



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, March 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 Jeremiah Carnes
Councilman Robert Dessino
Councilman Jack Mikolajczyk
Councilman Martin Quinn
Councilman Douglas Rex

Also Present:

Joe Costa Interim Administrator
Christopher Corsini Borough Attorney

Others Absent:

PRESENTATIONS

APPOINTMENTS

PROCLAMATIONS

ORDINANCE(S) FOR INTRODUCTION

Borough Clerk Linda Chismar read Ordinance 2080-23 by title:

ORDINANCE 2080-23

**AN ORDINANCE TO AMEND CHAPTER 121, ARTICLE I ALCOHOLIC BEVERAGES,
SECTION 121-7 FEE FOR PLENARY RETAIL CONSUMPTION LICENSE, SECTION 121-**

**8 FEE FOR PLENARY RETAIL DISTRIBUTION LICENSE AND SECTION 121-9(A) CLUB
LICENSE FEE**

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

**Article 1, Section 121-7 Fee for Plenary Retail Consumption License is Amended
as Follows:**

The fee for a plenary retail consumption license shall be the sum of \$1606; and the holder of such license shall be entitled, subject to the rules and regulations, to sell for consumption on the licensed premises any alcoholic beverages by the glass or other open receptacle and also to sell all alcoholic beverages in original containers off the license premises. Such license shall not permit the sale of alcoholic beverages in or upon any premises in which a grocery, delicatessen, drugstore or other mercantile business is carried on, except the keeping of a hotel or restaurant or the sale of cigars and cigarettes at retail as an accommodation to patrons or the retail sale of nonalcoholic beverages as accessory beverages to alcoholic beverages.

**Article 1, Section 121-8 Fee for Plenary Retail Distribution License is Amended as
Follows:**

The annual fee for a plenary retail distribution license shall be \$1606; and not more than one such license shall be issued to any person or combination of persons, whether trading individually or as a partnership or corporation.

Article 1, Section 121-9(A) Club License Fee is Amended as Follows:

A. The fee for a club license shall be the sum of \$86; and the holder of such license shall be entitled, subject to rules and regulations, to sell only a bona fide club members and their bona fide guests alcoholic beverages intended for immediate consumption on the licenses premises.

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

1. The Governing Body does hereby amend Section 121-7, Section 121-8 and Section 121-9(A) of Chapter 121 - Alcoholic Beverages as stated above.

2. This Ordinance will meet all the requirements according to law and take effect April 1, 2023.

RESULT:	FIRST READING [UNANIMOUS]	Next: 3/28/2023 7:00 PM
MOVER:	Michael Conahan, Council President	
SECONDER:	Jack Mikolajczyk, Councilman	
AYES:	Conahan, Carnes, Dessino, Mikolajczyk, Quinn, Rex	

Borough Clerk Linda Chismar read Ordinance 2081-23 by title:

ORDINANCE 2081-23

AN ORDINANCE AMENDING CHAPTER 12 (POLITICAL CONTRIBUTIONS) OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX TO INCLUDE RELEVANT STATUTORY CITATIONS RELATED TO THE AWARD OF PUBLIC CONTRACTS

WHEREAS, Chapter 12 of the Municipal Code of the Borough of Middlesex regulations political contributions; and

WHEREAS, the Borough Council seeks clarify certain statutory citations to this chapter; and

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 12 of the Municipal Code of the Borough of Middlesex, County of Middlesex, State of New Jersey entitled "Political Contributions" is amended as follows:

Section I:

