



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, April 9, 2024

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 Jack Mikolajczyk
Council President Michael Conahan
Councilman Jeremiah Carnes
Councilman Robert Dessino
Councilman Kevin Dotey
Councilman Martin Quinn
Councilman Douglas Rex

Also Present:

Michael La Place Administrator
Christopher Corsini Borough Attorney

Others Absent:

PRESENTATIONS

APPOINTMENTS

1. Accepting the Resignation of Bob Sherr from the Board of Health & JLUB Effective March 27, 2024

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kevin Dotey, Councilman
SECONDER:	Robert Dessino, Councilman
AYES:	Conahan, Carnes, Dessino, Dotey, Quinn, Rex

2. Appointing Rich Gianchiglia as a Regular Member of the Board of Health

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kevin Dotey, Councilman
SECONDER:	Robert Dessino, Councilman
AYES:	Conahan, Carnes, Dessino, Dotey, Quinn, Rex

3. Appointing Hamza Choudhry as Alternate 1 for the Board of Health

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kevin Dotey, Councilman
SECONDER:	Robert Dessino, Councilman
AYES:	Conahan, Carnes, Dessino, Dotey, Quinn, Rex

PROCLAMATIONS

ORDINANCE(S) FOR INTRODUCTION

ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION

Borough Clerk Linda Chismar read Ordinance 2116-24 by title:

ORDINANCE 2116-24

BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 2071-22 ADOPTED ON OCTOBER 25, 2022, PROVIDING FOR THE ACQUISITION OF AND IMPROVEMENTS TO REAL PROPERTY FOR MUNICIPAL PURPOSES FOR THE BOROUGH OF MIDDLESEX, IN ORDER TO REDUCE THE APPROPRIATION TO \$425,000 FROM THE ORIGINAL APPROPRIATION OF \$1,300,000, AND INCREASE THE AUTHORIZED BONDS AND NOTES TO BE ISSUED TO FINANCE A PORTION OF THE COSTS THEREOF BY \$185,313.97 FOR A TOTAL DEBT AUTHORIZATION OF \$385,313.97, AUTHORIZED IN AND BY THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

WHEREAS, the Borough of Middlesex, in the County of Middlesex, New Jersey (the "Borough") finally adopted Bond Ordinance No. 2071-22 on October 25, 2022 (the "Prior Ordinance") providing for the acquisition of and improvements to real property for municipal purposes and related expenses for the Borough; and

WHEREAS, it has been determined that the amount appropriated by the Prior Ordinance must be reduced and the authorization of the bonds and notes by the Prior Ordinance must be increased; and

WHEREAS, it has been determined that the grant funds in the amount of the \$1,060,313.97 from the American Rescue Plan appropriated by the Prior Ordinance is no longer needed for this project.

NOW, THEREFORE, 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 and were previously authorized by the Borough by the Prior Ordinance. For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$425,000 representing a reduction of \$875,000 from the \$1,300,000 appropriated by the Prior Ordinance, said sum being inclusive of all appropriations heretofore made therefor, including the sum of \$39,686.03 as the amount of down payment previously appropriated by the Prior Ordinance required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq (the "Local Bond Law").

Section 2.

In order to finance the costs of said improvements or purposes, \$185,313.97 negotiable bonds are hereby authorized to be issued in addition to the \$200,000 previously authorized by the Prior Ordinance for a total principal amount not to exceed \$385,313.97 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 and improvements to real property for municipal purposes, located at 1190 Mountain Avenue in the Borough and identified as Block 219, 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 \$385,313.97 including the \$185,313.97 authorized herein, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$425,000, which is equal to the amount of the \$185,313.97 supplemental appropriation herein made therefor and the \$239,686.03 appropriation made by the Prior Ordinance.

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 (the "Chief Financial Officer"), 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 Municipal 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 \$185,313.97 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$150,000 authorized by the Prior Ordinance, 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 Municipal 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 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.

All Ordinances or parts of ordinances in conflict or inconsistent with any of the terms of this ordinance are hereby repealed to the extent that they are in such conflict or are inconsistent. In the event that any section, part or provision of this ordinance shall be held to be unconstitutional or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part hereof other than the part so held unconstitutional or invalid.

