



Borough of Middlesex
Mayor and Council Regular Meeting
~ Agenda ~

1200 Mountain Ave
Middlesex, NJ

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

Tuesday, May 9, 2023

7:00 PM

Municipal Building

- I. MAYOR'S STATEMENT:** Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of an annual meeting notice to the Star Ledger, Courier News and Home News, and posted at Borough Hall.
- II. SALUTE TO FLAG**
- III. ROLL CALL**

Attendee Name	Present	Absent	Late	Arrived
Mayor John Madden	☐	☐	☐	
Council President Michael Conahan	☐	☐	☐	
Councilman Jeremiah Carnes	☐	☐	☐	
Councilman Robert Dessino	☐	☐	☐	
Councilman Jack Mikolajczyk	☐	☐	☐	
Councilman Martin Quinn	☐	☐	☐	
Councilman Douglas Rex	☐	☐	☐	
Administrator Michael LaPlace	☐	☐	☐	
Borough Attorney Christopher Corsini	☐	☐	☐	

- IV. PRESENTATIONS**
- V. APPOINTMENTS**
- VI. PROCLAMATIONS**

- 1. National Police Week - May 14 - May 20, 2023
- 2. Older Americans Month - 2023

VII. BUDGET HEARING

- 1. **Resolution 138-2023** Adoption the 2023 Budget

VIII. ORDINANCE(S) FOR INTRODUCTION

- 1. **Ordinance 2094-23** BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF REAL PROPERTY FOR MUNICIPAL PURPOSES, APPROPRIATING \$500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$475,000 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

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

1. **Ordinance 2093-23** AN ORDINANCE AUTHORIZING THE MAYOR TO APPROVE AND SIGN FOR THE DONATION OF PROPERTY FROM THE BOROUGH OF MIDDLESEX TO THE UNITED STATES DEPARTMENT OF THE ARMY CORPS OF ENGINEERS FOR THE PLANNED CONSTRUCTION ACTIVITIES ASSOCIATED WITH THE GREEN BROOK FLOOD RISK MANAGEMENT PROJECT

X. ADOPTION OF MINUTES

1. Approval of the April 25, 2023 Regular & Executive Meeting Minutes

XI. MAYOR'S REPORT

XII. COUNCIL MEMBER REPORTS

1. Council President Conahan
2. Councilman Carnes
3. Councilman Dessino
4. Councilman Mikolajczyk
5. Councilman Quinn
6. Councilman Rex

XIII. ADMINISTRATOR'S REPORT

XIV. PRIVILEGE OF THE FLOOR

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

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

1. **Resolution 139-2023** Acceptance of Standing Reports
2. **Resolution 140-2023** Authorizing the Reimbursement of 2023-2024 Board of Health Mercantile Licenses for Various Individuals due to an Overpayment of License Fee

3. **Resolution 141-2023** Resolution of Support by Middlesex Borough for the North Jersey Transportation Planning Authority FY21 Freight Concept Development Study Port Reading Secondary South Main Street Grade Crossing Elimination Project Somerset County, New Jersey
4. **Resolution 142-2023** Accepting the Resignation of Joe Costa from His Employment with the Borough of Middlesex Effective May 5, 2023
5. **Resolution 143-2023** Acknowledging the Change in Status for Certain Properties Under the Senior Citizen/Disabled Person/Veteran Tax Deductions for Block 82 Lot 7
6. **Resolution 144-2023** Amendment to Resolution #132-2023 to Remove Block 82, Lot 7 in the Amount of \$250.00
7. **Resolution 145-2023** Approving the Purchase of Twenty-Four Scott Air Packs in the Amount of \$24,516 for the Fire Department
8. **Resolution 146-2023** Approving OEM to Participate in the Basilone Parade in Somerville/Raritan Borough on September 24, 2023
9. **Resolution 147-2023** Resolution of the Mayor and Council of the Borough of Middlesex, New Jersey Authorizing to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Mountain Avenue and South Avenue Improvements Project
10. **Resolution 148-2023** Salaries & Compensation for Certain Officers and Employees of the Borough of Middlesex for 2023
11. **Resolution 149-2023** Approval of the 2022 Recycling Tonnage Grant Application
12. **Resolution 150-2023** Awarding the Contract for the Geophysical Survey at 302 Union Avenue to EcoSciences, Inc. In An Amount Not to Exceed \$3,600.00
13. **Resolution 151-2023** Awarding the Contract for the Geophysical Survey and Sampling Report at 1190 Mountain Avenue to EcoSciences, Inc. In An Amount Not to Exceed \$18,190.00
14. **Resolution 152-2023** Authorizing the Refund of Duplicate Payment on 2nd Qtr. 2023 Taxes on Block 43 Lot 50

