The 2012 Reorganization Meeting of the Mayor and Council was held at the above place on the above date at 12:00 p.m. Ronald Dobies was sworn as Mayor of Middlesex Borough by Edward Johnson Esq. Mayor Dobies stated that the meeting was being held in full compliance with the Sunshine Law and that the meeting had been transmitted to the newspaper on December 22, 2011.

Councilwoman Patricia Johnson and Councilwoman Michele Tackach were administered the Oath of Office by Mayor Dobies.

The following responded to roll call of the 2012 Mayor and Council:

Mayor Ronald S. Dobies
Council Members Ron DiMura
Jeffrey First
Sean Kaplan
Patricia Jenkins
Michael Paff (absent)
Michele Tackach

Comments were made by Councilwoman Jenkins
When Michele and I started campaigning in June, we didn't know what to expect. Ron Dimura always said, just be yourselves. Meet the people, listen to the people. That's what wins an election. For five months of walking Door to Door, we met many interesting people. We had lots of laughs, broken shoes, 100's of mosquito bites, blood, sweat, tears. We met many people with concerns and receptive to change. Many People liked the idea of two women, two moms, two volunteers of our community's youth. How will they change the balance of the current council? Will they think outside the box? The voters showed their support and here we are today sitting before you as your newly elected councilwomen. Thank You!!

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Comments were made by Councilwoman Tackach

Thank you and Good Afternoon,

Mayor Dobies, Members of the Borough Council, Borough Employees, Friends and Residents of the Borough of Middlesex

I would like to take this opportunity to address you all at this time.

There are a few people I would like to thank,

First I would like to thank my family....

My Husband John and three daughters, Kaitlin, Kristie and Kara and of course my Aunt Bridget, my Father and my Mother who kept my family together when I was out campaigning. I could not have done this without their love and support.

Secondly, I would like to give a special Thanks to Ron Dobies and Patty Jenkins as my running mates and to Bob Schueler, our Campaign Manager. We spent a lot of hours together campaigning and had a lot of fun at the same time.

Thirdly, I would like to thank Councilman Ron DiMura, Councilman Sean Kaplan, Former Councilwoman Betty Platten and the rest of the Democratic Party, without them this would
not have been possible.

And Lastly, Thank you to the Residents of the Borough of Middlesex for having the confidence in me and electing me to serve as your Councilwoman for the next three (3) years.

I decided to run for council because I am a lifelong resident of Middlesex Borough and I love where I live. I chose to stay in here Middlesex with my husband and raise my children here for that reason.

I too have concerns about the direction the Borough was moving in and hope to be able to make a difference in getting the Borough moving in the right direction again.

I promise to listen to and treat every resident and every business owner of the Borough with the utmost respect that each individual deserves.

I promise to work in conjunction with the municipal departments to assure that they run efficiently to address the needs of the Residents and in the best interest of the Borough.

In Closing, We continue to face challenging times and I believe that we can keep Middlesex Borough a great place to live, work and raise a family.

God Bless you and thank you, I wish each of you a Happy, Healthy, & Prosperous New Year!

Mayor Dobies' New Year's Address:

On behalf of our residents, the 2012 Governing Body and our staff I would like to thank Mayor Sherr, Councilwoman DeVuyyst, and Councilman Michael Class for the time and services they provided our residents.

On behalf of the 2012 Governing Body and the Borough Staff I wish our residents, their families and friends a happy, healthy and safe 2012.
As we start the New Year the top three priorities on my list, and those of many of our residents, are taxes, flooding and services.

Our residents need some relief from their ever increasing tax bills and as a result I am asking the Council to prepare a very conservative budget this year. I realize this will not be an easy task with the changes made by the State and Federal governments or the borough changes we will be discussing over the next few months. We fully understand that the Board of Education budget has a major impact on our local taxes, and although we are all for quality education for our children, I also feel it is important to meet with the Superintendent and Board representatives to see what they can do to help with our citizen's tax burden. Grants will be high on our list for helping with our cost, and they will be a major goal for all department heads and the Governing Body. We will also be discussing shared services with surrounding towns to offset our costs.

As we all know flooding is a major problem in Middlesex. Tropical Storm Irene devastated many homes that faced this type of disaster before as well as some that felt the wrath for the first time. Today I am appointing a Flood Advisory Committee to help the Governing Body and our citizens address our flooding problems. I feel this committee is so important that I am asking Councilman Kaplan to chair this committee and report back to the Governing Body on their activities, both successes and failures, on a monthly basis.

Relief comes in various forms and one way to unite our community is by events like the fireworks, movies in the park, and musical programs to name a few. In early January I will discuss the need for the appointment of a Cultural Arts Advisory Commission with the Borough Council. This commission would be responsible for bringing such activities into our Borough. Included with this commissions goals will be establishing non-borough funding. This morning I will also appoint a new committee to plan our 100th anniversary activities. Although I appreciated the work of the last committee many of those that served on that committee were also on several other committees. To give other residents the opportunity to serve I am limiting volunteers to 2 committees.
The 100th Anniversary Committee will develop a vision for the celebration, along with a budget, and recommend it to the Governing Body for approval. In the same vein this morning I will appoint a Business Advisory Council to help the Governing Body more effectively help our business community while at the same time serving as a sounding board for the business community. This committee will meet in the daytime and will be open to any business man or woman who wants to attend. A Sustainable Energy Committee to look into solar energy, etc., and a one person committee to look into additional Senior Citizen housing will be the last two new committees formed this year.

Today I am asking the Council to modify two services. I recommend that the sanitation pickup schedule be modified to having twice a week pickup during May, June, July and August. I am also asking the council to revise our recycling center schedule in January by reverting back to the original schedule. As part of that recommendation I would like to eliminate the separation of glass allowing it all to go into one container. I will recommend the hiring 6 temporary employees, two more than last year, to handle the increased Department of Public Works responsibilities. In my preliminary review of our staffing I find the Police Department is understaffed to adequately meet the safety needs of our citizens. Although we are faced with three contract negotiations this year we must move ahead with the police staffing to ensure the safety of our residents.

I will be a full time mayor and available each day at Borough Hall. For those residents that are not available during the day I will set aside Friday evenings. During these sessions I hope to hear your concerns, needs, criticisms, and ideas how we can do things faster and better. The best resident is an informed resident and in January we will discuss how we keep them informed electronically and in written form.

In closing I realize the Governing Body faces many challenges and I am asking for your help and prayers as we perform our respective responsibilities.
The Borough Clerk read the following resolution.

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

**RESOLUTION #1-12**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR LEGAL SERVICES AS BOROUGH ATTORNEY TO THE FIRM BOB SMITH & ASSOCIATES**

**WHEREAS**, the Governing Body of the Borough of Middlesex wishes to appoint the firm of Bob Smith & Associates having offices located at 216-B1 Stelton Road, Piscataway, NJ 08854 as the Attorney for the Borough of Middlesex for the period of January 1, 2012 to December 31, 2012 at a fee set forth in the Agreement, a copy of which is available in the Borough Clerk’s Office.

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

1. The firm of Bob Smith & Associates, having his office located at 216-B1 Stelton Road, Piscataway, New Jersey is hereby appointed as the Attorney for the Borough of Middlesex for the period of January 1, 2012 through December 31, 2012 at a salary set forth in the Agreement, a copy of which is available in the Borough Clerk’s Office.

2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

Councilman DiMura moved for adoption, seconded by Councilman Kaplan and carried by the following roll call vote.
Ayes: DiMura, First, Jenkins, Kaplan, and Tackach. Nos: None. Abstain: None.

Councilman Kaplan offered the name of Councilman DiMura for Council President, seconded by Councilwoman Tackach and
carried by the following roll call vote: Ayes: First, Jenkins, Kaplan and Tackach. Nos: None. Abstain: DiMura.

The Borough Clerk read the following names for the 2012 Fire Officials:

2012 Fire Officials

Chief Kevin Mott

First Asst. Chief Ryan Zittel

Second Asst. Chief Andrew Castaldo, Jr.

Company No. 1 – Lincoln Hose

Captain Mark Rutledge

Lieutenant Colin McKeown

Engineer 21 Jim Singer

Asst. Engineer 21 Rich Reedy, Jr.

Engineer 25 Tom Kurtz

Honorary Assistant

Captain Mark Colacci

Approved Drivers Truck 21: John Hein, Brian Mattox, Mark Rutledge, Colin McKeown, Kenny VanNostrand, Rich Reedy, Jr., Jim Singer

Approved Drivers Truck 25: Rich Reedy, Jr., Jim Singer, John Hein, Brian Mattox, Mark Rutledge, Colin McKeown, Tom Kurtz

Company No. 2 – Beechwood Heights

Captain Darren Lubetkin
Lieutenant Dan DelSignore

Engineer 22 Brian Chomen

Asst. Engineer Eric Chomen

Approved Drivers Truck 22: Ken Pukas, Jr., Chris Reichert, Vic Capolunghi, Brian Chomen, John Craig, Randy Rudnick, Andy Klein, Robert Schneider, Kevin Crynock, Vince Vacca, Richard Malt, Darren Lubetkin, Dan DelSignore, Eric Chomen

**Company No. 3 – Pierce**

Captain 3 Dave Bird

Lieutenant 3 William Smith

Engineer 23 Chris DuBois

Asst. Engineer Ken Bartok

Approved Drivers Truck 23: Jack Costa, Bill Smith, Bill Winkleman, Dave Bird, George Schroeder, Chad Heulitt, Colleen Dooley, Jim Rinker, Dave Thul, Chris Dubois, Ken Bartok

**Company No. 4 - Parker**

Captain Ed Winters, Jr.

