



Borough of Middlesex
Mayor and Council Regular Meeting
~ Minutes ~

1200 Mountain Ave
Middlesex, NJ

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

Tuesday, October 11, 2022

7:00 PM

Municipal Building

MAYOR'S STATEMENT

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

SALUTE TO FLAG

ROLL CALL

Mayor John Madden
Council President James Eodice
Councilman Jeremiah Carnes
Councilman Michael Conahan
Councilman Jack Mikolajczyk
Councilman Martin Quinn

Councilman Douglas Rex -- **Absent**

Also Present:

Joe Costa Interim Administrator
Christopher Corsini Borough Attorney

Others Absent:

PRESENTATIONS

APPOINTMENTS

1. Appointment of the Following Members to the Parks Improvement Committee: Mike O'Donnell, Todd Nicolay, & Shannon Quinn - Expiring 12/31/22; Frank Ryan, Rich Thomasey, & Kristin Bennett - Expiring 12/31/23; Spencer Durkin, Tom Moskel Jr., & Steve Greco - Expiring 12/31/24; and Councilman Carnes - Representative to the Committee

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

PROCLAMATIONS

ORDINANCE(S) FOR INTRODUCTION

Borough Clerk Linda Chismar read Ordinance 2071-22 by title:

ORDINANCE 2071-22

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF AND IMPROVEMENTS TO REAL PROPERTY FOR MUNICIPAL PURPOSES, APPROPRIATING \$1,300,000.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$200,000.00 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 \$1,300,000.00, said sum being inclusive of all appropriations heretofore made therefor, including \$1,060,313.97 grant funds expected to be received from the American Rescue Plan, and the sum of \$39,686.03 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 \$200,000.00, 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 to be undertaken consist of the acquisition of and improvements to real property for municipal purposes, located at 1190 Mountain Avenue in the Borough and identified as Block 219, Lot 1 on the Borough Tax Map, together with all purposes necessary incidental or apparent thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Borough Chief Financial Officer, 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 \$200,000.00, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$1,300,000.00, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$1,300,000.00 over the estimated maximum

amount of bonds or notes to be issued therefor being the amount of said \$39,686.03 down payment for said purposes, and the \$1,060,313.97 grant funds expected to be received from the American Rescue Plan.

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 forty (40) 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 \$200,000.00 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$150,000.00 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. This ordinance shall constitute a declaration of official intent for the purposes and within the meaning of Section 1.150-2(e) of the United States Treasury Regulations.

Section 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.

RESULT:	FIRST READING [UNANIMOUS]	Next: 10/25/2022 7:00 PM
MOVER:	James Eodice, Council President	
SECONDER:	Jack Mikolajczyk, Councilman	
AYES:	Eodice, Carnes, Conahan, Mikolajczyk, Quinn	
ABSENT:	Rex	

Borough Clerk Linda Chismar read Ordinance 2072-22 by title:

ORDINANCE 2072-22

**AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX,
COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 92, DEPARTMENT OF PUBLIC
RECREATION AND SENIOR SERVICES**

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

Chapter 92 shall be amended to read as follows:

Department of Public Recreation and Senior & Disabled Services**§ 92-1 Department established; head.**

There shall be a Department of Public Recreation and Senior & Disabled Services, the head of which shall be the Director of Public Recreation and Senior & Disabled Services. The Director shall be responsible for the operations of the Department and shall be subject to the requirements as set forth in Chapter **68**, Article **VIII**.

§ 92-2 Purpose; structure.

- A. The Department of Public Recreation and Senior & Disabled Services shall be the department responsible for the planning, promoting, organizing and administering the recreation program for the community as a whole along with the events for senior citizens, the disabled, and persons of all ages in need of public assistance.
- B. The Department of Public Recreation and Senior & Disabled Services shall consist of two divisions, as provided in §§ **92-3** and **92-4** herein.

§ 92-3 Division of Recreation Program Services.

Within the Department of Public Recreation and Senior & Disabled Services, there shall be a division called "Recreation Program Services," which shall be under the supervision of the Director of Public Recreation and Senior & Disabled Services. This Division shall consist of members who provide recreation programs, events and services to all age groups.

§ 92-4 Division of Senior & Disabled Services.

