



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, December 19, 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 -- **Absent**

Also Present:

Michael La Place Administrator
Christopher Corsini Borough Attorney

Others Absent:

PRESENTATIONS

APPOINTMENTS

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 353-2023

**HIRING PROBATIONARY POLICE OFFICER BRANDON STOUT AT AN ANNUAL
SALARY OF \$52,058.00 EFFECTIVE JANUARY 8, 2024**

WHEREAS, Brandon Stout has successfully completed the background investigation, psychological and medical examination required for the position of a Probationary Police

Officer in the Borough of Middlesex; and

WHEREAS, Chief Geist is recommending that Brandon Stout be appointed to the position of Probationary Police Officer effective January 8, 2024 at an annual salary of \$52,058.00.

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

1. Brandon Stout is hereby appointed a Probationary Police Officer for the Borough of Middlesex effective January 8, 2024 at an annual salary of \$52,058.00.
2. This resolution shall take effect immediately.

Mayor Madden stated that Brandon comes from a background as a Correctional Police Officer with the Somerset County Sheriff's Office. He will be attending the Cape May County Police Academy where he will complete his Basic Course for Police Officers on June 6, 2024.

Brandon attended Seton Hill University in Pennsylvania and ASA College in Brooklyn, New York, where he earned an Associate in Applied Science degree in Criminal Justice. Brandon was raised in Piscataway, New Jersey and currently resides in Somerset County with his family.

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

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 354-2023

HIRING PROBATIONARY POLICE OFFICER DAVID WILCZYNSKI AT AN ANNUAL SALARY OF \$52,058.00 EFFECTIVE JANUARY 8, 2024

WHEREAS, David Wilczynski has successfully completed the background investigation, psychological and medical examination required for the position of a Probationary Police Officer in the Borough of Middlesex; and

WHEREAS, Chief Geist is recommending that David Wilczynski be appointed to the position of Probationary Police Officer effective January 8, 2024 at an annual salary of \$52,058.00.

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

1. David Wilczynski is hereby appointed a Probationary Police Officer for the Borough of Middlesex effective January 8, 2024 at an annual salary of \$52,058.00.
2. This resolution shall take effect immediately.

Mayor Madden stated that David comes from a background as a Correctional Police Officer with the New Jersey State Department of Corrections. He will be attending the Cape May County Police Academy where he will complete his Basic Course for Police Officers on June 6, 2024.

David attended Montclair State University and Raritan Valley Community College, where he earned an Associate of Science Degree in Business. David was raised in Bridgewater, NJ and currently resides in Somerset County with his family.

Chief Geist congratulated Brandon and David and thanked the Mayor and Council for their support of the department, which brings them to full staff. Chief Geist also thanked the staff that were able to make it tonight to the meeting.

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

PROCLAMATIONS

ORDINANCE(S) FOR INTRODUCTION

ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION

Borough Clerk Linda Chismar read Ordinance 2104-23 by title:

ORDINANCE 2104-23

PROVIDING FOR DESIGN AND PERMITTING IN CONNECTION WITH THE MOUNTAINVIEW PARK PROJECT, APPROPRIATING \$185,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$175,750 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 \$185,000, said sum being inclusive of all appropriations heretofore made therefor, including the sum of \$9,250 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 \$175,750, 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 design and permitting in connection with the Mountainview Park Project, 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 \$175,750, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$185,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$185,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$9,250 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 fifteen (15) 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 \$175,750 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$185,000 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.

Mayor Madden opened the public hearing on Ordinance No. 2104-23. Seeing that there was no public participation, Mayor Madden closed the public hearing on Ordinance No. 2104-23.

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

Borough Clerk Linda Chismar read Ordinance 2105-23 by title:

ORDINANCE 2105-23

AN ORDINANCE AUTHORIZING THE SALE OF PROPERTY KNOWN AS BLOCK 278, LOTS 60 & 61 ON THE MIDDLESEX BOROUGH TAX MAP AND LOCATED ON DRAKE AVENUE TO THE UNITED STATES DEPARTMENT OF THE ARMY CORPS OF ENGINEERS

WHEREAS, the Borough is the fee simple owner of two parcels of land known as Lots 60 and 61 within Block 278 on the Middlesex Borough tax map, located on Drake Avenue ("property"), which are pair of lots currently known as the "Daisy Park" totaling 0.34 acres; and

WHEREAS, the Borough of Middlesex 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, the Borough has the right to receive just compensation for the sale of properties for improvements associated with the project and has negotiated a price with the USACE for the sale of Block 278, Lots 60 and 61 for the combined price of \$19,700.00; and

WHEREAS, the conveyance of these properties will result in the protection of local residents from recurring flooding; 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 of the USACE pursuant to N.J.S.A. 40A:12-13(b)(1);

NOW, THEREFORE, BE IT ORDAINED, by the governing body of the Borough of Middlesex, in the County of Middlesex and State of New Jersey, that the property be and is hereby offered for sale, subject to all restrictions and limitations of record or as may be found to exist on the property, to the USACE per N.J.S.A. 40A:12-13(b)(1), as more specifically delineated below:

SECTION I.

Part A

Existing Facts

1. The Borough is the fee simple owner of Block 278, Lots 60 and 61 on the Middlesex Borough Tax Map, located on Drake Avenue;
2. The lots in question, as shown on the tax map, are in aggregate approximately 0.34 acres and largely undeveloped;
3. Pursuant to N.J.S.A. 40A:12-13(b)(1), the Borough may convey the property at private sale to a governmental agency, notably the USACE;
4. The subject property is not needed for public use;
5. The fair market value of the subject property, as determined in the formula set forth from the Tax Assessor, is \$19,700.00;

Part B Sale Pursuant to N.J.S.A. 40A:12-13(b)(1)

6. The subject property, pursuant to N.J.S.A. 40A:12-13(b)(1), is hereby offered for sale to the USACE as outlined above;
7. The minimum price for which the subject property shall be is set forth above;
8. This offer of sale, as reflected in this Ordinance, shall be pursuant to N.J.S.A. 40A:12-13(b)(1):
 - a) This Ordinance and Public Notice shall be posted in the Borough Hall, located at 1200 Mountain Avenue, Middlesex, N.J. 08846
 - b) The notice to sell shall be placed as an advertisement in a newspaper circulating in the Borough in which the subject is property is situated, namely, the Courier News
 - c) Both the posting and the advertisement shall occur within five days following the date of the enactment of this Ordinance;
9. Offers to purchase the property may be made by additional offerors within a period of twenty (20) days following the advertisement set forth hereinabove. Said offer shall be made for not less than the minimum price set forth above;
10. Pursuant to N.J.S.A. 40A:12-13(b), the Borough, having offered the property for private sale, will file, with the Director of the Division of Local Government Services in the Department of Community Affairs, sworn affidavits verifying the publication of the advertisement referenced in paragraph 8 above;
11. The highest offer made above the minimum price as set forth above, consistent with the terms of this Ordinance, shall be accepted and a closing of title will be required within sixty (60) days after the offer is accepted. Should a closing not occur during that timeframe, for any reason related directly or indirectly to the offer or, the Borough shall have the right to terminate the sale.