Lieutenant Joe Dudley

Engineer 24 Bob Poltorak

Asst. Engineer Nick Goldman

Approved Drivers Truck 24: Robert Poltarak, Ed Winters, Sr., Andy Castaldo, Sr. Andy Castaldo, Jr., Ryan Zittel, Jeff Kyryczenko, Ed Winters, Jr., Kevin Mott, Robert Pollara, Jr., John Pazar, Nick Goldman, Joe Dudley, Al Kriney, Bob Soper

Approved Drivers for HM1: Jackie Giardino, Mike Lane, John Hommas, Diego Ugalde, & Bob Reale
Fire Police
Captain Andy Castaldo, Sr.
Lieutenant Mike Macher
Lieutenant Tony Sasso
Art Sullivan
Dave Thul
Glen Grau

The Borough Clerk read the following names for Police Matrons and Crossing Guards

2012

POLICE MATRONS
Constance Johnson Margaret Eloe
Mary Eloe Martha Ziegler
Cynthia Chomen
Maryann Doesburg

SCHOOL CROSSING GUARDS
Isobel Mckeown Patricia Slaktowicz
James Green, Sr. Carol Schenck
Kenneth Larson Richard Sahli
Diana Hood Laurina Tolomeo
Constance Johnson Marjorie Santana
Howard Killian Madeline Havet
MAYOR'S APPOINTMENTS FOR 2012 THAT REQUIRE NO CONFIRMATION

PLANNING BOARD
Michael Paff (Class III) 1-year 12/31/12
Paul Woska (Alt. 1) 2-year 12/31/13
Andrew Galaida (Mayor's Rep.) 1-year 12/31/12

RECREATION COMMISSION
Mark DeVine 3-year 12/31/15
Cassius Kennick 4-year 12/31/16

100th ANNIVERSARY COMMITTEE
Barbara Ferris – Chairwoman 1-year 12/31/12
Fran Benitz 1-year 12/31/12
Jim Benson 1-year 12/31/12
Jack Costa 1-year 12/31/12
Sharon DiMura 1-year 12/31/12
Christine DiNizio 1-year 12/31/12
Fire Chief Kevin Mott 1-year 12/31/12
Dina Fornataro-Healey 1-year 12/31/12
Robin Galaida 1-year 12/31/12
Anne Jones 1-year 12/31/12
Nadine Chemey 1-year 12/31/12
BEAUTIFICATION COMMITTEE/911 COMMITTEE
Geraldine Bognar 1-year 12/31/12
Sherley Penrose 1-year 12/31/12
Tony Sasso 1-year 12/31/12
Monique Sasso 1-year 12/31/12
Pam Teitelbaum 1-year 12/31/12
Julia Rosato 1-year 12/31/12
Joseph DeScenza 1-year 12/31/12
Emily DeScenza 1-year 12/31/12
John Yaniero 1-year 12/31/12
Nancy Avery 1-year 12/31/12

BUSINESS ADVISORY COMMITTEE
Michael DeFino 1-year 12/31/12
Mark Porcell 1-year 12/31/12
Dave Nardi 1-year 12/31/12
Sunnill Pamnani 1-year 12/31/12
Jack Paritte 1-year 12/31/12
Steve Rhodes 1-year 12/31/12
Jason Dudley 1-year 12/31/12

SUSTAINABLE ENERGY COMMITTEE
Michael Schneider - Chairman 1-year 12/31/12
Debra DeVuyst 1-year 12/31/12
Joseph McNulty 1-year 12/31/12
FLOOD ADVISORY COMMITTEE
Sean Kaplan - Chairman 1-year 12/31/12
Nicholas DiNizo 1-year 12/31/12
Michele Huljack 1-year 12/31/12
Steve Kukoda 1-year 12/31/12
Sandy Russell 1-year 12/31/12
John Sweeney 1-year 12/31/12
John Slootmyer 1-year 12/31/12
Anthony Vietri 1-year 12/31/12

VICTOR CROWELL PARK COMMITTEE
Frank Ryan - Chairman 1-year 12/31/12
Patricia Rex 1-year 12/31/12
Richard Thomasey 1-year 12/31/12
Patti McGuire 1-year 12/31/12
Ms. Joey Bracey 1-year 12/31/12
Elizabeth Platten 1-year 12/31/12
Ron DiMura 1-year 12/31/12

SENIOR CITIZEN HOUSING
John Fuhrmann 1-year 12/31/12

SHADE TREE COMMISSION
Jim Gorman 5-year 12/31/16
MAYOR'S APPOINTMENTS FOR 2012 THAT REQUIRE CONFIRMATION

**BOARD OF HEALTH**
Robert Schueler 4-year 12/31/15
Sean Kaplan 1-year 12/31/12
(Mayor's Representative)

**LIBRARY BOARD**
Melissa Fedosh 5-year 12/31/16
Jim Benson 2-year 12/31/13
Beverly Weber 1-year 12/31/12
(Mayor's Representative)

**SWIM POOL COMMISSION**
Frank Terracciano 5-year 12/31/16
Bud Crede (Mayor's Rep.) 1-year 12/31/12
Mark Kranz (Mayor's Rep.) 1-year 12/31/12

**HOUSING & COMMUNITY DEVELOPMENT ADVISORY COMMITTEE**
Vic Capoluonghi 3-year 12/31/14
Subhash Dani 3-year 12/31/14
Michael Paff 1-year 12/31/12
(Mayor's Representative)

**GREENBROOK FLOOD CONTROL COMMISSION**
Borough Physician

Dr. Zafir Shaheen 1-year 12/31/12

Legal Newspapers

Courier-News 1-year 12/31/12
Star Ledger 1-year 12/31/12
Home News Tribune 1-year 12/31/12

Council President DiMura moved for adoption, seconded by Councilman Kaplan and carried by the following roll call vote. Ayes: DiMura, First, Jenkins, Kaplan, and Tackach. Nos: None. Abstain: None.

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APPOINTMENTS BY COUNCIL NOT REQUIRING MAYOR CONFIRMATION

Board of Adjustment

Phil Lopa 4-year 12/31/15
Joseph McNulty (2nd Alt.) 2-year 12/31/13

2012 Council Committees and Council Liaison

Councilmanic Committees

A. Administration, Legislation, Licensing and Department of Senior Services
   ◦ Jeffrey First, Michele Tackach, and Ron DiMura

B. Fire, Office of Emergency Management, Board of
Health and Rescue Squad
  ◦ Sean Kaplan, Patricia Jenkins, and Jeffrey First

C. Finance, Taxation, Real Estate, Insurance and Public Utilities
  ◦ Ron DiMura, Jeffrey First, and Sean Kaplan

D. Police, Municipal Court, Code Enforcement and Construction
  ◦ Michael Paff, Sean Kaplan and Michele Tackach

E. Public Works, Recycling and Building and Grounds
  ◦ Patricia Jenkins, Ron DiMura and Michael Paff

F. Recreation, Recreation Fields, Swim Pool Commission and Community Celebrations
  ◦ Michele Tackach, Michael Paff and Patricia Jenkins

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Mayor's Council Liaison Appointments for 2012

Board of Education Councilwoman Jenkins
Board of Health Councilman Kaplan
County SWAC Councilman DiMura
County Transportation Councilman First
Housing & Community Development Councilman Paff
OEM Councilman Kaplan
Mayor Dobies opened the meeting for any public comments. Seeing that there were no public comments, Mayor Dobies closed the public portion of the meeting.

The Borough Clerk read the following resolution:

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

RESOLUTION #2-12

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR LEGAL SERVICES AS BOROUGH PROSECUTOR TO JEREMY SOLOMON, ESQ.

WHEREAS, the Governing Body of the Borough of Middlesex wishes to appoint Jeremy Solomon of the firm Bob Smith Associates, 216-B1 Stelton Rd., Piscataway, NJ as the Borough Prosecutor for the Borough of Middlesex for the period from January 1, 2012 to December 31, 2012; and

WHEREAS, Timothy Arch and Niki Athanasopoulos will be
considered as substitutes for Jeremy Solomon when Mr. Solomon is not available.

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

1. Jeremy Solomon of the firm Bob Smith Associates whose office is located at 216-B1 Stelton Rd., Piscataway, New Jersey is hereby appointed as the Municipal Prosecutor for the Borough of Middlesex and substituting for Mr. Solomon when he is not available will be Timothy Arch and Niki Athanasopoulos for the period from January 1, 2012 through December 31, 2012 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk's Office.

2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

Council President DiMura moved for adoption, seconded by Councilman Kaplan and carried by the following roll call vote. Ayes: DiMura, First, Jenkins, Kaplan, and Tackach. Nos: None. Abstain: None.

The Borough Clerk read the following resolution:

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

RESOLUTION #3-12

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR LABOR ATTORNEY TO MICHAEL V. CRESTITELLO OF THE FIRM DIFRANCESCO, BATEMAN, COLEY, YOSPIN, KUNZMAN, DAVIS & LEHRER, P.C.

WHEREAS, the Governing Body of the Borough of Middlesex wishes to appoint Michael V. Cresitello of the firm DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer, P.C., whose
office are located at 15 Mountain Boulevard, Warren, NJ 07059 as the Labor Attorney for the Borough of Middlesex for the period from January 1, 2012 to December 31, 2012;

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

1. Michael V. Cresitello of the firm of DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer, P.C., having his office located at 15 Mountain Boulevard, Warren, New Jersey is hereby appointed as the Labor Attorney for the Borough of Middlesex for the period from January 1, 2012 through December 31, 2012 at a salary set forth in the Agreement, a copy of which is available in the Borough Clerk's Office.

2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

Council President DiMura moved for adoption, seconded by Councilman Kaplan and carried by the following roll call vote. Ayes: DiMura, First, Jenkins, Kaplan, and Tackach. Nos: None. Abstain: None.

