



**Borough of Middlesex**  
**Mayor and Council Regular Meeting**

1200 Mountain Ave  
Middlesex, NJ

~ Minutes ~

Gretchen McCarthy  
[www.middlesexboro-nj.gov](http://www.middlesexboro-nj.gov)

---

**Tuesday, November 26, 2019**

**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**

Council President John Madden  
Council Member Douglas Rex  
Council Member Jason Carr  
Council Member Kevin Dotey  
Council Member Jack Mikolajczyk

Mayor Ron DiMura -- **Absent**  
Council Member Dan Parenti -- **Absent**

**Also Present:**

Marcia Karrow Administrator  
Christopher Corsini Borough Attorney

**Others Absent:**

2. Council President Madden made a motion to Remove Resolution #289-2019 from the Agenda and add Ordinance No. 1984-19

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Jason Carr, Council Member            |
| <b>SECONDER:</b> | Douglas Rex, Council Member           |
| <b>AYES:</b>     | Madden, Rex, Carr, Dotey, Mikolajczyk |
| <b>ABSENT:</b>   | Parenti                               |

---

**PRESENTATIONS**

1. Recognition of 2019 Police Department Awards

Police Chief Geist presented the following awards to certain individuals on the Middlesex Police Department for 2019 and congratulated these officers who were being recognized for their outstanding efforts.

Unit Citation

Sgt. Thomas Falk  
Det. Sean Flanagan  
PO James Morley  
PO Scott Mulford

Det. Daniel McCue (2)  
Det. Paul Steffanelli  
PO Jamie Marczak

Certificate of Commendation

Lt. Daniel O'Connor  
Det. Daniel McCue  
Det. Paul Steffanelli

Sgt. Stephen Johnson  
Det. Sean Flanagan  
PO Scott Mulford

The Police Chief also thanked the Mayor and Council, and Borough Administrator Karrow for their support and recognized the entire Police Department for all of their hard work this year. Middlesex Borough is safer because of you.

---

**PUBLIC HEARING****1. American Tower Corporation**

Administrator Karrow spoke regarding the South Avenue reconstruction project, which is a joint project with Piscataway, the Borough being the lead municipality. As part of this project, a utility pole was relocated. American Tower, a cellular carrier, still has an active line on the old pole and has proven to be very uncooperative in remedying the situation. All other utilities have relocated to a newly erected pole. Lucas Construction is being held up in completing the project due to this issue. The Board of Public Utilities, Public Service Electric and Gas, and all attorneys involved agree that it is American Tower's responsibility to move their equipment. The hearing listed on this agenda is a statutorily necessary step in having the equipment moved and charging the cost to American Tower. Attorney Corsini asked if anyone representing American Tower was present. Administrator Karrow noted that representatives of American Tower emailed the Clerk earlier, advising that they were not able to attend this hearing. On motion by Council member Carr, seconded by Council member Mikolajczyk, and all Council members in agreement to have Administrator Karrow to take whatever steps necessary to effectuate the moving of the equipment and Attorney Corsini will prepare a Resolution for the next Council meeting memorializing same.

---

**APPOINTMENTS****1. Accepting the Resignation of Betty Platten from the HUD Committee effective 11/19/2019**

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Jason Carr, Council Member            |
| <b>SECONDER:</b> | Jack Mikolajczyk, Council Member      |
| <b>AYES:</b>     | Madden, Rex, Carr, Dotey, Mikolajczyk |
| <b>ABSENT:</b>   | Parenti                               |

---

**PROCLAMATIONS**

---

**ORDINANCE(S) FOR INTRODUCTION**

---

The Borough Clerk read ordinance 1983-19 by title:

**ORDINANCE 1983-19****AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF A 9-MEMBER MIDDLESEX BOROUGH JOINT LAND USE BOARD AND FOR SAID BOARD TO ASSUME ALL OF THE POWERS, DUTIES, AND RESPONSIBILITIES OF THE MIDDLESEX BOROUGH ZONING BOARD OF ADJUSTMENT AND THE PLANNING BOARD PURSUANT TO N.J.S.A. 40:55D-25(C)****STATEMENT OF PURPOSE**

The purpose of this Ordinance is to (a) reconstitute the Middlesex Borough Planning Board as a nine-member board; (b) providing that the Borough Planning Board shall now assume all of the powers previously exercised by the Middlesex Borough Zoning Board of Adjustment as authorized by N.J.S.A. 40:55D-25(c); and (c) by abolishing the previously existing separate Borough Zoning Board of Adjustment.

WHEREAS, N.J.S.A. 40:44d-23.1 provides that the governing body of a New Jersey municipality may, at its option, create either a nine (9) member or a seven (7) member Planning Board; and

WHEREAS, the Borough of Middlesex, pursuant to the Municipal Land Use Law, established its Planning Board by ordinance and codified in Section 56-1 of the Ordinances of the Borough of Middlesex; and

WHEREAS, the Borough of Middlesex, pursuant to the Municipal Land Use Law, established its Zoning Board of Adjustment by ordinance and codified in Section 56-12 of the Ordinances of the Borough of Middlesex; and

WHEREAS, the provisions of N.J.S.A. 40:55D-25(c)(1) provide that in a municipality, having a population of 15,000 or less, a nine member Planning Board, if so provided by Ordinance, shall exercise to the same extent and subject to the same restrictions, all of the powers of a Board of Adjustment; but the Class I and Class III members shall not participate in the consideration of applications which involve relief pursuant to subsection d of N.J.S.A. 40A:55D-70; and

WHEREAS, the Borough of Middlesex has a population of less than 15,000 as established by the 2010 United States National Census; and

WHEREAS, the governing body of the Borough of Middlesex has determined that it is in the best interests of the Borough of Middlesex to have the Planning Board hereafter act as a joint land use board, exercising all powers of the Board of Adjustment, and the functions of both boards to be merged into a Joint Land Use Board pursuant to N.J.S.A. 40:55D-25(c),

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

1. There is hereby established, pursuant to N.J.S.A. 40:55D-1 et seq. generally and N.J.S.A. 40:55D-23 and 40:55D-23.1 specifically, in the Borough of Middlesex, a new Joint Land Use Board consisting of nine (9) members and up to four (4) alternates as set forth in the statute. The composition of the member by class and terms shall be as set forth in the statute.
2. As of the Effective Date of this Ordinance, the Powers of the Middlesex Borough Planning Board, in accord with N.J.S.A. 40:552-25(c)(1) shall be conferred to and exercised by the Joint Land Use Board of the Borough of Middlesex, with said board to exercise, to the same extent and subject to the same restrictions, all powers of a Board of Adjustment under applicable New Jersey law;
3. Pursuant to N.J.S.A. 40:55D-25(c)(1), the Joint Land Use Board of the Borough of Middlesex shall be a planning board exercising, where applicable and appropriate, the statutory powers of a Zoning Board of Adjustment.
4. Provided, however, that the Class I and the Class III members of the Middlesex Borough Planning Board shall not participate in consideration of applications for development which involve relief pursuant to subsection d of N.J.S.A. 40A:55D-70.
5. All prior ordinances inconsistent with this Ordinance, including but not limited to any prior ordinance creating a Middlesex Borough Zoning Board of Adjustment, are hereby repealed to the extent of such inconsistency, and the Middlesex Borough Zoning Board of Adjustment is hereby abolished. Where appropriate, all appropriate powers and authority granted to the Middlesex Borough Zoning Board of Adjustment in the Borough code of the Borough Middlesex shall now be granted to the Middlesex Borough Planning Board.
6. Severability: In the event that any provision of this ordinance, or the application thereof to any person or circumstance is declared invalid by a court of competent jurisdiction, such declaration of invalidity shall not affect any other provision or application of this ordinance which may be given effect, and, to realize this intent, the provisions and applications of this ordinance are declared to be severable.
7. Effective Date: This Ordinance shall take effect as of January 7, 2020, after its passage and publication as required by law.