SECTION II.

This Ordinance shall take effect upon final passage and publication according to law.

SECTION III.

All ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION IV.

If any section, paragraph, subdivision, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause, or provision, and the remainder of this Ordinance shall remain valid and effective.

Mayor Madden opened the public hearing on Ordinance No. 2105-23. Seeing that there was no public participation, Mayor Madden closed the public hearing on Ordinance No. 2105-23.

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

Borough Clerk Linda Chismar read Ordinance 2106-23 by title:

ORDINANCE 2106-23**AN ORDINANCE AMENDING CHAPTER 6 (BYLAWS OF COUNCIL) OF THE
MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX**

WHEREAS, the Mayor and Council of the Borough of Middlesex desires to amend the by-laws of the Borough Council to provide for council liaison committees; and

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Middlesex, in the County of Middlesex, State of New Jersey, that Chapter 6 of the Municipal Code of the Borough of Middlesex shall be amended as follows:

SECTION I.

A new section shall be inserted into the Municipal Code of the Borough of Middlesex as Section 6-6, shall be entitled as "Ex Officio Member of Committees," and shall contain the following provisions:

The Mayor shall be an ex officio member of all committees, both standing and special, and shall be informed in advance of all meetings of such committees.

SECTION II.

A new section shall be inserted into the Municipal Code of the Borough of Middlesex as Section 6-7, shall be entitled as "Liaison," and shall contain the following provisions:

The Mayor shall serve as the liaison between the governing body and all boards, committees, agencies or organizations except as herein assigned to a specific Council committee for liaison purposes.

SECTION III.

Article V (Council Committees) is hereby repealed and replaced as follows (all text is novel):

Section 6-23 Relationship of Mayor.

The Mayor shall appoint all committees and shall be a member, ex officio, of each such committee. In addition, the Mayor shall see that all matters referred to the committee are acted upon and reported promptly to the Council.

Section 6-24 Enumeration and appointment.

The following Council committees, consisting of three Council members (other than the Mayor, ex officio) shall be appointed at the discretion of the Mayor:

- A. Finance, Taxation, Real Estate, Construction Official and Insurance.
- B. Recreation, Recreation Fields, Water and Light.
- C. Fire, Office of Emergency Management, Board of Health and Welfare.
- D. Public Works, Parks, Sanitation, Garbage, Recycling and Buildings & Grounds.
- E. Police, Legal, Code Enforcement, Municipal Court & Zoning.
- F. Administration, Legislation, License, Facilities Planning & Office of Aging & Disabled Services.

Section 6-25 Councilmanic liaisons.

The Mayor shall appoint the membership of each council committee as well as all boards or organizations as he deems necessary.

Section 6-26 Purpose, function and restrictions.

Standing committees are appointed to expedite and facilitate the work of the Council, but only within statutory limits as the entire Council is held responsible for any or all of its acts.

A. A standing committee shall:

- (1) Plan, study, direct, make commitments within budgetary limitations, and carry on the routine activities for which it has primary responsibility.
- (2) Perform such acts as may be assigned to it by the Council.
- (3) Report and make recommendations to the Council regarding its responsibilities and

activities.

B. Except as provided above, a standing committee shall not:

- (1) Exceed its budgetary appropriations without prior approval of the Council.
- (2) Make promises or commitments to anyone which directly or by inference bind the Council.
- (3) Act in such a manner or make decisions which set a precedent or violate established Council policy.

Section 6-27 Special committees for other purposes.

Special committees may be appointed by the Mayor for purposes other than those included in the duties of the standing committees.

Section 6-28 Reports to Mayor and Council.

The Chairperson of each standing or special committee shall be prepared to report to the Mayor and Council at each regular meeting on the principal activities and achievements of his or her committee. The Chairperson shall also prepare and submit in writing to the Mayor and Council not later than December 1 of each year a suitable annual report.

Section 6-29 Finance, Taxation, Real Estate, Insurance and Public Utility.

The Finance Committee shall have primary responsibility for the following described activities and matters:

- A. The examination, review and approval of all vouchers prior to their submission to the Council for authorizing to pay the same.
- B. The administration, practices, procedures and records of the following:
 - (1) The Collector/Treasurer and his/her office.
 - (2) The Tax Assessor and his/her office.
 - (3) Public utilities (gas, electric and water).
- C. The initiation of foreclosure action, and subsequent administration and disposition of property acquired by the Borough under foreclosure of tax title liens.
- D. The coordination of departmental budgets; the preparation of budgetary figures relating to the activities above mentioned; the final preparation.
- E. The maintenance, review and revision of the Borough cost system.
- F. The review, revision and all other matters pertaining to any insurance coverage of the Borough.
- G. Serve as liaison between the Council and the registered municipal accountants, and any other body or organization on fiscal matters.

Section 6-30 Recreation, Recreation Fields, Swim Pool Commission and Community Celebrations.

This committee shall have primary responsibility for the following described activities and matters:

A. The administration, practices, procedures and records of the following:

- (1) Recreation field construction, maintenance and improvements.
- (2) Recreation activities conducted by the Recreation Commission.
- (3) Activities conducted by the Swim Pool Commission.
- (4) Community celebrations financed wholly or in part by public funds.

B. It shall serve as liaison between the Council and the following:

- (1) The Recreation Commission.
- (2) Community celebrations financed wholly or in part by public funds.

Section 6-31 Board of Health, Emergency Management and Rescue Squad.

This committee shall have primary responsibility for the following described activities and matters:

A. The administration, practices, procedures and records of the following:

- (1) Fire activities.
- (2) Activities conducted by Animal Control Services.

B. It shall serve as the liaison between the Council and the Office of Emergency Management, the Board of Health and the Rescue Squad.