The Borough Clerk read the following resolution:

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

RESOLUTION #4-12
RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR LEGAL SERVICES AS SPECIAL ENVIRONMENTAL COUNSEL TO MICHAEL V. CRESITELLO OF THE FIRM DIFRANCESCO, BATEMAN, COLEY, YOSPIN, KUNZMAN, DAVIS & LEHRER, P.C. FOR THE YEAR 2012
WHEREAS, the Governing Body of the Borough of Middlesex wishes to appoint Michael V. Cresitello of the firm of DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer, P.C. whose office are located at 15 Mountain Boulevard, Warren, NJ 07059 as the firm to represent the Borough in connection with certain law suits instituted against the Borough pertaining to environmental issues.

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

1. The Borough of Middlesex hereby retains the services of Michael V. Cresitello of the firm of DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer, P.C. to represent the Borough in connection with various environmental matters, which may arise during the course of the year as designated by the Governing Body and to continue representing the Borough in connection with litigation matters which are presently pending for the period from January 1, 2012 through December 31, 2012 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk's Office.

2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

Council President DiMura moved for adoption, seconded by Councilman Kaplan and carried by the following roll call vote. Ayes: DiMura, First, Jenkins, Kaplan, and Tackach. Nos: None. Abstain: None.

The Borough Clerk read the following resolution:

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

RESOLUTION #5-12
RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR ENGINEERING SERVICES FOR THE BOROUGH TO T&M ASSOCIATES

WHEREAS, the Governing Body of the Borough of Middlesex wishes to appoint the firm of T&M Associates for the Borough of Middlesex for the period from January 1, 2012 to December 31, 2012.

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

1. The firm of T&M Associates whose office is located at 1373 Broad Street, Suite 306, Clifton, NJ 07013-4231 are hereby appointed as Engineer for the Borough of Middlesex for the period from January 1, 2012 through December 31, 2012 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk's Office.

2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

Council President DiMura moved for adoption, seconded by Councilman Kaplan and carried by the following roll call vote. Ayes: DiMura, First, Jenkins, Kaplan, and Tackach. Nos: None. Abstain: None.

The Borough Clerk read the following resolution:

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

RESOLUTION #6-12

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR AUDITING SERVICES AS BOROUGH AUDITOR TO HODULIK &
MORRISON, P.A.

WHEREAS, the Governing Body of the Borough of Middlesex wishes to appoint the firm of Hodulik & Morrison, P.A. whose office is located at 1102 Raritan Avenue, Highland Park, NJ 08904 as the Auditors for the Borough of Middlesex for the period from January 1, 2012 to December 31, 2012.

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

1. Hodulik & Morrison, P.A. whose office is located at 11-2 Raritan Avenue,. Highland Park, NJ 08904, is hereby appointed as the Auditors for the Borough of Middlesex for the period from January 1, 2012 through December 31, 2012 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk’s Office.
   ◦ 2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

Council President DiMura moved for adoption, seconded by Councilman Kaplan and carried by the following roll call vote. Ayes: DiMura, First, Jenkins, Kaplan, and Tackach. Nos: None. Abstain: None.

The Borough Clerk read the following resolution:

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

RESOLUTION #7-12

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR "BOND COUNSEL" SERVICES AS BOROUGH "BOND COUNSEL" TO
EDWARD J.
MCMANIMON OF THE FIRM OF MCMANIMON & SCOTLAND, LLC.

WHEREAS, the Governing Body of the Borough of Middlesex wished to retain the services of Edward J. McManimon, III of the firm McManimon & Scotland, LLC for the Borough of Middlesex for the year 2012; and

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

1. Edward J. McManimon, III of the firm McManimon & Scotland, LLC is hereby appointed as "Bond Counsel" for the Borough of Middlesex for the period from January 1, 2012 through December 31, 2012 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk's Office.

2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

Council President DiMura moved for adoption, seconded by Councilman Kaplan and carried by the following roll call vote. Ayes: DiMura, First, Jenkins, Kaplan, and Tackach. Nos: None. Abstain: None.

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The Borough Clerk read the following resolution:

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

RESOLUTION #8-12

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR SERVICES AS BOROUGH "LICENSED SEWAGE COLLECTION SYSTEM OPERATOR" TO JEROME F. SHEEHAN OF THE FIRM OF JFS SERVICES LLC
WHEREAS, the Governing Body of the Borough of Middlesex wish to retain the services of Jerome F. Sheehan of the firm JFS Services LLC as Licensed Sewage Collection System Operator for the Borough of Middlesex as the for the year 2012; and

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

1. Jerome F. Sheehan of the firm JFS Services LLC is hereby appointed as "Licensed Sewage Collection System Operator" for the Borough of Middlesex for the period from January 1, 2012 through December 31, 2012 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk's Office.

2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

Council President DiMura moved for adoption, seconded by Councilman Kaplan and carried by the following roll call vote. Ayes: DiMura, First, Jenkins, Kaplan, and Tackach. Nos: None. Abstain: None.

The Borough Clerk read the following resolution:

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

RESOLUTION #9-12

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR SERVICES AS BOROUGH "REDEVELOPMENT ATTORNEY" TO MICHAEL V.
WHEREAS, the Governing Body of the Borough of Middlesex wished to retain the services of Michael V. Cresitello of the firm DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer, P.C., having his office located at 15 Mountain Boulevard, Warren, NJ 07059 as Redevelopment Attorney for the Borough of Middlesex for the year 2012; and

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

1. Michael V. Cresitello, of the firm of DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer, P.C., is hereby appointed as "Redevelopment Attorney" for the Borough of Middlesex for the period from January 1, 2012 through December 31, 2012 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk's Office.

2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

Council President DiMura moved for adoption, seconded by Councilman Kaplan and carried by the following roll call vote. Ayes: DiMura, First, Jenkins, Kaplan, and Tackach. Nos: None. Abstain: None.

The Borough Clerk read the following resolution:

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

RESOLUTION #10-12

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR SERVICES AS BOROUGH "PLANNER" TO RICCIPLANNING
WHEREAS, the Governing Body of the Borough of Middlesex wish to retain the services of the firm of Ricciplanning, as Borough Planner for the Borough of Middlesex for the year 2012; and

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

1. The firm of Ricciplanning is hereby appointed as "Borough Planner" for the Borough of Middlesex for the period from January 1, 2012 through December 31, 2012 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk's Office.

2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

Council President DiMura moved for adoption, seconded by Councilman Kaplan and carried by the following roll call vote. Ayes: DiMura, First, Jenkins, Kaplan, and Tackach. Nos: None. Abstain: None.

The Borough Clerk read the following resolution:

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

RESOLUTION #11-12

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR "REDEVELOPMENT PLANNER" TO RICCIPLANNING

WHEREAS, the Governing Body of the Borough of Middlesex wish to retain the services of the firm of Ricciplanning as Redevelopment Planner for the Borough of Middlesex for the year 2012; and

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

1. The firm of Ricciplanning is hereby appointed as "Redevelopment Planner" for the Borough of Middlesex for the period from January 1, 2012 through December 31, 2012 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk's Office.

2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

Council President DiMura moved for adoption, seconded by Councilman Kaplan and carried by the following roll call vote. Ayes: DiMura, First, Jenkins, Kaplan, and Tackach. Nos: None. Abstain: None.

The Borough Clerk read the following resolution:

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

RESOLUTION #12-12

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR "APPRAISAL SERVICES" TO INTEGRA REALTY RESOURCES

WHEREAS, the Governing Body of the Borough of Middlesex wish to retain the services of the firm of Integra Realty Resources, 1415 Hooper Avenue, Suite 202, Toms River, NJ for "Appraisal Services" for the Borough of Middlesex for the year 2012; and

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

1. The firm of Integra Realty Resources is hereby appointed for "Appraisal Services" for the Borough of Middlesex for the period from January 1, 2012 through December 31, 2012 at a fee set forth in their Agreement, a copy of which is available in the
Borough Clerk's Office.

2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

Council President DiMura moved for adoption, seconded by Councilman Kaplan and carried by the following roll call vote. Ayes: DiMura, First, Jenkins, Kaplan, and Tackach. Nos: None. Abstain: None.

The Borough Clerk read the following resolution:

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

RESOLUTION #13-12

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR SERVICES AS BOROUGH "TAX APPEAL ATTORNEY" TO MARTIN ALLEN OF THE FIRM OF DIFRANCESCO, BATEMAN, COLEY, YOSPIN, KUNZMAN, DAVIS & LEHRER, P.C. FOR THE YEAR 2012

WHEREAS, the Governing Body of the Borough of Middlesex wished to retain the services of Martin Allen of the firm DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer, P.C., having his office located at 15 Mountain Boulevard, Warren, NJ 07059 as Tax Appeal Attorney for the Borough of Middlesex for the year 2012; and

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

1. Martin Allen, of the firm of DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer, P.C., is hereby appointed as "Tax Appeal Attorney" for the Borough of Middlesex for the period from January 1, 2012 through December 31, 2012 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk's Office.
2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

Council President DiMura moved for adoption, seconded by Councilman Kaplan and carried by the following roll call vote. Ayes: DiMura, First, Jenkins, Kaplan, and Tackach. Nos: None. Abstain: None.

The Borough Clerk read the following resolution:

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

RESOLUTION #14-12

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR ENVIRONMENTAL ENGINEERING SERVICES FOR THE BOROUGH TO T&M ASSOCIATES

WHEREAS, the Governing Body of the Borough of Middlesex wishes to appoint the firm of T&M Associates for the Borough of Middlesex for "Environmental Engineering Services" for the period from January 1, 2012 to December 31, 2012; and

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

1. The firm of T&M Associates whose office is located at 1373 Broad Street, Suite 306, Clifton, NJ 07013-4231 are hereby appointed for Environmental Engineering Services for the Borough of Middlesex for the period from January 1, 2012 through December 31, 2012 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk’s Office.

2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

Council President DiMura moved for adoption, seconded by
Councilman Kaplan and carried by the following roll call vote. Ayes: DiMura, First, Jenkins, Kaplan, and Tackach. Nos: None. Abstain: None.