Within the Department of Public Recreation and Senior & Disabled Services, there shall be a division called the "Senior Services & Disabled Division," which shall be under the supervision of the Director of Public Recreation and Senior & Disabled Services. This Division shall consist of members who will provide recreation programs and services to the senior population.

§125-2 Fees shall be amended to read as follows:

The license for the placing, operation, maintaining, or use of such amusement devices, or machines mentioned aforesaid shall be issued to and in the name of the proprietor of the premises where the machine or machines are to be installed, for the period commencing June 1 of each year to May 31 of the following year. The fee for the issuance of said license shall be \$150 for one machine (either jukebox or amusement) and a flat fee of \$350 for more than one machine (either jukebox or amusement).

This ordinance shall take effect upon final adoption and publication as required by law.

RESULT:	FIRST READING [UNANIMOUS]	Next: 10/25/2022 7:00 PM
MOVER:	James Eodice, Council President	
SECONDER:	Jack Mikolajczyk, Councilman	
AYES:	Eodice, Carnes, Conahan, Mikolajczyk, Quinn	
ABSENT:	Rex	

Borough Clerk Linda Chismar read Ordinance 2073-22 by title:

ORDINANCE 2073-22

AN ORDINANCE AMENDING CHAPTER 420 (ZONING) SO AS TO UPDATE THE R-T ZONE AND REFLECT RECENT RECOMMENDATIONS FROM THE PLANNING BOARD

WHEREAS, the Borough's Zoning Ordinance, Chapter 420, reflects the Borough's desired control of parcels within the municipality; and

WHEREAS, the Borough's most recent Master Plan Re-Examination demonstrated certain changes recommended to the Borough's Zoning Ordinance; and

WHEREAS, the following changes have been recommended to the governing body from the Borough's Joint Land Use Board; and

WHEREAS, the following changes have been cleared by the administration and the Borough attorneys;

NOW, THEREFORE, BE IT ORDAINED, by the governing body of the Borough of Middlesex, County of Middlesex, State of New Jersey, that Chapter 420 entitled "Zoning" is hereby amended as follows:

SECTION I.

Section 420-49 entitled "R-T Residential - Transition District[,]" Subsection A, is hereby amended as follows (struck through portions to be removed, bolded and underlined portions to be added):

- A. Permitted principal uses. No building, structure or premise shall be used and no building or structure shall be erected or structurally altered, except for the following uses:
 - (1) Detached single-family dwellings.
 - (2) ~~Two family dwellings.~~ **[REMOVED]**
 - (3) Nurseries and commercial greenhouses.
 - (4) Churches and other places of worship.
 - (5) Professional and general business offices.

(6) Banks.

(7) Community residences.

SECTION II.

Section 420-4 entitled "Zoning Map" and, therefore, the map on file in the Borough offices and incorporated in the Chapter 420 is hereby amended by this ordinance as follows:

- 1) Block 317, Lot 7 is hereby amended to be designated as within the M - Municipal District.
- 2) Block 265, Lot 25 is hereby amended to reflect its correct designation as within the R-60B - Single-Family and Two-Family Residential District.

SECTION III.

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

SECTION IV.

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

SECTION V.

All Borough of Middlesex ordinances or parts of ordinance inconsistent with enactment are hereby repealed to the extent of such inconsistency.

SECTION VI.

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

RESULT:	FIRST READING [UNANIMOUS]	Next: 10/25/2022 7:00 PM
MOVER:	James Eodice, Council President	
SECONDER:	Jack Mikolajczyk, Councilman	
AYES:	Eodice, Carnes, Conahan, Mikolajczyk, Quinn	
ABSENT:	Rex	

ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION

ADOPTION OF MINUTES

1. Approval of the September 27, 2022 Regular & Executive Meeting Minutes

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

2. Approval of the September 29, 2022 Special & Executive Meeting Minutes

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

MAYOR'S REPORT

Mayor Madden thanked all Borough employees, emergency services and volunteers for another successful Food Truck Event.

COUNCIL MEMBER REPORTS

Council President Eodice

Council President Eodice made the following comments:

SWAC met today and discussed various items including an amendment to the Solid Waste Management Plan.

Councilman Eodice thanked Councilman Carnes and Mr. Redzinski for starting the process on the Filming Ordinance.

Councilman Carnes

Councilman Carnes made the following comments:

Thanked Chief Geist for his involvement in the Filming Ordinance.