Section 10. 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 Mikolajczyk opened the Public Hearing regarding Ordinance No. 2116-24. Seeing that there were no public comments, Mayor Mikolajczyk closed the Public Hearing on Ordinance No. 2116-24

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Dotey, Councilman
SECONDER:	Robert Dessino, Councilman
AYES:	Conahan, Carnes, Dessino, Dotey, Quinn, Rex

Borough Clerk Linda Chismar read Ordinance 2117-24 by title:

ORDINANCE 2117-24

BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 2104-23 ADOPTED ON DECEMBER 19, 2023, PROVIDING FOR DESIGN AND PERMITTING IN CONNECTION WITH THE MOUNTAINVIEW PARK PROJECT FOR THE BOROUGH OF MIDDLESEX, IN ORDER TO AMEND THE PURPOSE THEREOF, INCREASE THE APPROPRIATION THEREFOR BY \$2,015,000 FOR A TOTAL APPROPRIATION OF \$2,200,000 INCLUDING THE APPROPRIATION OF VARIOUS GRANTS, INCREASE THE AUTHORIZED BONDS AND NOTES TO BE ISSUED TO FINANCE A PORTION OF THE COSTS THEREOF BY \$208,418.03 FOR A TOTAL DEBT AUTHORIZATION OF \$384,168.03, AND INCREASE THE ALLOCATION OF THE APPROPRIATION TO COSTS

PERMITTED UNDER N.J.S.A. 40A:2-20, AUTHORIZED IN AND BY THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

WHEREAS, the Borough of Middlesex, in the County of Middlesex, New Jersey (the "Borough") finally adopted Bond Ordinance No. 2104-23 on December 19, 2023 (the "Prior Ordinance") providing for the design and permitting in connection with the Mountainview Park Project, together with all purposes necessary, incidental or apparent thereto; and

WHEREAS, it has been determined that the project description set forth in Section 3. (a) of the Prior Ordinance needs to be amended; and

WHEREAS, the Borough has determined that the costs associated with said improvements are higher than anticipated and has determined to supplement the appropriation and the bonds and notes authorized by the Prior Ordinance; and

WHEREAS, the Borough has determined that the \$185,000 authorized by the Prior Ordinance for purposes permitted under N.J.S.A. 40A:2-20 is insufficient and desires to increase such allocation by \$145,000 to an aggregate amount of \$330,000.

NOW, THEREFORE, 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 and were previously authorized by the Borough by the Prior Ordinance. For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$2,200,000 of which \$185,000 was appropriated by the Prior Ordinance, said sum being inclusive of all appropriations heretofore made therefor, including the sum of \$9,250 as the amount of down payment previously appropriated by the Prior Ordinance required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), and the sum of \$1,060,313.97 in grant funds received from the American Rescue Plan ("ARP Grant"), the sum of \$667,268 in grant funds expected to be received from a Middlesex County Recreation Grant ("Middlesex Grant") and the sum of \$79,000 in grant funds expected to be received from a DCA 2023 Recreation Improvement Grant ("DCA Grant", and together with the ARP Grant and the Middlesex Grant, "Grant Funds"), which Grant Funds are appropriated hereby.

Section 2.

In order to finance the costs of said improvements or purposes not provided for by application hereunder of said down payment and Grant Funds, \$208,418.03 negotiable bonds are hereby authorized to be issued in addition to the \$175,750 previously authorized by the Prior Ordinance for a total principal amount not to exceed \$384,168.03 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, permitting and construction 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 \$384,168.03 including the \$208,418.03 authorized herein, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$2,200,000, which is equal to the amount of the \$2,015,000 supplemental appropriation herein made therefor and the \$185,000 appropriation made by the Prior Ordinance.

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 (the "Chief Financial Officer"), 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 Municipal 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 \$208,418.03 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$330,000, including \$145,000 authorized hereby and \$185,000 authorized by the Prior Ordinance, 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 Municipal 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 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.

All Ordinances or parts of ordinances in conflict or inconsistent with any of the terms of this ordinance are hereby repealed to the extent that they are in such conflict or are inconsistent. In the event that any section, part or provision of this ordinance shall be held to be unconstitutional or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part hereof other than the part so held unconstitutional or invalid.

Section 10.

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 Mikolajczyk opened the Public Hearing regarding Ordinance No. 2117-24. Seeing that there were no public comments, Mayor Mikolajczyk closed the Public Hearing on Ordinance No. 2117-24

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Dotey, Councilman
SECONDER:	Robert Dessino, Councilman
AYES:	Conahan, Carnes, Dessino, Dotey, Quinn, Rex

Borough Clerk Linda Chismar read Ordinance 2118-24 by title:

ORDINANCE 2118-24**AN ORDINANCE AMENDING CHAPTER 19 (CULTURE AND HERITAGE COMMITTEE) AND CHAPTER 260 (LIBRARY) OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX**

WHEREAS, it is the desire of the Mayor and Council of the Borough of Middlesex to amend Chapter 19 (Culture and Heritage Committee) and Chapter 260 (Library) of the municipal code of the Borough of Middlesex; and

BE IT THEREFORE ORDAINED, by the Borough Council of the Borough of Middlesex in the County of Middlesex and State of New Jersey that Chapters 19 and 260 of the Municipal Code of the Borough of Middlesex, County of Middlesex, State of New Jersey shall be amended as follows:

SECTION I.