Section 12-3 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

12-3 Prohibition of Award

- A. Notwithstanding **contracts awarded pursuant to N.J.S.A. 19:44A-20.7 (fair and open contracts)**, any other provision of this Code, or any other law to the contrary, the Borough shall not enter into an agreement or otherwise contract to procure goods or services from any business entity or professional business entity where the transaction is not required to be publicly bid under the Local Public Contracts Law and where the value of said contract exceeds \$17,500 if that entity has solicited or made any contribution of money or pledge of contribution, including in-kind contributions, to any candidate for municipal office in the Borough or to any Borough of Middlesex municipal political party committee or County of Middlesex county political party committee in excess of the thresholds specified in Subsection C below within one calendar year immediately preceding the commencement of negotiations for the contract or agreement.
- B. Notwithstanding **contracts awarded pursuant to N.J.S.A. 19:44A-20.7 (fair and open contracts)**, any other provision of this Code or any other law to the contrary, no business entity or professional business entity which enters into negotiations for

or agrees to, any contract or agreement with the Borough for the provision of goods or services where the transaction is not required to be publicly bid under the Local Public Contracts Law and where the value of the transaction exceeds \$17,500 shall knowingly solicit or make any contribution of money, or pledge of a contribution, including in-kind contributions, to any candidate for municipal office in the Borough, or to any Borough of Middlesex municipal political party committee or County of Middlesex county political party committee, in excess of the thresholds specified in Subsection C below between the time of first communications between that entity and the Borough regarding a specific contract or agreement and the later of the termination of negotiations or the completion of the contract or agreement.

- C. Any individual meeting the definition of "business entity" or "professional business entity" under § 12-2 of this chapter may annually contribute a maximum of \$300 each for any purpose to any candidate for municipal office in the Borough, or \$300 to any municipal or county party committee, without violating Subsections A and B of this section.

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.

Attorney Corsini indicated it has been brought to his attention that there is a class of public contracts, the fair and open contracts under the statute, that were included in the language of this ordinance that should not have been. The fair and open contracts have a greater level of scrutiny covered by a separate level of very stringent laws that protect the public interest. Those were exempted by the statute and all other contracts are still covered by it. It was important to make this change as it can be confusing to the laws of campaign financing.

RESULT:	FIRST READING [UNANIMOUS]	Next: 3/28/2023 7:00 PM
MOVER:	Michael Conahan, Council President	
SECONDER:	Jack Mikolajczyk, Councilman	
AYES:	Conahan, Carnes, Dessino, Mikolajczyk, Quinn, Rex	

ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION

ADOPTION OF MINUTES

1. Approval of the February 28, 2023 Regular Meeting Minutes

RESULT:	APPROVED [5 TO 0]
MOVER:	Michael Conahan, Council President
SECONDER:	Jack Mikolajczyk, Councilman
AYES:	Conahan, Carnes, Dessino, Mikolajczyk, Rex
ABSTAIN:	Quinn

2. Approval of the February 28, 2023 Executive Meeting Minutes

RESULT:	APPROVED [4 TO 0]
MOVER:	Michael Conahan, Council President
SECONDER:	Jack Mikolajczyk, Councilman
AYES:	Conahan, Dessino, Mikolajczyk, Rex
ABSTAIN:	Carnes, Quinn

MAYOR'S REPORT

No report was given.

COUNCIL MEMBER REPORTS

Council President Conahan

Council President Conahan made the following comments:

Board of Education cancelled their February meeting.

Joint Land Use Board will meet next on March 22nd. They discussed the topic of pop-up tents for temporary businesses at their previous meeting.

I will be meeting with our CFO, Caroline Benson, for a budget meeting on Wednesday, March 15th.

The annual Bunny Hop event will be April 1st from 1pm to 3pm.

Councilman Carnes

Councilman Carnes made the following comments:

Parks Improvement Committee - Discussed the newly acquired parcel of land.

Culture and Heritage Committee - Working on several projects. Open Mic Night continues to grow and gain traction as our local musicians learn of this opportunity offered by amazing members of the Culture and Heritage Committee. A special thank you to Lisa and family for their devotion to such a beautiful thing.

A veteran subcommittee will be working on applying for the "We Value our Veterans" Community Award Application. That is what is printed in front of and distributed to you.

Murals, Art shows, and more are currently being discussed as well.

OEM/Rescue/Fire- OEM: YOU are the help until help arrives which gives you training as a Bystander - with CPR/AED and Stroke symptoms future dates are March 21st and April 18th both starting at 6:30pm

Fire Departments and Rescue Squad - Thank you so much for being such amazing volunteers, serving our community, your support to the community is noticed & appreciated.

