Borough of Middlesex

Mayor and Council Regular Meeting

~ Agenda ~

1200 Mountain Ave
Middlesex, NJ

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

Tuesday, June 11, 2024 **7:00 PM** **Municipal Building**

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

II. SALUTE TO FLAG

III. ROLL CALL

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

IV. PRESENTATIONS

V. APPOINTMENTS

VI. PROCLAMATIONS

1. The Arc Middlesex County

VII. ORDINANCE(S) FOR INTRODUCTION

1. **Ordinance 2124-24** AN ORDINANCE TO AMEND CHAPTER 351, SOLID WASTE, SECTION 351-4 PLACEMENT OF GARBAGE IN SUITABLE RECEPTACLES IN THE CODE OF THE BOROUGH OF MIDDLESEX

2. **Ordinance 2125-24** BOND ORDINANCE PROVIDING VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, APPROPRIATING $2,187,600 THEREFOR AND AUTHORIZING THE ISSUANCE OF $1,658,500 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

3. **Ordinance 2126-24** AN ORDINANCE AMENDING CHAPTER 320 (REGISTRATION, LANDLORD) OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX TO CLARIFY CERTAIN COMPLIANCE DATES

4. **Ordinance 2127-24** AN ORDINANCE REZONING BLOCK 306, LOT 17 FROM MUNICIPAL TO R-50 ZONING

5. **Ordinance 2128-24** AN ORDINANCE FIXING AND DETERMINING THE SALARY RANGE OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF MIDDLESEX

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

IX. ADOPTION OF MINUTES

1. Approval of the May 28, 2024 Regular Meeting Minutes

X. MAYOR'S REPORT

XI. COUNCIL MEMBER REPORTS

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

XII. ADMINISTRATOR'S REPORT

XIII. PRIVILEGE OF THE FLOOR

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

XIV. NEW BUSINESS/CONSENT AGENDA/RESOLUTIONS:

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

1. **Resolution 167-2024** Authorizing the Mayor to Executive the Generator Preventative Maintenance Agreement with P3 Generator Services Effective July 1, 2024 – June 30, 2025

2. **Resolution 168-2024** Special Items of Revenue and Appropriation - New Jersey Click It or Ticket 2024

3. **Resolution 169-2024** Special Items of Revenue and Appropriation - Drunk Driving Enforcement Fund Grant

4. **Resolution 170-2024** Special Items of Revenue and Appropriation - Clean Communities Grant Program

5. **Resolution 171-2024** Special Items of Revenue and Appropriation - National Opioid Settlement Fund

6. **Resolution 172-2024** Acknowledging the Change in Status for Certain Properties Under the Veteran Tax Deductions

7. **Resolution 173-2024** Renewal of Liquor Licenses for 2024-2025

8. **Resolution 174-2024** Re-Appropriation of HUD Funds

9. **Resolution 175-2024** Awarding the Contract for Automatic Doors for Middlesex Borough Library to Automatics Unlimited in the Amount of $44,972.40

10. **Resolution 176-2024** Approval of the Reimbursement of $250.00 for the 2024-2025 Board of Health Mercantile License to Tim Kerwin, 353 Bound Brook Road for Overpayment

11. **Resolution 177-2024** Acceptance of the Change Order #1 for Rt 28 Streetscape Project

12. **Resolution 178-2024** Approval to Advance Police Officer Brandon Stout (Academy) to Probationary Police Officer at an Annual Salary of $53,768 Effective June 7, 2024

13. **Resolution 179-2024** Approval to Advance Police Officer David Wilczynski (Academy) to Probationary Police Officer at an Annual Salary of $53,768 Effective June 7, 2024

14. **Resolution 180-2024** Resolution for Member Participation in the Houston-Galveston Area Council Cooperative Purchasing Program (HGACBUY)

15. **Resolution 181-2024** Approval of the Towing Licenses for 2024/2025 (Expiring 5/31/2025)

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

1. **Resolution 182-2024** Pay All Claims

XVI. AGENDA WORKSHOP ITEM

XVII. PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS

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

XVIII. EXECUTIVE SESSION

1. **Resolution 183-2024** Executive Session

   Real Esate - 1190 Mountain Avenue

   Potential Litigation - MCMJIF

   Potential Litigation - Lake Creighton

XIX. ADJOURNMENT

1. The next Regular Meeting will be June 25, 2024

PROCLAMATION

The Arc Middlesex County

WHEREAS, developmental and intellectual disabilities manifest during the formative years of life, before the age of 22, and are lifelong in duration, resulting in the continuing need for a variety of services designed to support full inclusion in community life; and