Section 19-1 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

There is hereby established a Cultural and ~~Heritage~~ **Arts** Committee which shall promote cultural engagement, ~~historical education and preservation~~, **and** the advancement of the creative arts in the Borough of Middlesex. The term "Committee," when used by itself in this chapter, shall refer to the Borough of Middlesex Culture and ~~Heritage~~ **Arts** Committee.

SECTION II.

Section 19-2 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

The Committee shall consist of ~~11~~ **seven (7)** members **and two (2) alternates**; from among

residents and community leaders. Members **and alternates** shall be appointed by the Mayor with the advice and consent of the Borough Council. Members shall be appointed for a term of three years, and all appointments shall expire on December 31. The initial appointment terms will be staggered and shall be made for the balance of the one-, two- or three-year term designated, ending on December 31 of the applicable year in order to prevent all ~~11~~ **seven (7)** members' terms from expiring at the same time. Initial appointments will contain three one-year terms, four two-year terms and four three-year terms. In the event of a vacancy prior to the expiration of a member's term, the Mayor shall appoint, with advice and consent of the Council, a replacement to fill the remaining portion of the unexpired term.

SECTION III.

Section 19-4 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

- A. The duties of the Committee shall consist of engaging and encouraging cultural historic and artistic engagement, events and all related activities. These duties may include, but shall not be limited to, the advancement of the following:
 - (1) Visual arts, including, but not limited to, sculpture, painting, drawing, architectural design, photography, motion pictures, and television.
 - (2) Literary arts, including, but not limited to, the writing of prose, poetry, drama and choreography.
 - (3) Performing arts, including, but not limited to, music, dance, poetry-reading, and theater.
 - (4) The collection and display of art objects.
 - ~~(5) The preservation or commemoration of the culture and history of the Borough of Middlesex.~~
 - (5) Other activities which the Committee defines as advancing the creativity or culture in the Borough of Middlesex.**
- B. The Committee shall advise the Mayor and the Borough Council on ways and means for the encouragement of creative talent within the Borough of Middlesex ~~for the preservation of the history and heritage of the Borough,~~ and for the recognition of persons who have made outstanding contributions to the development, expansion, or preservation of culture ~~and history~~ in Middlesex, whether such person is or is not an artist.
- C. The Committee is encouraged to establish cooperative efforts to seek voluntary assistance from other sources of expertise consistent with its purpose, **including an anticipated collaboration with the Middlesex Borough Department of Recreation.**
- D. The Committee shall be authorized and encouraged to apply for and to accept grants and contributions under the auspices of and through the Borough of Middlesex from public and private sources to finance its initiatives. The Committee shall make no expenditure or commitment of Borough funds without the specific authorization of the Council, except that the Mayor, to the extent of staff availability, may authorize administrative staff support for grant applications and publicity. This includes but is not limited to matching funds for grants, donations, and the like.

- E. The Borough shall set up a dedication by rider account for the Committee to:
- (1) Deposit monies obtained from donations, grants or from budget appropriations set annually by the Borough through the budgeting process, specifically for the Cultural and ~~Heritage~~ **Arts** Committee.
 - (2) Pay bills associated with events run by the Cultural and ~~Heritage~~ **Arts** Committee.
- F. All events and estimated expenditures must be approved by resolution of the governing body prior to the scheduling of any event.
- G. A financial report detailing year-to-date deposits and expenditures will be provided to the Committee Chairman prior to the first meeting of each month.
- H. **The Committee shall comply with all requirements of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., and shall be required to record minutes of each meeting thereof, with said minutes to be transmitted to the Borough Council and the Department of Recreation within seven (7) days of approval.**

SECTION IV.

Chapter 260 is hereby amended as follows (all provisions herein are novel and a new Article II shall be created):

Article II. Heritage Preservation

Section 260-6 Library Responsibility

It shall be the responsibility of the Middlesex Public Library, **in collaboration with other Borough stakeholders,** to preserve and commemorate the culture, heritage, and history of the Borough of Middlesex.

Section 260-7 Collaboration

The Middlesex Public Library is encouraged to establish cooperative efforts to seek voluntary assistance from other sources of expertise consistent with its purpose.

Section 260-8 Grants

The Middlesex Public Library is encouraged to apply for and to accept grants and contributions under the auspices of and through the Borough of Middlesex from public and private sources to finance initiatives related to the preservation and commemoration of the culture, heritage, and history thereof.

SECTION V.

Chapter 19 of the Municipal Code of the Borough of Middlesex is hereby retitled "CULTURE AND ARTS COMMITTEE."

SECTION VI.

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

SECTION VII.

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 VIII.

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

Mayor Mikolajczyk opened the Public Hearing regarding Ordinance No. 2118-24. Seeing that there were no public comments, Mayor Mikolajczyk closed the Public Hearing on Ordinance No. 2118-24.