Section 6-32 Public Works, Recycling and Buildings and Grounds.

This committee shall have primary responsibility for the following described activities and matters:

A. The administration, practices, procedures and records of the following:

- (1) Road construction, improvement, maintenance and cleaning, including street openings.
- (2) Maintenance and operations of the Borough facilities and adjacent grounds.
- (3) Maintenance of vehicles and other mechanical equipment as assigned.
- (4) Sanitation activities, including construction, maintenance and inspection of sanitary sewers and coordination of new sewer construction.
- (5) Garbage and refuse collection and disposal.
- (6) The Borough Engineer.
- (7) Stormwater collection and disposal.
- (8) Parks maintenance.
- (9) Cutting of grass and weeds on municipal property.

- (10) Recycling collection and disposal.

Section 6-33 Police, Municipal Court, Legal, Code Enforcement. Zoning and Construction.

This committee shall have primary responsibility for the following described activities and matters:

- A. The administration, practices, procedures and records of the following:

- (1) Police activities.
- (2) Borough Attorney.
- (3) Municipal Magistrate, Prosecutor, Public Defender and Court Services.
- (4) Code Enforcement activities.
- (5) Construction Office/Zoning Official activities.
- (6) Organizations or agencies concerned with public safety or juvenile delinquency.

Section 6-34 Administration, Legislation, Licensing, Facilities Planning and Office of Aging & Disabled Services.

This committee shall have primary responsibility for the following described activities and matters:

- A. The administration, practices, procedures and records of the following:

- (1) The Borough Clerk's office.
- (2) Maintenance and review of Borough ordinances.
- (3) Computer technology, web services, phone systems and radio services. It shall serve as the liaison between the Council and the Borough Technology Committee.
- (4) Administrative responsibility as designated by the Mayor.
- (5) The Office of Aging & Disabled Services

SECTION IV.

All ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION V.

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 VI.

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

Mayor Madden opened the public hearing on Ordinance No. 2106-23.

Dave Polakiewicz, 240 Hazelwood Avenue questioned what had been amended in regard to the bylaws.

Seeing that there was no further public participation, Mayor Madden closed the public hearing on Ordinance No. 2106-23.

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

ADOPTION OF MINUTES

1. Approval of the November 21, 2023 Regular & Executive Meeting Minutes

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

2. Approval of the December 8, 2023 Special Meeting Minutes

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

MAYOR'S REPORT

Mayor Madden made the following comments:

I stopped over to the site at 6 Heather Lane yesterday to see what kind of damage the flooding was causing the area. The Pumping Station was pumping a significant amount of water yesterday. More erosion was evident. Prior to going out there, I tried contacting several news stations in an attempt to gain some additional coverage on the problems at Heather Lane. The CBS news team responded and met me at the site, did an interview and mentioned the concerns on the news.

My final address will be before Executive Session.

COUNCIL MEMBER REPORTS

Council President Conahan

Council President Conahan made the following comments:

- I want to congratulate our two new officers, Brandon and David.
- I want to thank all of our Emergency Services and First Responders for all their hard work and long hours starting on Sunday, throughout all of yesterday and today, as they helped many of our residents and commuters navigate and avoid rising flood waters. This includes our Police Department, DPW (a special thanks to Chris Emmons), Rescue Squad, Fire Department, and especially our Office of Emergency Management. There is much clean-up left to do over the coming days and weeks.
- Thanks to all who attended and helped deliver our annual Tree Lightening Winter Festival and Bonfire on December 2nd. The weather was beautiful, and it was the most well attended in many years. A special thank you to the entire Recreation Department lead by Melissa DeMarino.
- A very heartfelt thank you to Laura Meixner, who is retiring as our long time “Meals on wheels driver and playgroup coordinator”. Laura, Paul and the entire Meixner family have donated hundreds and hundreds of hours of their time in volunteering throughout Middlesex. Laura, you will be missed!
- Congratulations to our very own Maggie Schroeder in OEM, on her recent accomplishments and graduation.
- We had a successful meeting with the BOE back on December 5th and focused on updating our shared service agreement.
- Next JLUB meeting is December 27th.
- Regarding Heather Lane, we successfully submitted an application last week to the Resilient Communities Grant Program, which is administered by the NJ Dept. of Community Affairs, for the maximum award of 5 million dollars. Fingers crossed and more to come.
- A big thank you to our entire Fire Department, which is 100% volunteer, for all the holiday joy they delivered all day Saturday night throughout our entire borough, visiting each and every neighborhood!
- Congratulations to Ken Bartok, who was elected and will be sworn in on January 1st at noon as our new Fire Chief.
- A very big thank you goes to Fire Chief Dave Bird for the last 6 consecutive years as Fire Chief, and overall 9 years as Fire Chief. Dave has volunteered thousands of hours of his time to fulfill his role as the Fire Chief over all those years. We appreciate all that you’ve done Dave, especially me. Thank you!

And I saved the most important for last:

Thank you John Madden.

Thank you for your tireless dedication and committing thousands of hours of your time to serve our residents. You brought integrity and transparency back to the Mayor’s office. Most would sink after inheriting your situation in December of 2019, but you swam! Because your predecessor was indicted and then jailed, there was absolutely NO transition. Your onboarding was completely on the job training, starting on day one. There’s not really any formalized training to be Mayor and for you John, it was “baptism by fire”. Then it was a depleted surplus, Covid, losing your mother, losing your only child, Kyle, and then fighting the State of NY for guardianship of your special needs grandson, Tanner, in which you succeeded. All this, while running a very successful business in town which demands a lot.

You've been an instrumental, driving force for many of us that have volunteered in town, simply leading by example. I witnessed this firsthand when you were the long time President of our Board of Health and I was a new member, almost 15 years ago. Like back then, you are always accessible, willing to roll up your sleeves and always focused on making things better for Middlesex. Your positivity and sense of humor is contagious! Thank you, Barbara, for your overwhelming support of John, especially when he was the Board of Health President, a two term Councilman and our Mayor for the last four years.

I look forward to your contributions on the Joint Land Use Board as you enter your second year. More importantly, I look forward to continue to celebrate your many, many accomplishments over the four years. In closing, another testament to John is his commitment to a seamless transition to Mayor Elect Mikolajczyk on January 2nd at 7pm in this room. There hasn't been many smooth and seamless transitions between Mayors in recent memory. The last possibly being Mayor Matuskiewicz to Mayor Dobies back in 1980. Again, another testament to Mayor Madden.

