



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, February 14, 2023

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 Michael Conahan
Councilman Robert Dessino
Councilman Jack Mikolajczyk
Councilman Martin Quinn
Councilman Douglas Rex

Councilman Jeremiah Carnes -- **Absent**

Also Present:

Christopher Corsini Borough Attorney

Others Absent:

Joe Costa Interim Administrator

Mayor Madden observed a moment of silence for retired Police Officer Keith Orts who passed away earlier in the week.

PRESENTATIONS

APPOINTMENTS

1. Appointment of Ken Griggs to the Board of Health

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

PROCLAMATIONS

ORDINANCE(S) FOR INTRODUCTION

Borough Clerk Linda Chismar read Ordinance 2079-23 by title:

ORDINANCE 2079-23**AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX IN
CHAPTER 86 FILMING, SECTION 86-2 FILM COMMISSION**

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

Section 86-2 shall be amended to read as follows:

86-2 Film Commission

There shall be a three-member Film Commission established, consisting of the Mayor, Chief of Police and a member of the Borough Council to be appointed thereby from amongst its membership. This Commission is required to approve the permit application for filming or performing incidental activities in connection therewith on public lands and upon this approval and the required documents listed in § 86-3C the Borough Clerk will issue a License. A resident volunteer shall also be appointed to the film commission to solely serve as a single point of contact and communication between the Borough and anyone involved with a permitted film project.

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

RESULT:	FIRST READING [UNANIMOUS]	Next: 2/28/2023 7:00 PM
MOVER:	Michael Conahan, Council President	
SECONDER:	Jack Mikolajczyk, Councilman	
AYES:	Conahan, Dessino, Mikolajczyk, Quinn, Rex	
ABSENT:	Carnes	

ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION

ADOPTION OF MINUTES

1. Approval of the January 24, 2023 Regular & Executive Meeting Minutes

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

MAYOR'S REPORT

Mayor Madden made the following comments:

Revaluation Revisited

The goal of this process is to bring every property owner to pay for their fair and equitable share of their tax burden.

Property owners within the Borough recently received a tax assessment card or letter indicating the results of their property tax assessment as performed by Professional Property Appraisers (PPA). This is required by State statute.

Although the last Borough-wide property tax assessment was performed 36 years ago, much has changed regarding property upgrades, blighted or negligent properties and everything in between.

Property owners who made improvements over the years were probably paying less than their fair share of their increased valuation. Those with neglected or unimproved properties will most likely pay less going forward but probably paid more prior to the reval. This way an equitable distribution within the community of true assessed value is achieved.

Assessment Card Confusion

Your card gives you a snapshot of what your property is worth in today's market reflecting only the current economic conditions at the time of the market analysis. We learn from Economics 101 that our present inflationary period is a part of the overall historical cyclical phase (expansion, contraction, inflation, etc.). We are currently along this cycle of inflation/high valuations and among many other factors affecting property values. Your assessment card represents the value which will be used to calculate next years property tax. The total of all these numbers will determine the total tax burden of the community which represents the amount of money the Borough needs to operate local government and the support services which are rendered. The increase in property values are not directly tied into an increase in taxes. If the budget stays relatively level after the reval as before the reval and property values double, the tax rate would be cut in half. These numbers will then be part of the budget preparation process which is in the works.

Please direct your questions/concerns to Ms. Dawn Guttschall, our Tax Assessor.

Phone :732-356-7400 x 270.

Email: taxassessor@middlesexboro-nj.gov <<mailto:taxassessor@middlesexboro-nj.gov>>

Other resources include the Middlesex County Tax Board: 732-745-3350

Thank you,
John L. Madden

COUNCIL MEMBER REPORTS

Council President Conahan

Council President Conahan made the following comments:

The Bonfire will be held Saturday February 25th from 2pm-7pm at the Flying Field at Mountain View Park.

Thank you OEM and the Library for your joint work in the Bystander CPR and Stroke Training Program.

Budget meetings have begun.

The new Recreation Program Coordinator Mackenzie Meixner started.

Community Day will be held on June 3rd at Mountain View Park.

The Annual Bunny Hop will be held April 1st from 1pm-3pm.

Councilman Carnes

Councilman Dessino

Councilman Dessino made the following comments:

We received new copies of the HUD target areas map. The Committee discussed allotting money for Fitzsimmins Park.

Councilman Mikolajczyk

Councilman Mikolajczyk made the following comments:

Thank you members of the Fire Department for the Dinner.

The Borough will be receiving about \$20,000 from the Sustain Enforcement Grant from the Middlesex County Blue Cares Program.

Highlights of the Police Report: Calls for Service (2565), Adult Arrests (10), DWI (3), Motor Vehicle Summons (331), Crashes (31).

Councilman Quinn

Councilman Quinn made the following comments:

The Board of Health is working on the contract with the County.

Councilman Rex

Councilman Rex made the following comments:

The Shade Tree met February 9th, and discussed dedicating a Tree in honor of John Sweeney. They also talked about future grants and a Tree Inventory for the Borough.