The Borough Clerk read the following resolutions:

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

**CONSENT AGENDA 2012(A)**

WHEREAS, the Mayor and Council of the Borough of Middlesex has reviewed the Consent Agenda consisting of various proposed resolutions; and

WHEREAS, the Mayor and Council of the Borough of Middlesex is desirous of removing Resolution #30-11 and Resolution #32-11 from the Agenda.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following resolutions on the Consent Agenda are hereby approved and adopted.

Resolutions #15-12 - #35-12

Councilman Kaplan moved for adoption, seconded by Councilwoman Tackach and carried by the following roll call vote. Ayes: DiMura, First, Jenkins, Kaplan, and Tackach. Nos: None. Abstain: None.

The Borough Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that:
RESOLUTION #15-12
The Disbursing Officers be and they are hereby authorized to pay, on a monthly basis, premium for Borough employees' insurance coverage as it is due.

The Borough Clerk read the following resolution:

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

RESOLUTION #16-12
The Disbursing Officers be and are hereby authorized to draw a check in the amount of $100.00 for reimbursement of the Clerk's petty cash fund and $100.00 for the Police Department, and $100.00 for the Recreation Department.

The Borough Clerk read the following resolution:

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

RESOLUTION #17-12
The By-Laws as have been previously adopted are to remain in full force to govern the 2012 Governing Body or until further action is taken.

The Borough Clerk read the following resolution:

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

RESOLUTION #18-12
In compliance with the "Open Public Meeting Law" P.L. 1975 C231, the following schedule is set for the meetings of Mayor and Council for the year 2012:

January 1, 24 July 10, 24
February 14, 28 August 14, 28
March 13, 27 September 11, 25
April 10, 24 October 9, 23
May 8, 22 November 27
June 12, 26 December 4, 18

Reorganization Meeting - January 1, 2013

Regular Meetings commence at 7:00 p.m. and the workshop agenda immediately follows.
Action may be taken at any meeting above.

The Borough Clerk read the following resolution:

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

RESOLUTION #19-12

Be it resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that the following are designated as legal depositories:

State of New Jersey Cash Management Fund
Unity Bank
TD Bank
Depository Trust
BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

**RESOLUTION #20-12**

The treasurer be and is hereby authorized to draw checks, as needed, to New Jersey Sales Tax for taxes collected through the snack bar at Middlesex Community Pool.

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

**RESOLUTION #21-12**

WHEREAS, the Treasurer is required to invest and reinvest borough funds.

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 Borough Treasurer is hereby authorized to invest and re-invest borough funds.

2. This resolution shall take effect for the year 2012.
Middlesex that:

**RESOLUTION #22-12**

Tonya Hubosky be and is hereby appointed Official Tax Search Officer for the Borough of Middlesex for the year 2012.

The Borough Clerk read the following resolution:

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

**RESOLUTION #23-12**

Kathleen Anello be and is hereby appointed Official Assessment Search Officer for the Borough of Middlesex for the year 2012.

The Borough Clerk read the following resolution:

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

**RESOLUTION #24-12**

WHEREAS, the New Jersey Department of the Treasury requires that every municipality designate a Public Agency Compliance Officer (PACO) each year.

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

1. Andrea Corcoran hereby is appointed PACO Officer for the Borough of Middlesex for the year 2012.
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 #25-12

WHEREAS, there are numerous businesses within Middlesex Borough that provide materials and services that are needed and contracted for by various boards, commissions, committees, and departments of the Borough of Middlesex; and

WHEREAS, the Governing Body of Middlesex Borough believes that they should fully support the business and professional community, located in Middlesex Borough, that supply quality materials and services to the residents of Middlesex Borough; and

WHEREAS, these businesses and professionals, located in Middlesex Borough, pay taxes, create jobs, and significantly contribute to and enhance the quality of life for the Middlesex Borough residents.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of Middlesex that it restate and endorse the established "Buy Local Policy", and

That all departments, boards, commissions and committees be directed, whenever economically feasible and consistent with existing laws and our Borough financial policies, to purchase materials and services from business and professionals located in Middlesex Borough; and

BE IT FURTHER RESOLVED that the Governing Body of Middlesex Borough directs the Borough Clerk to send a copy of this resolution to all individuals responsible for making or approving Borough purchases or retaining services, including department heads and chairpersons of the various boards,
commissions and committees.

The Borough Clerk read the following resolution:

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

RESOLUTION #26-12

WHEREAS, the Governing Body adopted a Personnel Policy on February 27, 2001; and

WHEREAS, the Governing Body wishes to adopt this Personnel Policy on a yearly basis.

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

1. The Personnel Policy of the Borough of Middlesex is effective from January 1, 2012 to December 31, 2012.

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 #27-12

A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO COLLECT INTEREST ON DELINQUENT TAXES
"Delinquency means the sum of all taxes and municipal charges due on a given parcel of property covering any number of quarters or years"

In the event the quarterly payment of taxes or assessments are not paid on the date on which they become delinquent, but are paid within ten days on the date on which they become delinquent, the Tax Collector be and is hereby authorized to collect interest on all such delinquent payments; and

In the event that quarterly payment of taxes or assessments are not paid within ten days of the date on which they become delinquent, and the total amount of said delinquency is less than $1,500.00, the Tax Collector be and is hereby authorized to collect 8% interest per annum from the date said payments first become delinquent up to $1,500.00 of the delinquency and 18% interest on all such delinquent payments over $1,500.00.

Pursuant to N.J.S.A. 54:4-67, which is the New Jersey statute defining a tax delinquency, the Governing Body of the Borough of Middlesex does hereby fix a penalty to be charged to a taxpayer with a delinquency in excess of $10,000 who fails to pay the delinquency prior to the end of the calendar year 2012 and the penalty so fixed shall be six (6%) of the amount of the yearly delinquency.

The Borough Clerk read the following resolution:

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

**RESOLUTION #28-12**

The Disbursing Officers be and they are hereby authorized to pay on a prorated basis monies due to the Library Board of Trustees as was set up in the 2011 Budget until the 2012 Budget is adopted.
The Borough Clerk read the following resolution:

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

RESOLUTION #29-12

The Disbursing Officers be and they are hereby authorized to issue a check in favor of the Library Board of Trustees to be applied to their 2012 Operating Budget in the amount of $6,283 representing State Library Aid.

RESOLUTION #30-12

"A RESOLUTION TO PROVIDE FOR A TEMPORARY BUDGET FOR PAYMENT OF CLAIMS UNTIL THE ADOPTION OF THE 2012 BUDGET"

A Temporary Budget in the amount of $6,233,166.22 to provide for the payment of claims and salaries including debt service payments between the first day of January, 2012 and the adoption of the 2012 budget be set up as follows:

GENERAL GOVERNMENT OPERATIONS:

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<tbody>
<tr>
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<td>Other Expenses</td>
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<td>Municipal Clerk</td>
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<tr>
<td>Printing &amp; Advertising</td>
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<td>Postage – All Departments</td>
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<td><strong>Legal Services &amp; Costs</strong></td>
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<td>Engineering Services</td>
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<td><strong>Public Buildings &amp; Grounds</strong></td>
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<td>Other Expenses</td>
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<td><strong>Computer Data Services</strong></td>
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<td>Planning Board</td>
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<td><strong>Board of Adjustment</strong></td>
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<td>Salary &amp; Wages</td>
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<td>Other Expenses</td>
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<td>Department</td>
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<td>Shade Tree Commission</td>
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<td>Board of Health</td>
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<td>Housing &amp; Community Development</td>
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<td>Long Term Disability</td>
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<td>Emergency Management</td>
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### Road Repair & Maintenance

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### Sewer Systems

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### Solid Waste Management

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<td>Salary &amp; Wage</td>
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<td>Other Expenses</td>
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### Garbage & Trash Removal

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<tr>
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<th>Salary &amp; Wage</th>
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<tr>
<td>Salary &amp; Wage</td>
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| Sanitary Landfill    | $75,000        |

### Prosecutor’s Office

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### Recreation & Education

#### Parks & Playgrounds

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<tr>
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### Board of Recreation Commissioners

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### Senior Citizen Bus Transportation

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<td><strong>Senior Coordinator</strong></td>
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<td>County Curbside</td>
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<td>Pension – Firemen's Widow (NJSA 43:12-28.1)</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td>$3,914,403</td>
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<tr>
<td><strong>26.25% of the 2011 General Appropriation in the 2010 budget = $4,174,220.22</strong></td>
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<tr>
<td><strong>Stormwater Management</strong></td>
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<tr>
<td>Salary &amp; Wage</td>
<td>$286,664</td>
<td></td>
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<tr>
<td>Other Expenses</td>
<td>$9,000</td>
<td></td>
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<td>Maintenance of Free Public Library</td>
<td>$140,000</td>
<td></td>
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<td>Middlesex County Utility Authority</td>
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<tr>
<td>Piscataway Sewerage Authority</td>
<td>$100,000</td>
<td></td>
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<td>Middlesex County Drug Alliance</td>
<td>$6,000</td>
<td></td>
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<td>Clean Grant</td>
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<td></td>
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<tr>
<td>Capital Improvement</td>
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<td><strong>Municipal Debt Service</strong></td>
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<tr>
<td>Bond Principal</td>
<td>$725,000</td>
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<td>Bond Interest</td>
<td>$334,745.02</td>
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<tr>
<td>Green Acres Loan</td>
<td>$34,784.86</td>
<td></td>
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</tbody>
</table>
The Borough Clerk read the following resolution:

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

**RESOLUTION #31-12**

Resolution – Budget transfers for the current budget of 2011:

**ACCOUNT NAME: TO: FROM:**

Curb Side Recycling 19,313.07
Piscataway Sewer 19,313.07

The Borough Clerk read the following resolution:

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

**Resolution #32-12**
RESOLUTION RETAINING DENNIS FACKELMAN THE MUNICIPAL COURT JUDGE IN THE BOROUGH OF MIDDLESEX

WHEREAS, NJSA 2B:12-4 provides that a municipality must appoint a municipal court judge for a three year term; and

WHEREAS, the term of the present municipal court judge expired on January 1, 2011; and

WHEREAS, the governing body wishes to retain the services of Dennis Fackelman as the municipal magistrate for the Borough of Middlesex for three year term commencing as of January 1, 2012; and

WHEREAS, the local public contract law NJSA 40A:11-1 et seq., requires that the resolution authorizing the award of the contract for professional services without competitive bids must be publicly advertised.