Thanked the members of the Parks Committee who were able to attend the meeting tonight.

Councilman Conahan

Councilman Conahan made the following comments:

Thanked Melissa DeMarino for her efforts in the Food Truck Festival, as well as all the other volunteers.

Stated that the Tree lighting will be held in December.

Would like to bring the Community Day event back, possibly in June.

Congrats to Jim Grimm for 40 years with the Swim Pool.

On October 19th and November 29th there is a meeting between the Borough and the Board of Education to discuss various items including the fields and Shared Services.

Councilman Mikolajczyk

Councilman Mikolajczyk made the following comments:

The Food Truck Festival went well.

On October 3rd the Police Department participated in the Elementary School Week of Respect.

Councilman Quinn

No Report was given.

Councilman Rex

Councilman Rex was absent from the meeting.

ADMINISTRATOR'S REPORT

- Borough Phone System & Security System - Administrator will be meeting with Tele to discuss and to consider a potential new vendor tomorrow.
 - Master Plan/Zoning Changes - Ordinance introduced tonight which rezones the Lincoln Park Statue to Municipal and eliminates 2 family dwellings on Union Avenue (R-T Zone)
 - Dog Park - Community Garden - This is moving forward - awaiting quotes for fencing.
 - Food Truck Festival - Total Success - There were over 1500 attendees and Administrator thanked the Police Department, the Rescue Squad, OEM, numerous members from DPW and over half a dozen office staff volunteers.
 - Halloween Event - "Haunted Walk through the Rec Center" is scheduled October 13th from 5 - 7PM for Middlesex residents. This is posted on the website and Facebook. The Recreation Center is "partnering up" with the Library to provide both a haunted and sweet experience.
 - Community Day - Administrator approached by Councilman Conahan regarding having a Community Day in 2023. Administrator requested another Councilman to work together with both Councilman Conahan and Melissa in the Recreation to coordinate the event. Once they get this moving, they can add more members to the committee.
 - The quote for the camera security system came in very expensive and the Administrator will be looking for something more affordable.
-

PRIVILEGE OF THE FLOOR

Dave Polakiewicz, 240 Hazelwood Avenue had concerns with the following:

- Requested why the Referendum question on the ballot for the General Election does not say "non-binding" and that the general public does not understand that it is a "non-binding" question.
 - Discussed the amount the borough paid out for the LOSAP Program for 2021 (\$50,000) and would like to know where the additional \$50,000 funds that were budgeted would go.
-

NEW BUSINESS/CONSENT AGENDA/RESOLUTIONS

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

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 286-2022

DECLARING THE SAVIN 816 MULTIFUNCTION PRINTER SURPLUS

WHEREAS, the Borough of Middlesex has determined that the equipment listed below has been rendered obsolete, broken, and no longer serviceable or usable; and

- 1) Savin 816 Multifunction Printer

WHEREAS, the Borough of Middlesex intends to dispose of said copier as replacement parts for the Savin 816 are no longer being manufactured; and

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Middlesex, County of Middlesex, State of New Jersey, hereby declare the non-serviceable item listed above as surplus and authorize disposal of same, effective immediately.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 287-2022

APPROVING THE REFUND OF \$1875.00 FOR STREET OPENING PERMIT NO. 2021-004 TO JAMES IANNETTI OF 35 ORCHARD ROAD

WHEREAS, James Iannetti was issued a street opening permit on 5/4/2021; and

WHEREAS, James Iannetti deposited \$2500.00 with the Borough of Middlesex to ensure proper repair and maintenance of the roadway; and

WHEREAS, said roadway at 35 Orchard Road was inspected by Dan Niro, Plumbing Inspector, and found to have been maintained in a satisfactory manner.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Borough Council of Middlesex, County of Middlesex, State of New Jersey, that the disbursing officers be and they are hereby authorized to draw a check in the amount of \$1875.00 in favor of James Iannetti, 35 Orchard Road, Middlesex, NJ 08846, for refund of Street Opening Permit No. 2021-004.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 288-2022

**HIRING OF LINDA CHICARELLI AS THE TAX/FINANCE CLERK FOR THE
TAX/FINANCE OFFICE AT AN ANNUAL SALARY OF \$43,000 EFFECTIVE OCTOBER
24, 2022 PENDING A SATISFACTORY PHYSICAL**