WHEREAS, it is estimated that approximately two percent of the United States population has an intellectual or developmental disability, which translates to approximately 178,000 children and adults in New Jersey, and The Arc Middlesex County alone serves 333 individuals, and their families; and

WHEREAS, The Arc Middlesex County has worked collaboratively with individuals, with developmental and/or intellectual disabilities, their families, organizations, coalitions, state and local agencies; and

WHEREAS, The Arc Middlesex County has valued and promoted effective partnerships between community partners volunteers, staff and leadership at all levels; and

WHEREAS, The Arc Middlesex County is guided in the belief that all people with intellectual and/or developmental disabilities are defined by their own strengths, abilities and inherent value, not by their disability and are entitled to the respect, dignity, safety, and security accorded to other members of society, and are equal before the law; and

WHEREAS, The Arc Middlesex County has articulated a positive vision for the future of people with developmental and/or intellectual disabilities and has catalyzed public and private support in the realization of that vision by its unwavering commitment to its individuals, families, community, leadership, staff and volunteers; and

WHEREAS, in 75 years The Arc Middlesex County has lead in the area of providing support, care and opportunity with integrity and accountability that reflects quality and excellence in all its work.

NOW THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Middlesex does hereby recognize The Arc Middlesex County in celebrating 75 years of outstanding and dedicated contributions in caregiving and support to empower individuals with developmental and/or intellectual disabilities and their families to live their lives to the fullest.

DATED: June 11, 2024

_____
Linda Chismar, RMC

_____
Mayor Jack Mikolajczyk

ORDINANCE #2124-24

AN ORDINANCE TO AMEND CHAPTER 351, SOLID WASTE, SECTION 351-4 PLACEMENT OF GARBAGE IN SUITABLE RECEPTACLES IN THE CODE OF THE BOROUGH OF MIDDLESEX

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

§ 351-4 Placement of garbage in suitable receptacles is amended to read as follows:

The occupant of any residential building or premises covered by the terms of this article shall place, keep and make readily accessible for collection and removal of garbage, ashes and rubbish placed in plastic bags inside covered receptacles with detachable lids, such as may be specified in rules and regulations to be adopted by the Mayor and Council of the Borough of Middlesex pertaining to the subject matter of this article. No loose garbage, medical waste or debris shall be inside the approved receptacle. Acceptable receptacles are metal or plastic containers with handles and tight-fitting lids weighing less than 50 pounds when filled and not to exceed 44 gallons in size. The use of stand alone plastic bags or cardboard boxes, paper bags, crates, drums, pails, or similar containers as receptacles is not permitted. Garbage in these containers will not be collected. Extraordinary exceptions will be approved solely at the discretion of the Superintendent of the DPW.

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

1. The Governing Body does hereby amend Chapter 351, Solid Waste, Section 351-4 to read as stated above.

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

I Hereby Certify that the above Ordinance was introduced by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on June 11, 2024.

INTRODUCED: June 11, 2024

DATE OF PUBLICATION:
OF INTRODUCTION June 14, 2024

ORDINANCE #2125-24

BOND ORDINANCE PROVIDING VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, APPROPRIATING $2,187,600 THEREFOR AND AUTHORIZING THE ISSUANCE OF $1,658,500 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 $2,187,600, said sum being inclusive of all appropriations heretofore made therefor, including the sum of $441,440 grant funds expected to be received from the New Jersey Department of Transportation (NJDOT), and $87,660 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 $1,658,500, 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 and the purposes for which the obligations are to be issued consist of: (i) acquisition of various equipment for the Police Department, including, but not limited to, a police pickup truck, a police sedan with equipment, police rifles with attachments, tasers with cameras and related equipment, a radar traffic counter, a major disaster enclosed trailer, mobile license plate readers, a casualty throw kit, and light-emitting diode (LED) traffic safety signs; (ii) acquisition of various equipment for the Office of Emergency Management (OEM), including, but not limited to, a portable radio and alert pagers with chargers and batteries; (iii) equipment maintenance and acquisitions for the Fire Department, including, but not limited to, turnout/swift water gear, Truck #24 paint repair, an air compressor, automated external defibrillators (AEDs), uniforms, and a utility truck; (iv) acquisition of a pickup truck and Truck #8 steel body replacement for the Road Department; (v) acquisition of various equipment and improvements for the Parks Department, including, but not limited to, fence repair and replacement, replacement benches/tables/garbage cans, a replacement mower, and a pickup truck; (vi) acquisition of various equipment for the Department of Senior & Disabled Services, including, but not limited to, tables and a sedan for medical transports; (vii) various equipment acquisitions and upgrades for the Recreation Department, including, but not limited to, soccer goals/nets, a Christmas display, playground