Councilman Dessino

Councilman Dessino made the following comments:

Roads and Parks Department have been painting the interior of the buildings since there has been a lack of snow. They also have been cleaning out storm drains, patching holes, etc.

The Public Works are still providing an employee to clean the Rec Center and Borough Hall.

In conjunction with Arbor Day the Shade Tree Commission would like to plant a tree in memory of John Sweeney and include John Sweeney's family to attend the planting before the meeting. At the 7PM meeting on April 25 the Council will be dedicating the Recycling Center to Mr. Sweeney.

Councilman Mikolajczyk

Councilman Mikolajczyk expressed his condolences to the Library for the passing of one of their employees.

Budget process is underway.

Parking issues on Wilton Avenue are being investigated.

Community Day entertainment is progressing, and the schedule is finishing up nicely.

Highlights of the Police Report: 2723 Calls for Service, 9 Adult Arrests, 2 DWI, 17 Motor Vehicle Crashes, 468 Summons, 114 Radar Summons.

Councilman Quinn

No report was given.

Councilman Rex

Councilman Rex made the following comments:

The Shade Tree Commission has wanted a Borough Tree Inventory taken for many years. Shade Tree feels this will finally happen as a Grant Writing firm has been hired by the Borough.

Chairman Bond has been investigating names of companies that do this service. One company has responded, ArborPro.

In the absence of Chairman Bond, Vice Chair, Sean Johnson reached out to ArborPro to give a telephone presentation of their services. Tree Inventory Data Fields were discussed. This included GPS coordinates, Tree species, tree height, condition, over all condition. Other data fields were also discussed. The Borough's inventory would be collected using ArborPro's IOS app. The meeting was very productive, and a lot was learned about how Tree Inventories are done.

The Shade Tree Commission also was part of a Zoom meeting, led by the grant writer, Bruno Associates, who discussed procedures and timelines for a grant for the Shade Tree.

The Shade Tree Commission received 6 emails from residents, which were discussed individually, and a commission member was assigned to look at the concern and report at the next meeting.

15 Trees have been evaluated for pending work, but since we are still working off of the temporary budget, the members made a decision to approve 9 jobs, each one under \$1,000.

ADMINISTRATOR'S REPORT

1. The View - Tonight will be accepting another resolution to refund the "paper" performance bond - last meeting's resolution only refunded the "money" portion of the performance bond.
2. Grammercy Gardens Agreement - Approval resolution ready for meeting.
3. Introduction of Ordinance to Increase Alcoholic Beverage Control Municipal Retail and Consumption License Fees - These fees have only been raised twice in 25 years.
4. Will introduce March 28, 2023 - Introduction of Ordinance to permanently change hours for bars/liquor stores to permanently open at 9:30 AM on Sunday Mornings (rather than 12PM)
5. Will introduce March 28th - amendments to the Municipal Code for Chapter 80 (Police Department). The changes will reflect all the changes made in the PBA contract settled last year and a change to the hiring qualifications that will give more credit to experience as a Police Officer in place of college credits.
6. A resolution will be done on March 28th to approve the Bayer Crop TDA (Temporary Discharge Application) -It was amended last year by Council and the renewal permit did not reflect the changes made by Council in last year's resolution. Resolution will be on next meeting as this has recently been approved by engineer Tom Herits
7. March 28, we HOPE to introduce Greenbrook Flood Control Parcels Donation Ordinance. These are the parcels that were worked on last couple of years and identified as parcels to be donated to the Army Corp for the wall construction.
8. Introduction March 28th - Amendment to ordinance -Baekeland Avenue - Introduction of No stopping/standing. Currently it is a no parking zone.
9. Introduction March 28th Chief Geist's request to amend Ordinance 407 to designate a "No Parking" zone on Wilton Avenue as a result of recent parking complaints investigated by the Middlesex PD.
10. Advise Council that we are preparing to begin the process to offer the "strip" of Borough Land that they discussed in the fall (block 43, lot 32) Near Second Street and Market and would like to introduce the ordinance at the March 28, 2023 Meeting or the April 11, 2023 Meeting, pending receipt of required documents from attorney
11. Advise Council that the 2023 Cap Bank Ordinance will be introduced at the March 28, 2023 meeting. The passage of this Ordinance allows the town to increase our inside caps appropriations to 3.5% instead of the standard 2.5%. The additional 1% is the allowable increase from the State for 2023 budgets. This Ordinance must be adopted before the introduction of the budget.
12. CP Middlesex Urban Renewal - Dedication of Roadway Package - Alex Fisher (attorney) and Tom Herits (engineer) have approved this Ordinance for introduction at the March 28 meeting. This is a stretch of roadway donated to the borough by the Claremont project
13. Introduction of Budget - April 11, 2023 - 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.
14. Introduction of Salary Range Ordinance - April 11, 2023
15. We are updating the bathrooms here in at Borough Hall. The first bathroom is completed, work is beginning on the second.
16. The contract with 305 Union has been signed and sent to the property owners attorney (through our attorney) We have contracted with EcolSciences, Inc. to conduct a Phase 1 Environmental Study.
17. Should have an update on the Solar panel project tomorrow.
18. March 28th or April 11th EPA and DEP to give a presentation with historical and current data on the condition of Creighton Lake, some of the causes of high ecoli. This will be done via a teleconference. Presentation will be on the big screen for all to see.
19. Death of Kristy Garcia - Council agreed to fly the flag at half-staff per the Policy that we have in place.