John, job well done. The Governing Body thank you!

Councilman Carnes

Councilman Carnes made the following comments:

- Thank you OEM for your services.
- Thank you Mayor for all your help.

Councilman Dessino

Councilman Dessino made the following comments:

- Thank you Mayor for your service.
- The Swim Pool will meet tomorrow, December 20th.
- Thank you DPW, Police, Fire and OEM for your work during the recent storm.
- OEM is a dedicated team.
- DPW were opening and closing roads and maintaining service at the pump station throughout the storm and sweeping the flooded roads in the aftermath.

Councilman Mikolajczyk

Councilman Mikolajczyk made the following comments:

- The OEM dinner was a nice event.
- We need more volunteers, in the last two years, there has been a 20 member drop in the Fire Department.
- The Fire Department had 450 calls in the last year.

I will do my best in my term as Mayor, and Happy Holidays.

Councilman Quinn

Councilman Quinn made the following comments:

- Thank you to our Emergency Responders.
 - Thank you Mayor for your service to the Borough.
-

Councilman Rex

Councilman Rex was absent.

ADMINISTRATOR'S REPORT

1. 2023 has been an impressively productive one for the Borough and some of the major accomplishments will be highlighted by Mayor Madden in his closing remarks this evening.
2. Earlier today, the municipal staff enjoyed a holiday luncheon in the Community Room. Everyone had a great time and I would like to thank the Mayor and Council for allowing us to close the offices for an hour at noon to celebrate as a team. I would also like to thank Mayor Madden, Council President Conahan and Councilman Dessino for joining us.
3. I am very pleased to announce that Kelsey Meixner has passed the state's Registered Municipal Clerk (RMC) examination. Congratulations Kelsey!
4. Records Clerk Sharon Smigel has announced her retirement from the Police Department and Borough, effective January 31, 2024. We have begun the recruitment process to fill this position.
5. There will be a special Council Meeting, tentatively scheduled for January 30th, 2024. It will be a workshop focusing on ethics and goal setting for the New Year.
6. Council resolutions on the agenda this evening include ones to authorize a shared service agreement with Franklin Township for Animal Control services, for the purchase of firearms and accessories for the Police Department, the authorization to begin digitization of archived municipal records, to promote Police Officer Daniel Gurell to Officer Class "1," the authorization of a grant application to the NJ DOT for improvements to the intersection of Mountain and South avenues and the acceptance of two (2) quitclaim deeds from the United States General Services Administration for the property at 239 Mountain Avenue.
7. In the first quarter of the New Year, we will begin work on the master plan for Victor Crowell Park. This plan will address engineering and environmental issues and the sensitive incorporation of the parcel of land at 302 Union Avenue into the historic park.
8. Also in the New Year, there will be a resolution before you at the January regular meeting to approve revisions and updates to the Borough's Personnel Manual as recommended by the Central Jersey Joint Insurance Fund. These changes involve the following subject areas: Anti-Discrimination Policy, Access to Personal Files, Absenteeism and Tardiness, Use of Borough Vehicles, Sick Leave, Family and Medical Leave and the Overtime Compensation Policy.
9. Regarding the Bound Brook Road/Route 28 Streetscape Beautification project, the Municipal Engineer has spoken with a Regional Director at PSE&G who has assured him that our project has been moved up in order of priority and that work should begin soon.
10. There will be an Agenda Workshop session this evening addressing the continuing focus by the Borough on the area of Heather Lane and the residential properties that have experienced dramatic erosion. The Borough

is finalizing the details of a short-term approach to stabilizing the bank of the brook while also working on a permanent solution to the problem. Public Works has informed me that if all the materials are received in time, we hope to begin work on the brook bank retaining wall during the first full week of January.

11. Executive Session this evening - discussion of Real Estate at 1190 Mountain Avenue.
12. I would like to take this opportunity to thank the Mayor and Council, my fellow municipal employees and other members of the community for their support and assistance during my first year with the Borough. I am enjoying working here and look forward to an exciting year ahead. Best wishes to everyone for a happy and healthy holiday season.

PRIVILEGE OF THE FLOOR

Rich Thomasey, 109 Greene Avenue, expressed his support of the Landlord Registration fee, stating that it is not uncommon throughout municipalities to charge this fee, and the intention is an attempt by the Council to keep property taxes down.

Edward Johnson Jr., 216 Hazelwood Avenue, spoke about the sacrifices, hard work and dedication it takes to serve the Borough and be in the Mayors position. He stated that the Mayors wife, Barbara deserves to be acknowledged for her support of the Mayor. Mr. Johnson thanked the Mayor and his wife for their many years of service to the Borough, dedicating them as "Outstanding Citizens". He stated that he speaks on behalf of himself and all the members of the community that are not able to make the journey the meeting, expressing his gratitude to the Mayor and well wishes for his future endeavors.

Dave Polakiewicz, 240 Hazelwood Avenue, stated that the Borough owes a lot of gratitude and thanks to the Mayor. He asked the Mayor if he could comment on the rise in legal fees in the last two years, as well as the status on 1190 Mountain Avenue.

Frank Ryan, 303 Maple Street, expressed his joy over hiring the new officers. He also thanked the Mayor for all of his support, and his legacy of the creation of the Joint Land Use Board. Mr. Ryan additionally thanked all the volunteers in the Borough for their work.

Mayor Jason Cilento, Dunellen NJ, wished the Mayor well, and thanked him for his mentorship.

Attorney Corsini commented that the Mayor will be missed.

Mark Stitt, DPW Parks Supervisor, gave the Council an overview of the Litter Pick Up Program the Borough is participating in, and its current success.

NEW BUSINESS/CONSENT AGENDA/RESOLUTIONS

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

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 355-2023**ACCEPTANCE OF STANDING REPORTS**

The Governing Body hereby accepts the following Reports itemized below:

1. Acceptance of the October, 2023 Tax Totals.
2. Acceptance of the November, 2023 Tax Totals.
3. Acceptance of the November, 2023 Police Report.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 356-2023

**AUTHORIZING PARTICIPATION IN THE DEFENSE LOGISTICS AGENCY, LAW
ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE BOROUGH OF
MIDDLESEX POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS
DEPARTMENT OF DEFENSE EQUIPMENT**

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and County LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through the 1033 Program; and

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the Borough of Middlesex is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31 of the calendar year from January 1, 2024 to December 31, 2024.