equipment upgrade, and locked equipment boxes; (viii) various acquisitions for and improvements to the Public Library, including, but not limited to, digitization of the Middlesex Chronicle, new lighting in the children's room, and new staff and patron computers; (ix) various acquisitions and improvements for the Buildings and Grounds Department, including, but not limited to, building maintenance, replacement windows for the Public Works Garage, duct cleaning and repair for Borough buildings, defibrillators for Borough buildings, epoxy floor for the Public Works Garage, and above ground fuel tanks; (x) road improvements to Seneca Avenue, First Street and Second Street, including, but not limited to, milling and overlay; (xi) various information technology (IT) acquisitions, services and upgrades, including, but not limited to, new computers, backup services, identification card machines, and firewall renewals and upgrades; (xii) acquisition of a jet vac vehicle for the Sewer Department; (xiii) a landscaping study at Victor Crowell Lake; (xiv) an engineering study/historical preservation at Lincoln Park; and (xv) various administrative work, including, but not limited to, property revaluation, digitization of various municipal records, and renovation plans for the Municipal Building, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the Borough Clerk, 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 $1,658,500, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is $2,187,600, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of $2,187,600 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said $87,660 down payment for said purposes, and the sum of $441,440 grant funds expected to be received from the NJDOT for said road improvements to Seneca Avenue, First Street and Second Street.

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 10.55 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 $1,658,500 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding $400,000 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.

Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

I Hereby Certify that the above Ordinance was introduced by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on June 11, 2024.

INTRODUCED: 06/11/2024

DATE OF PUBLICATION:
OF INTRODUCTION June 14, 2024

ORDINANCE #2126-24

AN ORDINANCE AMENDING CHAPTER 320 (REGISTRATION, LANDLORD) OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX TO CLARIFY CERTAIN COMPLIANCE DATES

WHEREAS, the existing Chapter 320 titled “Registration, Landlord” requires amendment to function more effectively; and

WHEREAS, the Mayor and Council of the Borough of Middlesex have previously amended this ordinance to clarify certain terms; and

WHEREAS, the Mayor and Council of the Borough of Middlesex desires to further amend Chapter 320 to provide additional clarification concerning certain ; and

BE IT THEREFORE ORDAINED, by the Borough Council of the Borough of Middlesex in the County of Middlesex and State of New Jersey that Chapter 367 of the municipal code shall be amended as follows:

Section I

Section 320-1(g) is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

The registration of a rental unit shall remain valid for that same calendar year. Upon expiration of a rental unit's registration, the owner shall be required to re-register as outlined in this chapter for each yearly renewal cycle. Renewal applications shall be due by the 31st of ~~January~~ **March** of each year beginning in 2025, and upon prompt payment and, subject to any necessary inspections as outlined by this chapter, a registration certificate shall be issued.

The 2024 Due Date shall be August 31, 2024, and violations/fines for 2024 will be assessed for each dwelling unit pursuant to the following schedule:

a. September 1, 2024 - $500
b. October 1, 2024 - $1,000
c. November 1, 2024 - $2,000

Section II

Section 320-1(i) is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

Violations/fines for noncompliance in accordance with Section 320-4.c shall be issued for each dwelling unit beginning on ~~February~~ **April** 1 of each calendar year starting in 2025.

Section III

Section 320-1(j) is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

The Borough shall send notice of the need for registration and payment to all existing registered rental units by ~~October~~ **January** 31st of each year.

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.

I Hereby Certify that the above Ordinance was introduced by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on June 11, 2024.