The Borough Administrator thanked the Council for working with him as the Interim Administrator. Mr. Costa stated that he is proud of what we have accomplished and felt that he has done what is best for the taxpayers in keeping the

borough moving in the right direction. The Borough Administrator also thanked the great staff that he has worked with, and indicated that he intended to make a smooth transition for Mr. LaPlace, who is scheduled to begin his employment on Monday, March 20.

PRIVILEGE OF THE FLOOR

Frank Ryan, 303 Maple Street, asked the status of the Lincoln Statue Title search. He also commented on the purchase of the Foreign Express property. In addition, he thanked Joe Costa for his work as the Borough's Interim Administrator.

NEW BUSINESS/CONSENT AGENDA/RESOLUTIONS

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

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 90-2023

ACCEPTANCE OF STANDING REPORTS

The Governing Body hereby accepts the following Reports itemized below:

1. Acceptance of the 2022 Year End Tax Report.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 91-2023

RENEWAL OF THE CAHOOTS, INC. LIQUOR LICENSE FOR 2022 - 2023

The application for the Cahoots, Inc. renewal of the Liquor License 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 license in consideration of the fees which have been paid to the Borough of Middlesex and the State of New Jersey:

Cahoot's Inc.
624 Lincoln Boulevard

1211-33-003-003

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 92-2023

RELEASE OF THE PERFORMANCE SURETY BOND NO. CT024260 FOR MIDDLESEX RESIDENTIAL URBAN RENEWAL LLC IN THE AMOUNT OF \$649,083 PENDING THE SUBMISSION OF A MAINTENANCE BOND IN THE AMOUNT OF \$108,181

WHEREAS, final payment to Middlesex Residential Urban Renewal LLC has been submitted for the Planning Board Appln. 2017-01, known as "The View"; and

WHEREAS, pursuant to N.J.S.A. 40:55D-53 of the Municipal Land Use Law, the Borough Engineer, by letter dated December 16, 2022, has recommended the release of the Performance Surety Bond No. CT024260 in the amount of \$649,083, which was submitted by Middlesex Residential Urban Renewal LLC and is being held by the Borough for the View of Middlesex project; and

WHEREAS, in accordance with N.J.S.A. 40:55D-53, a resolution authorizing release of Performance Surety Bond CT024260 in the amount of \$649,083 is required by the Mayor and Council of Middlesex Borough; and