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

1. The Borough of Middlesex hereby retains the services of Dennis Fackelman, as a municipal Judge for the Borough of Middlesex at a fee set forth in the salary ordinance.
2. This contract is made without competitive bidding as a "professional service" under the provisions of the local public contract law, because of the qualitative nature of the position.
3. 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 #33-12

The tax collector is hereby authorized to issue checks to
redeem the following tax sale certificates. The certificates covered property located at 900 South Avenue., Block 269, Lot 1.

- Certificate #91-1502 $63,064.64 Yolanda Woldin, Administratrix Estate of William Woldin

Certificate #95-15 $55,744.90 Yolanda Woldin
Certificate #99-1601 $131,429.19 Yolanda Woldin

The checks are to be mailed to: Yolanda Woldin
209 Shepherd Avenue
Bound Brook, NJ 08805

The Borough Clerk read the following resolution:

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

Resolution #34-12

The treasurer is authorized to pay claims that may be deemed necessary, with the permission of the Finance Committee, until the first meeting in January 2012.

The Borough Clerk read the following resolution:

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

Resolution #35-12
BOROUGH OF MIDDLESEX  
COUNTY OF MIDDLESEX  

Authorizing the Filing and Settlement of Tax Appeals

WHEREAS, the Mayor and Council of the Borough of Middlesex, Middlesex County, New Jersey (the "Council"), has been informed by the Tax Assessor that from time to time adjustments are made in the computation of tax assessments covering property within the Borough, and

WHEREAS, the Tax Assessor has requested the Council to authorize him, in consultation the Borough Tax Appeal Attorney, to direct the Borough Tax Appeal Attorney to file corrective appeals with the Middlesex County Board of Taxation and/or the New Jersey Tax Court, and

WHEREAS, the Tax Assessor has requested the Council to authorize the Borough Tax Appeal Attorney to file, in cases of increases, decreases, or counter-claims as he deems reasonable and necessary, after consultation with the Borough Assessor, petitions, complaints and counterclaims with the Middlesex County Board of Taxation and/or the Tax Court of New Jersey, and

WHEREAS, the Tax Assessor and Borough Tax Appeal Attorney are called upon to defend tax appeals filed with the Middlesex County Board of Taxation and the Tax Court, and to negotiate and agree to settlements and enter into stipulations of settlements on tax appeals.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, Middlesex County, that the Tax Assessor of the Borough is hereby authorized to request after consultation with the Borough Tax Appeal Attorney, and the Borough Tax Appeal Attorney is authorized to thereby file corrective appeals with the Middlesex County Board of Taxation and the New Jersey Tax Court and to defend appeals filed with said Board and said Court, and

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Middlesex, Middlesex County, that the Tax Assessor
of the Borough be and is hereby authorized, after consultation with the Borough Tax Appeal Attorney, to request that and authorize the Borough Tax Appeal Attorney to file counterclaims in cases of increase with the Middlesex County Board of Taxation and/or the New Jersey Tax Court, as the Tax Assessor, after consultation with the Borough Tax Appeal Attorney, deem necessary, proper and in the best interests of the Borough, and

**BE IT FURTHER RESOLVED** by the Mayor and Council that the Tax Assessor and the Tax Appeal Attorney are authorized to negotiate and enter into settlements and stipulations of settlement to be filed with the Middlesex County Board of Taxation and/or the Tax Court, on behalf of the Borough of which the Assessor, after consultation with, and subject to the legal directions of the Borough Tax Appeal Attorney, deem necessary, proper and in the best interests of the Borough.

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The meeting was adjourned by Council President DiMura seconded by Councilman First and carried by a unanimous vote of Council.

Respectfully yours,

Kathleen Anello

Borough Clerk
BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
January 24, 2012

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 the Annual Meeting Notice of December 16, 2011 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

Mayor Dobies requested a moment of silence in recognition of the passing of former Mayor Joseph Zuccarelli.

SALUTE TO THE FLAG

ROLL CALL

- Mayor Ronald Dobies
- Council President: Ron DiMura
- Jeffrey First
- Sean Kaplan
- Patricia Jenkins
- Michael Paff
- Michele Tackach
- Attorney: Attorney Aithal

Joe DeScenza, son in law of former Mayor Joseph Zuccarelli, addressed the governing body and stated the following:

“Mayor Dobies, Council President Ron, Councilmen, or Councilpersons! Thank you for allowing me to say a few words about my late father in law former Mayor Joseph Zuccarelli. Those of you that knew him know how strong a man he was. There was no gray area for him it was either black or white. He loved his family, his country and this town with all his might.

He would often refer to Middlesex Borough as the best little town in New Jersey. I don’t think many of the Boro residents realize what he accomplished as Mayor for only 2 short years. Mountain View Park belonged to the Plainfield Sewer Authority, you can still see the old treatment plant that is located in the back of the Park. It took a great effort on his part and his
political skill to get the powers to be to agree to sell the land to the Boro. He personally spent many hours contacting associates he knew in Plainfield and Dunellen, mostly associates he served with on the Board of Directors of Representative Savings and Loan. He was so concerned about overdevelopment of the town he arbitrarily put a freeze on all land sales to developers and builders. The Town owned most of the vacant land at the time. He petitioned the Board of Education to locate the High School on the recently acquired Mountain View Park Land. They were planning to locate the High School on Marlboro Avenue using both sides of the street. What a fiasco that would have been! He also forced them to accept the land that Hazelwood School is currently located on for $1. The Board didn’t think they would need it but the price was right. Through his Industrial Development Committee he was able to set in motion the plans for the building of the Shopping Center. Mayor Zuccarelli took his first airplane ride to Washington, DC to meet with the Comptroller of the Currency to gain approval for the first bank to be located in the Boro. Finally he fought to establish a new centralized Post Office in its present location on Marlboro Avenue.

All this in only a 2 year term as mayor, what a dynamo, once he had a vision there was no stopping him in seeing its fulfillment.

He will be missed but we will enjoy his accomplishments for many generations to come.”

Mayor Dobies stated that on behalf of the governing body he expressed his condolences to the Zuccarelli family.

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PRESENTATIONS

John Vilot of Wireless Communication and Electronics discussed the process required to operate narrow banding and the modifications needed for the FCC License to be in compliance by January 1, 2013. Because of the disarray of the license and the risk of loosing the license due to the time line, Mr. Vilot recommended that the borough hire a consultant to oversee
this process and work with the FCC. Mr. Vilot also discussed exactly what this Consultant would do to move this time sensitive process along. At this time Councilman Kaplan will get a cost estimate to hire a consultant to discuss at the February 14, 2012 Meeting.

PUBLIC HEARING - NONE

PROCLAMATIONS - NONE

ADOPTION OF MINUTES

Council President DiMura moved the approval of the December 20, 2011 Special Meeting Minutes and Executive Session Meeting Minutes seconded by Councilman Kaplan and carried by a unanimous vote of Council.

Councilman Kaplan moved the approval of the January 1, 2012 Reorganization Meeting Minutes as amended seconded by Council President DiMura and carried by a unanimous vote of Council.

COMMUNICATIONS/APPOINTMENTS

1. Council President DiMura moved the approval of Councilman Paff as a Class III member of the Planning Board seconded by Councilman Kaplan and carried by a unanimous vote of Council.
2. Mayor Dobies appointed Sheila Fuhrmann as a Class II member of the Planning Board.
3. Councilman Kaplan moved the resignation of Dick Paul from the Library Board seconded by Councilman
First and carried by a unanimous vote of Council.

4. Councilman Kaplan moved the approval of Jeanette Sproul to the Library Board for a term expiring December 31, 2014 seconded by Council President DiMura and carried by a unanimous vote of Council.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance
   a. Councilman DiMura moved the approval of the November & December, 2011 Treasurer’s Report seconded by Councilman Paff and carried by a unanimous vote of Council.
   b. Councilman DiMura suggested that Budget Meetings be held on February 7 and February 21 at 7PM. Council approved. Councilman DiMura asked the liaisons to sit with their Department Heads and go over the budget with them for recommendations.

2. Recreation/Recreation Fields/Water & Light. - Councilwoman Tackach had nothing to report.

3. Fire/OEM/Board of Health/Rescue Squad
   a. Councilman Kaplan moved to accept the resignation of Tim Chojnowski from parker Engine & Hose seconded by Council President DiMura and carried by a unanimous vote of Council.
   b. Councilman Kaplan moved the approval of Lincoln Hose Engine 21 attend the March 11, 2012 St. Patrick’s Day Celebration seconded by Councilman DiMura and carried by a unanimous vote of Council.
   c. Councilman Kaplan spoke with our Board of Health inspector and indicated that both attorneys have met regarding the Cats and a non-profit agency has been established. The Agreement Letter has been sent and once received the Clerk’s Office can license the cats.

4. Public Works/Parks/Sanitation/Recycling – Councilwoman
Jenkins had nothing to report in public.

5. Police/Legal/Code Enforcement/Municipal Court
   a. Chief Young has requested use of the money received from the sale of the Police Cars. Borough Auditor indicated the cars were borough property and the funds belong in surplus.