XVI. NON-CONSENT AGENDA/RESOLUTIONS: Matters listed within the Non-Consent Agenda will be individually addressed and acted upon accordingly. Council reserves the right to refer an item to Committee for further review and discussion. The Resolutions listed below were submitted to the Borough Council for review and will be adopted individually by motion.

1. **Resolution 153-2023** Pay All Claims

XVII. AGENDA WORKSHOP ITEM

XVIII. PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS

During the conduct of the meeting, unless a Public Hearing is held or the Regular Order of Business is waived, the audience does not participate. A Public Portion is held at the end of

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

XIX. EXECUTIVE SESSION

1. **Resolution 154-2023** Executive Session

Environmental Study - 302 Union Avenue

Update - 1190 Mountain Avenue

XX. ADJOURNMENT

1. The next Special Meeting will be May 22, 2023

PROCLAMATION

National Police Week - May 14 - May 20, 2023

WHEREAS, Congress and the President of the United States have designated May 15, 2023 as “**Peace Officers’ Memorial Day**” and the week in which it falls as “**National Police Week**”; and

WHEREAS, there are approximately 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Middlesex Borough Police Department; and

WHEREAS, the members of our law enforcement agency of Middlesex Borough play an essential role in safeguarding the rights and freedoms of our citizens, merchants and visitors; and

WHEREAS, it is important for all citizens to know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting against violence and disorder, and by protecting the innocent against deception and the weak against oppression and exploitation; and

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund’s 35th Annual Candlelight Vigil on the evening of May 13, 2023;

NOW, THEREFORE, I, John L. Madden, Mayor of the Borough of Middlesex, call upon our citizens and all patriotic, civic, and educational organizations to observe the week of May 14-20, 2023 as **NATIONAL POLICE WEEK** recognizing all law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities.

I further call upon all citizens to observe May 15, 2023 as “**Peace Officers’ Memorial Day**” to honor our law enforcement officers who have made the ultimate sacrifice in service to their community or have been disabled in the performance of their duties, and let us recognize and pay respect to the survivors of our fallen heroes.

DATED: May 9, 2023

Linda Chismar, RMC

Mayor John L. Madden

PROCLAMATION

Older Americans Month - 2023

WHEREAS, Borough of Middlesex includes a growing number of older Americans who contribute their time, wisdom, and experience to our community; and

WHEREAS, communities benefit when people of all ages, abilities, and backgrounds have the opportunity to participate and live independently; and

WHEREAS, the Office of Aging recognizes the need to create a community that offers the services and supports older adults may need to make choices about how they age; and

WHEREAS, Office of Aging & Disabled Services can work to build an even better community for our older residents by:

- Not limiting our thinking about aging,
- Exploring and combating stereotypes,
- Emphasizing the many positive aspects of aging,
- Inspiring older adults to push past traditional boundaries, and
- Embracing our community's diversity.

NOW, THEREFORE, I, John Madden, Mayor of the Borough of Middlesex do hereby proclaim May 2023 to be Older Americans Month. I urge every resident to celebrate our older citizens, help to create an inclusive society, and accept the challenge of flexible thinking around aging.