BE IT FURTHER RESOLVED, that the Borough of Middlesex is hereby authorized to acquire items of non-controlled property designed "DEMIL A" which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, vehicle parts, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers,

tools medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Borough of Middlesex without restriction ; and

BE IT FURTHER RESOLVED, that the Borough of Middlesex is hereby authorized to pursue the acquisition of "DEMIL B through Q" property, if it shall become available in the period of time for which this resolution authorizes, subject to the final approval by the Borough of Middlesex prior to the acquisition; and

BE IT FURTHER RESOLVED, that the Borough of Middlesex shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately and shall be voided to authorize requests to acquire "DEMIL A" and "DEMIL B through Q" property that may be made available through the 1033 Program during the period of time for which this resolution authorizes; with Program participation and all property request authorization terminating on December 31 of the calendar year from January 1, 2024, to December 31, 2024.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 357-2023

**THE TAX COLLECTOR IS AUTHORIZED TO ISSUE TAX TITLE LIEN REDEMPTION'S
FOR BLOCK 299 LOT 28**

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

WHEREAS, the interest and payments on the following Tax Title Lien Redemptions were calculated for December 19, 2023, and;

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

Date of Sale: 11/16/2023

Block/Lot: 299 / 28

Amount: \$16,444.76

Premium: \$36,000

Certificate: 22-00006

Payable To: Phoenix Funding, Inc.
1148 Springfield Avenue
Mountainside, NJ 07092

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 358-2023

**AUTHORIZING THE MAYOR TO EXECUTE A SHARED SERVICE AGREEMENT WITH
THE TOWNSHIP OF FRANKLIN FOR THE PURPOSE OF ANIMAL CONTROL
SERVICES**

WHEREAS, the Borough of Middlesex, County of Middlesex is in need of Animal Control Services; and

WHEREAS, the Borough of Middlesex and the Township of Franklin's Shared Service Agreement expires on December 31, 2023 and both municipalities desire to renew the Animal Control Shared Services Agreement per N.J.S.A. 40A:65-1 et seq. for a three-year period beginning January 1, 2024 and ending December 31, 2026; and

WHEREAS, The Borough of Middlesex and the Township of Franklin recognize that a sharing of said services would result in a cost savings for the taxpayers in each municipality; and

WHEREAS, the Borough of Middlesex shall pay the Township of Franklin an annual contract fee of \$35,511.00 for 2024 with a 2% increase on January 1 of each consecutive year throughout the agreement period.

WHEREAS, the Township of Franklin shall be the Lead Agency for the Shared Services Agreement and will maintain any needed records to reflect the terms of the Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of Middlesex, County of Middlesex, State of New Jersey, that the Mayor is hereby authorized to execute a Shared Service Agreement with the Township of Franklin for the purpose of Animal Control Services and the Borough Clerk is to attest to the Agreement.

NOW, FURTHER BE IT RESOLVED, that a certified copy of this resolution, together with a copy of the Shared Services Agreement, shall be forwarded to the Township of Franklin.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 359-2023

**APPROVAL OF THE 100% EXEMPT DISABLED VETERAN LOCATED AT BLOCK 77,
LOT 3**

WHEREAS, per N.J.S.A. 54:4-3-30 the homeowner of Block 77 Lot 3 , 6 Lynn Avenue has been declared a 100% Disabled Veteran by the Department of Veterans Affairs; and,

WHEREAS, the property owner has completed and submitted the proper paperwork to apply for the Exemption; and,

WHEREAS, the Tax Assessor has approved the application with a date of 12/5/2023; and,

NOW, THEREFORE, the Tax Collector is hereby authorized to cancel the balance of 1st & 2nd Qtr. 2024 taxes in the following amounts,

1 st Qtr. 2024	\$1,774.51
2 nd Qtr. 2024	\$1,774.51

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 360-2023

**AUTHORIZING THE PURCHASE OF FIREARMS AND ACCESSORIES FOR THE
MIDDLESEX BOROUGH POLICE DEPARTMENT FROM ATLANTIC TACTICAL, IN THE
AMOUNT OF \$61,377.51**

WHEREAS, the Middlesex Police Department wishes to purchase firearms and accessories in an amount not to exceed \$61,377.51; and

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

WHEREAS, Atlantic Tactical, is under the NJ State Contract #17-FLEET-00732, NJ State Contract #17-FLEET-00764, NJ State Contract #17-FLEET-00787, for the purchase of accessories; in the amount of \$39,159.51; and

WHEREAS, two quotes were received for the purchase of firearms from the following vendors:

- 1) Atlantic Tactical, Somerset, NJ - \$22,218.00
- 2) Grab-A-Gun - \$24,821.16

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of firearms and accessories for the Middlesex Borough Police Department from Atlantic Tactical, in the amount of \$61,377.51 be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed \$61,377.51 are available in the 2023 Police Department Capital Budget. Account number C-04-23-095-000-071.

Caroline Benson, CFO

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 361-2023

**AUTHORIZING THE ADMINISTRATOR TO EXECUTE THE PROPOSAL FOR
DIGITIZATION OF ARCHIVED RECORDS FROM FOVEONICS IMAGING
TECHNOLOGIES IN THE AMOUNT OF \$25,201.10**

WHEREAS, the Borough of Middlesex Administration have determined that there is a need for the acquisition of the following goods and services: Digitization of archived records for the Joint Land Use Board (JLUB); and

WHEREAS, as a member of the Educational Services Commission (ESCNJ) Cooperative Pricing System, the Governing Body of the Borough of Middlesex wishes to utilize Foveonics Imaging Technologies, under said CO-OP #65MCESCCPS, ESCNJ #22/23-11; and

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

WHEREAS, the cost for the first stage of digitization of JLUB records is \$12,000.00; and

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

1. The governing body hereby approves the proposal from Foveonics Imaging Technologies, for the digitization of archived records for the Joint Land Use Board in the amount of \$25,201.10.
2. The Governing Body authorizes the Administrator to execute the proposal for digitization of archived records from Foveonics Imaging Technologies in the amount of \$25,201.10.
3. The Borough Clerk is directed to forward a certified copy of this Resolution to the Qualified Purchasing Agent, Chief Financial Officer, Borough Administrator Borough Attorney, and Foveonics Imaging Technologies.

BE IT FURTHER RESOLVED, that the CFO hereby certifies that funds in the amount of \$12,000.00 for the first stage of digitization are available in Account No. 3-01-20-140-000-054 (Computer/Data Services - Joint Land Use Board).

