 | DeVuyst, Kenneth<br>272 Johnnycakes Dr<br>Naples, FL 34110-1312 | \$1,020.60 |
| Donatelli, Dennis<br>7 June Way<br>Middlesex, NJ 08846                | \$238.10   | Donatelli, Kathy<br>7 June Way<br>Middlesex, NJ 08846           | \$714.30   |
| Michele Lella Echols<br>195 Shafer Ave<br>Phillipsburg, NJ 08865-2414 | \$891.00   | John Fuhrmann<br>38 Whitney Dr<br>Middlesex, NJ 08846           | \$813.00   |
| Sheila Fuhrmann<br>38 Whitney Dr<br>Middlesex, NJ 08846               | \$813.00   | John Giuliano<br>339 Second St<br>Middlesex, NJ 08846           | \$578.40   |
| John A Haverstick<br>771 County Rt 16<br>Mexico, NY 13114-3193        | \$867.60   | Charlie Nash<br>13 Homestead Terrace<br>Scotch Plains, NJ 07076 | \$1,020.60 |
| Jerome Nowak<br>6544 North Kennedy Ave<br>Fresno, CA 93720            | \$578.40   | Arthur Roberts<br>305 Harris Ave<br>Middlesex, NJ 08846         | \$578.40   |
| Erica Schaefer<br>58 Joe-Ent Rd<br>Flemington, NJ 08822               | \$629.40   | Jerry Schaefer<br>58 Joe-Ent Rd<br>Flemington, NJ 08822         | \$629.40   |
| Maureen Schaefer<br>58 Joe-Ent Rd<br>Flemington, NJ 08822             | \$813.00   | Charles Sebastian<br>512 Clinton Ave<br>Middlesex, NJ 08846     | \$768.00   |

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

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

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

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Borough Clerk Linda Chismar read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex 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  |

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Borough Clerk Linda Chismar read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex 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.

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Borough Clerk Linda Chismar read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex 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.

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Borough Clerk Linda Chismar read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex 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.

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Borough Clerk Linda Chismar read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex 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.

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Borough Clerk Linda Chismar read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex 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.

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Borough Clerk Linda Chismar read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex 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 |

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Borough Clerk Linda Chismar read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex 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.

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Borough Clerk Linda Chismar read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex 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     | Supervisor | \$20.00 |
| Declan Swain     | 9 Garden Pl, Middlesex, NJ        | Counselor  | \$13.00 |
| Aidan Kozak      | 110 Wagner St, Middlesex, NJ      | Counselor  | \$12.00 |
| Jack Adamski     | 141 Beechwood Ave, Middlesex, NJ  | Counselor  | \$12.00 |
| Reetika Sheth    | 22 Sycamore Rd, Middlesex, NJ     | Counselor  | \$12.00 |
| Sarah Tiedermann | 216 Shepard Ave, Middlesex, NJ    | Counselor  | \$12.00 |
| Serena Wright    | 421 Cook Ave, Middlesex, NJ       | Counselor  | \$12.00 |
| Hayleigh Hartley | 232 Stephenson Ave, Middlesex, NJ | Counselor  | \$12.00 |
| Jaelyn Craig     | 7 Dunlap Pl, Middlesex, NJ        | Counselor  | \$12.00 |
| Jax Jarvis       | 154 Vogel Pl, Middlesex, NJ       | Counselor  | \$12.00 |
| Delaney Swain    | 9 Garden Pl, Middlesex, NJ        | Counselor  | \$12.00 |
| Matthew Ianiero  | 312 Raphael Ave, Middlesex, NJ    | Counselor  | \$12.00 |
| Daniel Kannaley  | 37 Whitney Dr, Middlesex, NJ      | Counselor  | \$12.00 |
| Myah Lamourt     | 250 Vasser Dr, Piscataway, NJ     | Counselor  | \$12.00 |

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Borough Clerk Linda Chismar read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex 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.

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Borough Clerk Linda Chismar read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex 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.

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Borough Clerk Linda Chismar read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex 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).