This resolution was introduced as amended.

|                  |                                       |                                 |
|------------------|---------------------------------------|---------------------------------|
| <b>RESULT:</b>   | <b>FIRST READING [UNANIMOUS]</b>      | <b>Next: 12/17/2019 7:00 PM</b> |
| <b>MOVER:</b>    | Douglas Rex, Council Member           |                                 |
| <b>SECONDER:</b> | Jason Carr, Council Member            |                                 |
| <b>AYES:</b>     | Madden, Rex, Carr, Dotey, Mikolajczyk |                                 |
| <b>ABSENT:</b>   | Parenti                               |                                 |

The Borough Clerk read ordinance 1984-19 by title:

**ORDINANCE 1984-19****AN ORDINANCE AMENDING CHAPTER 248 OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX ENTITLED “LAND DEVELOPMENT” TO PROHIBIT TANDEM PARKING IN CERTAIN CIRCUMSTANCES**

**WHEREAS**, the Planning Board of the Borough of Middlesex transmitted to the Mayor and Council on November 13, 2019 a resolution recommending certain amendments to the Borough’s Land Development Code; and

**WHEREAS**, specifically, the Planning Board has recommended that Section 248-4 (Definitions) and Section 248-17 (Off Street Parking and Loading), to more accurately define the parking method colloquially known as “tandem parking” and to prohibit said parking method in certain circumstances; and

**WHEREAS**, the Mayor and Borough Council have reviewed the recommendations of the Planning Board and substantively concur with same; and

**WHEREAS**, by this ordinance, the Mayor and Borough Council of the Borough of Middlesex desire to amend the corresponding sections of the Borough Code to incorporate the substance of the recommendations of the Planning Board into the aforementioned Code; and

**BE IT ORDAINED**, by the Borough Council of the Borough of Middlesex in the County of Middlesex and State of New Jersey that Chapter 248 of the Municipal Code thereof is hereby amended as follows:

**Section I**

Chapter 248-4 entitled “Definitions” is hereby amended as follows, with this new definition to be inserted alphabetically into that Section:

Tandem Parking: Any configuration of two or more parking spots wherein automobiles or other vehicles are parked in a single, double-length perpendicular parking spot, with one space in front of the other, in a manner that would require one vehicle to be moved in order for the second one to exit the parking spot.

**Section II**

Chapter 248-17(c)(15)(a) entitled “Off Street Parking and Loading; Minimum space requirements for off-street parking areas:” is hereby amended as follows, with text to add to the ordinance appearing bolded and underlined:

Multifamily dwellings: 1.75 spaces per dwelling unit. **In no event shall tandem parking spaces as defined in this Chapter be permitted in any residential building in the Borough where said residential building consists of three (3) or more rental units.**

**Section III**

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

**Section IV**

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

### Section V

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

|                  |                                       |                                 |
|------------------|---------------------------------------|---------------------------------|
| <b>RESULT:</b>   | <b>FIRST READING [UNANIMOUS]</b>      | <b>Next: 12/17/2019 7:00 PM</b> |
| <b>MOVER:</b>    | Jack Mikolajczyk, Council Member      |                                 |
| <b>SECONDER:</b> | Jason Carr, Council Member            |                                 |
| <b>AYES:</b>     | Madden, Rex, Carr, Dotey, Mikolajczyk |                                 |
| <b>ABSENT:</b>   | Parenti                               |                                 |

---

### ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION

---

The Borough Clerk read ordinance 1981-19 by title:

#### ORDINANCE 1981-19

#### AN ORDINANCE AMENDING CHAPTER 395 (TREES), ARTICLE I SHADE TREES, SECTION 395-8 VIOLATIONS AND PENALTIES OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX

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

#### **Section 395-8 Violations and Penalties is amended to read as follows:**

Any person who is guilty of a violation of any of the provisions of these regulations shall, upon conviction by the Magistrate, be fined a sum not to exceed \$1,000, plus the cost of the replacement of a new tree, for each offense. The funds collected for violations and penalties shall be put in the Tree Replacement Fund, which is a separate fund with the dedicated purpose of tree replacement within the Borough of Middlesex. This section shall be enforced by the Middlesex Borough Department of Code Enforcement or the designee thereof.

**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 395, Trees, Article I Shade Trees, Section 395-8 to read as stated above.
2. This Ordinance shall take effect immediately upon final passage and publication according to law.

Council President Madden opened the Public Hearing on Ordinance No. 1981-19. Seeing that there was no public participation, Council President Madden closed the Public Hearing on Ordinance No. 1981-19.

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Jason Carr, Council Member            |
| <b>SECONDER:</b> | Douglas Rex, Council Member           |
| <b>AYES:</b>     | Madden, Rex, Carr, Dotey, Mikolajczyk |
| <b>ABSENT:</b>   | Parenti                               |

---

The Borough Clerk read ordinance 1982-19 by title:

**ORDINANCE 1982-19**

**AN ORDINANCE AMENDING CHAPTERS 68 (OFFICERS AND EMPLOYEES),  
CHAPTER 93 (RECREATION COMMITTEE), AND CHAPTER 301 (PARKS AND  
RECREATION AREAS) OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX  
SO AS TO UPDATE AND CLARIFY CERTAIN PROVISIONS RELATED TO THERETO**

WHEREAS, the Middlesex Borough Department of Recreation has recently undertaken a revision of its policy guide; and

WHEREAS, the Mayor and Council concur with these revisions and seek to update certain sections of the code of the Borough of Middlesex to more accurately reflect the approved policies of the Department of Recreation; and

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Middlesex, in the County of Middlesex, State of New Jersey, that Chapters 68, 93, and 301 of the Municipal Code of the Borough of Middlesex, County of Middlesex, State of New Jersey, is hereby amended as follows:

**SECTION I.**

Section 68-30 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

There is hereby established a full-time position of Director of Recreational Activities in the Borough of Middlesex.

**SECTION II.**

Section 68-31 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

~~Said Director of Recreational Activities shall be hired in accordance with Ordinance No. 255, known as the "Personal Ordinance of the Borough of Middlesex."~~ The Director of Recreational Activities shall work under and be directly responsible to the Board of Recreational Commissioners and shall perform such duties as planning, promoting, organizing and administering a comprehensive recreation program for the entire community on a year-round basis and do related work as from time to time may be determined by the Board of Recreation Commissioners and the Mayor and Council. Said Director shall exercise judgment and ingenuity in the direction of the recreational programs and in interpreting the needs and desires of the public and shall cooperate with interested private organizations and groups in planning and developing recreational activities.

**SECTION III.**

Section 68-32 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

A. The Director of Recreational ~~Activities~~ shall have education and/or other training and experience to meet one of the following requirements:

(1) Graduation from a recognized college or university with specialization in recreation and one year of paid supervisory experience in professional recreation work in the planning, promoting, organizing and/or administration of a comprehensive service for an entire community.

