



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, July 23, 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 -- **Absent**

Also Present:

Michael La Place Administrator
Christopher Corsini Borough Attorney

Others Absent:

2. Mayor Mikolajczyk requested to amend the Agenda to change the date in Resoution 205-2024 until July 26, 2024 and add Israel Castillo & Brian Marsh to Resoution 195-2024 as Active Members of the Fire Department

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

PRESENTATIONS

1. Pillars of Middlesex - Jim Grimm

Jim Grimm thanked the Mayor and Council for their being recognized for the Pillar Award.

Mr. Grimm acknowledged all the help and direction he was given by former Pool Manager Bill Weigel and thanked the Swim Pool Commission and his family for their help throughout his 41 years of service at the Community Pool. He indicated that working at the pool, although consuming much of his and his family time, has been his passion for all these years.

APPOINTMENTS

ORDINANCE(S) FOR INTRODUCTION

Borough Clerk Linda Chismar read Ordinance 2129-24 by title:

ORDINANCE 2129-24

AN ORDINANCE AMENDING CHAPTER 272 (MASSAGE AND BODYWORK THERAPY ESTABLISHMENTS) OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX TO CLARIFY CERTAIN PROVISIONS THEREOF

WHEREAS, it is the desire of the Mayor and Council of the Borough of Middlesex to amend Chapter 272 (Massage and Bodywork Therapy Establishments) of the municipal code of the Borough of Middlesex to clarify certain provisions thereof; 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 272 of the municipal code shall be amended as follows:

Section I:

Section 272-1 ("Purpose") is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

The purpose of this chapter is to establish regulations and permit requirements for the operation of massage and bodywork therapy establishments in order to protect and preserve the health, safety and welfare of the citizens of the Borough of Middlesex, ~~and as~~ **well as** the patrons **and employees** of such establishments, and to minimize and control adverse utilization of such establishments to preserve the quality of life, protect and preserve the character of the Borough.

Section II:

Chapter 272-5 ("Application Required") is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

- A. Application for a massage and bodywork therapy establishment permit. Any person, firm, corporation, organization or other entity applying for a massage and bodywork therapy establishment permit shall submit the required application, together with the associated fees, which shall include the following information:
 - (1) The type of ownership of the establishment (i.e., whether individual, partnership, corporation or otherwise) ~~—~~, **as well as the business entity's incorporating documentation.**
 - (2) The name, style and designation under which the establishment is to be

- conducted.
- (3) The address and all telephone numbers, including facsimile, where the establishment is to be maintained, operated, and conducted.
 - (4) A complete list of the name(s) and address(es) of all massage and bodywork therapists, along with a copy of each therapist's certificate and/or license issued by the State of New Jersey issued to the applicant pursuant to N.J.S.A. 45:11-53 et seq. and N.J.A.C. 13:37-16.1[1] et seq., name(s) and address(es) of other employees at the establishment, ~~and the name and residence address of the manager or other person principally in charge of the day-to-day operation of the establishment—,~~ **and a copy of the Massage and Bodywork Therapist Employer License issued by the New Jersey Board of Massage and Bodywork Therapy (owner must provide this licensure and also be a licensed massage therapist in the State of New Jersey).**
 - (5) The following personal information concerning the applicant, if an individual; concerning each stockholder holding direct or beneficial interest in stock of the corporation, each officer and director, if the applicant is a corporation; concerning each partner, including limited partners, if the applicant is a partnership; concerning the members, if the applicant is a limited-liability company; and concerning the manager or other person principally in charge of the day-to-day operation of the establishment:
 - (a) The name, residence address and residence telephone number, **which shall be provided in the form of a valid New Jersey driver's license or identification card, a current and valid photographic driver's license issued by another state, a valid United States passport, or other verifiable U.S. Government-issued identification.** It shall be an ongoing responsibility of the applicant to notify the Borough, in writing, of any change in name, address or telephone number of the individuals identified.
 - (b) The two previous addresses immediately prior to the present address of the individuals identified.
 - (c) Written proof of age-, **which shall be verified with a valid New Jersey driver's license or identification card, a current and valid photographic driver's license issued by another state, a valid United States passport, or other verifiable U.S. Government-issued identification.**
 - (d) Height, weight, sex and color of hair and eyes.
 - (e) Two front-faced portrait photographs of the individuals taken within 30 days of the date of the application, and at least two inches by two inches in size.
 - (f) The establishment or similar business history and experience, including, but not limited to, whether or not such person has previously operated such an establishment, along with the location of such prior operations, whether or not such person has previously applied for a license or permit for such an establishment, and if same was denied, revoked or suspended, and the reasons therefor.
 - (g) **A valid New Jersey Business Registration Certificate as issued by the New Jersey Department of Treasury.**
 - (6) Floor plans for the proposed facility.
 - (7) The names and addresses of three adult residents of the State of New Jersey who will serve as character references for the applicant. These references must be persons other than relatives and business associates of the applicant.
 - (8) **A copy of a certificate and/or license issued by the State of New Jersey issued to the applicant pursuant to N.J.S.A. 45:11:53 et seq. and N.J.A.C. 13:37-16.1 et seq.**

(9) Each therapist shall be required to submit a valid set of fingerprints in a manner to be established by the Middlesex Borough Police Department

- B. Registration/documentation of a massage and bodywork therapist. Any person registering as a massage and bodywork therapist shall submit the following information.
- (1) The name, residence address and residence telephone number of the therapist. It shall be an ongoing responsibility of the therapist to notify the Borough, in writing, of any change in name, address or telephone number.
 - (2) A copy of a certificate and/or license issued by the State of New Jersey issued to the applicant pursuant to N.J.S.A. 45:11-53 et seq. and N.J.A.C. 13:37-16.1[2] et seq.
 - (3) Two front-faced portrait photographs of the individual taken within 30 days of the date of the application, and at least two inches by two inches in size.
 - (4) It shall be an ongoing responsibility of any person registered, or requiring registration as hereunder outlined, to notify the Borough, in writing, of any change in name, address or telephone number of the individuals identified.