Caroline Benson, CFO

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 362-2023

AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE THE LITTER PICK UP PROGRAM AGREEMENT WITH THE COUNTY OF MIDDLESEX

The Governing Body hereby authorizes the Mayor and Borough Clerk to execute the Litter Pick Up Program Agreement by and between the County of Middlesex and the Borough of Middlesex effective January 1, 2024 - December 31, 2028.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 363-2023

ACCEPTING THE RESIGNATION OF LAURA MEIXNER, MEALS ON WHEELS DRIVER & PLAYGROUP COORDINATOR, EFFECTIVE NOVEMBER 10, 2023

The governing body hereby accepts the resignation of Laura Meixner, Meals on Wheels Driver & Playgroup Coordinator, effective November 10, 2023

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 364-2023

APPROVAL TO ADVANCE POLICE OFFICER DANIEL GURELL TO POLICE OFFICER CLASS "I" AT AN ANNUAL SALARY OF \$61,448 EFFECTIVE JANUARY 3, 2024

WHEREAS, Police Officer Daniel Gurell is eligible for advancement in grade pursuant to Article XV of the Police Department Ordinance; and

WHEREAS, On December 11, 2023 Chief Geist recommended Police Officer Daniel Gurell be advanced in grade.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that Police Officer Daniel Gurell be and is hereby advanced in grade to Police Officer Class "I" on January 3, 2024 at an annual salary of \$61,448.00.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 365-2023

**SPECIAL ITEMS OF REVENUE AND APPROPRIATION - DRIVE SOBER OR GET
PULLED OVER GRANT**

WHEREAS, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Middlesex, County of Middlesex, hereby requests that the Director of Local Government Services approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$7,000.00, which item is now available as a revenue from the Drive Sober or Get Pulled Over Grant in the amount of \$7,000.00;

BE IT FURTHER RESOLVED that the like sum of \$7,000.00 is hereby appropriated under the caption of "Drive Sober or Get Pulled Over Grant"; and

BE IT FURTHER RESOLVED that the above is a result of \$7,000.00 from the Drive Sober or Get Pulled Over Grant.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 366-2023

**AUTHORIZING OF REIMBURSEMENT OF MEDICARE PREMIUMS FOR CERTAIN
ELIGIBLE PENSIONERS UNDER CHAPTER III, PUBLIC LAW 1973, NJ HEALTH
BENEFITS PLANS**

WHEREAS, Chapter III of Public Laws 1973, which provided for reimbursement of Medicare premiums of certain eligible pensioners was adopted by the Mayor and Council by resolution on April 9, 1974; and

WHEREAS, certain retired employees of the Borough have applied for reimbursement.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex that the disbursing officers be and they are hereby authorized to draw checks, charged against Group Insurance for Employees from the period July 2023 through December 2023, as follows:

Anello, John
108 Howard Ave
Middlesex, NJ 08846

\$1,247.40

James L Benson
445 Harris Ave
Middlesex, NJ 08846

\$1,384.80

Patricia A Benson 445 Harris Ave Middlesex, NJ 08846	\$1,384.80	Cynthia Chomen 10 Oswego Ave Middlesex, NJ 08846	\$999.20
Anthony Cole 900 Rolling Hills Ln Neshanic Station, NJ 08853	\$989.40	Susan Cole 900 Rolling Hills Ln Neshanic Station, NJ 08853	\$989.40
Dorothy Coren 20 Mead Ave Middlesex, NJ 08846	\$663.00	Joseph Coren 20 Mead Ave Middlesex, NJ 08846	\$1,069.80
DeVuyst, Debra 148 Turner Rd Sugar Run, PA 18846	\$989.40	DeVuyst, Kenneth 148 Turner Rd Sugar Run, PA 18846	\$989.40
Donatelli, Dennis 7 June Way Middlesex, NJ 08846	\$989.40	Donatelli, Kathy 7 June Way Middlesex, NJ 08846	\$989.40
Michele Lella Echols 195 Shafer Ave Phillipsburg, NJ 08865-2414	\$999.20	John Fuhrmann 38 Whitney Dr Middlesex, NJ 08846	\$813.00
Sheila Fuhrmann 38 Whitney Dr Middlesex, NJ 08846	\$813.00	John Giuliano 339 Second St Middlesex, NJ 08846	\$578.40
John A Haverstick 771 County Rt 16 Mexico, NY 13114-3193	\$1,020.60	Charlie Nash 13 Homestead Terrace Scotch Plains, NJ 07076	\$989.40
Jerome Nowak 6544 North Kennedy Ave Fresno, CA 93720	\$578.40	Kevin Reilly 436 Giles Ave Middlesex, NJ 08846	\$1,020.60
Erica Schaefer 58 Joe-Ent Rd Flemington, NJ 08822	\$629.40	Jerry Schaefer 58 Joe-Ent Rd Flemington, NJ 08822	\$629.40
Maureen Schaefer 58 Joe-Ent Rd Flemington, NJ 08822	\$813.00	Robert Schwarz 265 Fountain St Port Charlotte, FL 33953	\$1,020.60
Charles Sebastian 512 Clinton Ave	\$768.00	James Tolomeo 45 Myrtle Ct	\$629.40

Middlesex, NJ 08846

Whitehouse Station, NJ 08889

Rita Wahler \$599.40
 16 Fitzsimmons Ave
 Middlesex, NJ 08846

Roger Wahler \$629.40
 16 Fitzsimmons Ave
 Middlesex, NJ 08846

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 367-2023

**AUTHORIZING THE TREASURER TO REMIT THE CONDO REIMBURSEMENTS FOR
 2023 TO VARIOUS PROPERTIES**

The Treasurer is hereby authorized to remit the Condo Reimbursements for 2023 to the following:

Gramercy Garden \$ 6,687.31
 Midatlantic Property Mgmt
 315 Raritan Avenue
 Highland Park, NJ 08904

Foxhall Condo Association \$ 7,291.02
 11 Cleveland Pl
 PO Box 297
 Springfield, NJ 07081-1507

Hanover Square Condo Association \$ 5,565.77
 c/o Reliance Property Mngmt
 PO Box 208
 New Brunswick, NJ 08903-0208

Wilton Village Condo Association \$ 3,220.29
 99 Wilton Ave
 Middlesex, NJ 08846

Middlesex Village Condo Association \$ 23,919.25
 C/O Regency Management Group
 35 Clyde Road, Suite 102