DATED: May 9, 2023

Linda Chismar, RMC

Mayor John L. Madden

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

Resolution #138-2023

ADOPTION THE 2023 BUDGET

RESOLUTION TO ADOPT 2023 MUNICIPAL BUDGET

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Middlesex, County of Middlesex, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

\$14,341,313.94	for Municipal Purposes
\$ 692,812.00	Minimum Library Tax

Current Fund:

SUMMARY OF REVENUES

Surplus Anticipated	\$1,600,000.00
Miscellaneous Revenues Anticipated	\$6,183,603.39
Receipts from Delinquent Taxes	\$510,000.00
Amount to be Raised by Taxation	
for Municipal Purposes	\$14,341,313.94
Amount to be Raised by Taxation	
Minimum Library Tax	\$692,812.00
Total Revenues	\$23,327,729.33

SUMMARY OF APPROPRIATIONS

General Appropriations within "CAPS"	
Operations Including Contingent	\$14,157,600.00
Deferred Charges & Statutory	\$2,152,644.00
Expenditures	
General Appropriations Excluded from "CAPS"	
Operations	\$3,653,037.36
Capital Improvements	\$200,000.00
Municipal Debt Service	\$2,300,049.94
Deferred Charges - Municipal	\$69,398.03
Judgements	\$20,000.00
Reserve for Uncollected	\$775,000.00
Taxes	

Total Appropriations	\$23,327,729.33
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Swim Pool Utility:

SUMMARY OF REVENUES

Surplus Anticipated	\$38,658.00
Rents (Memberships)	\$324,900.00
Miscellaneous	\$114,100.00

Total Revenues	\$477,658.00
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SUMMARY OF APPROPRIATIONS

Operations	\$380,130.00
Debt Service	\$78,528.00
Statutory Expenses	\$19,000.00

Total Appropriations	\$477,658.00
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It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 9th day of May 2023. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2023 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on May 9, 2023.

ORDINANCE #2094-23

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF REAL PROPERTY FOR MUNICIPAL PURPOSES, APPROPRIATING \$500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$475,000 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 \$500,000, said sum being inclusive of all appropriations heretofore made therefor, including the sum of \$25,000 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 \$475,000, 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 real property for municipal purposes, located at 302 Union Avenue in the Borough and identified as Block 154, 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 \$475,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$500,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$500,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$25,000 down payment for said purposes.

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 \$475,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$60,000 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. 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.

I Hereby Certify that the above Ordinance was introduced by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on May 9, 2023.

INTRODUCED: May 9, 2023

DATE OF PUBLICATION:
OF INTRODUCTION May 15, 2023

ORDINANCE #2093-23

AN ORDINANCE AUTHORIZING THE MAYOR TO APPROVE AND SIGN FOR THE DONATION OF PROPERTY FROM THE BOROUGH OF MIDDLESEX TO THE UNITED STATES DEPARTMENT OF THE ARMY CORPS OF ENGINEERS FOR THE PLANNED CONSTRUCTION ACTIVITIES ASSOCIATED WITH THE GREEN BROOK FLOOD RISK MANAGEMENT PROJECT

WHEREAS, the Borough of Middlesex ("Borough") has engaged with the United States Department of the Army Corps of Engineers ("USACE") for planned construction activities associated with the Green Brook Flood Risk Management Project; and

WHEREAS, although the Borough has the right to receive just compensation for the conveyance of certain parcels and pieces of property to the USACE for improvements associated with the project, it has determined a donation is more appropriate under the circumstances; and

WHEREAS, the conveyance of these properties will result in the protection of local residents from recurring flooding; and

WHEREAS, the USACE has presented the Borough with a list of parcels necessary for the construction of said improvements, which donation letter and list of properties are hereby incorporated into this Resolution as Exhibit A; and

WHEREAS, legal descriptions detailing the particular parcels mentioned in the list included with Exhibit A are available for inspection at the Borough offices; and

WHEREAS, the attached parcels of property are not currently needed for the Borough's public use and are better utilized for the public use regarding the flood improvements pursuant to N.J.S.A. 40A:12-13 and -13.1; and

WHEREAS, the Mayor must sign off on the donation of these parcels;

NOW THEREFORE, BE IT ORDAINED, by the governing body of the Borough of Middlesex, County of Middlesex, and State of New Jersey, that the Borough consents to and the Mayor and other interested personnel are hereby authorized to sign for the donation of the properties listed in Exhibit A for the improvements necessitated by the Green Brook Flood Risk Management Project and execute any additional documents as may be deemed necessary therefor.

I Hereby Certify that the above Ordinance was introduced by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on May 9, 2023.