Section III:

Chapter 272-6 ("Building requirements; Inspections") is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

Upon receipt of an application for a massage and bodywork therapy establishment permit, the Borough Clerk shall refer the application to the Construction Code Official, the Fire Department, the Police Department, the Health Officer and the Zoning Officer, which departments may inspect the premises where the proposed massage and bodywork therapy establishment is to be maintained, operated or conducted. No massage and bodywork therapy establishment shall be issued a permit or be maintained, operated or conducted in the Borough unless an approval by the **Police Department**, Health Official, Construction Official, Zoning Officer, and Fire Marshal has been granted indicating that the establishment complies with the minimum requirements of the construction, zoning, building and health codes for businesses operating in the Borough of Middlesex. **The Health Official shall conduct their review after all other reviewing agencies have submitted their approvals of any pending application.**

Section IV:

Chapter 272-10 ("Inspection of establishment") is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

The Health Official, Construction Official, and/or the Fire Marshal shall, from time to time, and at least once a year, make an inspection of each massage and bodywork therapy establishment within the Borough for purposes of determining whether or not the provisions of this chapter are being complied with. The Police Department shall also, from time to time **but not less than twice a year**, conduct inspections of each massage and bodywork therapy establishment to determine if there are any violations of this chapter and/or violations of any other ordinance of the Borough of Middlesex or the laws of the State of New Jersey on the premises. Such inspections, unless it appears that a violation of the temporal limitations on hours of operation exists, shall be made at reasonable times and in a reasonable manner. It shall be unlawful for any massage and bodywork therapy establishment to fail to allow such inspection officer access to the premises or to hinder

such officer in any manner. If any massage and bodywork therapy establishment reasonably appears to be operating outside of the hours permitted hereunder, the Health Official, Construction Official, Fire Marshal and/or Police Department may immediately enter the premises notwithstanding any limitations to entry herein.

Section V:

Chapter 272-8 ("Operating Requirements") is hereby amended to include a new subsection as follows (all text novel):

Q. If the establishment includes a snack bar, kitchen, break area, multi-purpose room, or other like facility, that facility must be separate from the massage room, bathroom, and/or shower rooms to protect the health of clients and employees.

Section VI

Chapter 272-8 ("Violations and penalties; suspension or revocation of permit") is hereby amended to change the title thereof and as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

§ 272-12 Violations and penalties; suspension, ~~or~~ revocation, **or non-renewal** of permit.

- A. Unless otherwise provided law, any person violating the any of the provisions of this chapter shall, upon conviction thereof, and at the discretion of the municipal court, be punished by imprisonment for a term not exceeding 90 days or by a fine of less than \$750, nor exceeding \$2,500, or both, for a first violation. A second violation of any provision of this chapter shall be punished by imprisonment for a term not exceeding 90 days or by a fine of less than \$1,500, nor exceeding \$3,000, or both. A third or subsequent violation of this chapter shall be punished by imprisonment for a term not exceeding 90 days or by a fine of less than \$2,500, nor exceeding \$5,000, or both.
- B. Any conviction of a massage and bodyworks therapist or any employee of a massage and bodywork therapy establishment of a violation of any activity or behavior prohibited by the laws of the State of New Jersey alleged to have occurred at or within a massage and bodywork therapy establishment, particularly, but not exclusive of laws proscribing solicitation, prostitution, indecency and obscenity, including the sale, uttering or exposing and public communication of obscene material, shall devolve upon the owner and/or manager of such establishment, it being specifically declared by that, following such a conviction of a massage and bodyworks therapist or employee, the offensive activity or behavior of such massage and bodyworks therapist or employee is imputed upon the owner and/or manager as an accessory to such a violation.
- C. All applicable permit fees still apply.
- D. Suspension/revocation/**non-renewal**.
 - (1) In addition to any of the penalties provided herein or prescribed by law, and notwithstanding the filing of a summons and/or criminal complaint in the municipal court or Superior Court, any violation of the following provisions shall subject the massage and bodywork therapy establishment to the suspension, ~~or~~ revocation, **or non-renewal** of the applicable permit:
 - (a) Fraud, misrepresentation or false statement made by the applicant in the application for the permit.
 - (b) Fraud, misrepresentation or false statement made by the applicant in the

- course of carrying on the permitted business in the Borough.
- (c) Any violation of any provisions of this chapter.
 - (d) A conviction of a crime involving moral turpitude, a felony, an offense involving sexual misconduct, or any crime involving dishonesty.
 - (e) Conducting the permitted business in the Borough in an unlawful manner or in such manner as to endanger the health, safety or general welfare of the public.
- (2) Such suspension, ~~or~~ revocation, **or non-renewal** shall be upon notice issued by the Health Official after conferring with Construction Code Official, Fire Official, Police Chief, Code Official/Zoning Officer, Health Official or their designee.
- (3) The said permit(s) may be suspended by the Health Official if, in his/her discretion and opinion, the conduct of the permittee is detrimental to the health, safety and general welfare of the Borough of Middlesex.

Section VII

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

Section VIII

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 IX

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

RESULT:	FIRST READING [UNANIMOUS]	Next: 8/27/2024 7:00 PM
MOVER:	Michael Conahan, Council President	
SECONDER:	Robert Dessino, Councilman	
AYES:	Conahan, Carnes, Dessino, Dotey, Quinn	
ABSENT:	Rex	

Borough Clerk Linda Chismar read Ordinance 2130-24 by title:

ORDINANCE 2130-24

AN ORDINANCE AMENDING CHAPTER 395 OF THE MUNICIPAL CODE TITLED "TREES"

WHEREAS, the existing Chapter 395 titled "Trees" requires amendment to comply with updated New Jersey Department of Environmental Protection regulations; and

WHEREAS, in consideration thereof, the Mayor and Council of the Borough of Middlesex desires to amend Chapter 395 of the Municipal Code, titled "Trees"; 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 Chapter 395 of the Municipal Code of the Borough of Middlesex, County of Middlesex, State of New Jersey titled "Trees" is hereby amended pursuant to the provisions hereof, with deletions indicated ~~thusly~~, and additions indicated **thusly**:

Section I

Chapter 395-9 (Definitions) is hereby amended as follows:

As used in this article, the following terms shall have the following definitions:

~~DIAMETER AT POINT OF MEASURE (DPM) – The diameter (caliper) of a tree at a point on the tree 54 inches above the actual ground level.~~ **DIAMETER AT BREAST HEIGHT (DBH) - The diameter of the trunk of a mature tree generally measured at a point four and a half feet above ground level from the uphill side of the tree. For species of trees where the main trunk divides below the 4 ½ foot height, the DBH shall be measured at the highest point before any division.**

Section II

Chapter 395-10 (Applicability) is hereby amended as follows:

- ~~A. The terms and provisions of this article shall apply to real property in all cases of vacant lots upon which new construction will take place and or cases of demolition of existing principal structures. Nothing contained herein is intended to restrict a property owner's rights to remove trees on his own property where no building permit for a new or replacement principal structure is sought.~~
- BA.** Unless specifically exempted herein, it shall be unlawful for any person to remove or cause to be removed any tree, ~~under the circumstances set forth in Subsection A above,~~ with the trunk diameter of four inches or more ~~DPM~~ **DBH** (54 inches above the actual ground level) without first having obtained a tree removal project permit to do so as provided herein. Tree removal project permits shall be issued by the Enforcement Officer and/or his/her designee.
- ~~C. Notwithstanding Subsections A and B above, trees removed from a property within six months prior to an application for a building permit for a new or replacement principal structure shall be subject to the provisions of this article.~~

Section III

Chapter 395-13 (Tree removal project permit application) is hereby amended as follows:

- A. Contents of tree removal project permit application:
 - (1) The name and address of the owner of the land.
 - (2) Description of the land in question including block and lot numbers of the land as shown on the current tax map of the Borough of Middlesex.
 - (3) The purpose or reason for removing the tree(s).
 - (4) The quantity, caliper, size and species of the tree(s) to be removed. In the case of the removal of trees with a ~~DPM~~ **DBH** greater than 24 inches, the plan shall include an analysis

of design or layout alternatives.

(5) The proposed dates for commencement and completion of the project.

(6) Name and address of the person having express charge, supervision, and/or control of the proposed removal.

(7) A tree replacement plan, as set forth in § 395-15 of this article.

(8) A statement granting permission to Borough officials or their employees to enter the premises to survey and inspect the project as work progresses.

(9) A tree replacement plan that includes location, quantity, caliper size and species of tree(s) to be replanted.

Section IV

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).

RESULT:	FIRST READING [UNANIMOUS]	Next: 8/27/2024 7:00 PM
MOVER:	Michael Conahan, Council President	
SECONDER:	Robert Dessino, Councilman	
AYES:	Conahan, Carnes, Dessino, Dotey, Quinn	
ABSENT:	Rex	

Borough Clerk Linda Chismar read Ordinance 2131-24 by title:

ORDINANCE 2131-24

AN ORDINANCE AMENDING SECTION 168-2 (CONSTRUCTION FEES) OF CHAPTER 168 (CONSTRUCTION CODES, UNIFORM) OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX TO WAIVE FEES ASSOCIATED WITH CONSTRUCTION PROJECTS FOR 100% DISABLED VETERANS

WHEREAS, pursuant to N.J.S.A. 54:4-3.30 et seq, the State of New Jersey exempts honorably discharged veteran who have been 100% permanently and totally disabled during active-duty service; and

WHEREAS, the Borough Council of the Borough of Middlesex seeks to extend this exemption to municipal construction and permitting fees assessed by the Borough;

BE IT THEREFORE ORDAINED, by the Borough Council of the Borough of Middlesex in the County of Middlesex and State of New Jersey that Section 168-2 (Construction Fees) of Chapter 168 (Construction Code, Uniform) of the Municipal Code of the Borough of Middlesex, County of Middlesex, State of New Jersey shall be amended as follows:

SECTION I.

Section 168-2 is hereby amended as follows (subsection to be inserted to the code with novel text):

D. A veteran who qualifies for a property tax exemption pursuant to N.J.S.A. 54:4-3.30 et seq shall not be required to pay any fee or charge assessed pursuant to this Chapter.

SECTION II.

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

SECTION III.

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 IV.

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

RESULT:	FIRST READING [UNANIMOUS]	Next: 8/27/2024 7:00 PM
MOVER:	Michael Conahan, Council President	
SECONDER:	Robert Dessino, Councilman	
AYES:	Conahan, Carnes, Dessino, Dotey, Quinn	
ABSENT:	Rex	

ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION

Borough Clerk Linda Chismar read Ordinance 2127-24 by title:

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).

Mayor Mikolajczyk opened the Public Hearing on Ordinance No. 2127-24.

Susan and Claudio Chaparro, 568 W. Pershing questioned if there would still be use of the fields for games, and how parking would be affected by the rezoning of the lot. They expressed their concerns over

safety of residents and pedestrians. The Chaparro's urged the council to implement a safety plan before proceeding with the sale of the property.

Gregory Alfano, 567 W. Pershing, asked for clarification on the amount of lots and what side the property would face with the change. He also expressed his concerns for the safety of children. In addition, he suggested that part of the park be turned into parking.

Seeing that there was no further public comments, Mayor Mikolajczyk closed the Public Hearing on Ordinance No. 2127-24.

Council discussed the need for curbs and the direction of property.

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

ADOPTION OF MINUTES

1. Approval of the June 25, 2024 Regular & Executive Meeting Minutes

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael Conahan, Council President
SECONDER:	Robert Dessino, Councilman
AYES:	Conahan, Carnes, Dessino, Dotey, Quinn
ABSENT:	Rex

MAYOR'S REPORT

Mayor Mikolajczyk made the following comments:

- Congratulations to our Pillar of Middlesex, Jim Grimm.
- National Night Out will be August 6th.
- The ground breaking for Straight Edge was today.
- Councilman Carnes and Administrator La Place will be going to Mauger School tomorrow to speak to students.
- The Blue Jay Café had their Grand Opening.
- Resolution 196-2024 will be tabled.
- Minx McCloud passed away yesterday.

COUNCIL MEMBER REPORTS

Council President Conahan

Council President Conahan made the following comments:

- Congratulations again to Jim Grimm.