WHEREAS, Colliers Engineering LLP and the Attorney have reviewed all documents and are recommending release of said Performance Surety Bond No. CT024260 in the amount of \$649,083, pending submission of a Maintenance Bond in the amount of \$108,181. This Maintenance Bond shall be for a period of two years from the date of adoption of this resolution;

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 the Colliers Engineer LLP and the Attorney, the governing body hereby agrees to release the Performance Surety Bond No. CT024260 in the amount of \$649,083 to Middlesex Residential Urban Renewal LLC for the Planning Board Appln. 2017-01, known as "The View", pending submission of the Maintenance Bond in the amount of \$108,181.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 93-2023

ACKNOWLEDGING THE CHANGE IN STATUS FOR CERTAIN PROPERTIES UNDER THE SENIOR CITIZEN/DISABLED PERSON/VETERAN TAX DEDUCTIONS FOR BLOCK 104, LOT 28

WHEREAS, certain Senior Citizens/Disabled Persons/Veterans were the owners of property in the Borough of Middlesex for the year 2022, and

WHEREAS, once property is sold the deduction is to be removed and/or prorated to new owner; and

WHEREAS, the property has a recorded sale date of 1/17/2023, and;

THEREFORE, the Tax Collector has disallowed the following Senior Citizen/Disabled

Person/Veteran deduction for the 2023 year totaling \$238.36.

Name: Cafo, Kimber & Wallace, Christopher
Block/Lot: 104 / 28
Amount: \$238.36
Reason: Sale of property 1/17/2023
Year: 2023

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 94-2023

**ACKNOWLEDGING THE CHANGE IN STATUS FOR CERTAIN PROPERTIES UNDER
THE SENIOR/ DISABLED PERSON/VETERAN TAX DEDUCTIONS FOR BLOCK 274,
LOT 6**

WHEREAS, certain Senior Citizens/Disabled Persons/Veterans were the owners of property in the Borough of Middlesex for the year 2022, and

WHEREAS, once property is sold the deduction is to be removed and/or prorated to new owner; and

WHEREAS, the property has a recorded sale date of 1/27/2023, and;

THEREFORE, the Tax Collector has disallowed the following Senior Citizen/Disabled Person/Veteran deduction for the 2023 year totaling \$231.51.

Name: Cevallos, Karen
Block/Lot: 274 / 6
Amount: \$231.51
Reason: Sale of property 1/27/2023
Year: 2023

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 95-2023

REFUND OF PARTIAL RECORDING FEE ON TAX SALE CERTIFICATE

WHEREAS, resolution #84-2023, collected \$9,938.17 for the redemption of certificate 21-00006, and

WHEREAS, the amount of \$9,938.17, included a recording fee of \$55.00, and

WHEREAS, the lien holder did record above certificate, for a recording fee of \$45.00, and

WHEREAS , the amount to redeem therefore was \$9,928.17, and

WHEREAS , the redeemer paid \$9,938.17, and

WHEREAS, the redeemer is entitled to the reimbursement for the \$10.00 difference in recording fee, and

NOW THEREFORE, the Tax Collector is hereby authorized to issue a check to the redeemer, in the amount of \$10.00 to the below:

Champion Title Agency, Inc.
434 Lakeview Avenue
Clifton, NJ 07011

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 96-2023

TRANSFERRING OF MIDDLESEX POLICE CAR TO CONSTRUCTION DEPARTMENT

The Governing Body hereby approves the transfer of the Middlesex Police Car Vin #1FMFU16578LA56787 to the Construction Department 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 97-2023

REFUNDING \$150.00 TO BOUND BROOK CHICKEN, LLC FOR OVERPAYMENT OF BOARD OF HEALTH MERCANTILE LICENSE

The Governing Body hereby approves the reimbursement of \$150.00 for the 2022-2023 Board of Health Mercantile License to Bound Brook Chicken, LLC (Popeye's), 68 Culver Road, Suite # 150, Monmouth Junction, NJ 08852, as the fee collected for said license was incorrect.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 98-2023