ADMINISTRATOR'S REPORT

- 1) Presbyterian Church - Got the environmental phase 1 study. We are in the process of reviewing it with the professionals and will have direction by the 28th.
- 2) Fire Headquarters - Tom Herits reported that the survey department at Colliers is completing the survey. Next steps will be for our attorney to present to JLUB for dividing the property. Then the lots will be auctioned off.
- 3) We will have an update on the Ojieba property by the 28th.
- 4) Budget meetings have begun. The Finance Committee has already met with the PD and DPW (our 2 largest departments in terms of budget dollars). We expect that all departments will have met with Finance Committee and CFO by the 28th. Then we will begin meetings that will include the Council representatives to each department.
- 5) BA attended the last Health Department meeting. We still do not have a contract with County Health for services as we are in the negotiation process, however, the County is continuing to provide services until a contact is agreed upon.

- 6) The ad for a Zoning/Code Enforcement Department Director has been on the Borough Website and league Website since January 19th. We will have an appointment for resolution on the 28th.
- 7) Just as a reminder, Michael La Place will start as our new BA on March 20th.
- 8) We submitted a grant application for the Fire Department, and we are looking into a grant for exercise equipment for Seniors and the Rec department. I hope to have more info (actually to report the grant application submitted) by the 28th.
- 9) We are updating the bathrooms here in Borough Hall. The public bathroom should be completed this week.
- 10) I hope to have an update on the Solar Panel Project and getting off the ground by the 28th.

PRIVILEGE OF THE FLOOR

Members of the public made the following comments:

Bruce Sanders, 10 Venice Avenue, expressed his thanks to the Police Department and commended them on their work. He stated his concern for the growing occurrences of theft of Catalytic Converters within the Borough. He asked the Council to look into how they can lift certain restrictions that are placed upon the Police that would allow for the avoidance or future theft.

NEW BUSINESS/CONSENT AGENDA/RESOLUTIONS

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

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 64-2023

AUTHORIZING THE LEASE OF THE SHARP BP-70M45 COPIER FOR THE MIDDLESEX POLICE RECORDS DEPARTMENT IN THE AMOUNT OF \$8,640.00

WHEREAS, the Borough of Middlesex wishes to lease a new Sharp BP-70M45 copier in the total amount of \$8,640.00 for the Middlesex Police Records Department to replace the outdated and obsolete Savin MP4002 copier; and

WHEREAS, the replacement parts for the Savin MP4002 copier are not being manufactured and difficult to obtain; and

WHEREAS, quotes were solicited and below are the two (2) quotes received:

- 1) Shore Business Solutions, \$8,640.00
- 2) KDI Office Technology Inc., \$12,360.00

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

1. Based upon the recommendation of the Purchasing Agent, the governing body hereby approves the lease of the Sharp BP-70M45 copier for the Middlesex

Police Records Department, in the total amount of \$8,640.00, effective immediately.

NOW FURTHER BE IT RESOLVED, that the Treasurer hereby certifies that funds in an amount not to exceed \$8,640.00 are available in the 2023 Operating Budget, Computer Services, Account No. 3-01-20-140-000-057.

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 65-2023

**THE GOVERNING BODY HEREBY REJECTS ALL BIDS RECEIVED FOR THE
MIDDLESEX BOROUGH POLICE DEPARTMENT RTU REPLACEMENT PROJECT**

WHEREAS, the Borough of Middlesex authorized the receipt of bids for the Middlesex Borough Police Department RTU Replacement project; and

WHEREAS, bids were received on January 18, 2023, and opened in public; and

WHEREAS, pursuant to N.J.S.A. 40A:11-13.2, a contracting unit may reject all bids if the lowest bid substantially exceeds the contracting unit's appropriation for the goods or services;

WHEREAS, the Borough of Middlesex rejects all bids received on January 18, 2023, for exceeding the contracting unit's appropriation of said improvements.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex in the County of Middlesex, State of New Jersey that: It hereby rejects all bids received for the Middlesex Borough Police Department RTU Replacement project due to the lowest bid substantially exceeding the contracting unit's appropriation for the goods or services.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 66-2023

DECLARING THE SAVIN MP4002 MULTIFUNCTION PRINTER OBSOLETE

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 MP4002 Multifunction Printer

WHEREAS, the Borough of Middlesex intends to dispose of said copier as replacement parts for the Savin MP4002 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 67-2023

ACCEPTANCE OF STANDING REPORTS

The Governing Body hereby accepts the following Reports itemized below:

1. Acceptance of the December, 2022 and January, 2023 Tax Totals.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 68-2023

RELEASING THE FINAL PAYMENT TO STILO EXCAVATION, INC. FOR THE 2019 ROAD IMPROVEMENT PROJECT – FISHER AVENUE AND ASHLAND ROAD

WHEREAS, final payment to Stilo Excavation, Inc. has been submitted for the 2019 Road Improvement Project - Fisher Avenue and Ashland Road; and