6. Administration/Office on Aging/Legislation-License/Buildings & Grounds – Councilman First had nothing to report in public.

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REPORTS – OTHER:

Mayor

1. Mayor Dobies had a discussion with a borough employee regarding comments that have been written on the nj.com website that are affecting his family.
2. Mayor Dobies distributed Council a listing of incomplete borough projects and would like Council to add anything that they feel is outstanding at this time.
3. Mayor Dobies appointed Ms. Clare LeVourne, 809 Grandview Avenue to the Shade Tree Commission.
4. Mayor Dobies would like Council to consider a letter from Attorney Johnson regarding the donation of Public property from the Estate of Walter Ryan.
5. Mayor Dobies requested that a resolution be put on the February 14, 2012 Regular Meeting Agenda to accept donations for the 100th Year Anniversary Celebration.

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COMMENTS ON AGENDA ITEMS - NONE
The Borough Clerk read the following resolution:

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

**Consent Agenda 2012(B)**

**WHEREAS**, the Mayor and Council of the Borough of Middlesex has reviewed the Consent Agenda consisting of various proposed resolutions; and

**WHEREAS**, the Mayor and Council of the Borough of Middlesex are desirous of removing Resolution #40-12 from this Agenda.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following resolutions on the Consent Agenda are hereby approved and adopted.

Resolution #36-12 – #39-12

Resolution #41-12 – 42-12

Council President DiMura made a motion for approval, seconded by Councilwoman Tackach and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, Tackach and Paff. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

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

**Resolution #36-12**

**WHEREAS**, Jeffrey Buccellato was issued a street opening permit on 8/21/08; and
WHEREAS, Jeffrey Buccellato deposited $550.00 with the Borough of Middlesex to ensure proper repair and maintenance of the roadway; and

WHEREAS, said roadway at 456 Voorhees Avenue was inspected by Angelo Rossi, Plumbing Inspector, and found to have been maintained in a satisfactory manner.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that the disbursing officers be and they are hereby authorized to draw a check in the amount of $550.00 in favor of Jeffrey Buccellato, 313 Beechwood Ave., Middlesex, NJ 08846, for refund of Street Opening Permit No. 2008-009.

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The Borough Clerk read the following resolution:

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

Resolution #37-12

WHEREAS, Jinfeng Zhang, applied to the Construction Office for a Certificate of Leased Occupancy for 540 Bound Brook Ave.; and

WHEREAS, Jinfeng Zhang submitted a check in the amount of $250.00 on 11/22/2011 in payment of said Certificate of Leased Occupancy for a proposed business; and

WHEREAS, no inspections were made and the lease 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 $250.00 in favor of Jinfeng Zhang, 615 Whiton Road, Branchburg, NJ 08853, for refund of fee for Certificate of Leased Occupancy.

__________________________________________________
The Borough Clerk read the following resolution:

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

**Resolution #38-12**

RESOLUTION APPOINTING MICHAEL PAFF AS THE MAYOR’S REPRESENTATIVE AND VIC CAPOLUNGHI AS THE GOVERNING BODY REPRESENTATIVE TO THE HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE FOR 2012

**WHEREAS,** it is necessary for the Borough of Middlesex to appoint a representative to the Middlesex County Housing & Community Development for the year 2012; and

**WHEREAS,** the Borough of Middlesex is authorized to have a representative appointed to this Committee, one to be appointed by the Mayor and one to be appointed by the Governing Body; and

**WHEREAS,** the Mayor has appointed Michael Paff as his Class I representative to the Housing and Community Development Committee for 2012; and

**WHEREAS,** the Governing Body has appointed Vic Capolunghi as their representative to the HUD Committee.

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

1. The Mayor hereby appoints Michael Paff as the Class I representative and the Governing Body hereby appoints Vic Capolunghi as its representative to the Middlesex County Housing & Community Development Committee for the year 2012.
2. The Borough Clerk is hereby authorized and directed to send a letter to the Housing & Community Development Committee advising the Committee of names, addresses and telephone numbers of the two
people who will be serving as representatives for the Borough of Middlesex to the Housing & Community Development Committee for 2012.

3. 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 #39-12**

**WHEREAS,** the Governing Body of the Borough of Middlesex previous approved the following Rights of Entry for the U.S. Army Corps of Engineers to conduct soil borings and survey in connection with the Green Brook Local Flood Reduction Project, Middlesex County:

<table>
<thead>
<tr>
<th>Resolution</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>#241-10</td>
<td>Mountain Avenue, Monroe Street &amp; Lorraine Ave. (Block 215, Lot 1, Block 216, Lot 1, Block 219, Lot 2, Block 221, Lot 1 and Block 280, Lot 1</td>
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<tr>
<td>#74-11</td>
<td>Dayton, Nelson, East Wilson and Woodrow Street</td>
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<tr>
<td>#148-11</td>
<td>Dayton Avenue – 5’ off the property line of Block 58, Lot 19 and also Middlesex Borough Property located behind Block 70.F, Lot 15</td>
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<tr>
<td>#190-11</td>
<td>Starlit Drive 5’ off property line of Block 70.F, Lot 15</td>
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**WHEREAS,** the Army Corp. of Engineers is requesting an extension through September 30, 2012 for the above Rights of Entry; and.
WHEREAS, in addition to the above, the U.S. Army Corps of Engineers is also requesting permission to enter upon Borough Property behind Block 70.F/ Lots 14 & 21.

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 Council hereby approve the extension for the Right of Entry for Survey and Exploration with regard to the Green Brook Local Flood Project previously approved in the above resolutions.
2. The Mayor and Council also approve the U.S. Army Corps of Engineers entering upon Borough Property behind Block 70.F/Lots 14 and 21.
3. 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 #41-12

The application for renewal of Junkyard Licenses for the year 2012 filed by Importico Salvage Corp., Absolute Auto-truck Salvage and Falgi, Inc. has been approved by the Police Department, Fire Official and Board of Health be accepted and the Borough Clerk is hereby authorized to issue the license in consideration of the fees which have been paid.

The Borough Clerk read the following resolution:

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

Resolution #42-12

WHEREAS, the NJDEP is requesting that the Borough execute
a copy of the Temporary Discharge Approval Application for allowing groundwater to be pumped into the sanitary sewer at the Neighborhood Garage Site located at 12131 Bound Brook Road and be submitted to the Middlesex County Utilities Authority (MCUA); and

**WHEREAS**, the NJDEP is seeking MCUA’s approval to discharge the treated water generated by these activities to the MCUA treatment plant via the Borough of Middlesex’ wastewater collection system; and

**WHEREAS**, the NJDEP is required to have the Borough’s approval on a yearly basis for the temporary discharge approval, and a renewal application shall be submitted to the MCUA prior to the expiration date set forth in the Temporary Discharge Approval Application; and

**WHEREAS**, Handex Consulting & Remediation, LLC, on behalf of the NJDEP will submit a certified daily flow meter reading to our Collection System operator on a monthly basis.

**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. At the request of the NJDEP, Middlesex Borough hereby approves the execution of the Middlesex County Utilities Authority Temporary Discharge Approval Application for the groundwater generated from the remediation activities at the Neighborhood Garage Site.
2. Handex Consulting & Remediation, LLC will submit a daily flow meter reading to our Collection System Operator on a monthly basis.
3. 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 #40-12

The application for renewal of Towing Licenses for the year 2012 for D&J Auto Body, Dick Hart’s Auto Body, Tierno’s Auto Body, Rescue Wreckers, Somerset Hills Towing, Lincoln Auto Body and Auto Enhancement & Auto Body Shop, Inc. have been approved by the Police Department and the Borough Clerk is hereby authorized to issue the license in consideration of the fees which have been paid.

Council President DiMura made a motion to table this resolution, seconded by Councilman First and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, Tackach and Paff. Nos.: None. Abstain: None.

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 #43-12

Increasing the hours for Ryan Zittel to 20 hours per week to handle all IT, communications, and the website effective February 1, 2012 at $35.00 per hour.

Council President DiMura made a motion to table this resolution, seconded by Councilman First and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, Tackach and Paff. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex that:
Resolution #44-12

Extending the employment of the 4 intermittent part time Department of Public Work’s employees until October 31, 2012.

Councilman DiMura made a motion to amend this resolution until March 31, 2012 seconded by Councilman Paff and carried by the following roll call vote: Ayes: DiMura, Jenkins and Kaplan. Nos.: First & Paff. Abstain: None. Recues: Tackach.

Councilman DiMura made a motion to adopt as amended seconded by Councilman Paff and carried by the following roll call vote: Ayes: DiMura, Jenkins and Kaplan. Nos.: First & Paff. Abstain: None. Recues: Tackach.

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The Borough Clerk read the following resolution:

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

Resolution #45-12

WHEREAS, Maser Consulting P.A. has provided a proposal dated January 5, 2012 to update the Borough of Middlesex Tax Map and perform the additional 40 revisions needed to do this for the lump sum fee of $2,000; and

WHEREAS, Maser Consulting P.A. has also provided in that proposal to update the thirty new deeds to review plot and transfer the information to these newly created Tax Maps for the lump sum fee of $5,000.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Middlesex, County of Middlesex and state of New Jersey that:

1. The governing body hereby approves the proposal dated January 5, 2012 to update the Borough of Middlesex Tax Map to include the additional revisions needed and the update of the thirty new deeds for the total sum of $7,000.
2. This resolution shall take effect immediately. **NOW FURTHER BE IT RESOLVED**, that the CFO hereby certifies that funds in the amount of $6,000 are available in Account No. 01-2030-20-1652-112 and $1,000 is available in Account No. 01-2030-30-4182-101.

Councilman Kaplan made a motion to adopt seconded by Councilman DiMura and carried by the following roll call vote: Ayes: First, Kaplan, Paff, and Tackach. Nos.: DiMura & Jenkins. None: None.