WHEREAS, the Governing Body hereby approves the hiring of Linda Chicarelli of Middlesex, NJ as the Tax/Finance Clerk for the Tax/Finance Office; and

WHEREAS, Ms. Chicarelli will be paid an annual salary of \$43,000 effective October 24, 2022, pending a satisfactory physical; 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 Linda Chicarelli of Middlesex, NJ effective October 24, 2022 at an annual salary of \$43,000.
2. This resolution shall take effect immediately.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 289-2022

**CANCELLING IMPROVEMENT AUTHORIZATION FOR THE CONSTRUCTION OF THE
NEW LAP POOL IN THE AMOUNT OF \$51,660.79**

WHEREAS, there was an improvement authorization that was funded in total or in part by proceeds of bonds issued, down payment or through the utilization of Capital Surplus, for the Construction of New Lap Pool, and;

WHEREAS, there is an unexpended balance of aforementioned improvement authorization and no further expenditures will be disbursed from said authorization;

NOW THEREFORE BE IT RESOLVED, that the balance of the improvement authorization for the Construction of New Lap Pool be cancelled and credited to the Swim Pool Capital Surplus.

Ordinance# 1852-14

Ordinance Adoption Date: 6/24/2014

Original Amount Authorized: \$1,300,000.00

Total Cancellation: \$51,660.79

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 290-2022

**HIRING OF JESSE GIULIANO OF MIDDLESEX, NJ AS THE ASSISTANT MECHANIC IN
THE DEPARTMENT OF PUBLIC WORKS PENDING A SATISFACTORY PHYSICAL,
AND BACKGROUND CHECK**

The Governing Body hereby hires Jesse Giuliano as the Assistant Mechanic in the Department of Public Works at \$31 per hour, pending a satisfactory physical and background check.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 291-2022

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

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

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

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

Name: Donaruma, Frank
Block/Lot: 262 / 42.01 / C002
Amount: \$250.00

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 292-2022

**REIMBURSEMENT OF DOG LICENSE FEE IN THE AMOUNT OF \$13.00 TO ELIZABETH
TORRES, 4 BENART PLACE, MIDDLESEX, NJ**

The Governing Body hereby approves the reimbursement fee for Dog License to Ms. Elizabeth Torres, 4 Benart Place, Middlesex, New Jersey in the amount of \$13.00 due to insufficient rabies vaccination.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 293-2022

APPROVING THE BLOCK OF HOWARD AVENUE BETWEEN FISHER AVENUE AND WOODLAND AVENUE FOR THE WATCHUNG SCHOOL PTO TO HOLD A TRUNK OR TREAT ON SATURDAY, OCTOBER 30, 2022 FROM 4PM - 8PM

WHEREAS, the Watchung School PTO has requested to have a "Trunk or Treat" on Howard Avenue between Fischer Avenue and Woodland Avenue on October 30, 2022 between the hours of 4 p.m. and 8 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 Watchung School PTO to conduct a "Trunk or Treat" on Howard Avenue between Fischer Avenue and Woodland Avenue on October 30, 2022 between the hours of 4 p.m. and 8 p.m.
2. This resolution shall take effect immediately.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 294-2022

AWARDING THE BID FOR THE 2021 ROAD PROJECT (JUDSON DRIVE & SHEARN DRIVE) AND 2022 ROAD PROJECT (HAZELWOOD AVENUE, LONANBE DRIVE & MISTY LANE) TO P & A CONSTRUCTION INC. AS THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER IN THE AMOUNT OF \$1,221,036.30

WHEREAS, the Borough of Middlesex Administration and Borough Engineer have determined that there is a need for the acquisition of the following goods and services: 2021 Road Project (Judson Drive & Shearn Drive) and 2022 Road Project (Hazelwood Avenue, Lonanbe Drive & Misty Lane); and

WHEREAS, a notice of advertisement for sealed bids and invitation to bid for the 2021 Road Project (Judson Drive & Shearn Drive) and 2022 Road Project (Hazelwood Avenue, Lonanbe Drive & Misty Lane) were prepared and advertised in accordance with the Local Public Contracts Law, Executive Order 107, and Local Finance Notice 2020-10; and

WHEREAS, seven (7) sealed bids were received on September 29, 2022, and opened publicly and read out loud at 1200 Mountain Avenue, Middlesex, NJ, for the 2021 Road Project (Judson Drive & Shearn Drive) and 2022 Road Project (Hazelwood Avenue, Lonanbe Drive & Misty Lane); and