(2) Graduation from a recognized college or university with specialization in a field related to recreation, such as group work, sociology or physical education and two years of paid supervisory experience in professional recreation work in the planning, promoting, organizing and/or administration of a comprehensive recreation service for an entire community.

(3) Graduation from a recognized college or university and three years of paid supervisory experience in professional recreation work in the planning, promoting, organizing and/or administration of a comprehensive recreation service for an entire community.

(4) Six or more years of successful administrative and supervisory recreation experience in the planning, promoting, organizing and/or administration of a comprehensive recreation program.

**SECTION IV.**

Section 68-33 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

The Director of Recreational ~~Activities~~ shall be required either to possess a certificate as Recreation Administrator issued by the New Jersey State Board of Recreation Examiners or must obtain said certificate within two years after assuming the duties of said position.

**SECTION V.**

Section 68-34 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

The Director of Recreational ~~Activities~~ shall be in good health and free from disabling physical or mental defects which would impair the proper performance of the required duties.

**SECTION VI.**

Section 93-7 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

The ~~Recreation Director~~ **Director of Recreation** appointed by the Mayor shall serve as a voting member of the Parks and Recreation Committee.

#### **SECTION VII.**

Section 68-33(a) hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

The ~~Recreation Director~~ **Director of Recreation** appointed by the Mayor shall serve as a voting member of the Parks and Recreation Committee.

#### **SECTION VIII.**

Section 93-1 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

There is hereby established in the Borough of Middlesex a ~~Parks and Recreation~~ Committee, which shall have the duties and powers hereinafter more particularly set forth, and the members of which shall be appointed by the Mayor with the advice and consent of Council in accordance with the provisions of this chapter.

#### **SECTION IX.**

Section 93-2 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

A. The ~~Parks and Recreation~~ Committee shall be composed of seven members and two alternate members, who shall be citizens and residents of the Borough of Middlesex. Such members and alternate members shall be appointed by the Mayor to serve three-year terms; provided, however, that the initial appointments shall be made in the following manner; two members for initial one-year terms; two members for initial two-year terms; three members for initial three-year terms; one alternate for an initial one-year term; and one alternate for an initial two-year term. After the conclusion of the initial terms as herein provided, all terms shall be for three years. The Mayor shall designate the alternate members as "Alternate No. 1", and Alternate No. 2." At meetings of the ~~Parks and Recreation~~ Committee, alternate members shall be permitted to participate in discussion of the proceedings, but shall not be permitted to vote except in the absence or disqualification of one or more regular members, in which event alternate members shall be permitted to vote in lieu of such absent or disqualified regular members in the order of numerical designation of such members.

B. In addition to the aforementioned members, the Mayor shall appoint a member of the Borough Council to serve as a liaison to the Recreation Committee each year, who shall be permitted to participate in discussions of the proceedings of the Committee, but who shall not be permitted to vote. Such members of the Borough Council shall serve a one-year term.

C. All appointments shall expire on December 31. Initial appointments, as above provided, shall be made for the balance of the one-, two- or three-year term designated, ending on December 31 of the applicable year.

D. Vacancies shall be filled by the Mayor for the unexpired term only. The members shall serve until their respective successors are appointed, found qualified, and take office.

## **SECTION X.**

Section 93-3 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

A. The Borough Council shall cooperate with the Recreation Committee to coordinate and provide equipment for recreational activities, as well as to coordinate the development, operation and maintenance of parks, public places, playgrounds, and recreational areas, in the Borough of Middlesex, in order to provide for the maximum benefit and planned development for the residents of the Borough of Middlesex.

B. The Borough Council may, from time to time, by resolution, place activities, parks, public places, playgrounds and recreational areas under the jurisdiction of the ~~Parks and~~ Recreation Committee for development, operation or maintenance thereof, or for such purposes as may be specified in any such resolution. The Borough shall continue to be responsible for the care, custody and policing of any such parks, public places, playgrounds and recreational areas, which, from time to time, may be placed under the jurisdiction of the ~~Parks and~~ Recreation Committee, unless such responsibilities or any others shall be specifically assigned in any such resolution.

C. The Parks and Recreation Committee herein established shall not be deemed to be a park or recreation commission pursuant to N.J.S.A. 40:12-1 et seq., but such ~~Parks and~~ Recreation Committee shall have only those powers and duties as may be set forth herein or as may be more particularly provided by resolution of the Borough Council.

D. There shall be no appropriation of public funds to the ~~Parks and~~ Recreation Committee, except as may be provided by the Borough Council for designated purposes consistent with the intent of this chapter. The ~~Parks and~~ Recreation Committee shall recommend to the Borough Council proposals, from time to time, as may be consistent herewith.

E. The Borough shall obtain liability insurance coverage covering the approved activities under the jurisdiction of the ~~Parks and~~ Recreation Committee, the participants in those activities, the Borough of Middlesex and individual members of the ~~Parks and~~ Recreation Committee.

F. Neither the ~~Parks and~~ Recreation Committee nor any member or members thereof shall have any power or right, express or implied, to bind or obligate the Borough of Middlesex or the Borough Committee, directly or indirectly.

## **SECTION XI.**

Section 93-4 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

The primary purpose of the ~~Parks and~~ Recreation Committee shall be to:

A. Assist in providing equipment as needed to programs concerned with the recreation of the residents of the Borough of Middlesex.

B. Provide recommendations for the orderly development of parks or other public lands in the Borough of Middlesex.

C. Cooperate with the Middlesex County Department of ~~Parks and~~ Recreation in coordinating and advising on activities to be held on county-owned recreational land should such aid be requested by the Middlesex County ~~Department of Parks and Recreation~~ Recreation Department.

D. Suggest improvements needed for orderly development and to undertake such improvements as it is authorized to carry out pursuant to this chapter or hereafter by resolution of the Borough Council.

E. Operate and maintain such parks or other public lands over which it is given jurisdiction in any resolution of the Borough Council and shall do so pursuant to any standards set forth in any such resolution.

F. Handle other specific programs which may be assigned or authorized by the Borough Council, by resolution from time to time, in accordance with the general purposes of the ~~Parks and~~ Recreation Committee and the provisions of this chapter and subject to the limitations contained herein.

## **SECTION XII.**

Section 93-5 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

The ~~Parks and~~ Recreation Committee shall not act in any manner which would cause a forfeiture of any lands of the Borough of Middlesex. The Borough reserves the right to limit the jurisdiction, purposes or programs of the Parks and Recreation Committee at any time by resolution of the Borough Council.

## **SECTION XIII.**

Section 93-6 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

A. The ~~Parks and~~ Recreation Committee may organize as it sees fit, choosing a Chairperson and such other officers from among its members as it may deem advisable, adopt rules and bylaws for the orderly conduct of meetings, and organize subcommittees for the administration and handling of its programs.

B. Members shall attend one-half of all public meetings in each calendar year and shall not be absent from three consecutive regularly scheduled meetings. The Committee shall petition the Borough Council for removal and replacement of any member with attendance below this standard.

## **SECTION XIV.**

Section 93-7 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

The ~~Recreation Director~~ **Director of Recreation** appointed by the Mayor shall serve as a voting member of the Parks and Recreation Committee.