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Borough Clerk Linda Chismar read the following resolution:

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

**RESOLUTION 186-2022**

**CONFIRMING THE DETAILS OF THE SALE OF GENERAL OBLIGATION BONDS,  
SERIES 2022A, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$1,269,095 OF THE  
BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, TO THE  
NEW JERSEY INFRASTRUCTURE BANK PURSUANT TO THE STATE FISCAL YEAR  
2022 NEW JERSEY WATER BANK**

**WHEREAS**, the Borough of Middlesex (the “Local Unit”), in the County of Middlesex, New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate or install the Project (the “Project”) as defined in each of that certain Loan Agreement (the “I-Bank Loan Agreement”) to be entered into by and between the Local Unit

and the New Jersey Infrastructure Bank (the "I-Bank") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the I-Bank Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the State Fiscal Year 2022 New Jersey Water Bank (the "Program");

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

**WHEREAS**, to evidence the Loans, each of the I-Bank and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's General Obligation Bonds, Series 2022A1, to the I-Bank in an aggregate principal amount not to exceed \$320,000 (the "I-Bank Loan Bond") and General Obligation Bonds, Series 2022A2, to the State in an aggregate principal amount not to exceed \$949,095 (the "Fund Loan Bond", and together with the I-Bank Loan Bond, the "Local Unit Bonds") pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law, the Loan Agreements and the Escrow Agreement dated May 18, 2022 (the "Escrow Agreement") by and among the I-Bank, the State, the Local Unit and the escrow agent named therein;

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

**WHEREAS**, in accordance with the terms of the Escrow Agreement, the I-Bank has sold its bonds to fund the I-Bank Loan, thereby enabling the Local Unit to confirm the exact aggregate principal amount of and debt service schedule for the Local Unit Bonds.

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

#### **Section 1.**

The sale of the I-Bank Loan Bond to the I-Bank and the Fund Loan Bond to the State is hereby confirmed. The I-Bank Loan Bond shall be released from escrow in accordance with the terms of the Escrow Agreement and thereby issued in accordance with the principal loan amount, interest rates and maturity schedule set forth in **Schedule A** attached hereto and made a part hereof. The Fund Loan Bond shall be released from escrow in accordance with the terms of the Escrow Agreement and thereby issued in accordance with the maturity schedule set forth in **Schedule B** attached hereto and made a part hereof.

#### **Section 2.**

This resolution shall take effect immediately.

#### **Section 3.**

Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this

resolution to Meghan Ann Bennett, Esq., GluckWalrath LLP, bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the I-Bank.

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Borough Clerk Linda Chismar read the following resolution:

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

**RESOLUTION 187-2022**

**HIRING OF LAUREN COLLETTI OF DUNELLEN, NJ AS THE DEPUTY COURT ADMINISTRATOR FOR THE MUNICIPAL COURT AT AN ANNUAL SALARY OF \$55,000 EFFECTIVE JULY 6, 2022 PENDING A SATISFACTORY PHYSICAL AND BACKGROUND CHECK**

**WHEREAS**, the Governing Body hereby approves the hiring of Lauren Colletti of Dunellen, NJ as the Deputy Court Administrator for the Municipal Court; and

**WHEREAS**, Ms. Colletti will be paid an annual salary of \$55,000 effective July 6, 2022, pending a satisfactory physical and background check; and

**NOW THEREFORE BE IT RESOLVED**, by the Governing Body of the Borough of Middlesex that:

1. The Governing Body hereby approves the hiring of Lauren Colletti of Dunellen, NJ effective July 6, 2022 at an annual salary of \$55,000.
2. This resolution shall take effect immediately.

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**NON-CONSENT AGENDA/RESOLUTIONS**

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Borough Clerk Linda Chismar read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex 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.

|                  |                                         |
|------------------|-----------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>              |
| <b>MOVER:</b>    | James Eodice, Council President         |
| <b>SECONDER:</b> | Jack Mikolajczyk, Councilman            |
| <b>AYES:</b>     | Eodice, Carnes, Mikolajczyk, Quinn, Rex |
| <b>ABSENT:</b>   | Flood                                   |

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**AGENDA WORKSHOP ITEM**

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

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**EXECUTIVE SESSION**

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Borough Clerk Linda Chismar read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex 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.

|                  |                                         |
|------------------|-----------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>              |
| <b>MOVER:</b>    | James Eodice, Council President         |
| <b>SECONDER:</b> | Jack Mikolajczyk, Councilman            |
| <b>AYES:</b>     | Eodice, Carnes, Mikolajczyk, Quinn, Rex |
| <b>ABSENT:</b>   | Flood                                   |

Personnel - Borough Administrator

Contract Negotiations - PBA

Contract Negotiations - Property Acquisition

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**ADJOURNMENT**

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The next Regular Meeting will be June 28, 2022

Respectfully yours,

Linda Chismar, RMC  
Borough Clerk