- Some library updates: summer reading attendance is back to pre-covid levels. New front doors are being installed in early to mid August. Some of the original windows will be getting resealed because of leaks. Blinds and shades were installed in the new History Room and furniture will soon be moved in and set up. Unfortunately, on July 5th after heavy rain the older HVAC unit did not drain correctly, retained lots of rain water and leaked through the roof into the library. Damages include carpeting, ceiling and paint, light fixtures and 217 books were damaged worth almost \$4,100. Michael along with DPW coordinated clean-up and repairs.
- Congratulations to Nicole and Patrick who opened the Blue Jay Café.
- Please visit and add to Victor the rock snake along the sidewalk in Victor Crowell Park.
- Our annual 9/11 ceremony is in Victor Crowell Park on Wednesday September 11th at 7pm.
- Our annual free rabies clinic for both dogs and cats is November 2nd from 10am-noon in the DPW Garage.
- I want to thank Veolia, a business on Baekeland Ave, that donated a pallet of water to our Fire Department.
- I also want to congratulate our Fire Dept. for recruiting 2 new firefighters, specifically Parker Fire House.

Councilman Carnes

Councilman Carnes made the following comments:

The Business Administrator and myself will be going to Mauger School tomorrow to speak to students.

Councilman Dessino

Councilman Dessino made the following comments:

- The catch basins are being cleaned.
- Park preparation for National Night Out will be starting.

Councilman Dotey

Councilman Dotey made the following comments:

- National Night Out will be August 6th, many local organizations will be in attendance.
- Highlights of the Police Report.
- Highlights of the Fire Report.
- Highlights of the Court Report.

Councilman Quinn

Councilman Quinn made the following comments:

The Board of Health are close to a decision for the recommendation of the County Health Contract.

Councilman Rex

ADMINISTRATOR'S REPORT

1. Summer activities by various departments are under way throughout the Borough. These include recreational and senior citizen programs as well as park improvements and maintenance. Tax bills are going out this week and rental property registration fees are being collected.

2. Library Director Chrissy George reports that the development of the Middlesex Borough Local History Room is making good progress. DPW has assembled the new display furniture and painted the room. The window shades were installed last week and staff is working on scanning materials into the new online database. The volunteer group is scheduled to meet mid-August to start putting the room together and we hope to have an unveiling this Fall.
3. Mayor-Emeritus Madden officiated this afternoon at the groundbreaking ceremony for the new Straight Edge Striping facility at 700 South Avenue. When completed, it will be a beautiful addition to this major Borough gateway.
4. Introduced on June 11th and the subject of a hearing earlier this evening is the rezoning of surplus municipal property, Block 306, Lot 17, a parcel of land on the northwesterly corner of W. Pershing and Madison avenues. The Borough intends to rezone the underutilized site from MUN, Municipal to R-50, One Family Residential in order to sell the land for residential development.
5. Council resolutions on the agenda this evening include the authorization to submit a state transportation grant application, the approval of promotions and salary increases for MPD Officers Joseph Centola and Joshua Pham and the hiring of a new administrative assistant, Desiree Ramirez, for the office of Senior and Disabled Services.
6. Regarding the Bound Brook Road/Route 28 Streetscape Beautification project, PSEG has replaced the top of one of the new streetlight fixtures that was recently damaged by a falling tree. Public Service also replaced another of the new fixtures which was demolished by a speeding car last month.
7. There is no Agenda Workshop tonight.
8. Executive Session this evening will involve discussion of public safety contract negotiations, the sale of real estate - Lot 17 in Block 306 and potential litigation regarding 22 Whitney Drive.

PRIVILEGE OF THE FLOOR

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

Dave Polakiewicz, 240 Hazelwood Avenue, questioned the status of the sewer waivers that were tabled at the last meeting, and asked if any were related to tax appeals. He asked for clarification on why Spray Tek and the View's amounts were so high.

Bob Edwards, 243 Hazelwood, questioned the price and purpose of the Union Avenue property that the Borough recently purchased. He cautioned the Council to be aware of potential hazardous materials on site and asked if there was any plan for remediation. He also asked for the status of 1190 Mountain Avenue, and expressed his concerns for radioactive material and the funds needed to remedy it.

Bruce Sanders, 10 Venice Avenue, asked for the qualifications for a tree to be considered a shade tree. He also questioned if there was a permit needed to cut down a tree and showed concerns over the fees for tree removal.

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

NEW BUSINESS/CONSENT AGENDA/RESOLUTIONS

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

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 185-2024

AUTHORIZING WAIVED/ADJUSTED SEWER CHARGES FOR VARIOUS PROPERTIES

WHEREAS, As per Ordinance 2067-22, all users which discharge more than 100,000 gallons of domestic sanitary wastewater per annum, shall be charged a service charge for flow, and:

WHEREAS, any dispute as to the billing or charges or to the amount of the bill or calculation thereof, may be appealed, and;

WHEREAS, said appeal shall be in writing and shall include in sufficient detail, the relief sought, the evidence, information or documents to support the relief sought, and;

WHEREAS, account holders submitted prior successful appeals and 2023 usage is comparable to the prior approved appeals, and

WHEREAS, as per Ordinance 2067-22, was amended to specify “each dwelling unit within a two- family, multi-family , apartment house, condominium complex, townhouse complex, commercial building, or other residential building shall be One Service Unit”, and

THEREFORE, the following charges on the below properties have been waived or adjusted and/or a refund is due:

Block/Lot: 339/25
Original Amount: \$194.98
New Amount: \$0.00

Block/Lot: 5/12
Original Amount: \$85,628.94
New Amount: \$0.00

Block/Lot: 262/1.01
Original Amount: \$823.26
New Amount: \$0.00

Block/Lot: 62/19
Original Amount: \$194.98
New Amount: \$0.00

Block/Lot: 29/5
Original Amount: \$108.32
New Amount: \$0.00

Block/Lot: 295/10.01
Original Amount: \$108.32
New Amount: \$0.00

Block/Lot: 114/9
Original Amount: \$64.99
New Amount: \$0.00

Block/Lot: 245/1
Original Amount: \$44,490.81
New Amount: \$0.00

Block/Lot: 145/11
Original Amount: \$519.96
New Amount: \$0.00

Block/Lot: 124/4
Original Amount: \$335.81
New Amount: \$0.00

Block/Lot: 6/2.02
Original Amount: \$14,193.66
New Amount: \$0.00

Block/Lot: 104/19.01
Original Amount: \$173.72

Block/Lot: 314/9
Original Amount: \$346.64
New Amount: \$0.00

Block/Lot: 104/18
Original Amount: \$649.95
New Amount: \$0.00

Block/Lot: 116/15
Original Amount: \$574.12
New Amount: \$0.00

Block/Lot: 116/13
Original Amount: \$151.66
New Amount: \$0.00

Block/Lot: 86.02/22
Original Amount: \$184.15
New Amount: \$0.00

Block/Lot: 22.04/3.27
Original Amount: \$75.83
New Amount: \$0.00

Block/Lot: 110/12
Original Amount: \$595.79
New Amount: \$0.00

Block/Lot: 344/3
Original Amount: \$89,555.72
New Amount: \$0.00

Block/Lot: 157/15
Original Amount: \$129.99
New Amount: \$0.00

Block/Lot: 108/14
Original Amount: \$194.98
New Amount: \$0.00

Block/Lot: 284/1/C0001
Original Amount: \$75.83
New Amount: \$0.00

Block/Lot: 256/6
Original Amount: \$119.16
New Amount: \$0.00

Block/Lot: 256/3
Original Amount: \$563.28
New Amount: \$0.00

Block/Lot: 255/22
Original Amount: \$281.61
New Amount: \$0.00

Block/Lot: 259/1
Original Amount: \$281.61
New Amount: \$0.00

Block/Lot: 209/2
Original Amount: \$4,885.44
New Amount: \$0.00

Block/Lot: 72/3.04
Original Amount: \$43.32
New Amount: \$0.00

Block/Lot: 81/13
Original Amount: \$584.95
New Amount: \$0.00

Block/Lot: 52/21
Original Amount: \$400.80
New Amount: \$0.00

Block/Lot: 114/11
Original Amount: \$21.66
New Amount: \$0.00

Block/Lot: 209/53
Original Amount: \$454.96
New Amount: \$0.00

Block/Lot: 70.04/11
Original Amount: \$725.78
New Amount: \$0.00

Block/Lot: 122/13
Original Amount: \$86.66
New Amount: \$0.00

Block/Lot: 313/33
Original Amount: \$75.83
New Amount: \$0.00

Block/Lot: 179/1
Original Amount: \$1,169.91
New Amount: \$0.00

Block/Lot: 209/73
Original Amount: \$162.48
New Amount: \$0.00

Block/Lot: 109/1
Original Amount: \$314.14
New Amount: \$0.00

Block/Lot: 206/1
Original Amount: \$10.84
New Amount: \$0.00

Block/Lot: 349/9.01/X

Original Amount: \$54,876.42
New Amount:\$0.00

Block/Lot: 224/9.01
Original Amount: \$1,364.89
New Amount:\$ 0.00

Block/Lot: 279/1
Original Amount: \$8,449.35
New Amount:\$0.00

Block/Lot: 204/1
Original Amount:\$11,743.42
New Amount:\$ 0.00

Block/Lot:204/1
Original Amount:\$10,884.94
New Amount:\$ 0.00

Block/Lot: 204/1
Original Amount:\$6,228.69
New Amount:\$ 0.00

Block/Lot:204/1
Original Amount: \$9,521.75
New Amount:\$ 0.00

Block/Lot:55/32
Original Amount:\$628.28
New Amount:\$0.00

Block/Lot: 86/6.01/C0006
Original Amount: \$324.97
New Amount: \$0.00

Block/Lot: 295/31
Original Amount: \$21.66
New Amount: \$0.00

Block/Lot: 22.03/3.25
Original Amount: \$1,841.52
New Amount: \$0.00

Block/Lot: 310/29
Original Amount: \$996.59
New Amount: \$0.00

Block/Lot: 279/1

Original Amount: \$4,094.68
New Amount: \$0.00

Block/Lot: 44/17
Original Amount: \$259.98
New Amount: \$0.00

Block/Lot: 204/1
Original Amount: \$8,384.35
New Amount: \$0.00

Block/Lot: 204/1
Original Amount: \$5,632.89
New Amount: \$0.00

Block/Lot: 207/1
Original Amount: \$953.26
New Amount: \$0.00

Block/Lot: 75/4.01
Original Amount: \$151.66
New Amount: \$0.00

Block/Lot: 7.04/6
Original Amount: \$292.48
New Amount: \$0.00

Block/Lot: 124/11
Original Amount: \$86.66
New Amount: \$0.00

Block/Lot: 55/29
Original Amount: \$151.66
New Amount: \$0.00

Block/Lot: 70.10/3
Original Amount: \$1,213.24
New Amount: \$0.00

Block/Lot: 166/37
Original Amount: \$194.98
New Amount: \$0.00

Block/Lot: 13/35.01
Original Amount: \$433.30
New Amount: \$0.00

Block/Lot:265/13
Original Amount:\$249.14
New Amount:\$ 0.00

Block/Lot:204/1
Original Amount:\$12,646.61
New Amount:\$ 0.00

Block/Lot:87/21
Original Amount:\$32.50
New Amount:\$0.00

Block/Lot: 3 Van Ness
Original Amount:4,322.16
New Amount:\$ 0.00

Block/Lot: 4.01/8
Original Amount: \$465.80
New Amount: \$0.00

Block/Lot: 256/28
Original Amount: \$747.44
New Amount: \$0.00

Block/Lot: 86.06/6
Original Amount: \$194.98
New Amount: \$0.00

Block/Lot: 312/27
Original Amount: \$1,007.97
New Amount: \$0.00

Block/Lot: 109/8
Original Amount: \$1,039.92
New Amount: \$0.00

Block/Lot: 109/10
Original Amount: \$32.50
New Amount: \$0.00

Block/Lot: 86.05/4
Original Amount: \$10.84
New Amount: \$0.00

Block/Lot: 293/3.02
Original Amount: \$1,419.06

New Amount: \$0.00

Block/Lot: 312/24

Original Amount: \$981.21

New Amount: \$0.00

Block/Lot:25/19

Original Amount: \$270.82

New Amount: \$0.00

Block/Lot:188/7

Original Amount: \$194.98

New Amount:\$ 0.00

Block/Lot:87/24

Original Amount:\$ 563.28

New Amount:\$ 0.00

Block/Lot:71.01/17.01

Original Amount:\$704.11

New Amount:\$ 0.00

Block/Lot:6/2.02

Original Amount: \$20,211.96

New Amount:\$ 0.00

Block/Lot:204/1

Original Amount: \$12,584.01

New Amount:\$0.00

Block/Lot:204/1

Original Amount: \$3,531.39

New Amount:\$ 0.00

Block/Lot:123/10

Original Amount: \$530.80