#### SECTION XV.

Section 93-8 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

A. Any recognized recreational group which feels or believes it is aggrieved by any of the actions of the ~~Recreation Director~~ **Director of Recreation** shall have the right to appeal any of the ~~Recreation Director's~~ **Director of Recreation's** actions and/or recommendations in the first instance to the Borough Administrator. Said appeal shall be filed not later than 10 days from the date of any action or recommendation taken by the ~~Recreation Director~~ **Director of Recreation's** and shall be in writing to the Borough Administrator.

B. The Borough Administrator shall thereafter set the matter down for a hearing and consider the testimony of witnesses and other evidence to be presented and at the conclusion of which the Borough Administrator shall render a decision as soon as is practicable.

C. Any party may appeal in the final instance the decision of the Borough Administrator to the Borough Council, within five days of the Borough Administrator's decision in writing to the Borough Clerk.

#### SECTION XVI.

Section 301-1 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

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

ANIMALS Includes cats, dogs, horses, any fowl or birds, any living creatures within the jurisdiction of the park.

~~COMMISSION The Middlesex Borough Recreation Commission or its authorized representatives.~~

~~DIRECTOR The Chairman of the Middlesex Borough Recreation Commission or his designated representative.~~

MIDDLESEX BOROUGH PARKS or PARKS SYSTEM All the real property situated in Middlesex Borough or adjacent to the Borough acquired by or under the jurisdiction and care of the Middlesex Borough ~~Recreation Commission~~ or which may be hereafter acquired by it or come under its jurisdiction.

MUNICIPALITY or BOROUGH That area of Middlesex County, New Jersey, where, respectively, lay the lands designated as municipal or Borough parks, **or any agent thereof so designated by ordinance or resolution.**

**PARK POLICE OR OFFICER** Any person employed by ~~the Commission~~ Middlesex Borough as a Middlesex Borough Parks Policeman or special officer or a municipal, borough or state police officer.

**PATH** Any footpath, walk or any path maintained for pedestrians.

**PEDESTRIAN** A person afoot.

**PERMIT** Any written license issued by or under the authority of the ~~Commission~~ Borough of Middlesex, permitting a special event or activity on park facilities.

**PERSON** Any natural person, corporation, company, association, joint-stock association, firm or copartnership.

**PRIVATE ROAD OR DRIVE** Every road or land or driveway not open to the use of the public in general.

**RIGHT-OF-WAY** The privilege of the immediate use of the roadway, drive or path.

**SAFETY ZONE** Any space (within a drive) established for pedestrians.

**SOLICITING** Selling goods or services by sample or by taking orders for future delivery with or without accepting advance payment for the goods; seeking any form of contributions.

**STOPPING or STANDING** When prohibited, is any cessation of movement of a vehicle, occupied or not, except when necessary to avoid conflict with other traffic, including horses.

**TRAFFIC** Pedestrians, ridden or herded animals or vehicles, either singly or together, while in the confines of the park's jurisdiction.

**VEHICLE** Any conveyance (except baby carriages), including motor vehicles, trailers, campers, tricycles, bicycles, sleds, sleighs, pushcarts, boats or vehicles propelled by other than muscular power; also any horse.

**VENDING** To sell, to dispose of by sale or to trade.

## **SECTION XVII.**

Section 301-4(c) is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

Explosives. No person shall bring into or have in his possession at said parks any explosives, including any substance, compound, mixture or article having properties of such a character that alone or in combination or conjunction with other substances or compounds may decompose suddenly and generate sufficient heat, gas or pressure or any or all of them to produce rapid flaming or combustion, or to administer a destructive blow to surrounding objects. Fireworks are excepted from this regulation, provided that written approval of the Commission, local Police Department and State Department of Labor and Industry is secured for the specific occasion.

**SECTION XVIII.**

Section 301-6(d) is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

No person shall injure, deface, displace, remove, fill in, raise, destroy or tamper with any drive, path, walk, bridge or approach thereto; take up or remove or carry away any asphalt, concrete, flagstone, rock, stone, gravel, sand, clay or earth or make any excavation of any kind, name or nature; or harvest, cut, injure or remove any ice; or injure, deface, displace, remove or destroy any structure, building, post, railing, bench, seat, platform stand, tree guard, telephone, pipe or main for conducting gas, water or wires, or any hydrant, sewer, drain, pipe, main, receiving basin, covering manhole or vent forming a part thereof, or any appurtenance or appendage connected therewith, or any property or equipment, real or personal, owned by or under the jurisdiction or control of said ~~Commission~~ **Borough**, or appertaining to the creation, government, use or maintenance of said parks; or injure or in any way interfere with the operation of any machine, instrument or contrivance used in said parks; or injure, deface, displace, remove or destroy any sign, inscription, post or monument erected or marked for any purpose, or any mile board, milestone, danger sign or signal, guide sign or post, or any signaling device stanchioned, installed or placed by said ~~Commission~~ **Borough**, of any city, town or village, within the parks, for the purpose of directing, restricting or regulating traffic, establishing zones or giving information or direction to the public; or interfere with any lamp, lamppost, gas or electric apparatus, or extinguish the light therein, except upon proper authority or with a permit; or attach, string, adjust or carry any wire or other object in or over any part of said parks.

**SECTION XIV.**

Section 301-7(f) is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

In the event a person, group or organization is denied a permit by the ~~Middlesex Borough Recreation Commission~~, said person, group or organization may appeal the denial of said permit to the Mayor and Council by filing a written notice of appeal to the Mayor and Council within 48 hours after being officially notified of the denial of the permit by the ~~Middlesex Borough Recreation Commission~~. The Mayor and Council shall thereafter, as soon as possible, schedule a hearing to ascertain all of the facts involving the application for the permit and the Mayor and Council may overrule the decision of the ~~Middlesex Borough Recreation Commission~~ and authorize the issuance of a permit.

**SECTION XX.**

Section 301-8 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

For the use of established designated areas for organized sports, namely football, track and baseball, which areas come under the jurisdiction of the ~~Commission~~ **Borough**, and prior to the commencement of these activities a written request must be made to the ~~Commission~~ **Borough**, and a user contract must be filled out in its entirety by both user and the ~~Commission~~ **Borough**,

**SECTION XXI.**

Should any section, paragraph, sentence, or clause of this ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect and, to this end, the provisions of this ordinance are hereby declared severable.

## **SECTION XXII.**

This ordinance shall take effect in the time and manner provided by law.

Council President Madden opened the Public Hearing on Ordinance No. 1982-19.

Rich Thomasey, 109 Greene Avenue questioned if this permits the establishment of any new committees in the borough, as in the past there was a Victor Crowell Committee, and he feels that this committee should not be included in the committee being establish by this ordinance, as there are unique problems for a facility with a lot of water.

Seeing that there was no further public participation, Council President Madden closed the Public Hearing on Ordinance No. 1982-19.

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Kevin Dotey, Council Member           |
| <b>SECONDER:</b> | Douglas Rex, Council Member           |
| <b>AYES:</b>     | Madden, Rex, Carr, Dotey, Mikolajczyk |
| <b>ABSENT:</b>   | Parenti                               |

---

## **ADOPTION OF MINUTES**

1. Approval of the October 22, 2019 Regular & Executive Meeting Minutes

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>           |
| <b>MOVER:</b>    | Jack Mikolajczyk, Council Member      |
| <b>SECONDER:</b> | Jason Carr, Council Member            |
| <b>AYES:</b>     | Madden, Rex, Carr, Dotey, Mikolajczyk |
| <b>ABSENT:</b>   | Parenti                               |

---

## **MAYOR'S REPORT**

There was no Report.