INTRODUCED: June 11, 2024

DATE OF PUBLICATION:
OF INTRODUCTION June 14, 2024

ORDINANCE #2127-24

AN ORDINANCE REZONING BLOCK 306, LOT 17 FROM MUNICIPAL TO R-50 ZONING

WHEREAS, Block 306, Lot 17 (the "Property") is owned by the Borough of Middlesex and is completely surrounded by the R-50 Zone; and

WHEREAS, on May 22, 2024, the Joint Land Use Board recommended rezoning the Property to R-50 and found that such rezoning is consistent with the Master Plan; and

WHEREAS, in consideration thereof, the Mayor and Council of the Borough of Middlesex desire to rezone Block 306, Lot 17 to the R-50 Zone; and

NOW, BE IT THEREFORE ORDAINED, by the Borough Council of the Borough of Middlesex in the County of Middlesex and State of New Jersey that the Municipal Code of the Borough of Middlesex, County of Middlesex, State of New Jersey is hereby amended pursuant to the provisions hereof:

Section I

The Code of the Borough of Middlesex is amended and supplemented by revising the zoning map to remove Block 306, Lot 17 from the Municipal Zone and adjusting the boundary of the R-50 Zone to include Block 306, Lot 17.

Section II

The Clerk shall cause a copy of this ordinance as adopted to be filed with the County Planning Board pursuant to N.J.S.A. 40:55D-16 and a summary published as required by N.J.S.A. 40:49-2.1.

Section III

Prior to adoption, the Clerk shall forward a copy of this ordinance for a consistency review by the Borough Land Use Board pursuant to N.J.S.A. 40:55D-26.

Section IV

Prior to adoption, the Clerk shall cause notice to be published and mailed as required by N.J.S.A. 40:55D-62.1.

Section V

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

Section VI

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 VII

This ordinance shall take effect upon adoption and publication in the manner required by New Jersey general law but, in no event, less than 20 days after its final passage by the Borough Council and approval by the Mayor, where such approval is required pursuant to N.J.S.A. 40:69A-181(b).

I Hereby Certify that the above Ordinance was introduced by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on June 11, 2024.

INTRODUCED: June 11, 2024

DATE OF PUBLICATION:
OF INTRODUCTION June 14, 2024

ORDINANCE #2128-24

AN ORDINANCE FIXING AND DETERMINING THE SALARY RANGE OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF MIDDLESEX

TITLE	SALARY	RANGE
Full Time Employees		
Chief of Police	$180,000	$250,000
Borough Administrator	$125,000	$180,000
Borough Clerk/Registrar	$70,000	$110,000
Deputy Borough Clerk	$50,000	$70,000
Purchasing Agent/Administrative Clerk	$50,000	$70,000
Chief Financial Officer	$80,000	$125,000
Deputy Treasurer	$50,000	$80,000
Tax Collector	$70,000	$90,000
Deputy Tax Collector	$50,000	$70,000
Finance/Tax Clerk	$40,000	$55,000
HR Manager/Payroll Manager	$50,000	$75,000
DPW Superintendent	$100,000	$130,000
DPW Assistant Superintendent	$85,000	$100,000
Zoning Officer/Code Enforcer	$65,000	$80,000
Recreation/Office on Aging Director	$70,000	$90,000
Recreation Program Coordinator	$45,000	$60,000
Court Administrator	$60,000	$80,000
Court Deputy Administrator	$50,000	$65,000
Court Violations Clerk	$40,000	$55,000
Senior Certified Technical Assistant	$55,000	$75,000
Certified Technical Assistant	$45,000	$60,000
Senior Administrative Assistant	$50,000	$65,000
Administrative Assistant	$40,000	$55,000
Police Administrative Assistant	$50,000	$70,000
Senior Police Records Clerk	$45,000	$65,000
Police Records Clerk	$40,000	$60,000
Part Time Employees		
Assistant Recreation Coordinator	$12,000	$15,000
Recreation Committee Secretary	$1,000	$1,500
Tax Assessor	$20,000	$45,000
Code Enforcer/Zoning Official	$45,000	$65,000
Construction Official	$15,000	$35,000
Electrical Sub-Code Official	$15,000	$20,000
Building Sub-Code Official	$15,000	$20,000
Plumbing Sub-Code Official	$15,000	$25,000
Fire Sub-Code Official	$12,000	$18,000
Planning/Zoning Clerk (per meeting)	$200	$400
Shade Tree Secretary	$2,000	$3,000

