



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, May 9, 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:

Michael LaPlace Administrator
Christopher Corsini Borough Attorney

Others Absent:

PRESENTATIONS

APPOINTMENTS

PROCLAMATIONS

1. 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.

Councilman Mikolajczyk read the National Police Week Proclamation for 2023.

2. 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.

Council President Conahan read the Older Americans Month Proclamation for 2023.

BUDGET HEARING

Mayor Madden opened the hearing on the 2023 Municipal Budget.

Bruce Sanders, 10 Venice Avenue, questioned what the ratable is.

Seeing that there were no further questions on the 2023 Municipal Budget, Mayor closed the hearing on the 2023 Municipal Budget.

Borough Clerk Linda Chismar read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex 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	\$1,600,000
Anticipated	.00
Miscellaneous Revenues Anticipated	\$6,183,603
	.39
Receipts from Delinquent Taxes	\$510,000.0
	0

Amount to be Raised by Taxation for Municipal Purposes	\$14,341,31 3.94
Amount to be Raised by Taxation Minimum Library Tax	\$692,812.0 0
Total Revenues	\$23,327,72 9.33

SUMMARY OF APPROPRIATIONS

General Appropriations within
"CAPS"

Operations Including Contingent	\$14,157,60 0.00
Deferred Charges & Statutory Expenditures	\$2,152,644 .00
General Appropriations Excluded from "CAPS"	
Operations	\$3,653,037 .36
Capital Improvements	\$200,000.0 0
Municipal Debt Service	\$2,300,049 .94
Deferred Charges - Municipal	\$69,398.03
Judgements	\$20,000.00
Reserve for Uncollected Taxes	\$775,000.0 0
Total Appropriations	\$23,327,72 9.33

Swim Pool**Utility:**

SUMMARY OF REVENUES

Surplus	\$38,658.00
Anticipated Rents (Memberships)	\$324,900.0

	0
Miscellaneous	\$114,100.0
	0
Total	\$477,658.0
Revenues	0

SUMMARY OF APPROPRIATIONS

Operations	\$380,130.0
	0
Debt Service	\$78,528.00
Statutory	\$19,000.00
Expenses	
Total Appropriations	\$477,658.0
	0

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.

Borough CFO Caroline Benson commented on the following 2023 Budget Highlights:

- Surplus balance will have increased by 400K after amount utilized as revenue, bringing current surplus balance to approx. \$1.5 million. Our goal remains to have surplus at 15% of overall budget - goal to improve standing with rating agencies to achieve best interest rates when bonding for capital projects
- Tax Collection rate for 2022 was 98.70%, slight decrease from 2021 of 98.86%
- New assessments will be in effect for the 2023 budget year and will be reflected on the tax bill residents will receive in July 2023
- The average residential assessment now stands at 425,000.
- Budget includes funding for 3 new Police Officers and Shared Services with Somerset County for the 911 Dispatch System, Grant Writing firm to proactively acquire more funding/opportunities for needed projects/equipment, increased appropriations for many materials/supplies due to inflation driving costs up, increased appropriations for utilities, especially gas, diesel & water.
- Healthcare costs have increased approx. 22% for Active and 26% for Retired employees. Borough had to increase the budget appropriation \$680K. First health insurance budget appropriation increase since 2017 budget. Every town using the State Health Care program is facing the mandated increases this year.
- This budget remains the same as the Introduced version that the Council approved by resolution at the 4/11/23 meeting. No changes were made.

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

ORDINANCE(S) FOR INTRODUCTION

Borough Clerk Linda Chismar read Ordinance 2094-23 by title:

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.

RESULT:	FIRST READING [UNANIMOUS]	Next: 5/23/2023 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

Borough Clerk Linda Chismar read Ordinance 2093-23 by title:

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.

Mayor Madden opened the hearing on Ordinance No. 2093-23. Seeing that there was no public participation, Mayor Madden closed the public hearing on Ordinance No. 2093-23.

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

ADOPTION OF MINUTES

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

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

MAYOR'S REPORT

On Monday, May 22, 2023, a special meeting will be held among the various groups such as the EPA, DEP, County Health and our Local Health Departments to discuss with urgency, what can be done to greatly improve the existing atrophy of our historic Creighton Lake. Despite persistently high bacteria test results, a significant loss of lake depth, constant ongoing erosion of the lake banks and long-term neglect and spoliation of the island within the Creighton Lake, action needs to be taken to restore the Lake and the Park to its original splendor and natural beauty.

The goal of this meeting is to petition these environmental groups to register us on the grid for the benefits to improve, enhance and protect (from their playbook) those bodies of water and small municipalities which are "underserved". This is long overdue.

COUNCIL MEMBER REPORTS

Council President Conahan**Council President Conahan made the following comments:**

The Joint Land Use Board will meet tomorrow at 7pm.

The Board of Education will meet May 17th.

The Memorial Day Parade will be held May 29th, with the Ceremony starting at 10am.