---

## **REPORTS - STANDING COMMITTEES**

Finance/Taxation/Real Estate/Insurance/Public Utilities

1. Approval of the October, 2019 Tax Report

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>           |
| <b>MOVER:</b>    | Kevin Dotey, Council Member           |
| <b>SECONDER:</b> | Jason Carr, Council Member            |
| <b>AYES:</b>     | Madden, Rex, Carr, Dotey, Mikolajczyk |
| <b>ABSENT:</b>   | Parenti                               |

---

Fire/OEM/Rescue Squad

1. Approval of the Board of Fire Officer's Report

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>           |
| <b>MOVER:</b>    | Douglas Rex, Council Member           |
| <b>SECONDER:</b> | Jason Carr, Council Member            |
| <b>AYES:</b>     | Madden, Rex, Carr, Dotey, Mikolajczyk |
| <b>ABSENT:</b>   | Parenti                               |

2. Approval of the September, 2019 Chief's Report

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>           |
| <b>MOVER:</b>    | Douglas Rex, Council Member           |
| <b>SECONDER:</b> | Jason Carr, Council Member            |
| <b>AYES:</b>     | Madden, Rex, Carr, Dotey, Mikolajczyk |
| <b>ABSENT:</b>   | Parenti                               |

---

Recreation/Recreation Fields/Swim Pool/Community Celebrations

Nothing was reported.

---

Public Works/Buildings & Grounds/Recycling

Nothing was reported.

---

Police/Legal/Code Enforcement & Zoning/Shade Tree/Construction/Municipal Court

1. Approval of the September, 2019 Police Department Report

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>           |
| <b>MOVER:</b>    | Kevin Dotey, Council Member           |
| <b>SECONDER:</b> | Jack Mikolajczyk, Council Member      |
| <b>AYES:</b>     | Madden, Rex, Carr, Dotey, Mikolajczyk |
| <b>ABSENT:</b>   | Parenti                               |

2. Approval of the October, 2019 Police Department Report

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>           |
| <b>MOVER:</b>    | Kevin Dotey, Council Member           |
| <b>SECONDER:</b> | Jack Mikolajczyk, Council Member      |
| <b>AYES:</b>     | Madden, Rex, Carr, Dotey, Mikolajczyk |
| <b>ABSENT:</b>   | Parenti                               |

## Administration/Department of Senior Services/Legislation/Licensing

Nothing to report.

---

**ADMINISTRATOR'S REPORT****Administrator's Report****November 26, 2019****Items with asterices\* have updates**

- I. Flood Management**
  - i. \*AW501 Forms**
- II. Update of Sewer Projects:**
  - i. Phase I:**
    - a. \*Additional work on George Street - no update**
    - b. \*Funds remaining- DEP Requirements - no update**
    - c. O & M Manual required by DEP - no update**
    - d. \*I/I Study**
    - e. Sampling Program - no update**
      - ii Phase II Funding: Pending with i-bank (DEP)**
      - iii \*Phase IV (Sewer Bypass)**
- III. \*Update on Other Public Works Projects:**
  - i. \*Streetscape Project**
  - ii. \*South Avenue Reconstruction: Issue with pole relocation/Lucas**
  - iii. Safe Routes to Schools - no update**
  - iv. \*Road Design (2019 DOT Grant)**
  - v. \*Road Design (2020 DOT Grant)**
- IV. Update on Other Projects:**
  - i. \*Library HVAC System**
  - ii. \*Mountain View Park punch list**
- V. \*Video Taping of Meetings**
- VI. Miscellaneous**
  - i. Recycling Bid: pending MCIA's bids**
  - ii. Dredging of Lake/Mosquito Control Commission - no update**
  - iii. Recreation Building Improvement - no update**
  - iv. Personnel Manual (Executive Session)**
  - v. \*Computer Migration/Upgrade**
  - vi. \*S&P Rating**
  - vii. \*Touch a Truck**
  - viii. \*Domestic Violence Resolution**

---

**PRIVILEGE OF THE FLOOR**Bob Schueler, 58 Marlborough Avenue

- Commented on the ordinance combining the Planning and Zoning Board and the potential of a conflict of interest, the need for the separation of the boards, the timing of the introduction of the ordinance (transparency), and the lack of volunteers willing to serve on two separate boards.

Dave Polakiewicz, 240 Hazelwood Avenue

- Questioned any updates on the PILOTS and if they are incurring penalties
- Questioned if any dispute between the town and the redeveloper would go to arbitration or superior court.

- Also, questioned if the borough was looking for a Public Relations firm and if they will be retaining an economic development specialist.

Rich Rutkowski, 211 Maple Street

- Questioned where the funds are that were paid to the borough by the redeveloper for low income housing.
- Suggested that the borough consider getting a forensic accountant to check the borough books.

Tom Lynch, 359 Market Street

- Questioned the status of the gate on Market Street.

Evan Walter, 837 W. Second Street

- Questioned who wanted to introduce the ordinance for the Joint Lane Use Board
- He also questioned if it was possible to use Blue Acres funds to help raise the houses for FEMA insurance discounts.
- Requested an update on Spray Tech.

Council President Madden, Attorney Corsini and Councilman Dotey responded to the above individuals and their concerns.

---

#### NEW BUSINESS/CONSENT AGENDA/RESOLUTIONS

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Jason Carr, Council Member            |
| <b>SECONDER:</b> | Douglas Rex, Council Member           |
| <b>AYES:</b>     | Madden, Rex, Carr, Dotey, Mikolajczyk |
| <b>ABSENT:</b>   | Parenti                               |

---

The Borough Clerk read the following resolution:

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

#### RESOLUTION 265-2019

**EXTENDING THE CONDITIONAL DESIGNATION OF ADVANCED DEVELOPMENT GROUP AS REDEVELOPER FOR PROPERTY KNOWN AS TAX BLOCK 317 LOTS 3, 7 & 14.01, IN THE LINCOLN BOULEVARD REDEVELOPMENT AREA FOR THE DEVELOPMENT OF A MIXED-USE PROJECT - *Item Removed from Consent***

**WHEREAS**, Tax Block 317, Lots 3, 7 and 14.01 (the "Property") is located in the Lincoln Boulevard Redevelopment Area (the "Redevelopment Area"); and

**WHEREAS**, the Borough of Middlesex (the "Borough") is desirous of the redevelopment of this 1.4+/- acre site for re-use consistent with the Borough's Master Plan and the Redevelopment Plan for the Redevelopment Area, adopted on December 13, 2016 as amended; and

**WHEREAS**, Advanced Development Group, made a presentation to the Borough Economic Development Advisory Committee regarding its concept proposal for the Property; and

**WHEREAS**, the Property is public and privately owned and Advanced Development Group., have a contract to purchase the privately-owned property; and

**WHEREAS**, Advanced Development Group have committed to rehabilitate the Publicly owned property Block 317 Lot 7 known as the Lincoln Monument Park for public use, and

**WHEREAS**, the proposal has been found consistent with the Borough's goals for redeveloping the area.

**WHEREAS**, on February 26, 2019 the Borough Council designated Advanced Development Group Somerset as redeveloper of the Property for a period of 120 days; and

**WHEREAS**, on June 6, 2019 the Borough Council extended said designation for an additional 120 days; and

**WHEREAS**, on April 26, 2019, Advanced Development Group and the Borough entered into an escrow agreement, one of the conditions of the original designation; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Middlesex that it hereby further extends the conditional designation as redeveloper of Advanced Development Group, 1084 Route 22 West Mountainside, NJ 07092, for the development of Tax Block 317, Lots 3, 7 and 14.01; located in the Lincoln Boulevard Redevelopment Area, for a mixed-use project, the detail of which is subject to further refinement, for the reasons set forth herein.