The Borough Clerk read the following resolution:

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

**Resolution #46-12**

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.

Councilman Kaplan made a motion for approval, seconded by Councilman DiMura and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, Tackach, and Paff. Nos.: None. Abstain: None.

**DISCUSSION ON AGENDA WORKSHOP ITEMS**

1. Green acres Enabling Resolution – Joanne Bergin will be in to discuss and a resolution will be put on the February 14, 2012 Regular Meeting.

2. Recommendation of the Planning to amend Chapter 420-7, 23 & 24 and Chapter 48-17 of the Borough Code – Council President DiMura and Councilman First will meet
and make recommendations to council regarding these amendments.

3. Ligh Tower’s Request to Install Fiber Optic Cable – Attorney Aithal will follow up on this matter to see if the borough could reap any benefits from this contract.

4. Cultural Arts Advisory Commission Ordinance – Mayor Dobies referred this ordinance to the Administrative Committee.

5. Increase garbage pick up to twice a week from May – August – DPW Committee will review for justification and bring back to the February 14, 2012 Regular Meeting.

6. Expired Marisol Agreement – Councilman Kaplan and Mayor Dobies will meet with Veolia to discuss.

7. Grant Consultant – Joanne Bergin will attend meeting to discuss this proposal.

8. South Avenue Road Improvement Project – Sherman Avenue to Hall Street – The Borough Clerk will contact Attorney Clarkin’s office to get an estimate for the appraisals and work associated with the 3 lots that are affected that are located in Middlesex.

9. Increasing the hours for the Construction Official & Construction Clerk to 30 hours per week – Council agreed to approve a resolution to extend through February 29, 2012.

10. Increasing the hours at the Recycling Center – A majority of Council agreed to approve a resolution to extend the hours of the Recycling Center effective February 1, 2012.

____________________________________________________________________________________________________________________________________________

PUBLIC COMMENTS

Mayor Dobies opened the public portion of the meeting.

Peter Carroll, 432 Giles Avenue was concerned with the following items: (1) The appointment of Steve Kukoda to the Flood Advisory Board; (2) The consequences of not updating the radios and not being in compliance; (3) How garbage pick up once a week is a public health problem; and (4) The involvement of Councilwoman Tackach with regard to the DPW.

Gary Voorhees, 124 Prospect Place concerned that the Prospect Place project has not been completed as of yet and requested
that council look into this matter.

Frank Ryan, 303 Maple Street mentioned that the people that are commenting on the nj.com forum should be ignored and that the Council should discuss the Administrator’s position. Mr. Ryan also stated that he is happy to be back on the Victor Crowell Park Committee with Councilman DiMura.

Artea Lombardi, 517 Edgeworth Street questioned if the council will be working with the outgoing Superintendent of schools? She also mentioned union negotiations and indicated that she does not get raises and suggested that the Borough should try to find a way to increase salaries another way in order to keep the taxes down.

Michael Class, 505 Harris Avenue stated the reduction in hours in the recycling center and the hiring of temporary DPW part timer were to help with the backlog of work. His concern is if this backlog was ever cleaned up.

John Hoffman, 455 Lincoln Boulevard concerned with the following: (1) How the borough cannot survive on once a week garbage when surrounding towns can; (2) Why six DPW workers were at Borough Hall speaking with union representatives; (3) Why in January the DPW was working on the Haverstick Field when the field was closed by Recreation last year; and (4) There are more pressing issues with catch basins, trees and debris that are not being addressed while they are working on ball fields in January.

Joe Green – DPW Employee, noted that they were working on catch basins last week. He commented that it would make sense to work on the field in the wintertime when the field is closed.

Seeing that there was no further public comment, Mayor Dobies closed the public portion of the meeting.
The Borough Clerk read the following resolution:

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

**Resolution #48-12**

**RESOLUTION AUTHORIZING THE INCREASE IN HOURS FOR THE CONSTRUCTION OFFICIAL AND CONSTRUCTION CLERK TO 30 HOURS PER WEEK, NOT TO EXCEED $1,680.00 UNTIL FEBRUARY 29, 2012**

WHEREAS, the Governing Body of the Borough of Middlesex needs additional hours pending construction projects through February, 2012.

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 Construction Official and Construction Clerk shall be authorized to work up to 30 hours per week for February, 2012 only.

2. This increase shall become effective on February 1, 2012 and shall expire without further action of the Governing Body on February 29, 2012.

Councilman First made a motion for approval, seconded by Councilman DiMura and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, Tackach, and Paff. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

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

**Resolution #49-12**

**RESOLUTION AUTHORIZING AN INCREASE IN HOURS OF**
OPERATION AT THE RECYCLING CENTER

WHEREAS, the Governing Body and the Borough of Middlesex needs extended hours to serve the recycling needs of the Borough.

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. Beginning on February 1, 2012 until further action by the Governing Body, the Recycling Center shall be closed on Sundays and Mondays, open from 6AM through 2PM on Tuesdays, Thursdays and Fridays, 6AM through 6PM on Wednesday and 7AM through 3PM on Saturdays.

Councilman Kaplan made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: DiMura, Jenkins, and Kaplan. Nos.: First & Paff. Abstain: Tackach.

The Borough Clerk read the following resolution:

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

Resolution #47-12

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. PBA, DPW & White Collar Contract Negotiations

2. Civil Action Complaint

3. 14 Marshall Place

4. 126 Seventh Street

Councilman Kaplan made a motion for approval, seconded by Councilman DiMura and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, Tackach, and Paff. Nos.: None. Abstain: None.

Mayor Dobies recessed the meeting to executive session.

Mayor Dobies reconvened the meeting and Councilman DiMura made a motion to remove Resolution #43-12 from the table seconded by Councilman Kaplan and carried by a unanimous vote of Council.

__________________________________________________

The Borough Clerk read the following resolution:

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

**Resolution #43-12**

Extending the 20 hours per week for Ryan Zittel to handle all IT, communications, and the website until February 29, 2012 at $35.00 per hour retroactive to January 1, 2012.

Council President DiMura made a motion for adoption, seconded by Councilman First and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, Tackach and Paff. Nos.: None. Abstain: None.
Council President DiMura made a motion to adjourn the Regular Meeting seconded by Councilman First and carried by unanimous vote of Council.

Respectfully submitted,

Kathleen Anello, RMC

Borough Clerk
BOROUGH OF MIDDLESEX

SPECIAL MEETING MINUTES

February 7, 2012

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 the Special Meeting Notice and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

- Mayor Ronald Dobies Absent
- Council President: Ron DiMura
- Jeffrey First Absent
- Sean Kaplan
- Patricia Jenkins
- Michael Paff Absent
- Michele Tackach
- Attorney: Attorney Aithal

Council President Ron DiMura opened the meeting to discuss the 2012 Department Budgets. The Tax/Purchasing, Board of Health, Senior Services, Public Works, Assessor, and Municipal Clerk budgets were discussed.

The Borough Clerk read the following resolution:

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

Resolution #50-12

RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF

RADIO COMMUNICATIONS EQUIPMENT & ACCESSORIES

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase Radio Communications Equipment and Accessories from an authorized vendor under the State of New
WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Contracts Law, 40A:11-12; and

WHEREAS, Motorola Solutions, Inc. is under the State Contract No. 53804 for the year 2012; and

WHEREAS, the cost for the purchase of VHF Minitor V Pagers and Antennas is not to exceed $30,163.00.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of Radio Communications Equipment and Accessories ordered under State Contract No. 53804 be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed $30,163.00 are available in Acct. 1797-00-1797-86.

Councilman Kaplan made a motion for adoption, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: DiMura, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

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

Resolution #51-12

AUTHORIZING THE ENGINEER (T&M ASSOCIATES) TO SUBMIT A RECEPTOR EVALUATION FORM TO THE NJDEP

WHEREAS, there are certain critical path issues associated with the landfill which consists of immediate New Jersey Department of Environmental Protection (NJDEP) deadlines; and

WHEREAS, by March 1, 2012 a receptor evaluation must be completed; and

WHEREAS, typically a receptor evaluation has four main
components consisting of (1) 200 foot property search, (2) well record search/well canvas, (3) baseline ecological evaluation, and (4) vapor intrusion; and

**WHEREAS**, the NJDEP requires at a minimum the completion of #1, the 200 foot property search and identification of sensitive receptors, such as schools, daycare centers and residents.

**NOW THEREFORE BE IT RESOLVED**, T&M will identify those properties on a sensitive receptor map and the map will be attached to the Receptor Evaluation Form that T&M will complete and submit by March 1, 2012 in an amount not to exceed $2,000.

**BE IT FURTHER RESOLVED**, that the Engineer and the Mayor are hereby authorized to sign the Receptor Evaluation Form prior to submission.

The CFO hereby certifies that the funds in the amount not to exceed $2,000.00 are available in Acct. 01-2010-20-1652.

Councilman Kaplan made a motion for adoption, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: DiMura, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

**PUBLIC COMMENTS**

Council President DiMura opened the public portion of the meeting.

John Hoffman, 455 Lincoln Blvd. noted that there was no copies of the budget put out for the public to follow. Mr. Hoffman had some comments regarding the DPW budget that was addressed tonight by the DPW supervisors with the members of the council. He questioned (1) Why the recreation department is not contributing to the cost of Haverstick ball field, (2) Why is there money going into that field, when it was abandoned last year, now made a priority, (3) Why every quarter we need to put tires on garbage trucks in just a three square mile town, and (4) With 1,500 sewer drains and only 200 retrofits done the DPW estimate of 30% completed doesn’t sound correct.
The retrofits should be put on first stopping the stuff from going down the sewers.

Michael Class, 505 Harris Avenue questioned what the dollar difference in the DPW budget between last year and this year and where the part-time workers salary was coming out of salary & wage or recycling.