New Amount:\$ 0.00

Block/Lot:255/17

Original Amount:\$422.46

New Amount:\$ 0.00

Block/Lot:265/11

Original Amount:\$823.26

New Amount:\$ 0.00

Block/Lot:40/48

Original Amount:\$888.26

New Amount: \$0.00

Block/Lot:52/23
Original Amount: \$400.80
New Amount: \$0.00

Block/Lot:323/56
Original Amount: \$32.50
New Amount:\$ 0.00

Block/Lot: 215/1
Original Amount: \$465.80
New Amount: \$0.00

Block/Lot: 307/30
Original Amount: \$1,461.67
New Amount: \$0.00

Block/Lot: 111/9
Original Amount: \$433.30
New Amount: \$0.00

Block/Lot:113/9
Original Amount: \$368.30
New Amount: \$0.00

Block/Lot:320/1.01
Original Amount: \$108.32
New Amount: \$0.00

Block/Lot:79/5.01
Original Amount: \$151.66
New Amount: \$0.00

Block/Lot:104/6
Original Amount: \$205.82
New Amount: \$0.00

Block/Lot: 86/22
Original Amount: \$541.62
New Amount: \$0.00

Block/Lot:150/12
Original Amount: \$584.95
New Amount: \$0.00

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 186-2024

APPROVAL OF THE 2024 SEWER BILLING WAIVED APPEALS FOR VARIOUS PROPERTIES

WHEREAS, As per Ordinance 2067-22, all users which discharge more than 100,000 gallons of domestic sanitary wastewater per annum, shall be charged a service charge for flow, and;

WHEREAS, any dispute as to the billing or charges or to the amount of the bill or calculation thereof, may be appealed, and;

WHEREAS, said appeal shall be in writing and shall include in sufficient detail, the relief sought, the evidence, information or documents to support the relief sought, and;

WHEREAS, as per the appeal process the proper supporting documentation was submitted and reviewed, and;

THEREFORE, the following charges on the below properties have been waived or adjusted and/or a refund is due:

Block/Lot: 99/44.03
Original Amount: \$574.12
New Amount: \$0.00

Block/Lot: 167.01/8
Original Amount: \$400.80
New Amount: \$0.00

Block/Lot: 22/3.08
Original Amount: \$54.16
New Amount: \$0.00

Block/Lot: 70.06/5
Original Amount: \$173.32
New Amount: \$0.00

Block/Lot: 81/14.01
Original Amount: \$964.09
New Amount: \$0.00

Block/Lot: 263/43
Original Amount: \$411.64
New Amount: \$0.00
Refund Due: 411.64

Block/Lot: 165/29
Original Amount: \$32.50

New Amount: \$0.00

Block/Lot: 22.02/2

Original Amount: \$119.16

New Amount: \$0.00

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 195-2024

ACCEPTANCE OF STANDING REPORTS

The Governing Body hereby accepts the following Reports itemized below:

1. Acceptance of the June 2024 Fire Reports.
2. Acceptance of the May 2024 Tax Totals.
3. Acceptance of the June 2024 Tax Totals.
4. Acceptance of the June 2024 Court Report.
5. Acceptance of the June 2024 Police Report.
6. Acceptance of Brian Marsh and Israel Castillo as Active Members of the Middlesex Fire Department

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 196-2024

AWARDING A CONTRACT TO GARDEN STATE PAVEMENT SOLUTIONS TO MILL & PAVE THE MUNICIPAL BUILDING PARKING LOT IN THE AMOUNT OF \$209,899.66 -
Item Removed from Consent

WHEREAS, as a member of the Education Services Commission of New Jersey (ESCNJ), the Borough of Middlesex wishes to contract Garden State Pavement Solutions to Mill and Pave the Municipal Building parking lot in the amount of \$209,899.66 under ESCNJ State Approved Co-Op #23/24-06; and

WHEREAS, Garden State Pavement Solutions, Tinton Falls, NJ is an authorized vendor to Mill and Pave under the ESCNJ State Co-Op #23/24-06; and

WHEREAS, the total cost for the Mill and Pave project is not to exceed \$209,899.66; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the appropriate Borough Officials are hereby authorized to contract with Garden State Pavement Solutions to Mill and Pave the Municipal Building parking lot; and

NOW FURTHER BE IT RESOLVED, that the CFO hereby certifies that the funds in the amount not to exceed \$209,899.66 are available in Account: C-04-20-002-000-083 (2020 Capital - Buildings & Grounds).

RESULT:	TABLED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Michael Conahan, Council President
SECONDER:	Robert Dessino, Councilman
AYES:	Conahan, Carnes, Dessino, Dotey, Quinn
ABSENT:	Rex

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 197-2024

**APPROVING THE MAYOR TO EXECUTE THE MCUA TEMPORARY DISCHARGE
APPROVAL APPLICATION FROM THE PUMPING SERVICES SITE TO THE MCUA
CENTRAL TREATMENT PLANT VIA THE BOROUGH'S WASTEWATER COLLECTION
SYSTEM AND MCUA MIDDLESEX METER CHAMBER EFFECTIVE AUGUST 1, 2024 -
JULY 31, 2025**

WHEREAS, Prestige Environmental Inc. on behalf of Pumping Services Inc. has provided a copy of the Temporary Discharge Approval Application for a Dual Phase Extraction (DPE) remediation system that will remove both shallow groundwater and soil vapor using a single high vacuum process with a discharge of treated groundwater, to the MCUA Central Treatment Plant, via the Middlesex Borough wastewater collection system and the MCUA Middlesex Meter Chamber, from the Pumping Services Inc. location at 201 Lincoln Boulevard; and

WHEREAS, Prestige Environmental Inc. is required to have the Borough's approval on a yearly basis for discharge of treated groundwater from the Pumping Services Site to the MCUA Central Treatment Plant via the Borough of Middlesex wastewater collection system and MCUA Middlesex Meter Chamber; and

WHEREAS, the current Temporary Discharge Approval Application will expire on July 31, 2024 and must be renewed with an effective date of August 1, 2024 - July 31, 2025.