INTRODUCED: April 25, 2023

DATE OF PUBLICATION:

OF INTRODUCTION

May 1, 2023

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

Resolution #139-2023

ACCEPTANCE OF STANDING REPORTS

The Governing Body hereby accepts the following Reports itemized below:

1. Accepting the resignation of Diego Ugalde, Jacqueline Giardino and Joseph Buro from the Middlesex Borough Fire Department.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on May 9, 2023.

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

Resolution #140-2023

**AUTHORIZING THE REIMBURSEMENT OF 2023-2024 BOARD OF HEALTH
MERCANTILE LICENSES FOR VARIOUS INDIVIDUALS DUE TO AN
OVERPAYMENT OF LICENSE FEE**

The Governing Body hereby approves the reimbursement of 2023-2024 Board of Health Mercantile License to various individuals for overpayment of said 2023-2024 Board of Health Mercantile License.

Name:	Address:	Refund Amount:
Michael Cascione	70 S Macquesten PKWY, Mount Vernon, NY 10550	\$150.00
Timothy Kerwin	221 Hazelwood Avenue, Middlesex	\$200.00

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on May 9, 2023.

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

Resolution #141-2023

RESOLUTION OF SUPPORT BY MIDDLESEX BOROUGH FOR THE NORTH JERSEY TRANSPORTATION PLANNING AUTHORITY FY21 FREIGHT CONCEPT DEVELOPMENT STUDY PORT READING SECONDARY SOUTH MAIN STREET GRADE CROSSING ELIMINATION PROJECT SOMERSET COUNTY, NEW JERSEY

WHEREAS, the North Jersey Transportation Planning Authority (NJTPA) has developed the Freight Concept Development Program to identify and study freight needs throughout the northern New Jersey region; and

WHEREAS, the NJTPA, in coordination with Somerset County, has identified elimination of the at grade crossing of the Port Reading Secondary Rail Line over South Main Street as a need to improve local and regional mobility and improve safety; and

WHEREAS, there are active freight rail customers along the Port Reading Secondary that must continue to receive rail service eliminating the option to take the entire Port Reading Secondary out of service; and

WHEREAS, the project area is entirely within the Borough of Bound Brook, Somerset County and Middlesex Borough, Middlesex County; and

WHEREAS, the project would result in improved local and regional mobility within the Borough of South Bound Brook, Somerset County, the Borough of Bound Brook, Somerset County and Middlesex Borough, Middlesex County; and

WHEREAS, the NJTPA and Somerset County met with local officials to discuss the issue, held public meetings, and hosted a website to gain public input from residents and stakeholders; and

WHEREAS, after extensive study and development of multiple alternatives to address the study purpose and need, realignment of the Port Reading Secondary to create a fully grade separated crossing of South Main Street was identified as the most effective solution and was selected as the Preliminary Preferred Alternatives; and

WHEREAS, the study team informed the Borough of Middlesex local officials of the Preliminary Preferred Alternative on Tuesday, January 24, 2023;

NOW THEREFORE BE IT RESOLVED, that the Borough of Middlesex formally supports the Preliminary Preferred Alternatives in the Port Reading Secondary South Main Street Grade Crossing Elimination Project, and the pursuit of public funding to complete this project.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on May 9, 2023.

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

Resolution #142-2023

**ACCEPTING THE RESIGNATION OF JOE COSTA FROM HIS EMPLOYMENT WITH
THE BOROUGH OF MIDDLESEX EFFECTIVE MAY 5, 2023**

The Governing Body hereby accepts the resignation of Joe Costa from his employment with the Borough of Middlesex effective May 5, 2023.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on May 9, 2023.

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

Resolution #143-2023

**ACKNOWLEDGING THE CHANGE IN STATUS FOR CERTAIN PROPERTIES
UNDER THE SENIOR CITIZEN/DISABLED PERSON/VETERAN TAX DEDUCTIONS
FOR BLOCK 82 LOT 7**

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 deed date of 3/15/2023, and;

THEREFORE, the Tax Collector has disallowed the following Senior Citizen/Disabled Person/Veteran deduction for the 2023 year totaling \$199.32.

Name: Passalacqua, Salvatore
Block/Lot: 82 /7
Amount: \$199.32
Reason: Sale of property 3/15/2023
Year: 2023

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on May 9, 2023.