Juvenile Conference Committee Secretary	$2,000	$3,000
Municipal Magistrate	$35,000	$50,000
Hourly Employees	**Per Hour**	**Per Hour**
Administrative Clerk	$17.00	$22.00
Construction/Code Inspectors	$15.00	$20.00
ReSale Certificate Inspector	$15.00	$18.00
DPW Laborer	$15.00	$20.00
Senior Dept Non CDL Driver	$18.00	$25.00
Senior Dept CDL Driver	$22.00	$28.00
Pre-School Program Supervisor	$18.00	$22.00
Pre-School Program Instructor	$15.00	$20.00
Playground Coordinator (Seasonal)	$20.00	$24.00
Playground Site Supervisor (Seasonal)	$17.00	$22.00
Playground Counselor (Seasonal)	$15.00	$18.00
Police Matrons	$15.00	$20.00
Crossing Guards	$15.00	$20.00
Custodian	$15.00	$20.00

I Hereby Certify that the above Ordinance was introduced by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on June 11, 2024.

INTRODUCED: June 11, 2024

DATE OF PUBLICATION:
OF INTRODUCTION June 14, 2024

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

Resolution #167-2024

AUTHORIZING THE MAYOR TO EXECUTIVE THE GENERATOR PREVENTATIVE MAINTENANCE AGREEMENT WITH P3 GENERATOR SERVICES EFFECTIVE JULY 1, 2024 – JUNE 30, 2025

The Governing Body authorizes the Mayor to execute the Generator Preventative maintenance Agreement with P3 Generator Services and the Borough of Middlesex effective July 1, 2024 - June 30, 2025. At the expiration of this contract the Contract will automatically renew for an additional one-year term, unless both parties agree to amend said contract.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on June 11, 2024.

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

Resolution #168-2024

SPECIAL ITEMS OF REVENUE AND APPROPRIATION - NEW JERSEY CLICK IT OR TICKET 2024

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 2024 in the sum of $7,000.00, which item is now available as a revenue from the Click It or Ticket Grant;

BE IT FURTHER RESOLVED that the like sum of $7,000.00 is hereby appropriated under the caption of “Click It or Ticket Grant”; and

BE IT FURTHER RESOLVED that the above is a result of $7,000.00 from the New Jersey Click It or Ticket 2024 Seat Belt Mobilization Grant.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on June 11, 2024.

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

Resolution #169-2024

SPECIAL ITEMS OF REVENUE AND APPROPRIATION - DRUNK DRIVING ENFORCEMENT FUND 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 2024 in the sum of $10,799.87, which item is now available as a revenue from the Drunk Driving Enforcement Fund Grant;

BE IT FURTHER RESOLVED that the like sum of $10,799.87 is hereby appropriated under the caption of “Drunk Driving Enforcement Fund Grant”; and

BE IT FURTHER RESOLVED that the above is a result of $10,799.87 from the New Jersey Division of Highway Traffic Safey - Drunk Driving Enforcement Fund Grant.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on June 11, 2024.

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

Resolution #170-2024

SPECIAL ITEMS OF REVENUE AND APPROPRIATION - CLEAN COMMUNITIES GRANT PROGRAM

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 2024 in the sum of $37,082.09, which item is now available as a revenue from the Clean Communities Grant Program;

BE IT FURTHER RESOLVED that the like sum of $37,082.09 is hereby appropriated under the caption of “Clean Communities Grant Program”; and

BE IT FURTHER RESOLVED that the above is a result of a State Grant of $37,082.09 from the FY24 Clean Communities Grant Program.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on June 11, 2024.

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

Resolution #171-2024

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 2024 in the sum of $19,307.11, which item is now available as a revenue from the National Opioid Settlement Fund;

BE IT FURTHER RESOLVED that the like sum of $19,307.11 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 $19,307.11 from the National Opioid Settlement Fund.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on June 11, 2024.

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

Resolution #172-2024

ACKNOWLEDGING THE CHANGE IN STATUS FOR CERTAIN PROPERTIES UNDER THE VETERAN TAX DEDUCTIONS

WHEREAS, per (N.J.S.A. 54:4-8.10 et seq.as amended by P.L. 2019 c.413; N.J.A.C. 18:27-1.1 et seq.), certain Veterans were the owners of property in the Borough of Middlesex on or before October 1, 2023, and

WHEREAS, said Veterans did file their claims for the Veteran deduction with the proper official of the Borough of Middlesex, Middlesex County, and

WHEREAS, the Tax Assessor has allowed the following Veteran deduction for the 2024 tax year totaling $250.00

Name: Levourne, Walter
Block/Lot: 22.04 / 3.30
Amount: $250.00

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on June 11, 2024.