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

1. Middlesex Borough hereby approves the Mayor to execute of the Middlesex County Utilities Authority Temporary Discharge Approval Application for the discharge of treated groundwater from the Pumping Services Site to the MCUA Central Treatment Plant via the Borough of Middlesex wastewater collection system and MCUA Middlesex Meter Chamber to be effective from August 1, 2024 - July 31, 2025.
2. This resolution shall take effect immediately.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 198-2024

**RENEWAL OF JUNKYARD LICENSES FOR 2024/2025 (EXPIRING 5/31/2025) FOR THE
BOROUGH OF MIDDLESEX**

The application for renewal of Junkyard License filed by Falgi Carting LLC, has been approved by the Police Department, Fire Official, Zoning Officer, Tax Collector and Board of Health. The Borough Clerk is hereby authorized to issue the license in consideration of the fees which have been paid. This Licenses will expire on May 31, 2025.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 199-2024

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT
CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE
MIDDLESEX STATE AID APPLICATION**

NOW, THEREFORE, BE IT RESOLVED that the Council of Middlesex formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2025-Starlit Drive/Washington Avenue, South Avenue, & Voorhees Avenue Improvements-00461 to the New Jersey Department of Transportation on behalf of the Borough of Middlesex.

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

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 200-2024

**MIDDLESEX COUNTY BOARD OF TAXATION JUDGMENT ON 2024 TAX APPEAL FOR
BLOCK 242 LOT 16**

WHEREAS, as per N.J.S.A 54:3-21 a taxpayer may file an appeal of Regular Valuation Assessments by April 1st, 2024, and:

WHEREAS, the owner of the property located at 124 So Lincoln Avenue, Block 242 Lot 16 did file an appeal by the April 1, 2024 deadline, and;

WHEREAS, the original assessment was 129,200 Land, 283,100 Improvement for a total assessment of 412,300, and;

WHEREAS, a Tax Appeal (# 10-2400001) was filed with the Middlesex County Board of Taxation, and;

WHEREAS, The Middlesex County Board of Taxation issued a judgement reducing the 2024 assessment of the improvement to 235,800, for a total assessment of 365,000, and;

WHEREAS, the property owner will be notified by this resolution that they will receive a credit in the amount of \$1,094.53 to be applied to future property taxes.

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

1. The Governing Body hereby approves issuing a credit in the amount of \$1,094.53 to be applied to future property taxes for the property located at 124 So Lincoln Avenue, Block 242 Lot 16 based upon the Middlesex County Board of Taxation's Judgment reduction in the improvement value.
2. This resolution shall take place immediately.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 201-2024

**MIDDLESEX COUNTY BOARD OF TAXATION JUDGMENT ON 2024 TAX APPEAL FOR
BLOCK 10 LOT 7**

WHEREAS, as per N.J.S.A 54:3-21 a taxpayer may file an appeal of Regular Valuation Assessments by April 1st, 2024, and;

WHEREAS, the owner of the property located at 116 Jay Place, Block 10 Lot 7 did file an appeal by the April 1, 2024 deadline, and;

WHEREAS, the original assessment was 143,900 Land, 242,700 Improvement for a total assessment of 386,600, and;

WHEREAS, a Tax Appeal (# 10-2400007L) was filed with the Middlesex County Board of Taxation, and;

WHEREAS, The Middlesex County Board of Taxation issued a judgement reducing the 2024 assessment of the improvement to 206,100, for a total assessment of 350,000, and;

WHEREAS, the property owner will be notified by this resolution that they will receive a credit in the amount of \$846.93 to be applied to future property taxes.

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

1. The Governing Body hereby approves issuing a credit in the amount of \$846.93 to be applied to future property taxes for the property located at 116 Jay Place, Block 10 Lot 17 based upon the Middlesex County Board of Taxation's Judgment reduction in the improvement value.
2. This resolution shall take place immediately.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 202-2024

APPROVAL TO ADVANCE POLICE OFFICER JOSEPH CENTOLA TO POLICE OFFICER CLASS "I" AT AN ANNUAL SALARY OF \$61,448 EFFECTIVE JULY 25, 2024

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

WHEREAS, On July 16, 2024 Chief Geist recommended Police Officer Joseph Centola be advanced in grade.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that Police Officer Joseph Centola be and is hereby advanced in grade to Patrolman Class "I" effective July 25, 2024 at an annual salary of \$61,448.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 203-2024

APPROVAL TO ADVANCE POLICE OFFICER JOSHUA PHAM TO POLICE OFFICER CLASS "H" AT AN ANNUAL SALARY OF \$69,130 EFFECTIVE JULY 27, 2024

WHEREAS, Police Officer Joshua Pham is eligible for advancement in grade pursuant to N.J.S.A. 38:23-4 and N.J.S.A. 38A:4-4; and

WHEREAS, Officer Pham is entitled to a military leave of absence without loss of pay (not to exceed 90 days per calendar year), or loss of time; and

WHEREAS, although no employee performance evaluations have been conducted during his federal deployment on Active Duty, Police Officer Joshua Pham is eligible for grade advancement by law; and

WHEREAS, On July 16, 2024 Chief Geist recommended Police Officer Joshua Pham be advanced in grade.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that Police Officer Joshua Pham be and is hereby advanced in grade to Patrolman Class "H" effective July 27, 2024 at an annual salary of \$69,130.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 204-2024

2024 SEWER BILLING WAIVED APPEALS FOR VARIOUS PROPERTIES

WHEREAS, As per Ordinance 2067-22, all users which discharge more than 100,000 gallons of domestic sanitary wastewater per annum, shall be charged a service charge for flow; and

WHEREAS, any dispute as to the billing or charges or to the amount of the bill or calculation thereof, may be appealed; and

WHEREAS, said appeal shall be in writing and shall include in sufficient detail, the relief sought, the evidence, information or documents to support the relief sought; and

WHEREAS, as per the appeal process the proper supporting documentation was submitted and reviewed; and