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

Resolution #144-2023

**AMENDMENT TO RESOLUTION #132-2023 TO REMOVE BLOCK 82, LOT 7 IN THE
AMOUNT OF \$250.00**

WHEREAS, Resolution #132-2023 regarding Senior Citizen/Disabled Person Deductions for 2022 included Block 82 Lot 7, and

WHEREAS, notification was received after the resolution was approved that the property sold in March 2023, and

WHEREAS, Block 82 Lot 7 should not be included as a flat \$250.00, and

WHEREAS, a separate resolution will prorate the \$250.00 to the new owners of Block 82 Lot 7, and

THEREFORE, removing Block 82 Lot 7 from resolution #132-2023 in the amount of \$250.00 for Senior Citizen/Disabled Person Deductions changes the total for the year 2022 to \$1,500.00.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on May 9, 2023.

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

Resolution #145-2023

**APPROVING THE PURCHASE OF TWENTY-FOUR SCOTT AIR PACKS IN THE
AMOUNT OF \$24,516 FOR THE FIRE DEPARTMENT**

WHEREAS, the Fire Department of the Borough of Middlesex wishes to purchase twenty-four (24) Scott Air Packs under the NJ State Contract #17-FLEET-00819 in the amount of \$24,516.00; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Contracts Law, 40A:11-12; and

WHEREAS, NJ Fire Equipment Co. is under the NJ State Contract #17-FLEET-00819 for fire equipment; and

WHEREAS, the cost for the purchase of twenty-four (24) Scott Air Packs is not to exceed \$24,516.00; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of twenty-four (24) Scott Air Packs under NJ State Contract #17-FLEET-00819 be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed \$24,516.00 are available in the 2021 Fire Dept Capital Budget, Account No. C-04-21-039-000-075.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on May 9, 2023.

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

Resolution #146-2023

**APPROVING OEM TO PARTICIPATE IN THE BASILONE PARADE IN
SOMERVILLE/RARITAN BOROUGH ON SEPTEMBER 24, 2023**

Approving OEM to participate in the Basilone Parade in Somerville/Raritan Borough on September 24, 2023.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on May 9, 2023.

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

Resolution #147-2023

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
MIDDLESEX, NEW JERSEY AUTHORIZING TO SUBMIT A GRANT APPLICATION
AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF
TRANSPORTATION FOR THE MOUNTAIN AVENUE AND SOUTH AVENUE
IMPROVEMENTS PROJECT**

NOW, THEREFORE, BE IT RESOLVED that Council of the 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 LTPF-2023-Mountain Ave and South Ave Improve-00126 to the New Jersey Department of Transportation on behalf of the Borough of Middlesex

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

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on May 9, 2023.

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

Resolution #148-2023

**SALARIES & COMPENSATION FOR CERTAIN OFFICERS AND EMPLOYEES OF
THE BOROUGH OF MIDDLESEX FOR 2023**

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 2023 be hereby fixed respectively as follows:

<u>Title</u>	<u>2023 Salary</u>
Borough Clerk	\$90,000.00
Purchasing Agent	\$58,000.00
CFO/Treasurer	\$103,000.00
HR/Payroll Manager	\$62,000.00
Tax Collector	\$74,000.00
Finance/Tax Clerk	\$43,860.00
Tax Assessor	\$35,700.00
Senior Certified Tech Assistant	\$65,130.00
Certified Tech Assistant	\$51,000.00
Senior/Recreation Director	\$78,030.00
Asst Recreation Coordinator	\$12,240.00
Municipal Court Administrator	\$68,667.00
Municipal Magistrate	\$37,600.00
Construction Official	\$32,887.00
Electrical SubCode Official	\$14,727.00
Fire SubCode Official	\$13,714.00
Plumbing SubCode Official	\$19,488.00
DPW Administrative Assistant	\$52,000.00
Police Administrative Assistant	\$60,000.00
Senior Police Records Clerk	\$55,000.00
Police Records Clerk	\$52,000.00
Juvenile Committee Secretary	\$2,215.00
Shade Tree Secretary	\$2,610.00
Resale Certificate Inspector	\$17.15

Code Enforcement Assistant	\$14.50
Senior Dept Drivers - Non CDL	\$20.00
Senior Dept Drivers - CDL	\$24.00
Public Works Laborer	\$16.50
Recreation Admin Assistant	\$16.00
Custodian	\$17.20
Pre School Program Instructor	\$17.00
Playground Site Supervisor	\$20.00
Playground Counselor	\$13.00

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on May 9, 2023.