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

Resolution #173-2024

RENEWAL OF LIQUOR LICENSES FOR 2024-2025

The application for renewal of Liquor Licenses for the year 2024-2025 which have been approved by the Police Department be accepted; and the Borough Clerk is hereby authorized to issue the following licenses in consideration of the fees which have been paid to the Borough of Middlesex and the State of New Jersey:

John W. Lupu Memorial Post 306 The American Legion 707 Legion Place	1211-31-013-001
Vilaverdense t/a Vincenzo's Restaurant 665 Bound Brook Road	1211-33-012-005
Shri Radha Krishna Inc. t/a Endzone Lounge 425 Bound Brook Road	1211-33-001-005
Faron Realty Management, LLC t/a Ferraro's Pizza & Pub 275 Lincoln Boulevard	1211-33-002-010
Ellery's Grill, Inc. 701 Lincoln Boulevard	1211-32-004-003
Carpaccio Ristorante Inc. 651 Bound Brook Road	1211-33-010-004
Uncle Activo LLC (Pocket)	1211-33-003-004
Pearldhyan, Inc. 657 Lincoln Boulevard	1211-44-006-004
DPKA Inc. t/a Cub Liquors 242 Lincoln Boulevard	1211-32-011-005
Rikjo Liquors, Inc. t/a Middlesex Liquor Store 1323 Bound Brook Road	1211-44-005-003
Middlesex Lodge 2301 BPO Elks 545 Bound Brook Road	1211-31-014-001
Timothy Kerwin's Inc. 353 Bound Brook Road	1211-33-009-003

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on June 11, 2024.

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

Resolution #174-2024

RE-APPROPRIATION OF HUD FUNDS

WHEREAS, the Housing and Community Development of Middlesex County provides funding to local governments for certain purposes of improving publicly used facilities in a designated area; and

WHEREAS, the Borough of Middlesex has been receiving and appropriating such funds throughout the designated area; and

WHEREAS, the Borough has identified unspent funds appropriated for ADA Improvements at Senior Center/Rescue Squad building; and

WHEREAS, the Borough does not currently have a project in need of ADA Improvements at that location;

THEREFORE BE IT RESOLVED, that the Borough wishes to reappropriate the HUD balance listed below to general ADA Improvements at any facility in the designated area.

2020	CD2021	ADA Improvements	$23,600.00
2023	CD 2325	ADA Improvements	$22,574.00

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on June 11, 2024.

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

Resolution #175-2024

AWARDING THE CONTRACT FOR AUTOMATIC DOORS FOR MIDDLESEX BOROUGH LIBRARY TO AUTOMATICS UNLIMITED IN THE AMOUNT OF $44,972.40

WHEREAS, the Middlesex Borough Library has determined that there is a need for the acquisition of the following goods and services: Automatic Doors for the Community Room and Main Entrance; and

WHEREAS, a notice of advertisement for sealed bids for Automatic Doors for Middlesex Borough Library were prepared and advertised in accordance with the Local Public Contracts Law; and

WHEREAS, One (1) bid was received and read out loud in public on May 24, 2024, for Automatic Doors for Middlesex Borough Library; and

WHEREAS, the following bid listed below was received for this service:

Automatics Unlimited
415 Cranberry Rd, Farmingdale, NJ
$44,972.40

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

1) At the recommendation of the Purchasing Agent, the Mayor and governing body hereby awarded the contract for Automatic Doors for Middlesex Borough Library to Automatics Unlimited as the lowest responsive, responsible bidder.

NOW FURTHER BE IT RESOLVED, that the CFO hereby certifies funds are available in the amount of $44,972.40 in the following accounts:

G-02-16-140-000-106 (2019 ADA Improvements) - $10,426.85
G-02-16-140-000-107 (2020 ADA Improvements) - $23,600.00
G-02-16-140-000-112 (2023 ADA Improvements) - $10,945.55

_____
Caroline Benson, CFO

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on June 11, 2024.

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

Resolution #176-2024

APPROVAL OF THE REIMBURSEMENT OF $250.00 FOR THE 2024-2025 BOARD OF HEALTH MERCANTILE LICENSE TO TIM KERWIN, 353 BOUND BROOK ROAD FOR OVERPAYMENT

The Governing Body hereby approves the reimbursement of $250.00 for the 2024-2025 Board of Health Mercantile License to Tim Kerwin, 353 Bound Brook Road for overpayment for said 2024-2025 Board of Health Mercantile License.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on June 11, 2024.