Somerset, NJ 08873

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 368-2023

**SPECIAL ITEMS OF REVENUE AND APPROPRIATION - NATIONAL OPIOID
SETTLEMENT FUND**

WHEREAS, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Middlesex, County of Middlesex, hereby requests that the Director of Local Government Services approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$787.54, which item is now available as a revenue from the National Opioid Settlement Fund in the amount of \$787.54;

BE IT FURTHER RESOLVED that the like sum of \$787.54 is hereby appropriated under the caption of "National Opioid Settlement Fund"; and

BE IT FURTHER RESOLVED that the above is a result of a State Settlement Agreement of \$787.54 from the National Opioid Settlement Fund.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 369-2023

**AUTHORIZING THE TRANSFER OF FUNDS FOR THE 2023 OPERATING BUDGET
EFFECTIVE DECEMBER 20, 2023**

The CFO/Treasurer hereby authorizes the transfer of funds for the 2023 Operating Budget with an effective date of December 20, 2023:

Department	From	To
Group Insurance	\$77,000.00	

Construction O/E Supplies	\$500.00
Senior Nutrition S/W	\$5,000.00
Senior O/E Instructors	\$2,000.00
Sewers O/E Equipment	\$5,000.00
Sewers O/E Calibrations	\$3,000.00
Fire Hydrants	\$18,000.00
Street Lighting	\$15,000.00
Telephones & Cellphones	\$3,500.00
Diesel Fuel	\$10,000.00
Gasoline	\$15,000.00
\$77,000.00	\$77,000.00

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 370-2023

**ACKNOWLEDGING THE CHANGE IN STATUS FOR CERTAIN PROPERTIES UNDER
THE SENIOR CITIZEN/ DISABLED PERSON/ VETERAN TAX DEDUCTIONS FOR
BLOCK 83 LOT 3**

WHEREAS, an internal audit was conducted to review Senior and Veteran deductions, and

WHEREAS, while reviewing Veteran deductions, a deduction exists on Block 83 Lot 3, 10 Edward Drive, and

WHEREAS, supporting documentation was not found for Block 83 Lot 3, for the current owner and,

WHEREAS, notification was mailed in September 2023 to the current owner to verify eligibility and no reply was received by the Borough, and

THEREFORE, the Tax Collector has disallowed the following Senior Citizen/Disabled Person/Veteran deduction for the 2023 year totaling \$250.00.

Name: Vernoia, Sarah
Block/Lot: 83 / 3
Amount: \$250.00
Reason: Supporting documentation requested not received
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 371-2023**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-2024-Mountain Ave and South Ave Improve-00040 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 372-2023**AWARDING THE CONTRACT FOR PUBLIC RELATIONS AND DESIGN CONSULTING SERVICES TO POSITIVE SOLUTIONS FROM JANUARY, 2024 THROUGH DECEMBER, 2024 IN THE AMOUNT OF \$31,500.00 PER YEAR**

WHEREAS, pursuant to 40A:11-4.4, sealed bids were requested on November 7, 2023 pursuant to a duly noticed and published Request for Proposals for Public Relations and Design Consulting Services; and

WHEREAS, sealed bids were received and opened publicly on December 6, 2023 at 11:00am for Public Relations and Design Consulting Services as follows; and

Positive (+) Solutions
186 Burnet Crescent
Robbinsville, NJ
Yearly Flat Rate: \$31,500.00

WHEREAS, at the recommendation of the Borough Administrator, the Borough is awarding the contract for Public Relations and Design Consulting Services to Positive (+) Solutions from January, 2024 through December, 2024.

NOW THEREFORE BE IT RESOLVED, the Governing Body hereby authorizes the Mayor to execute the Contract with Positive (+) Solutions from January, 2024 through December, 2024 in the amount of \$31,500.00 per year.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 373-2023

AUTHORIZING ACCEPTANCE OF TWO QUITCLAIM DEEDS FROM THE UNITED STATES OF AMERICA, GENERAL SERVICES ADMINISTRATION, FOR THE PROPERTY KNOWN AS 239 MOUNTAIN AVENUE, A PORTION OF BLOCK 318 LOT 1.01 (PROPOSED NORTH PARCEL) AND A PORTION OF BLOCK 318 LOT 1.01 & BLOCK 319 LOT 45 (PROPOSED SOUTH PARCEL)

WHEREAS, The Borough Counsel of the Borough of Middlesex desires to accept the dedication by Quitclaim Deed from The United States of America, General Services Administration, for 239 Mountain Avenue, a portion of Block 318 Lot 1.01 (proposed North Parcel) and a portion of Block 318 Lot 1.01 & Block 319 Lot 34 (proposed South Parcel) (hereinafter referred to as "Property") for emergency management response use pursuant to 40 USC 533; and

WHEREAS, a copy of the Quitclaim Deeds are annexed to this Resolution as "Exhibit A" and "Exhibit B" and incorporated as if fully set forth herein; and

WHEREAS, the Borough Attorney has reviewed the Quitclaim Deeds and finds same acceptable.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the Borough hereby authorizes acceptance of the Property by Quitclaim Deeds; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute the Quitclaim Deeds and any supporting documents as may be necessary.

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 374-2023

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

AGENDA WORKSHOP ITEM

1. Heather Lane Property Erosion

Mayor Madden expressed his frustration on the lack of help from all other government agencies, and informed the Council that he brought a news crew to the site during the recent flooding.

Council discussed that the work on Heather Lane should be underway the first week of January, which has been delayed due to material deliveries. They also discussed their concern over the swift flow of the water, due to the result of the flood wall project and the significant decline in the conditions of the site.

PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS

Mayor Madden opened the public portion regarding the Heather Lane Property Erosion. Seeing that there was no public participation, Mayor Madden closed the public portion of the meeting on the Agenda Workshop items.

MAYOR MADDEN'S FAREWELL ADDRESS

Reflections- My time As Mayor

Upon being asked to run, I was very much aware of the imminent gathering storm brewing at Borough Hall.

My initial reaction was why? Why do I need to insert myself in the vortex of this simmering, swirling entropy? Was I delirious? I was planning on leaving office on a high note as Council President.

However, with much painful apprehension, I finally made the decision to run with my wife's blessing.

The General Election of 2019 produced many surprises for me. First was that I actually won. Secondly, I won by the largest margin between any two Mayors in Middlesex Borough history. Unfortunately, this yielded very little respite with a seemingly insurmountable task still before me.