AMENDING THE TEMPORARY BUDGET FOR 2023

WHEREAS, an emergent condition has arisen with respect to providing temporary appropriations sufficient to cover commitments made during the period of January 1, 2023 to the date of adoption of the annual budget and no adequate provision has been made in the 2023 temporary appropriations to cover such commitments, and N.J.S.A. 40A: 4-20 provides for the creation of an emergency temporary appropriation for the purpose of covering such commitments; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2023 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A: 4-20) including this resolution total \$17,361,442.94 for the Current Fund Budget, \$170,000.00 for the Swimming Pool Utility Budget;

NOW THEREFORE BE IT RESOLVED (not less than two-thirds of all of the members thereof affirmatively concurring) in accordance with the provisions of N.J.S.A.

	Salaries & Wages	Other Expenses
Appropriations		
Current Fund		
General Government		
Administrator	\$69,000.00	\$21,500.00
Mayor & Council	\$4,800.00	\$1,700.00
Municipal Clerk	\$100,000.00	\$4,000.00
Printing & Advertising	\$0.00	\$3,000.00
Postage	\$0.00	\$8,000.00
Purchasing Agent	\$0.00	\$0.00
Finance Administration	\$83,000.00	\$23,000.00
Computer Services	\$0.00	\$80,000.00
Collection of Taxes	\$62,000.00	\$4,000.00
Assessment of Taxes	\$16,000.00	\$0.00
Legal Services	\$0.00	\$89,000.00
Engineering Services	\$0.00	\$29,000.00
Environmental Services	\$0.00	\$5,000.00
Joint Land Use Board	\$1,500.00	\$5,000.00
Code Enforcement	\$37,000.00	\$5,000.00
CRS Floodplain	\$0.00	\$7,500.00
Liability Insurance	\$0.00	\$0.00
Worker's Comp	\$0.00	\$0.00
Insurance		
Group Insurance	\$0.00	\$1,325,000.00
Temp Disability	\$0.00	\$10,000.00

Insurance		
Longterm Disability Insur	\$0.00	\$5,000.00
Health Benefit Waiver	\$0.00	\$22,000.00
Public Safety		
Police	\$2,000,000.00	\$162,000.00
Juvenile	\$660.00	\$0.00
Emergency Management	\$0.00	\$5,000.00
Fire Department	\$0.00	\$70,000.00
Fire Hydrants	\$0.00	\$95,000.00
Prosecutor	\$0.00	\$5,000.00
Public Works		
Streets & Roads	\$300,000.00	\$56,000.00
Shade Tree	\$950.00	\$18,000.00
Solid Waste	\$104,000.00	\$0.00
Garbage	\$181,000.00	\$14,000.00
Building & Grounds	\$10,500.00	\$40,000.00
Rescue Squad Rental	\$0.00	\$5,100.00
Sewers	\$67,000.00	\$8,000.00
Stormwater Management	\$0.00	\$0.00
Health & Human Services		
Board of Health	\$0.00	\$26,000.00
Animal Control	\$0.00	\$15,000.00
Parks & Recreations		
Recreation	\$38,000.00	\$7,000.00
Celebration of Public Events	\$0.00	\$12,000.00
Parks & Playgrounds	\$257,000.00	\$15,000.00
Sr Citizen Bus Transportation	\$7,000.00	\$0.00
Sr Nutrition	\$8,000.00	\$0.00
Title III	\$17,000.00	\$0.00
Medical Transportation	\$6,000.00	\$0.00
Sr Citizen Coordinator	\$36,000.00	\$10,000.00
Older Americans Grant	\$0.00	\$0.00
Beautification Committee	\$0.00	\$500.00
Housing & Comm Develop	\$0.00	\$0.00

Utility Expenses

Electricity	\$0.00	\$92,000.00
Street Lighting	\$0.00	\$77,000.00
Telephone	\$0.00	\$27,000.00
Water	\$0.00	\$15,000.00
Natural Gas	\$0.00	\$7,000.00
Fuel Oil (Diesel)	\$0.00	\$5,000.00
Gasoline	\$0.00	\$15,000.00