**BE IT FURTHER RESOLVED**, that said conditional designation is subject to the following conditions:

1. That the conditional designation is limited to a period of one hundred and twenty (120) days from the date of this Resolution at which time it will automatically expire and be of no further force and effect, and the parties will no longer have any obligation to the other, except as to final payment of any Borough costs under the Escrow Agreement required herein. The Borough may, in its sole discretion, extend and re-extend the conditional designation provided sufficient progress is being in negotiation of a redevelopment agreement, which determination is at the sole discretion of the Borough and which extension must be in the form of a duly adopted resolution of the Borough Council.
2. That Advanced Development Group and the Borough shall negotiate and agree upon the terms and conditions of a redevelopment agreement within the period of the conditional designation, as such period may be extended by the Borough in its sole discretion.
3. That Advanced Development Group agrees to pay any and all costs incurred by the Borough from the date of the conditional designation to execution of a redevelopment agreement or termination of the redeveloper designation, as set forth herein.

**BE IT FURTHER RESOLVED**, that upon completion of negotiations on a redevelopment agreement, the Borough Council shall be required to review and authorize

execution of any and all related documents in order to effectuate the completion and implementation of this project.

**BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately.

|                  |                                           |                                 |
|------------------|-------------------------------------------|---------------------------------|
| <b>RESULT:</b>   | <b>TABLED BY CONSENT VOTE [UNANIMOUS]</b> | <b>Next: 12/17/2019 7:00 PM</b> |
| <b>MOVER:</b>    | Jack Mikolajczyk, Council Member          |                                 |
| <b>SECONDER:</b> | Jason Carr, Council Member                |                                 |
| <b>AYES:</b>     | Madden, Rex, Carr, Dotey, Mikolajczyk     |                                 |
| <b>ABSENT:</b>   | Parenti                                   |                                 |

---

The Borough Clerk read the following resolution:

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

**RESOLUTION 277-2019**

**AUTHORIZING THE CONSTRUCTION OFFICE TO REFUND \$350.00 IN FAVOR OF DENISE PETERSON, 36 DALE DR, EDISON, NJ 08820 FOR A CHANGE OF TITLE AND RESALE CERTIFICATE.**

WHEREAS, Denise Peterson applied to the Construction Office for a Change of Title and Resale Certificate at 443 Bound Brook Rd; and

WHEREAS, Denise Peterson submitted check# 1153 and check# 1151 in the amount of \$350.00 on 09/30/19/in payment of said Change of Title and Resale Certificate; and

WHEREAS, no inspections were made and the sale did not take place.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex that the disbursing officers be and they are hereby authorized to draw a check in the amount of \$350.00 in favor of Denise Peterson , 36 Dale Dr, Edison, NJ 08820 for refund of fee for Change of Title and Resale Certificate.

---

The Borough Clerk read the following resolution:

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

**RESOLUTION 278-2019**

**APPROVAL TO ADVANCE PATROLMAN JAMIE MARCZAK TO PATROLMAN CLASS "B" EFFECTIVE NOVEMBER 19, 2019**

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

WHEREAS, On November 7, 2019 Chief Geist recommended Police Officer Jamie Marczak 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 Jamie Marczak be and is hereby advanced in grade to Patrolman Class "B" effective November 19, 2019 at an annual salary of \$102,125.

---

The Borough Clerk read the following resolution:

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

**RESOLUTION 279-2019**

**ACCEPTING THE RESIGNATION OF PATROLMAN MATTHEW TRIPP EFFECTIVE  
NOVEMBER 1, 2019**

The Mayor and Council hereby accept Patrolman Matthew Tripp's resignation effective November 1, 2019 and authorize the Treasurer to pay his full allowance of \$5,364.00 in accordance with his PBA Contract in the next regular borough payroll of December 6, 2019. The benefits include the following:

|                            |                    |
|----------------------------|--------------------|
| 84 Hours Compensation Time | \$ 4,505.76        |
| 16 Hours Vacation Time     | \$ 858.24          |
| <b>TOTAL</b>               | <b>\$ 5,364.00</b> |

---

The Borough Clerk read the following resolution:

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

**RESOLUTION 280-2019**

**ACKNOWLEDGING THE CHANGE IN STATUS FOR CERTAIN PROPERTIES UNDER  
THE SENIOR CITIZEN/DISABLED PERSON TAX DEDUCTIONS**

**WHEREAS**, certain Senior Citizens/Disabled Persons were the owners of property in the Borough of Middlesex on or before October 1, 2018, and

**WHEREAS**, said Senior Citizens/Disabled Persons did file their claims for the Senior Citizen/Disabled Person deduction with the proper official of the Borough of Middlesex, Middlesex County prior to December 31, 2019; and

**WHEREAS**, the Tax Collector has disallowed the following Senior Citizen/Disabled Person deduction for the 2019 year totaling \$145.89.

|         |                |
|---------|----------------|
| Name:   | Robert Zednick |
| Block:  | 6              |
| Lot:    | 2.02/C064B     |
| Amount: | \$80.14        |
| Reason: | Sale 9/5/19    |
| Year:   | 2019 Prorated  |

Name: Geczi, William & Florence  
Block: 56  
Lot: 1  
Amount: \$65.75  
Reason: Sale 9/26/19  
Year: 2019 Prorated

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Middlesex, Middlesex County, that the Chief Financial Officer of the Borough of Middlesex, Middlesex County be instructed to post to the books the collection of taxes receivable as detailed.

---

The Borough Clerk read the following resolution:

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

**RESOLUTION 281-2019**

**THE TAX COLLECTOR IS HEREBY AUTHORIZED TO REFUND TAX TITLE LIEN REDEMPTION FUNDS FOR BLOCK 107, LOT 7, IN THE AMOUNT OF \$449.59**

WHEREAS, said liens have been redeemed by the owners or those persons having an interest, and the purchasers of said property are legally entitled to receive redemption funds in the following specific amounts;

WHEREAS, the interest and payments on the following Tax Title Lien Redemptions were calculated for November 19, 2019, which was the originally scheduled date of the November Borough Council meeting. The date of the November was changed due to an adjustment in the meeting schedule, and;

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

Date of Sale: 7/12/17  
Block/Lot: 107 / 7  
Amount: \$449.59  
Premium: \$200.00  
Certificate: 16-00015  
Payable To: Trystone Capital Assets, LLC  
PO Box 1030  
Brick, NJ 08723

---

The Borough Clerk read the following resolution:

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

**RESOLUTION 282-2019**

**THE TAX COLLECTOR IS AUTHORIZED TO ISSUE TAX TITLE LIEN REDEMPTIONS FOR BLOCK 339, LOT 18/C0001 IN THE AMOUNT OF \$1850.28**

HEREAS, said liens have been redeemed by the owners or those persons having an interest, and the purchasers of said property are legally entitled to receive redemption funds in the following specific amounts;