Councilman Carnes expressed concerns over the Ordinance violating the current code. He urged the council to reconsider the Ordinance, stating his displeasure of the outcome. He gave a synopsis of the proceedings leading up to the decision to change the Ordinance.

RESULT:	ADOPTED [4 TO 0]
MOVER:	Kevin Dotey, Councilman
SECONDER:	Robert Dessino, Councilman
AYES:	Conahan, Dessino, Dotey, Rex
ABSTAIN:	Carnes, Quinn

2024 BUDGET INTRODUCTION

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 113-2024

INTRODUCTION OF THE 2024 MUNICIPAL BUDGET

BOROUGH OF MIDDLESEX MIDDLESEX COUNTY, NEW JERSEY

BUDGET INTRODUCTION RESOLUTION

Municipal Budget of the Borough of Middlesex, County of Middlesex for the Year 2024.

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2024;

BE IT FURTHER RESOLVED, that said Budget be published in the Courier News, NJ.

The Governing Body of the Borough of Middlesex does hereby approve the following as the Budget for the year 2024:

General Appropriations:	
Appropriations Within "CAPS"	\$17,193,066.00
Municipal Purposes	
Appropriations Excluded from "CAPS"	\$6,300,165.91
Municipal Purposes	
Reserve for Uncollected Taxes - Based on	\$775,000.00
Estimated 98+ Percent of Tax	
Collections	
 Total General Appropriations	 \$24,268,231.91
 Less: Anticipated Revenues Other Than	 \$8,082,442.73
Current Property Tax	
 Difference: Amount to be Raised by Taxation	
For Support of Municipal Budget	
Local Tax for Municipal Purposes Including	
Reserve for Uncollected Taxes	\$15,410,454.93
 Municipal Library Tax	 \$775,334.25
 Swimming Pool Utility Operating Fund	
Total Swimming Pool Revenues	\$493,010.00
 Total Swimming Appropriations	 \$493,010.00

Notice is hereby given that the Budget and Tax Resolution was approved by the Mayor and Borough Council of the Borough of Middlesex, County of Middlesex on April 9, 2024.

A hearing on the Budget and Tax Resolution will be held at the Municipal Building on May 14, 2024 at 7:00 o'clock PM at which time and place objections to said Budget and Tax Resolution for the year 2024 may be presented by taxpayers or other interested persons.

Borough CFO Caroline Benson reported on the following highlights of the 2024 Budget:

The Budget requests were submitted in January, reviewed by myself and the Administrator and then meeting were held with the Mayor and Council President. Meetings with larger departments included the Department Head, myself, Administrator, Council Liaison or committee. Final full review was done with the Administrator. The CFO worked with the Auditor for complete budget document and double check of all figures. The Budget draft was sent to Council for their review on March 26, 2024.

- Surplus balance will have increased by 108K after amount utilized as revenue, bringing current surplus balance to approx. \$1.6 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 2023 was 98.55%, slight decrease from 2022 of 98.70%
- Decrease in our Assessed Valuation by 1.8 million, can be attributed to a few factors - loss of property to

Army Corp, adjustments from tax appeals, exemptions for churches/veterans/borough & school property acquisition

- The average residential municipal tax increase about \$198.00 for the year
- Biggest increases are additional staffing to Police and step increases for recently hired officers, Insurance costs specifically Liability for cybersecurity premiums and workman's comp premiums due to changes by State Legislature, Full year of Emergency Dispatch contract, sewer charges to Piscataway and MCUA (driven by increased amount of rainfall)
- Continued work at chipping away at old, unfunded debt items to clear & clean up our records. This adds to our financial stability and is viewed very positively by our auditors.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Dotey, Councilman
SECONDER:	Robert Dessino, Councilman
AYES:	Conahan, Carnes, Dessino, Dotey, Quinn, Rex

ADOPTION OF MINUTES

1. Approval of the March 26, 2024 Regular & Executive Meeting Minutes

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Robert Dessino, Councilman
SECONDER:	Kevin Dotey, Councilman
AYES:	Conahan, Carnes, Dessino, Dotey, Quinn, Rex

MAYOR'S REPORT

Mayor Mikolajczyk made the following comments:

- A lot of time has been spent on the budget to give the best possible outcome.
- April 13th is opening day at 9am for Middlesex Youth Baseball's clubhouse.
- SWAC met today, on May 17th Piscataway will hold a shred event.
- DPW's Hydro Rake was delivered.
- MCIA recycling participation survey came in, Middlesex is number 3 within the County.
- 96 tons of curbside recycling was picked up in February.