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

Resolution #177-2024

ACCEPTANCE OF THE CHANGE ORDER #1 FOR RT 28 STREETSCAPE PROJECT

WHEREAS, Block Rock Enterprises, LLC, was awarded the contract for Rt 28 Streetscape Project on September 13, 2022 in the amount of $1,298,189.00; and

WHEREAS, Change Order #1 which reflects a $382,972.11 decrease in the total amount of the Contract for the Rt 28 Streetscape Project. This will bring the total contract amount for this project to $915,216.90; 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:	$1,298,189.00
Change Order #1	($382,972.11)
NEW CONTRACT SUM:	**$915,216.90**

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on June 11, 2024.

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

Resolution #178-2024

APPROVAL TO ADVANCE POLICE OFFICER BRANDON STOUT (ACADEMY) TO PROBATIONARY POLICE OFFICER AT AN ANNUAL SALARY OF $53,768 EFFECTIVE JUNE 7, 2024

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

WHEREAS, On June 7, 2024 Police Officer Brandon Stout graduated from the Cape May County Policy Academy and Chief Geist has recommended that Police Officer Brandon Stout be advanced in grade to Probationary Police Officer.

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 Brandon Stout be and is hereby advanced in grade to Probationary Police Officer effective June 7, 2024 at an annual salary of $53,768.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on June 11, 2024.

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

Resolution #179-2024

APPROVAL TO ADVANCE POLICE OFFICER DAVID WILCZYNSKI (ACADEMY) TO PROBATIONARY POLICE OFFICER AT AN ANNUAL SALARY OF $53,768 EFFECTIVE JUNE 7, 2024

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

WHEREAS, On June 7, 2024 Police Officer David Wilczynski graduated from the Cape May County Policy Academy and Chief Geist has recommended that Police Officer David Wilczynski be advanced in grade to Probationary Police Officer.

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 David Wilczynski be and is hereby advanced in grade to Probationary Police Officer effective June 7, 2024 at an annual salary of $53,768.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on June 11, 2024.

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

Resolution #180-2024

RESOLUTION FOR MEMBER PARTICIPATION IN THE HOUSTON-GALVESTON AREA COUNCIL COOPERATIVE PURCHASING PROGRAM (HGACBUY)

WHEREAS, P.L 2011, C139 (Chapter 139) allows local contracting units to enter into agreement with state, regional or single government agencies that award contracts for its own use and is authorized under its own laws to extend those contracts to other government agencies; and

WHEREAS, the Houston-Galveston Area Council, hereinafter referred to as HGAC-Buy, a political subdivision of the State of Texas awards contracts by competitive bid or competitive proposal (RFP) has offered voluntary participation in a Cooperative System for the purchase of goods or services; and

WHEREAS, it is the desire of the Borough of Middlesex to join the HGAC-Buy Cooperative Purchasing System to purchase goods and/or services, to make the procurement process more efficient and to provide cost savings to the Borough of Middlesex.

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

1. Carmen Modica, Qualified Purchasing Agent of the Borough of Middlesex is hereby authorized to enter into a Cooperative Pricing Agreement with HGAC-Buy as the Lead Agency pursuant to N.J.S.A. 40:11-11(5) and to participate in the Cooperative Pricing system on an *as needed* basis providing the contracts are in compliance with DLGS LFN 2012-10.

2. The Borough Clerk is hereby directed to submit three copies of this adopted Resolution along with an executed Agreement to HGAC-Buy, Cooperative Purchasing system.

3. Houston-Galveston Area Council Cooperative Purchasing Program HGAC-Buy) shall submit to the Borough any and all documentation required pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. related to the incorporation and operation of cooperative pricing in the State of New Jersey.

4. This Resolution shall take effect immediately upon final passage according to law.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on June 11, 2024.

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

Resolution #181-2024

APPROVAL OF THE TOWING LICENSES FOR 2024/2025 (EXPIRING 5/31/2025)

The following applications for Towing Licenses for 2024/2025 have been approved by the Police Department and met all Borough requirements, and the Borough Clerk is hereby authorized to issue the license in consideration of the fees which have been paid.

1. Tierno's Automotive Inc.
2. M&W Towing Service
3. Mike's Towing

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on June 11, 2024.

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

Resolution #182-2024

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.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on June 11, 2024.

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

Resolution #183-2024

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 & Potential Litigation MCMJIF & 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.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on June 11, 2024.