WHEREAS, the interest and payments on the following Tax Title Lien Redemptions were calculated for November 26, 2019;

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

|                      |                                                                |
|----------------------|----------------------------------------------------------------|
| <u>Date of Sale:</u> | 7/12/17                                                        |
| <u>Block/Lot:</u>    | 339 / 18 / C0001                                               |
| <u>Amount:</u>       | \$1850.28                                                      |
| <u>Premium:</u>      | \$200.00                                                       |
| <u>Certificate:</u>  | 16-00036                                                       |
| <u>Payable To:</u>   | Trystone Capital Assets, LLC<br>PO Box 1030<br>Brick, NJ 08723 |

---

The Borough Clerk read the following resolution:

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

**RESOLUTION 283-2019**

**ACKNOWLEDGING THE CHANGE IN STATUS FOR CERTAIN PROPERTIES UNDER  
THE VETERAN TAX DEDUCTIONS - BLOCK 6, LOT 2.02/C0021**

**WHEREAS**, certain Veterans were the owners of property in the Borough of Middlesex on or before October 1, 2018, and

**WHEREAS**, said Veterans did file their claims for the Veteran deduction with the proper official of the Borough of Middlesex, Middlesex County prior to December 31, 2019; and

**WHEREAS**, the Tax Collector has allowed the following Veteran deductions for the 2019 year totaling \$250.00.

|                   |                            |
|-------------------|----------------------------|
| <b>Name:</b>      | Leonard, Roy & Ethel Marie |
| <b>Block/Lot:</b> | 6/2.02/C0021               |
| <b>Amount:</b>    | \$250.00                   |

---

The Borough Clerk read the following resolution:

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

**RESOLUTION 284-2019**

**ACKNOWLEDGING THE CHANGE IN STATUS FOR CERTAIN PROPERTIES UNDER  
THE VETERAN TAX DEDUCTION - BLOCK 333, LOT 36**

**WHEREAS**, certain Veterans or Surviving Spouses were the owners of property in the Borough of Middlesex on or before October 1, 2018, and

**WHEREAS**, said Veterans did file their claims for the Veteran deduction with the proper official of the Borough of Middlesex, Middlesex County prior to December 31, 2019; and

**WHEREAS**, the Tax Collector has allowed the following Veteran deductions for the 2019 year totaling \$250.00.

**Name:** Collins, Antoinette

**Block/Lot:** 333/36

**Amount:** \$250.00

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Middlesex, Middlesex County, that the Chief Financial Officer of the Borough of Middlesex, Middlesex County be instructed to post to the books the collection of taxes receivable as detailed.

---

The Borough Clerk read the following resolution:

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

**RESOLUTION 285-2019**

**AUTHORIZING THE TAX COLLECTOR TO WAIVE AND ADJUST SEWER BILLS**

WHEREAS, All users which discharge more than 120,000 gallons of domestic sanitary wastewater per annum, shall be charged a service charge for flow, and;

WHEREAS, an appeal process has been established for those users who believe the threshold of 120,000 gallons per annum has not been exceeded, and;

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

THEREFORE, the following charges on the below properties have been waived or adjusted:

|                  |           |                  |            |
|------------------|-----------|------------------|------------|
| Block/Lot:       | 80 / 37   | Block/Lot:       | 113 / 6.01 |
| Original Amount: | \$167.52  | Original Amount: | \$1329.69  |
| New Amount:      | 0.00      | New Amount:      | 0.00       |
| Block/Lot:       | 72 / 4.04 | Block/Lot:       | 79 / 5     |
| Original Amount: | \$575.85  | Original Amount: | \$827.13   |
| New Amount:      | 0.00      | Net Amount:      | 0.00       |

Block/Lot: 113 / 14  
Original Amount: \$575.85  
New Amount: 0.00

Block/Lot: 202 / 21  
Original Amount: \$73.29  
New Amount: 0.00

Block/Lot: 300 / 24  
Original Amount: \$481.62  
New Amount: 0.00

Block/Lot: 312 / 24  
Original Amount: \$659.61  
New Amount: \$527.69

Block/Lot: 239 / 15  
Original Amount: \$743.37  
New Amount: \$188.46

Block/Lot: 293 / 3.04  
Original Amount: \$251.28  
New Amount: 0.00

Block/Lot: 4.01 / 6  
Original Amount: \$136.11  
New Amount: 0.00

---

The Borough Clerk read the following resolution:

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

**RESOLUTION 286-2019**

**SETTING EXTRAORDINARY COMPENSATION FOR ACTING CHIEF FINANCIAL OFFICER CAROLINE BENSON**

**WHEREAS**, pursuant to Resolution #256-2019 of the Borough of Middlesex as approved by the Borough Council thereof on September 24, 2019, Caroline Benson has been appointed temporary Chief Financial Officer of the Borough of Middlesex pursuant to N.J.A.C. 5:32-2.5(a); and

**WHEREAS**, Ms. Benson is presently compensated for her employment as Borough Treasurer in the amount of \$54,596.00 per annum; and

**WHEREAS**, Ms. Benson is presently enrolled in state-sponsored continuing educational classes with the intention of obtaining her chief financial officer certification; and

**WHEREAS**, it is the desire of the Mayor and Borough Council to further compensate Ms. Benson for her role as Acting Chief Financial Officer commensurate to the new responsibilities for which she will be charged; and

**WHEREAS**, the Mayor and Borough council seek to make this award of extraordinary compensation to Ms. Benson in the following manner: 1) an increase in salary effective retroactively to September 26, 2019 in the amount of \$6,000 per annum (to be prorated for relevant time period in calendar year 2019); 2) an additional increase of \$2,000 for the successful completion of each of the three (3) remaining courses in the aforementioned state-authorized course of study in which Ms. Benson is currently enrolled, with said increase to be per annum and to be prorated from the date Ms. Benson receives notice of passage for each class; and 3) an increase of \$8,000 per annum upon the successful completion of the State of New Jersey's Chief Financial Officer program, with said increase effective upon the issuance of the certification;

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey, does hereby authorize the aforementioned award of extraordinary compensation to Ms. Caroline Benson; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey, does authorize said award of extraordinary compensation to be awarded as follows: 1) an increase in salary effective immediately in the amount of \$6,000 per annum (to be prorated for calendar year 2019); 2) an additional increase of \$2,000 for the successful completion of each of the three (3) remaining courses in the aforementioned state-authorized course of study in which Ms. Benson is currently enrolled, with said increase to be per annum and to be prorated from the date Ms. Benson receives notice of passage for each class; and 3) an increase of \$8,000 per annum upon the successful completion of the State of New Jersey's Chief Financial Officer program, with said increase effective upon the issuance of the certification;

**BE IT FURTHER RESOLVED**, that the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey, may amend the provisions of this resolution by subsequent resolution at any time the Mayor and Borough Council deem appropriate or necessary.