COUNCIL MEMBER REPORTS

Council President Conahan

- I want to thank both Bob and Amelia Sherr for their many, many years of service to Middlesex, especially the last 4 or so including Bob as an integral part of our Joint Land Use Board from its formation, as well as, his hard work on

the Board of Health and navigating numerous challenges within our contract with Middlesex County. Amelia has also dedicated countless hours on the Board of Health, and most recently, her successful election to the Board of Education. They both will be sorely missed as long-time volunteers to Middlesex.

- I attended the Recreation meeting last night and was unable to attend the Library Board of Trustees meeting, which is at the same time. However, I'll be at the next Library meeting on May 13th and will provide an update following that.
- You've heard me speak a lot about our first ever Volunteer Fair but it's only 11 days away and is happening on Saturday, April 20th, from 10am to 2pm in the Library Community room. Barbara Benson and Lee Poandl, from our OEM, have coordinated all efforts and will be managing the event. We have almost 20 Borough Departments, Boards, Commissions, Committees and organizations who will be exhibiting at tables and will be engaging and sharing information with visitors to the fair about volunteer opportunities. We are also encouraging each table to connect with other tables to exchange information and better understand what each organization's mission is. Women and men of all ages, and all experience levels, are invited to come. Light refreshments will be available throughout the entire event. We are grateful for all of our dedicated volunteers, however, Middlesex is facing a critical shortage of volunteers - like most other towns - and Middlesex needs you!
- Recreation, in partnership with our American Legion Post 306 is working on planning our annual Memorial Day parade which is on Monday, May 27th - rain or shine. It starts at 10am with a ceremony in Victor Crowell Park and then the parade kicks off at 10:45am. Hot dogs and birch beer will be served at the American Legion following the parade. Also, block your calendars: Community Day will be Saturday, June 8th from 2-7pm in Mountain View Park.
- Excellent job to our entire DPW for getting all of our athletic fields prepared for spring sports - they look great. That includes our parks - after a long, cold winter - they look great!
- At the Parks Improvement meeting last week, we discussed the draft version of the Victor Crowell Park master plan Request For Proposal (RFP) with Administrator La Place and that should be finalized in the next 2 weeks and posted for Engineers to apply. Thank you Administrator La Place!
- A very big thank you to our CFO, Caroline Benson, who lead our 2024 budget process with input and help from our Borough Administrator, Michael La Place. Caroline and Michael met with each Dept Head multiple times to cut any and all unnecessary budget increases. They produced a very lean budget that does not reduce or eliminate one existing service or resource to our residents, in addition to, making a long overdue investment into fully staffing our Police Department utilizing Somerset County Dispatching.
- That's all Mayor!

Councilman Carnes

Councilman Carnes made the following comments:

Councilman Carnes expressed his disappointment on the lack of communication he received in the budget process.

Councilman Carnes left the Public Meeting at this time.

Councilman Dessino

Councilman Dessino made the following comments:

- Grass and branch pick up will be every Wednesday.
 - The Hydro Rake was delivered last week, everyone has been trained on the new machine.
 - Waiting on the delivery of fencing for the Tree Farm.
 - Over 80 bulk pickups occurred in March.
 - No damage has been seen due to the earthquake on Borough buildings.
 - Guardrails have been painted at the Annex.
 - Handicap stalls have been painted at Borough Hall.
 - Environmental Commission will meet the third Tuesday of every month, with their first meeting next week.
 - This Saturday at Mountain View Park on Earth Day there will be a tree giveaway.
 - Used eclipse glasses will be collected to donate to Latin America.
-

Councilman Dotey

Councilman Dotey made the following comments:

April 22-27th is the Fireman's Carnival, please show your support.

Councilman Quinn

Councilman Quinn made the following comments:

- The Shade Tree Commission and Board of Health will meet this Thursday.
 - Construction will be hiring a new electrical inspector on an on-call basis.
 - Digitalization of documents has started.
-

Councilman Rex

No report was given.

ADMINISTRATOR'S REPORT

1. The introduction of the 2024 Municipal Budget is this evening. Great work by Chief Financial Officer Caroline Benson and the entire Management Team.
2. The Department of Public Works (DPW) continues to be busy with early Spring beautification and maintenance projects throughout Middlesex. New trees are being planted to replace ones that have died or were removed and general clean-up of the parks is under way. At Victor Crowell Park, a contractor will be repairing and painting trim on the Annex building. DPW is doing cleanup work on the rest of the site such as smoothing out the gravel parking area.
3. Last week I presented a draft Request for Proposal (RFP) to the Parks Improvement Committee for their review and comment. This RFP is for selecting a professional planning and engineering firm to work with the

community on a master plan for Victor Crowell Park and the Annex site. I expect to receive comments back from committee members this week.