With no mentoring or mayoral training, I was given a day or two to prepare to run the next council meeting due to the immediate resignation of my predecessor. It was time to roll up my sleeves and take the plunge, so much for leaving office on a high note, which then became a mere footnote of the past.

Not long after the first couple of meetings, I received a call from Standard & Poors Global, our credit reporting agency. Their ominous message concerned the potential drop in our favorable credit rating of AA., due to our burgeoning debt and the significant drop in our surplus, all of which were largely ignored. In addition, the Best Practices guidelines as set forth by our auditors were also largely ignored. These were indeed perilous times. So, my reply to S&P Global was to reassure them that we are addressing the problem now, but some time was needed. My reassurance was my "collateralized" offering that my business of 41 years at the time was due to prudent conservative fiscal planning. If we survived through the "great recession" of 2008, then we were doing something right. We were then given some time to retire the debt burden and replenish the surplus.

With a new plan in place, coupled with some divine intervention, it looked like we were on the right tract thanks to the diligent work by our staff. Then the next shoe dropped.

In March, 2020 a new guest quickly took up lodging; the pandemic. So soon we were faced with another unexpected challenge which hit hard. The virus brought not only an unprecedented amount of illness, but also much of our anticipated revenue took a nose dive.

And if things couldn't get any worse for me on a personal level, I lost my mother in 2020 and my son Kyle in 2021, both unexpectedly, and the recent loss of my dear mother-in-law.

The Financials:

Looking at the fiscal situation of the Borough during my term, in 2019, our net fund balance (our surplus) was down to \$397,000. In 2022, the last reporting year, our net fund balance came in at a much healthier \$1,566,000.

Due to the burgeoning debt in 2019, which accrued in the prior years, a plan was put into place to address the arrearage. However, we still had to increase property taxes by approx. 7 % in the first year in order to stabilize future municipal tax rates. Since that increase, property taxes up to the present stayed relatively flat. In addition, we were able to retire much of the old debt.

Accomplishments:

- I was the first mayor to push through the Borough-wide revaluation which had been kicked down the road since 1986. This mandatory plan equitably spread the tax burden to all properties. Taxes on most residential properties dropped while valuations significantly increased. The burden of the taxes shifted to the commercial and industrial properties.
- I have been an active participant on the Master Plan reexamination committee which is a ten-year plan to create a vision of the needs of our town.
- Merged the planning and zoning boards to save time and expense for both residents, developers and attorneys.
- Acquired 302 Union Ave, to be part of Victor Crowell Park.
- Welcomed 2 warehouse projects with pilot programs which will provide substantial revenue for 30 years.
- Revised the Lincoln Blvd. Redevelopment Plan.
- Established the Cultural Arts and Heritage Committee.
- Established the Film Committee.
- Received back the once heavily contaminated Middlesex Sampling Plant utilized for the Manhattan project regarding the Atomic Bomb. The federal government cleaned the property to "residential" standards and sold it back to us for \$1.00 dollar.
- Upgrades to our parks including playground equipment, new bathrooms, and other improvements.
- The Street Scape project along Rt. 28 is close to completion.
- Established the Environmental Commission.
- Rewrote our Shade Tree Ordinance.
- Authorized emergency appropriations for Covid funding.
- Upgraded a large part of our Sanitary Sewer Rehab. Project.
- Hired a grant writer to reduce Borough expenditures on projects.
- Police dispatching established.
- Swore in a total of 9 officers which brings them to full staff.
- Planted many shade trees along Rt 28 and MVP.
- Many road paving projects have been completed including road-related improvements.
- Baekeland Ave infrastructure project underway.
- Borough properties sold to USACE for continuation of flood control project.
- 1,400 number of resolutions adopted.
- 119 number of ordinances adopted.

Final Remarks:

So now, I come to you tonight with mixed emotions, some bittersweet with unfulfilled tasks and others of pleasant and meaningful accomplishments in the pursuit of making Middlesex Borough a true “hallmark” town.

That said, my next contemplation was to put my parting thoughts down into words which was probably the most difficult task before me in this epilogue of my tenure as your Mayor.

I have had many amazing memories, enjoyed the many years of varied Borough duties assigned to me, established some wonderful friendships and acquaintances and really gained insight of how demanding the roles are of each employee and all personnel connected with the operations here.

My sincere gratitude goes out to all our staff, employees, our professionals, our Governing Body members, all the departments, committees, commissions, Jason Cilento, the Dunellen Mayor, the league of municipalities for their guidance, our Fire Department, OEM, Rescue squad and our Police Department for their dedication in making this community a wonderful place to live.

I wish to give a particular shout out to Lenny, our DPW Supervisor, Linda, our Clerk, Chrissy, our Library Director, and Chief Geist of our Police Department for our many pleasant conversations, our Business Administrator, Michael La Place who has been my sounding board here and our highly capable Borough Barrister, Chris Corsini.

If I left anyone or any group out, please accept my apologies.

At this time, I would like my wife, Barbara, and Grandson to come up to the lectern.

Lastly, all this was only possible due to my wife’s constant support and advice. Barbara has always provided a ready ear and sounding board for all four years of frustrations and exhilaration when the stars aligned. She has been an indispensable voice of reason for me all throughout this experience. In addition, dealing with all the problems, paperwork, Doctor’s appointments, hospital visits, Bright Beginnings School schedules and meetings, transportation issues, Children’s Specialized Hospital for Tanner and yet have time to manage the business especially in my absence for Borough Hall time, I cannot thank her enough.

Each day at Borough Hall, I always paid a convivial visit to many departments to share some non-work conversation, some levity and often burst forth in song to put a smile on faces for a day’s worth of serenity.

I want to sincerely thank all our residents who put their faith and trust in my leadership along the way.

“The pessimist sees difficulty in every opportunity. The optimist sees the opportunity in every difficulty” Winston Churchill.

In the final analysis, I would not have wanted it any other way.

Thank you. Merry Christmas and happy holidays!

Mayor John L. Madden December 19, 2023

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 375-2023

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 Real Estate - 1190 Mountain Avenue and Council-Personnel; 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
ABSENT:	Rex

Real Estate - 1190 Mountain Avenue

Council - Personnel

ADJOURNMENT

The Reorganization Meeting will be January 2, 2024

Respectfully yours,

Linda Chismar, RMC
Borough Clerk