WHEREAS, pursuant to N.J.S.A. 40:55D-53 of the Municipal Land Use Law, the Borough Engineer, by letter dated January 13, 2023, has recommended the release of Performance Bond No. S-3315278, issued by NGM Insurance Company in the amount of \$459,666.51, which was submitted by Stilo Excavation, Inc. and is being held by the Borough for the 2019 Road Improvement Project - Fisher Avenue and Ashland Road; and

WHEREAS, Colliers Engineering & Design Engineers and the Borough Attorney have reviewed all documents and are recommending release of said Performance Bond and accept the Maintenance Guarantee No. S-3315278MB.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey in accordance with N.J.A.C. 40:55D-53c. (1) of the Municipal Land Use Law, and by recommendation of Colliers Engineering & Design Engineers and the Borough Attorney, the governing body hereby agrees to release the performance bond for the 2019 Road Improvement Project - Fisher Avenue and Ashland Road to Stilo Excavation, Inc.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 69-2023

AUTHORIZING THE TAX COLLECTOR TO REFUND THE RECORDING FEE ON TAX SALE CERTIFICATE 21-00004

WHEREAS, resolution #54-2023, collected \$1,625.22 for the redemption of certificate 21-00004, and

WHEREAS, the amount of \$1,625.22, included a recording fee of \$55.00, and

WHEREAS, the lien holder did not record above certificate, and

WHEREAS, the amount to redeem therefore was \$1570.22, and

WHEREAS, the redeemer paid \$1625.22, and

WHEREAS, the redeemer is entitled to the reimbursement of the \$55.00 recording fee, and

NOW THEREFORE, the tax collector is hereby authorized to issue a check to the redeemer, in the amount of \$55.00 to the below;

Core Logic
3001 Hackberry Road
Irving, TX 75063-0156

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 70-2023

AUTHORIZING THE SUPERINTENDENT OF PUBLIC WORKS TO SUBMIT THE RECYCLING ENHANCEMENT GRANT APPLICATION TO THE MIDDLESEX COUNTY DIVISION OF SOLID WASTE MANAGEMENT

WHEREAS, The County of Middlesex in continuing to recognize the importance of recycling and the role that the individual municipalities play in conjunction with the County towards achieving an exemplary recycling rate has proposed to provide grant monies to municipalities through the Recycling Enhancement Grant (REG) Program; and

WHEREAS, It is the intent of the REG Program to provide funds to qualifying municipalities to be used for a paper shred event to enhance a municipality's recycling program; and

WHEREAS, It appears to be in the best interest of the Borough of Middlesex and its citizens to apply for this grant;

NOW THEREFORE BE IT RESOLVED by the Governing Body of Middlesex Borough that the Superintendent of the Department of Public Works is hereby authorized to submit the an application for consideration of a grant to the Middlesex County Division of Solid Waste Management.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 71-2023

**APPROVING AMENDMENT OF THE PUBLIC WORKS EMPLOYEES COLLECTIVE
NEGOTIATIONS AGREEMENT**

WHEREAS, the Borough of Middlesex ("Borough") and Local 255, United Services Workers Union ("Union") are parties to a collective negotiations agreement ("Contract") covering public works employees, effective January 1, 2021, through December 31, 2024; and

WHEREAS, subsequent to the execution of the Contract a minor typographical error was discovered; and

WHEREAS, on February 6, 2023, the Union's Shop Steward and Borough's Business Administrator dually signed a letter therein noting that a minor typographical error needs to be corrected, specifically, "Article 8 Section D and E, only applies to Employees Hired After 1997"; and

WHEREAS, the Mayor and Borough Council have reviewed the Contract and February 6, 2023 letter and agree that the typographical error in the Contract should be corrected, as noted by the Shop Steward and Business Administrator.

NOW THEREFORE BE IT RESOLVED, that Mayor and Borough Council hereby approve the amendment of the Contract as noted in February 6, 2023 letter, and authorize the Borough Administrator to attach this Resolution and February 6, 2023 letter to the Contract, to serve as formal notice of the amendment.

This Resolution shall be 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 72-2023

**AUTHORIZING THE TAX COLLECTOR TO ISSUE TAX TITLE LIEN REDEMPTION'S ON
BLOCK 258, LOT 7**

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

WHEREAS, the interest and payments on the following Tax Title Lien Redemptions were calculated for February 14, 2023, and;

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

Date of Sale: 11/30/2022
Block/Lot: 258/7
Amount: \$19,542.48
Premium: \$54,000
Certificate: 21-00008
Payable To: Bala Partners LLC
PO Box 303
Pottersville, NJ
07979

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 73-2023

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:	Michael Conahan, Council President
SECONDER:	Jack Mikolajczyk, Councilman
AYES:	Conahan, Dessino, Mikolajczyk, Quinn, Rex
ABSENT:	Carnes

AGENDA WORKSHOP ITEM

PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS

EXECUTIVE SESSION

ADJOURNMENT

The next Regular Meeting will be February 28, 2023

Respectfully yours,

Linda Chismar, RMC
Borough Clerk