4. Borough Clerk Linda Chismar has worked hard on putting together the next issue of the Borough's newsletter. The May 1st edition of the newsletter will be posted on the municipal website and printed copies will be available at Borough Hall, the Recreation and Seniors Center and the Library.
5. Council resolutions on the agenda this evening include ones to release performance bonds for completed road projects from 2021 and 2022, to authorize the purchase of Swift Water Rescue Gear for the Fire Department and this is great news, a resolution to execute the agreement to sell surplus municipal property on Grove Street, the former Fire Department Headquarters, which is noted on the tax map as Lot 25 in Block 265.
6. Regarding the Bound Brook Road/Route 28 Streetscape Beautification project, our Municipal Engineer reported to me today that the installation of the new vintage style streetlights is expected to begin next week, weather permitting.
7. The topic for discussion during the Agenda Workshop session this evening is severe erosion in the Heather Lane area.
8. Executive Session this evening will involve a discussion of two items: real estate located at 1190 Mountain Avenue and Creighton Lake.

PRIVILEGE OF THE FLOOR

Mayor Mikolajczyk opened the Privilege of the Floor for anyone wishing to comment.

Dave Polakiewicz, 240 Hazelwood Avenue, questioned the departure of Councilman Carnes from the meeting. He inquired about the status of the Cannabis Cultivator that had been approved at a meeting over a year ago, asking if they were currently in business. Mr. Polakiewicz expressed his concerns with the large increase of 7% for the municipal budget and compared it to the 4% increase on the School Boards budget and questioned why the republicans have expressed displeasure over the schools as opposed to their larger increase. He asked for an explanation on the process that led to a 7% increase in the budget and how it can be justified, stating it was excessive. Mr. Polakiewicz inquired as to why the Borough could not alleviate some of the costs with the surplus funds and what revenue the Borough anticipated but never received. He urged the Council to be more conservative in spending and expressed his concerns over the future of the residents and the financial strain this will cause.

Mayor Mikolajczyk explained his concerns over the School Boards increase. He spoke upon each department's process for their budget, and discussed several large budget increases that were not anticipated that the Borough had to make up for.

CFO, Caroline Benson spoke about the increases in the budget and gave an overview of several line items and the decreases and cuts of each department that were made.

Administrator La Place explained that the CFO and he went through each departments budget, and made decisions to cut items even prior to meeting with department heads, whom had to justify each item they would need increased.

Seeing that there were no further public comments, Mayor Mikolajczyk closed the public portion of the meeting.

NEW BUSINESS/CONSENT AGENDA/RESOLUTIONS

RESULT:	ADOPTED [5 TO 0]
MOVER:	Kevin Dotey, Councilman
SECONDER:	Robert Dessino, Councilman
AYES:	Conahan, Dessino, Dotey, Quinn, Rex
AWAY:	Carnes

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 114-2024**AUTHORIZING THE RELEASE OF THE PERFORMANCE BOND FOR THE 2021 ROAD PROJECT (JUDSON DR & SHEARN DR) AND 2022 ROAD PROJECT (HAZELWOOD AVE, LONANBE DR & MISTY LN) AND ACCEPTANCE OF THE MAINTENANCE GUARANTEE**

WHEREAS, final payment to P & A Construction, Inc. has been submitted for the 2021 Road Project (Judson Dr & Shearn Dr) and 2022 Road Project (Hazelwood Ave, Lonanbe Dr & Misty Ln); and

WHEREAS, pursuant to N.J.S.A. 40:55D-53 of the Municipal Land Use Law, the Borough Engineer, has recommended the release of Performance Bond No. 4621209, issued by Great American Insurance Company in the amount of \$1,221,036.30, which was submitted by P & A Construction, Inc. and is being held by the Borough for the 2021 Road Project (Judson Dr & Shearn Dr) and 2022 Road Project (Hazelwood Ave, Lonanbe Dr & Misty Ln); and

WHEREAS, Colliers Engineering & Design Engineers and the Borough Attorney have reviewed all documents and are recommending the release of said Performance Bond and accept the Maintenance Guarantee No. 4621209.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey in accordance with N.J.A.C. 40:55D-53c. (1) of the Municipal Land Use Law, and by recommendation of Colliers Engineering & Design Engineers and the Borough Attorney, the governing body hereby agrees to release the performance bond for the 2021 Road Project (Judson Dr & Shearn Dr) and 2022 Road Project (Hazelwood Ave, Lonanbe Dr & Misty Ln) and accept the Maintenance Guarantee.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 115-2024**APPROVING CHANGE ORDER #1 IN THE AMOUNT OF \$86,825.98 FOR THE 2021 ROAD PROGRAM (JUDSON DR & SHEARN DR) AND 2022 ROAD PROGRAM (HAZELWOOD AVE, LONANBE DR & MISTY LN)**

WHEREAS, P&A Construction Inc., was awarded the contract for 2021 Road Program (Judson Dr & Shearn Dr) and 2022 Road Program (Hazelwood Ave, Lonanbe Dr & Misty Ln) October 11, 2022 in the amount of \$1,221,036.30; and

WHEREAS, Change Order #1 which reflects a \$86,825.98 decrease in the total amount of the Contract for 2021 Road Program (Judson Dr & Shearn Dr) and 2022 Road Program (Hazelwood Ave, Lonanbe Dr & Misty Ln). This will bring the total contract amount for this project to \$1,134,210.32; and

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 change order is hereby approved.