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

Resolution #149-2023

APPROVAL OF THE 2022 RECYCLING TONNAGE GRANT APPLICATION

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for the **2022 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Borough of Middlesex to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that the Borough of Middlesex hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates David Sliker to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on May 9, 2023.

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

Resolution #150-2023

AWARDING THE CONTRACT FOR THE GEOPHYSICAL SURVEY AT 302 UNION AVENUE TO ECOLSCIENCES, INC. IN AN AMOUNT NOT TO EXCEED \$3,600.00

WHEREAS, the Borough of Middlesex Administration has determined that there is a need to conduct a geophysical survey at 302 Union Avenue; and

WHEREAS, funds are available to conduct a geophysical survey at 302 Union Avenue and have been certified as such by the local finance officer.

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

1. At the recommendation of the Borough Administrator, the Mayor and governing body hereby awards the contract for the geophysical survey at 302 Union Avenue to EcolSciences, Inc. in an amount not to exceed \$3,600.00.
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 and EcolSciences, Inc.

NOW FURTHER BE IT RESOLVED, that the Treasurer hereby certifies funds in the amount of \$3,600.00 are available in the Bond Ordinance for Acquisition of 302 Union Ave. Account Number C-04-23-094-000-050.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on May 9, 2023.

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

Resolution #151-2023

AWARDING THE CONTRACT FOR THE GEOPHYSICAL SURVEY AND SAMPLING REPORT AT 1190 MOUNTAIN AVENUE TO ECOLSCIENCES, INC. IN AN AMOUNT NOT TO EXCEED \$18,190.00

WHEREAS, the Borough of Middlesex Administration has determined that there is a need to conduct a geophysical survey and sampling report at 1190 Mountain Avenue; and

WHEREAS, funds are available to conduct a geophysical survey and sampling report at 1190 Mountain Avenue and have been certified as such by the local finance officer.

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

1. At the recommendation of the Borough Administrator, the Mayor and governing body hereby awards the contract for the geophysical survey and sampling report at 1190 Mountain Avenue to EcolSciences, Inc. in the amount not to exceed \$18,190.00.
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, and EcolSciences, Inc.

NOW FURTHER BE IT RESOLVED, that the Treasurer hereby certifies funds in the amount of \$18,190.00 are available in the Capital Ordinance for Acquisition of 1190 Mountain Ave. Account number C-04-22-071-000-050.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on May 9, 2023.

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

Resolution #152-2023

**AUTHORIZING THE REFUND OF DUPLICATE PAYMENT ON 2ND QTR. 2023
TAXES ON BLOCK 43 LOT 50**

WHEREAS, payment was made by Ideal Title, LLC, for Block 43 Lot 50 for 2nd Qtr. 2023 in the amount of \$1,906.49 and posted on 4/24/2023; and

WHEREAS, an additional payment was sent in via WIRE for Block 43 Lot 50 for 2nd Qtr. 2023 in the amount of \$1,906.49 and posted on 4/28/2023; and

WHEREAS, overpayments are applied forward if a refund request is not received by the property owner, and;

WHEREAS, Ideal Title, LLC has requested a refund for the double payment as the account is now escrowed, and;

WHEREAS, Ideal Title, LLC is entitled to a refund as there is an overpayment of \$1,906.49 for 2nd Qtr. taxes on the account; and

NOW THEREFORE, a check in the amount of \$1,906.49 should be made payable to:

Ideal Title, LLC
7717 Victory Ln Ste B
North Ridgeville, OH 44039

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on May 9, 2023.

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

Resolution #153-2023

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.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on May 9, 2023.

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

Resolution #154-2023

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 the Environmental Study regarding 302 Union Avenue and an Update on 1190 Mountain Avenue; and

WHEREAS, the regular meeting of this Governing Body will reconvene.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Middlesex will go into closed session for the following reason listed below as outlined in N.J.S.A. 10:4-12 and the minutes will be kept, and once the matter involving the confidentiality of the items no longer require confidentiality, the minutes can be made public.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on May 9, 2023.