WHEREAS, the appeal has been granted by the Borough Engineer; and

THEREFORE, the following charges on the below properties have been waived or adjusted and/or a refund is due:

Block/Lot: 70.11/11.04
Original Amount: \$86.66
New Amount: \$0.00

Block/Lot: 113/6.01
Original Amount: \$4,062.18
New Amount: \$0.00

Block/Lot: 110/5
Original Amount: \$238.32
New Amount: \$0.00
Refund: \$238.32

Block/Lot: 42/5
Original Amount: \$3,563.88

New Amount: \$2,161.67

Refund: \$1,402.21

Block/Lot: 80/9.01

Original Amount: \$86.66

New Amount: \$0.00

Block/Lot: 99/16

Original Amount: \$292.48

New Amount: \$0.00

Block/Lot: 167.01/14

Original Amount: \$465.80

New Amount: \$0.00

Block/Lot: 329/32

Original Amount: \$400.80

New Amount: \$0.00

Block/Lot: 165/29

Original Amount: \$32.50

New Amount: \$0.00

Block/Lot: 125/3

Original Amount: \$1,094.08

New Amount: \$346.64

Refund: \$1,094.08

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 205-2024

**ACCEPTING THE RESIGNATION OF MACKENZIE MEIXNER FROM THE RECREATION
DEPARTMENT EFFECTIVE JULY 26, 2024**

The Mayor and Council hereby accept Mackenzie Meixner's resignation effective July 26th, 2024, and authorize the Treasurer to pay the full allowance of \$88.46 in accordance with the personnel policy in the regular Borough payroll of July 26, 2024. The benefits include the following:

0.5 Days Vacation Time	\$ 88.46
TOTAL	\$ 88.46

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 206-2024

**WAIVING CONSTRUCTION FEES ASSESSED PURSUANT TO CHAPTER 168 FOR
EDWARD REINER OF 400 MARKET STREET, A 100% DISABLED VIETNAM WAR
VETERAN**

WHEREAS, pursuant to N.J.S.A. 54:4-3.30 et seq, the State of New Jersey exempts honorably discharged veteran who have been 100% permanently and totally disabled during active-duty service;

WHEREAS, the Borough of Middlesex is in the process of amending its municipal code to extend this exemption to municipal construction and permitting fees assessed by the Borough;

WHEREAS, it is the desire of the Mayor and Council of the Borough of Middlesex to grant a preliminary construction and permitting fee exemption to Mr. Edward Reiner of 400 Market Street, a 100% disabled Vietnam War veteran seeking to make immediate repairs to his home's HVAC system; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey, that all construction and permitting fees that would be assessed to Edward Reiner of 400 Market Street for pending repairs shall be waived.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 207-2024

**APPROVING THE PURCHASE OF BIODEGRADABLE LEAF BAGS FROM PABCO
INDUSTRIES, LLC IN THE AMOUNT OF \$13,806**

WHEREAS, request for quotes were received June 25, 2024 for Biodegradable Leaf Bags for Middlesex Borough residents;

WHEREAS, below are the two (2) quotes received:

- 1) Pabco Industries, LLC - \$13,806.00
- 2) Uline - \$24,804.00

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

1. Based upon the recommendation of the Department of Public Works Supervisor and the Purchasing Agent, the governing body hereby approves the purchase of Biodegradable Leaf Bags for Borough residents from Pabco Industries, LLC. in amount not to exceed \$13,806.00.

NOW FURTHER BE IT RESOLVED, that the Chief Financial Officer hereby certifies that funds in an amount not to exceed \$13,806.00 are available in the following Accounts - \$8,000 from Clean Communities (G-02-16-770-000-111); \$5,806 from Recycle Trust (T-03-56-286-868-000).

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 208-2024

AUTHORIZING THE BOROUGH OF MIDDLESEX TO ENTER INTO THE NEW JERSEY COOPERATIVE PURCHASING ALLIANCE COOPERATIVE PRICING AGREEMENT

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the County of Bergen, hereinafter referred to as the "Lead Agency " has offered voluntary participation in the New Jersey Cooperative Purchasing Alliance # CK04- a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, on July 23, 2024, the governing body of the Borough of Middlesex, County of Middlesex, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services; and

NOW, THEREFORE BE IT RESOLVED, as follows:

1. This resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Middlesex.
2. Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Qualified Purchasing Agent is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.
3. The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.
4. This resolution shall take effect immediately.

Borough Clerk Linda Chismar read the following resolution:

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

RESOLUTION 209-2024**HIRING OF DESIREE RAMIREZ, OF SOMERSET, NJ AS THE ADMINISTRATIVE ASSISTANT FOR THE DEPARTMENT OF SENIOR AND DISABLED SERVICES AT AN ANNUAL RATE OF \$50,000, EFFECTIVE, AUGUST 13, 2024, PENDING A SATISFACTORY PHYSICAL AND BACKGROUND CHECK**

WHEREAS, the Governing Body hereby approves the hiring of Desiree Ramirez, of Somerset, NJ as the Administrative Assistant for the Department of Senior and Disabled Services; and

WHEREAS, Ms. Ramirez will be paid an annual rate of \$50,000, effective August 13, 2024 pending a satisfactory physical and background check; and

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Middlesex that:

1. The Governing Body hereby approves the hiring of Desiree Ramirez, of Somerset, NJ effective August 13, 2024, at an annual rate of \$50,000.
2. This resolution shall take effect immediately.

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 210-2024**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 [UNANIMOUS]
MOVER:	Michael Conahan, Council President
SECONDER:	Robert Dessino, Councilman
AYES:	Conahan, Carnes, Dessino, Dotey, Quinn
ABSENT:	Rex

AGENDA WORKSHOP ITEM

PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS/RESOLUTION

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 211-2024

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 Public Safety - contract Negotiations; Real Estate - Block 306, Lot 17 and Potential Litigation - 22 Whitney Drive; and

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

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

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

Public Safety - Contract Negotiations

Real Estate - Block 306, Lot 17

Potential Litigation - 22 Whitney Dr.

ADJOURNMENT

The next Regular Meeting will be August 27, 2024

Respectfully yours,

Linda Chismar, RMC
Borough Clerk