Original Contract Sum: \$1,221,036.30

Change Order #1 \$ (86,825.98)

NEW CONTRACT SUM: \$1,134,210.32

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 116-2024

**AUTHORIZING THE TAX COLLECTOR TO ISSUE TAX TITLE LIEN REDEMPTIONS ON
BLOCK 12, LOT 3**

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 April 9, 2024, 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: 12/7/2021

Block/Lot: 12 / 3

Amount: \$544.36

Premium: \$1,500.00

Certificate: 20-00002

Payable To: Christiana T C/F CE1/Firsttrust

P.O. Box 5021
Philadelphia, PA 19111-5021

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 117-2024

**APPROVING THE REFUND OF \$1875.00 OF STREET OPENING PERMIT NO. 2021-003
TO WARREN ORLANDO, 221 BEECHWOOD AVE, MIDDLESEX, NJ**

WHEREAS, Warren Orlando was issued a street opening permit on 5/22/2021; and

WHEREAS, Warren Orlando deposited \$2500.00 with the Borough of Middlesex to ensure proper repair and maintenance of the roadway; and

WHEREAS, said roadway at 334 Melrose Ave was inspected by Lenny Vidal DPW Supervisor and Dan Niro, Plumbing Inspector, and found to have been maintained in a satisfactory manner.

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 a check in the amount of \$1875.00 in favor of Warren Orlando, 221 Beechwood Ave, Middlesex, NJ 08846, for refund of Street Opening Permit No. 2021-003.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 118-2024

**REIMBURSEMENT OF DOG LICENSE FEE IN THE AMOUNT OF \$20.00 TO MEREDITH
SANTOWASSO DUE TO INSUFFICIENT RABIES VACCINATION**

The Governing Body hereby approves the reimbursement fee for Dog License in the amount of \$20.00 to Meredith Santowasso, 133 Chestnut Street, Middlesex, NJ due to insufficient rabies vaccination date.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 119-2024

**AUTHORIZING THE PURCHASE OF SWIFT WATER RESCUE GEAR FOR THE FIRE
DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$9,713.76**

WHEREAS, the Fire Department of the Borough of Middlesex wishes to purchase Swift Water Rescue Gear in the amount of \$9,713.76 under the NJ State Contract #A80961; and

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

WHEREAS, Firefighter One, LLC is under the NJ State Contract #A80961 for fire fighter equipment; and

WHEREAS, the cost for the purchase of Swift Water Rescue Gear is not to exceed \$9,713.76; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of Swift Water Rescue Gear for the Fire Department under NJ State Contract #A80961 be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed \$9,713.76 are available in the FY24 American Rescue Plan Grant, Account No. G-02-25-526-000-102.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 120-2024

AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR THE SALE OF BOROUGH OWNED PROPERTY - BLOCK 265, LOT 25

WHEREAS, the Borough passed an Ordinance allowing a bid process for the conveyance of Block 265, Lot 25, to the highest bidder pursuant to N.J.S.A. 40A:12-13; and

WHEREAS, the Borough received a bid acceptable in nature by Bellamy & Sons, LLC above the minimum price as specified by Ordinance; and

WHEREAS, the Borough now seeks to close title and execute a real estate agreement for the sale of Block 265, Lot 25;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Middlesex, County of Middlesex, and State of New Jersey, that the Mayor and Clerk may execute a real estate contract for the conveyance of (and may convey therewith according to its terms) the Borough-owned parcel known as Block 265, Lot 25, and the Borough Attorneys are hereby authorized to draft and execute any additional documents necessary to effectuate the sale.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 121-2024

AUTHORIZING THE MAYOR TO EXECUTE THE DEPARTMENT OF THE ARMY OFFER TO SELL EASEMENT IN THE AMOUNT OF \$230,000 FOR BLOCK 278, LOT 52

The Governing Body hereby authorizes the Mayor to execute the Department of the Army's Offer to sell Easement known as Green Brook Flood Protection Project Tract No. 732E, Contract No: DACW31-7-24-0144 in the amount of \$230,000. This sale is in reference to Block 278, Lot 52, in Ordinance No. 2112-24, adopted February 27, 2024.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 122-2024

AUTHORIZING THE REFUND OF \$25.00 TO DOLLAR TREE #04004 FOR OVERPAYMENT OF THE 2024-2025 BOARD OF HEALTH MERCANTILE LICENSE