---

The Borough Clerk read the following resolution:

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

**RESOLUTION 287-2019**

**APPROVAL OF BUDGET TRANSFERS FOR 2019**

The Treasurer hereby authorizes the transfer of funds for the Current Budget of 2019:

| Department                           | From        | To |
|--------------------------------------|-------------|----|
| Administrator - Salary & Wage        | \$30,000.00 |    |
| Administrator - Miscellaneous        | \$2,000.00  |    |
| Administrator - Printed Materials    | \$3,000.00  |    |
| Postage                              | \$5,000.00  |    |
| IT Services - Data Costs             | \$5,000.00  |    |
| IT Services - Police                 | \$7,500.00  |    |
| Police - S&W Overtime                | \$45,000.00 |    |
| Police - S&W Court Overtime          | \$7,500.00  |    |
| Police - New Hires                   | \$5,000.00  |    |
| Planning Board - Legal Services      | \$5,000.00  |    |
| Emergency Management - Radio         | \$2,500.00  |    |
| Emergency Management -<br>Generators | \$1,500.00  |    |

|                                        |                     |                     |
|----------------------------------------|---------------------|---------------------|
| Senior Bus - Salary & Wage             | \$15,000.00         |                     |
| Municipal Clerk - Salary & Wage        |                     | \$5,000.00          |
| Printing & Advertising                 |                     | \$2,500.00          |
| Tax Assessor - Salary & Wage           |                     | \$5,000.00          |
| Annual Audit Services                  |                     | \$27,000.00         |
| Engineering - General                  |                     | \$5,000.00          |
| Zoning Board - Legal Services          |                     | \$2,000.00          |
| Legal - Litigation                     |                     | \$12,000.00         |
| Legal - Labor General                  |                     | \$2,000.00          |
| Legal - Miscellaneous                  |                     | \$6,000.00          |
| Buildings & Grounds - Supplies         |                     | \$7,000.00          |
| Buildings & Grounds - Cleaning Service |                     | \$6,000.00          |
| Roads - S&W Differential               |                     | \$15,000.00         |
| Roads - S&W Overtime                   |                     | \$10,000.00         |
| Roads - Tree Maintenance               |                     | \$5,000.00          |
| Shade Tree                             |                     | \$10,000.00         |
| Senior Bus - Vehicle Repairs           |                     | \$1,500.00          |
| Senior Coordinator - Newsletter        |                     | \$4,000.00          |
| Senior Coordinator - Luncheons         |                     | \$1,000.00          |
| Parks - S&W Overtime                   |                     | \$5,000.00          |
| Parks - Tree Maintenance               |                     | \$3,000.00          |
|                                        | <b>\$134,000.00</b> | <b>\$134,000.00</b> |

---

The Borough Clerk read the following resolution:

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

**RESOLUTION 288-2019**

**APPROVING TANIA TROVATO AS A PER DIEM MEALS ON WHEEL DRIVER AT \$13.00 PER HOUR PENDING A SATISFACTORY PHYSICAL & BACKGROUND CHECK**

The Governing Body hereby approves hiring Tonia Trovato as a per diem Meals on Wheels Driver for the Office of Senior Services at \$13.00 per hour effective immediately, pending a satisfactory physical and background check.

---

The Borough Clerk read the following resolution:

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

**RESOLUTION 289-2019**

**SPECIAL ITEMS OF REVENUE AND APPROPRIATION - *Withdrawn***

**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 2019 in the sum of \$5,500.00, which item is now available as a revenue from the Drive Sober or Get Pulled Over Grant in the amount of \$5,500.00;

**BE IT FURTHER RESOLVED** that the like sum of \$5,500.00 is hereby appropriated under the caption of "Drive Sober or Get Pulled Over Grant"; and

**BE IT FURTHER RESOLVED** that the above is a result of \$5,500.00 from the Drive Sober or Get Pulled Over Grant.

---

The Borough Clerk read the following resolution:

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

**RESOLUTION 290-2019**

**APPROVAL OF THE INTERLOCAL SERVICE AGREEMENT WITH MIDDLESEX COUNTY COVERING THE CFC RECOVERY REIMBURSEMENT PROGRAM**

**WHEREAS**, on January 1, 2002 Middlesex County (Division of Solid Waste Management) began a new program to partially fund the proper removal of chlorofluorocarbons and other ozone depleting compounds from household appliances; and

**WHEREAS**, the County will provide partial funding for up to a 5 year period, or for such shorter period as may be dictated by the exhaustion of available funds, to municipalities for each appliance from which CFCs are properly recovered; and

**WHEREAS**, in order to continue in this program the Borough must execute an interlocal service agreement with Middlesex County covering the CFC Recovery Reimbursement Program which will commence on January 1, 2020.

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

1. The Mayor and Borough Clerk are hereby authorized to execute the renewal of the Interlocal Service Agreement with Middlesex County covering the CFC Recovery Reimbursement Program.
2. This resolution shall take effect immediately.

---

The Borough Clerk read the following resolution:

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

**RESOLUTION 291-2019**

**APPROVAL OF THE PAINT PROGRAM AGREEMENT WITH MIDDLESEX COUNTY  
EFFECTIVE JANUARY 1, 2020**

**WHEREAS**, Middlesex County has entered into a contract with a paint recycling/disposal vendor to provide for the removal and recycling/disposal of paint and paint related products; and

**WHEREAS**, the Borough of Middlesex desires to continue to be included in this paint drop-off program; and

**WHEREAS**, in order to continue with this program it is necessary for the Mayor and Borough to execute the Inter-local Service Agreement with Middlesex County.

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

1. The Mayor and Borough Clerk are hereby authorized to execute the renewal of the Paint Collection Program Inter-local Service Agreement with Middlesex County which will commence on January 1, 2020.
2. This resolution shall take effect immediately.

---

The Borough Clerk read the following resolution:

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

**RESOLUTION 292-2019**

**ACCEPTING THE RESIGNATION OF GRETCHEN MCCARTHY EFFECTIVE DECEMBER 3, 2019 AND AUTHORIZING THE PAYMENT OF BENEFITS IN THE AMOUNT OF \$1,442.30**

The Mayor and Council hereby accept Gretchen McCarthy's resignation effective December 3, 2019 and authorize the Treasurer to pay the full allowance of \$1,442.30 in accordance with the personnel policy in the next regular Borough payroll of December 6, 2019. The benefits include the following:

|             |                      |
|-------------|----------------------|
|             | 5 Days Vacation Time |
| \$ 1,442.30 |                      |
| TOTAL       | \$ 1,442.30          |

---

**NON-CONSENT AGENDA/RESOLUTIONS**

The Borough Clerk read the following resolution:

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

**RESOLUTION 293-2019**

**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.

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Kevin Dotey, Council Member           |
| <b>SECONDER:</b> | Jack Mikolajczyk, Council Member      |
| <b>AYES:</b>     | Madden, Rex, Carr, Dotey, Mikolajczyk |
| <b>ABSENT:</b>   | Parenti                               |

---

The Borough Clerk read the following resolution:

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

**RESOLUTION 294-2019**

**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; 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.

1. Personnel Manual Policy Changes
2. 150 Lincoln Boulevard & 242 Lincoln Boulevard (Update)
3. Personnel - Borough Clerk

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Jack Mikolajczyk, Council Member      |
| <b>SECONDER:</b> | Jason Carr, Council Member            |
| <b>AYES:</b>     | Madden, Rex, Carr, Dotey, Mikolajczyk |
| <b>ABSENT:</b>   | Parenti                               |

---

### **AGENDA WORKSHOP ITEM**

---

### **PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS**

---

### **EXECUTIVE SESSION**

1. Personnel Manual Policy Changes
  2. 150 Lincoln Boulevard & 242 Lincoln Boulevard (Update)
  3. Personnel - Borough Clerk
- 

### **ADJOURNMENT**

The next Regular Meeting will be December 17, 2019

Respectfully yours,

Borough Clerk