WHEREAS, listed below are bids received for said project:

- 1) P & A Construction Inc. \$1,221,036.30
Colonia, NJ
- 2) Your Way Construction \$1,229,975.30
Irvington, NJ
- 3) Top Line Construction Crop \$1,277,313.09
Somerville, NJ
- 4) Reivax Contracting Corp \$1,399,995.60
Flemington, NJ
- 5) Capital Paving & Contracting \$1,393,716.80
Annadale, NJ
- 6) Black Rock Enterprise LLC \$1,410,210.00
Old Bridge, NJ
- 7) Stilo Excavation Inc. \$1,617,829.70
South Plainfield, NJ

WHEREAS, the Borough Engineer, Colliers Engineering & Design, recommends awarding the bid to P & A Construction Inc, the lowest responsive, responsible bidder, in the total bid amount of \$1,221,036.30, contingent upon the Borough Attorney's review and availability of funds for this project; and

WHEREAS, the Borough Attorney has reviewed the bid proposal package of the lowest responsible bidder, declares it to be in conformance with the Borough Instructions to Bidders and the Local Public Contracts Law and recommends an award of contract to P & A Construction Inc., as the lowest responsive, responsible bidder; and

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

1. At the recommendation of the Borough Engineer and Borough Attorney, the Mayor and governing body hereby awards the contract for the 2021 Road Project (Judson Drive & Shearn Drive) and 2022 Road Project (Hazelwood Avenue, Lonanbe Drive & Misty Lane) to P & A Construction Inc. as the lowest responsive, responsible bidder in the amount of \$1,221,036.30.
2. The Mayor and Borough Clerk are hereby authorized to execute the Borough standard form of Contract for Goods and Services referenced herein and made a part of this award of contract as well as any non-substantive modifications

thereto and related constituent documents.

3. The Borough Clerk is directed to forward a certified copy of this Resolution to the Qualified Purchasing Agent, Chief Financial Officer, Borough Engineer, Borough Attorney, and P & A Construction Inc.

NOW FURTHER BE IT RESOLVED, that the Treasurer hereby certifies funds are available as follows:

2019 Capital Road Projects - \$136,036.30, Account No. C-04-19-979-000-093
2021 Capital Road Projects - \$285,000.00, Account No. C-04-21-039-000-086
2022 Capital Road Projects - \$800,000.00, Account No. C-04-22-062-000-086

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 295-2022

APPROVING THE REFUND OF \$1875.00 FOR STREET OPENING PERMIT NO. 2022-005 TO LINDA CHISMAR FOR PROPERTY LOCATED AT 409 A STREET

WHEREAS, George & Linda Chismar were issued a street opening permit on 4/19/2022; and

WHEREAS, George & Linda Chismar deposited \$2500.00 with the Borough of Middlesex to ensure proper repair and maintenance of the roadway; and

WHEREAS, said roadway at 409 A Street was inspected by Dan Niro, Plumbing Inspector, and Lenny Vidal DPW Supervisor and found to have been maintained in a satisfactory manner.

NOW THEREFORE BE IT RESOLVED by the Mayor and Borough Council of Middlesex, County of Middlesex, State of New Jersey, that the disbursing officers be and they are hereby authorized to draw a check in the amount of \$1875.00 in favor of Linda Chismar, 19 Shearn Drive, Middlesex, NJ 08846, for refund of Street Opening Permit No. 2022-005.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 296-2022

APPROVING LIQUOR LICENSE HOLDERS IN THE BOROUGH TO SERVE LIQUOR ON THEIR LICENSED PREMISES ON SUNDAY OCTOBER 9, 2022 AT 9AM

Modifying the hours for all retail liquor license holders who serve liquor on any licensed premise in the Borough of Middlesex on Sunday, October 9, 2022 ONLY commencing at 9 AM instead of opening at 12 Noon.

NON-CONSENT AGENDA/RESOLUTIONS

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 297-2022

PAY ALL CLAIMS

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

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

AGENDA WORKSHOP ITEM

PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS

EXECUTIVE SESSION

ADJOURNMENT

The next Regular Meeting will be October 25, 2022

Respectfully yours,

Linda Chismar, RMC
Borough Clerk