The Governing Body hereby approves the reimbursement of \$25.00 for the 2024-2025 Board of Health Mercantile License to Dollar Tree #04004, 500 Volvo Parkway, Chesapeake, VA 23320 for overpayment for said 2024-2025 Board of Health Mercantile License.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 123-2024

AUTHORIZING A SELF-EXAMINATION OF THE 2024 MUNICIPAL BUDGET OF THE MAYOR AND COUNCIL OF THE BOROUGH OF MIDDLESEX

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the *Borough of Middlesex* has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2024 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the *Borough of Middlesex* that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 124-2024

**AWARDING THE BID FOR ELECTRICAL SERVICES TO ELITE ELECTRICAL
INSTALLATIONS, INC. FOR THE PERIOD OF 5/1/2024 – 4/30/2025, SUBJECT TO THE
APPROPRIATION OF FUNDS IN THE 2024 AND 2025 BUDGET**

WHEREAS, a notice of advertisement for sealed bids and invitation to bid for Electrical Services for Borough facilities were prepared and advertised in accordance with the Local Public Contracts Law; and

WHEREAS, Four (4) bids were received and opened publicly on April 3, 2024 for Electrical Services for Borough Facilities; and

WHEREAS, listed below are the bids received for this project:

	<u>Regular Time Year 1/Year 2</u>	<u>Overtime Year 1/Year 2</u>	<u>% Discount MSRP Year 1/Year 2</u>
Sal Electric Co., Inc.	\$149.00 / \$155.00	\$223.50 / \$232.50	10% / 10%
Vanore Electric Inc.	\$143.50 / \$146.50	\$215.25 / \$219.75	0% / 0%
Magic Touch Construction	\$142.95 / \$142.95	\$214.43 / \$214.43	10% / 10%
Elite Electrical Installations	\$95.65 / \$98.25	\$143.48 / \$147.38	10% / 10%

WHEREAS, the Purchasing Agent recommends awarding the contract to the lowest responsible, responsive bidder, Elite Electrical Installations, Inc., 212 Lincoln Blvd, Middlesex, NJ for the amounts listed above for year 1 and year 2.

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

1. At the recommendation of the Purchasing Agent, the Mayor and Council hereby award the bid for Electrical Services to Elite Electrical Installations, Inc. for the period of 5/1/2024 - 4/30/2025, subject to the appropriation of funds in the 2024 and 2025 budget.
2. The Governing Body hereby authorizes the mayor to execute the Contract between the Borough of Middlesex and Elite Electrical Installations, Inc. for Electrical Services for Middlesex Borough facilities.

NOW FURTHER BE IT RESOLVED, that the CFO hereby certifies funds are appropriated in the 2024 adopted budget.

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 125-2024

**HIRING OF TIMOTHY KINIERY AS THE SUBSTITUTE ELECTRICAL SUBCODE
INSPECTOR FOR THE BOROUGH OF MIDDLESEX REPLACING ROBERT
VANDENBERG**

At the request of the Construction Official, the Governing Body approves hiring Timothy Kinery, Branchburg, NJ as the substitute Electrical Subcode Inspector to cover in the event of emergencies, conflicts, or vacations at \$55.00 per hour with four (4) hour minimum per day. Timothy Kinery replaces the previous substitute Electrical Subcode Inspector Robert Vandenberg.

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 126-2024

PAY ALL CLAIMS

THE DISBURSING OFFICERS BE AND THEY ARE HEREBY AUTHORIZED TO PAY THE ATTACHED CLAIM LIST AS PRESENTED, IF FOUND CORRECT, AND APPROVED BY THE FINANCE COMMITTEE. EXCLUDED VOUCHERS MAY BE PAID UPON BEING FOUND ACCEPTABLE.

RESULT:	ADOPTED [5 TO 0]
MOVER:	Robert Dessino, Councilman
SECONDER:	Kevin Dotey, Councilman
AYES:	Conahan, Dessino, Dotey, Quinn, Rex
AWAY:	Carnes

AGENDA WORKSHOP ITEM

1. Heather Lane Property Erosion

Mayor Mikolajczyk indicated that there is nothing to report with regard to the Heather Lane Property erosion, due to the weather.

PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS

Mayor Mikolajczyk opened the privilege of the floor on the Agenda Workshop Item. Seeing that there was no public participation, Mayor Mikolajczyk closed the privilege of the floor on the Agenda Workshop Item.

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 127-2024

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 Creighton Lake; 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 [5 TO 0]
MOVER:	Kevin Dotey, Councilman
SECONDER:	Robert Dessino, Councilman
AYES:	Conahan, Dessino, Dotey, Quinn, Rex
AWAY:	Carnes

Real Estate - 1190 Mountain Ave.

Creighton Lake

ADJOURNMENT

The next Regular Meeting will be April 23, 2024

Respectfully yours,

Linda Chismar, RMC
Borough Clerk