Other Operating

Landfill	\$0.00	\$200,000.00
		0
Construction	\$94,000.00	\$0.00
Judgement	\$0.00	\$20,000.00
Municipal Court	\$102,000.00	\$4,500.00
Public Defender	\$0.00	\$4,000.00
Library	\$0.00	\$305,000.00
		0
Utility Authority	\$0.00	\$605,000.00
		0
Piscataway Sewer	\$0.00	\$45,000.00
Curbside Recycling	\$0.00	\$130,000.00
		0

Statutory Expenses

Social Security	\$0.00	\$175,000.00
		0
DCRP CoMatch	\$0.00	\$4,000.00
Contingent	\$0.00	\$0.00
PERS	\$0.00	\$521,586.00
		0
PFRS	\$0.00	\$1,279,058.00

Municipal Debt Service

Bond Principal	\$0.00	\$0.00
Bond Interest	\$0.00	\$0.00
BAN Principal	\$0.00	\$110,000.00
		0
BAN Interest	\$0.00	\$75,140.00
Green Acres Loan	\$0.00	\$0.00
Infrastructure Loan	\$0.00	\$0.00
MCIA Loan	\$0.00	\$0.00

TOTAL CURRENT FUND	\$3,602,410. 00	\$5,927,58 4.00
Swim Pool Utility		
Operating	\$40,000.00	\$30,000.00
Appropriations		
TOTAL SWIM POOL	\$40,000.00	\$30,000.0 0

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 99-2023

**AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH GRAMMERCY GARDENS
CONDOMINIUM ASSOCIATION, INC.**

WHEREAS, the Borough is in active litigation on the matter of Grammercy Gardens Condominium Association, Inc. v. Borough of Middlesex, MID-L-8180-20; and

WHEREAS, the complaint in the above matter alleges the Borough engaged in inequitable billing practices pertaining to its ordinance governing sewer service fees; and

WHEREAS, the Borough Administration and Grammercy Gardens have negotiated a proposed settlement agreement for settling the litigation and providing for a revised ordinance and settlement sum; and

WHEREAS, the Borough and Grammercy Gardens have met and conferred on a revised ordinance addressing the claim of inequitable billing practices; and

WHEREAS, in line with the proposed agreement, the Borough has passed an ordinance entitled "AN ORDINANCE AMENDING CODE SECTIONS 332-9, 332-38, 332-41, AND 332-42 WITHIN CHAPTER 332 ENTITLED 'SEWERS' TO REVISE CURRENT BILLING PRACTICES[.]" herein referred to as the "revised ordinance" and attached as **EXHIBIT A**; and

WHEREAS, the Borough acknowledges that in addition to passing a revised ordinance, Grammercy Gardens also included a claim for monetary damages in its complaint; and

WHEREAS, the Borough Attorneys have advised that a settlement sum to be paid by the Borough to plaintiff to address the monetary claims is a reasonable and favorable result for the Borough;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Middlesex, County of Middlesex, and State of New Jersey, that the Mayor and Clerk may execute the settlement agreement with Grammercy Gardens Condominium Association and

execute all other documents which may be necessary to implement the settlement agreement;

BE IT FURTHER RESOLVED, that the Borough Administrator may, via company check, certified check, cash, or money order, pay the settlement sum as mentioned in the agreement to Grammercy Gardens Condominium Association within seven (7) days receipt of the fully executed agreement.

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 100-2023

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 [5 TO 0]
MOVER:	Michael Conahan, Council President
SECONDER:	Jack Mikolajczyk, Councilman
AYES:	Conahan, Dessino, Mikolajczyk, Quinn, Rex
ABSTAIN:	Carnes

AGENDA WORKSHOP ITEM

PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS

EXECUTIVE SESSION

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 101-2023

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 an Update on the Environmental Study regarding 1190 Mountain Avenue and the Rescue Squad Lease; 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.

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

Update on Environmental Study - 1190 Mountain Ave.

Rescue Squad Lease

ADJOURNMENT

The next Regular Meeting will be March 28, 2023

Respectfully yours,

Linda Chismar, RMC
Borough Clerk