Community Day will be June 3rd from 1pm-8pm at Mountain View Park.

Councilman Carnes**Councilman Carnes made the following comments:**

Happy Mother's Day to all the awesome Mama's out there, you're all amazing.

Board of Ed:

Sending Dr. Freeman an email invite to the new Colors and Flowers Festival and to discuss the possibility of programs/events that we can work together on to benefit our community's knowledge and accessibility to garden life and growing your own food.

Culture and Heritage Committee:

Colors and Flowers Festival date was changed.

Open Mic Night continues to be awesome.

Lincoln Statue Historical Designation is an ongoing wait as we're still not sure the full status of the land claim timeframe.

OEM/Rescue/Fire:

Attended Carnival, sat in the DeLorean for photos.

Rescue Squad:

Thank you to our rescue squad members for attending the bonfire, your support to the community is noticed.

Councilman Dessino

Councilman Dessino made the following comments:

Swim Pool will be hosting an Open House May 20th from 9am till noon.

Twice a week garbage pickup will be starting after Memorial Weekend.

The water at the Dog Park should be finished in two weeks.

The no parking signs are up on Wilton Avenue.

Flags will be installed around the Parade route soon.

Topsoil has been put down around the flag pole.

Councilman Mikolajczyk

Councilman Mikolajczyk made the following comments:

The Carnival had minimal Policing issues.

There will be road work done on Lincoln Avenue and Route 28.

There have been discussions about Class 3 Officers.

An offer has been sent out for a new Officer.

Councilman Quinn

Councilman Quinn made the following comments:

Board of Health will be meeting May 11th at 7pm.

Councilman Rex

No report was given.

ADMINISTRATOR'S REPORT

1. Election information post cards, indicating polling locations for voters affected by the new changes in some polling sites, will be mailed this Monday.
2. We have received a request from the New Jersey League of Municipalities to support full restoration of the Energy Tax Receipts Property Tax Relief Fund Relief for Municipalities by the state legislature. We can submit the reply online. A consensus of Council was obtained to support the restoration of the Energy Tax Receipts Property Tax Relief Fund Relief.
3. We have received a letter from Middlesex County regarding our HUD "Urban County" membership. On behalf of HUD, the County is asking if we wish to continue to be eligible for grant funding through the program. If

not, we would have to send a letter, but we would then forfeit our "Urban County" grant status. This is a formal HUD requirement. I assume that we want to maintain our current status. A consensus of Council was obtained to continue our eligibility for grant funding through the "Urban County" membership.

4. One of tonight's resolutions is in support of the study by the North Jersey Transportation Planning Authority to remove the at-grade railroad crossing at the Bound Brook side of the S. Main Street bridge to South Bound Brook. This track of the Port Reading line would be shifted slightly to the north and an existing railroad overpass would be expanded to accommodate it.
5. Progress is continuing with the streetscaping project along Route 28, Bound Brook Road, in the vicinity of Mountain View Park and Middlesex High School.
6. There will be a special Council Meeting on Monday, May 22, 2023 at 7:00 p.m. to discuss the condition of Creighton Lake and the cause of the high level of Coli. A teleconference presentation will be made by EPA/DEP. Staff will inform the members of the Board of Health about the meeting.
7. The Police Awards will be distributed at the Tuesday, May 23 Council Meeting.
8. The renovation of restrooms here in the Municipal Building is continuing and the work on the second restroom is near completion.
9. My first all-staff meeting was on Monday morning, May 1. It was well attended. I plan to start having monthly department head meetings and all-staff meetings as needed.

PRIVILEGE OF THE FLOOR

Bruce Sanders, 10 Venice Avenue, asked about the status of videoing the meetings, as well as the catalytic converter issues that the municipality has been having. He also asked for clarification on an ordinance that was adopted at the last meeting about the Housing Code changes.

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 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.

Borough Clerk Linda Chismar read the following resolution:

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

Borough Clerk Linda Chismar read the following resolution:

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

Borough Clerk Linda Chismar read the following resolution:

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

Borough Clerk Linda Chismar read the following resolution:

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

Borough Clerk Linda Chismar read the following resolution:

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

Borough Clerk Linda Chismar read the following resolution:

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

Borough Clerk Linda Chismar read the following resolution:

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

Borough Clerk Linda Chismar read the following resolution:

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

Borough Clerk Linda Chismar read the following resolution:

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

Borough Clerk Linda Chismar read the following resolution:

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

Borough Clerk Linda Chismar read the following resolution:

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

Borough Clerk Linda Chismar read the following resolution:

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

Borough Clerk Linda Chismar read the following resolution:

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

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 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.

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

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 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.

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

Environmental Study - 302 Union Avenue

Update - 1190 Mountain Avenue

ADJOURNMENT

The next Special Meeting will be May 22, 2023

Respectfully yours,

Linda Chismar, RMC
Borough Clerk