Council President DiMura addressed the issues and seeing that there was no further public comment, Council President DiMura closed the public portion of the meeting.

**ADJOURNMENT**

Councilman Kaplan made a motion to adjourn the Special Meeting seconded by Councilwoman Jenkins and carried by unanimous vote of Council.

Respectfully submitted,

Kathleen Anello, RMC

Borough Clerk
BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
February 14, 2012

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 the Annual Meeting Notice of December 16, 2011 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

- Mayor Ronald Dobies
- Council President: Ron DiMura
- Jeffrey First
- Sean Kaplan
- Patricia Jenkins
- Michael Paff (absent)
- Attorney: Attorney Aithal

Mayor Dobies recognized former Councilmen Class and Schueler, along with Councilwomen DeVuyst and Platten in attendance at the meeting.

PRESENTATIONS

Joanne Bergin gave an update on the Hazard Mitigation Grant Program and indicated that the grant application has been approved. FEMA has indicated that it will fund 7 of the 14 properties requested. The Borough has received an Agreement with FEMA, and a resolution will be put on the next regular council meeting for approval. This project has a 75/25 cost share, with 75% of the total project cost coming from FEMA. The Borough has applied for the 25% non-federal match from
the NJDEP Blue Acres Program, who last week announced it would fund the 25% non-federal match for select communities including the Borough of Middlesex – which is the only community not located in the Passaic River Basin to receive the non-federal matching share from Blue Acres. Both programs are working to provide some level of advance funding, however, the Borough will need to bond a small percentage of the project costs to be reimbursed through these programs. If Council approves, she will work with the Bond Counsel on this ordinance. The total project cost will be $2,539,400. The total federal share is $1,904,550 and the non-federal share is $634,850. Once funding is in place and the agreements are executed the implementation will begin. The first step is the solicitation of a qualified appraiser to provide an appraised value on the seven properties included in this project. Once the appraisals are completed, the Borough will begin the process of determining the Final Mitigation Offer to acquire each property. A meeting was held on January 27, 2012 with the property owners to discuss the process in detail.

Ms. Bergin also spoke to the Council as a possible grant consultant for the Borough. She outlined her experience in grant writing and the types of projects that she has been involved in. Council President DiMura will discuss the costs involved.

__________________________________________________

PUBLIC HEARING - NONE

__________________________________________________

PROCLAMATIONS - NONE

__________________________________________________

ADOPTION OF MINUTES
Councilman Kaplan moved the approval of the January 24, 2012 Regular Meeting Minutes and the February 7, 2012 Special Meeting Minutes seconded by Councilwoman Tackach and carried by a unanimous vote of Council.

COMMUNICATIONS/APPOINTMENTS

1. Mayor Dobies appointed Mr. Peter Staffelli and Mr. David Basile to the Business Advisory Committee.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance
   – Council President DiMura had nothing to report.

2. Recreation/Recreation Fields/Water & Light
   
   (a) Councilwoman Tackach indicated that the Recreation Department received correspondence from the Rescue Squad to request use of the Recreation Center for training on 12 occasions. Councilman Kaplan indicated that per the Lease Agreement this is permissible. Dina Fornataro will follow up with the Rescue Squad’s request for specific dates.

3. Fire/OEM/Board of Health/Rescue Squad – Councilman Kaplan had nothing to report.

4. Public Works/Parks/Sanitation/Recycling
   
   (a) Councilwoman Jenkins mentioned that two members of the DPW Committee met and is recommending twice a week garbage pick up from May – August. They also spoke with John Olbryk of the Board of Health who recommended that this would be in the best interest of the residents to extend pick up to twice a week. A majority of council was in favor of this pick up. A resolution will be put on the February 28, 2012 Regular
Meeting for approval.

5. Police/Legal/Code Enforcement/Municipal Court – Councilman Paff was absent but mentioned to Mayor Dobies that he met with the Police Chief and will report at the February 28, 2012 Regular Meeting.

6. Administration/Office on Aging/Legislation/License/Buildings & Grounds – Councilman First had nothing to report.

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REPORTS – OTHER:

Mayor

1. 2012 HUD Grant – HUD Secretary discussed the 9.1% reduction in funding for 2012 and mentioned the recommendation of the Committee. Also, the governing body was requested to make any recommendations by February 21, 2012, before the next HUD Meeting, so that a resolution could be approved at the February 28, 2012 Regular Meeting and the grant application can be submitted to the County.

2. Annual Conference on Diversity: Recommendations for Community Diversity Champion – Mayor Dobies requested any recommendations from Council to nominate for Middlesex County’s Community Diversity Champion.

3. Plainfield Sewage Authority Property – Mayor Dobies indicated that we have 8 sewer vats that need to be filled and two buildings located in the back of Mountainview Park that need to be knocked down, as they are danger to the community. Councilman DiMura will reach out to Plainfield Sewage Authority and Assemblyman Green for further discussion.

4. Congressman Pallone received an additional 1 million dollars for the Greenbrook Flood Control project.

5. Council President DiMura will be meeting with the American Legion to start planning the annual parade.
6. Hiring of Deputy Court Clerk – Judge Psak has received verbal approval for the hiring of the Deputy Court Clerk. A resolution will be put on the February 28, 2012 Regular Meeting, pending written approval.

Attorney

1. Parking Ordinance Fines – Attorney Aithal discussed the parking ordinance fines which are outdated. He will make recommendations to these fines and they will be reviewed by Councilman First’s Committee and then brought back to Council.
2. Status of the Sanitary Sewer Interlocal Service Agreement – Attorney Aithal has been in discussion with Piscataway’s attorney to finalize this agreement. Points of negotiation include the flow rates, how many areas we tie into in Piscataway, administrative cost and cost of maintenance. Attorney Aithal will contact Tom Moskal and Mr. Sheehan for input. Mayor Dobies requested an update at the February 28, 2012 Meeting.
3. Ordinance to regulate videotaping – Attorney Aithal drafted an ordinance based upon what has been done in other municipalities. This ordinance was referred to Councilman First’s Committee to review.

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COMMENTS ON AGENDA ITEMS - NONE
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Councilman Kaplan removed Resolution #40-12 off of the table seconded by Councilman DiMura and carried by a unanimous vote of Council.

The Borough Clerk read the following resolution:

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

Consent Agenda 2012(C)
WHEREAS, the Mayor and Council of the Borough of Middlesex has reviewed the Consent Agenda consisting of various proposed resolutions; and

WHEREAS, the Mayor and Council of the Borough of Middlesex are desirous of removing Resolutions #57-12 and #64-12 from this Agenda.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following resolutions on the Consent Agenda are hereby approved and adopted.

Resolution #40-12
Resolution #52-12 - #56-12
Resolution #58-12 - #63-12
Resolution #65-12

Council President DiMura made a motion for approval, seconded by Councilwoman Tackach and carried by the following roll call vote: Ayes: Members DiMura, First, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

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

Resolution #40-12

The application for renewal of Towing Licenses for the year 2012 for D&J Auto Body, Dick Hart’s Auto Body, Tierno’s Auto Body, Rescue Wreckers, Somerset Hills Towing, Lincoln Auto Body and Auto Enhancement & Auto Body Shop, Inc. have been approved by the Police Department and the Borough Clerk is hereby authorized to issue the license in consideration of the fees which have been paid.
The Borough Clerk read the following resolution:

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

Resolution #52-12

A RESOLUTION REQUESTING PERMISSION FOR A DEDICATED BY RIDER FOR DONATIONS FOR 100TH ANNIVERSARY CELEBRATION

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a county or municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Serves may approve expenditures or moneys by dedication by rider.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Middlesex, County of Middlesex, New Jersey as follows:

1. The Borough Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A. 40A:4-39, as amended by P.L. 1999, c292, for the exclusive purpose of depositing and expending funds donated by individuals for the 100TH Anniversary Celebration.

2. The Municipal Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.
The Borough Clerk read the following resolution:

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

**Resolution #53-12**

The application for a 2012 Amusement Machine Licenses, Pool Tables and Music Licenses, filed by the following establishments, which have been approved by the Chief of Police, be accepted, and the Borough Clerk is hereby authorized to issue the licenses upon receipt of the fees.

<table>
<thead>
<tr>
<th>Establishment</th>
<th>Items Granted</th>
<th>Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>End Zone Lounge, 425 Bound Brook Rd.</td>
<td>(1) Pool Table, (2) Amusement Machine, (1) Music Machine</td>
<td>$150.00, $300.00, $100.00</td>
</tr>
<tr>
<td>Ellery’s Grill, 701 Lincoln Boulevard</td>
<td>(4) Amusement Machines, (1) Music Machine</td>
<td>$600.00, $100.00</td>
</tr>
<tr>
<td>Nicwar, LLC, 275 Lincoln Boulevard</td>
<td>(1) Amusement Machine, (1) Music Machine</td>
<td>$150.00, $100.00</td>
</tr>
<tr>
<td>American Legion, 707 Legion Place</td>
<td>(2) Amusement Machines</td>
<td>$300.00</td>
</tr>
<tr>
<td>Tim Kerwin’s Tavern, 353 Bound Brook Rd.</td>
<td>(5) Amusement Machines, (1) Music Machine</td>
<td>$750.00, $100.00</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>$2,650.00</strong></td>
</tr>
</tbody>
</table>
The Borough Clerk read the following resolution:

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

Resolution #54-12

“A RESOLUTION TO PROVIDE FOR A TEMPORARY BUDGET FOR PAYMENT OF CLAIMS UNTIL THE ADOPTION OF THE 2012 BUDGET

A Temporary Budget in the amount of $6,243,666.22 to provide for the payment of claims and salaries including debt service payments between the first day of January 2012 and the adoption of the 2012 budget be set up as follows:

GENERAL GOVERNMENT OPERATIONS:

Environmental O/E $ 500.00
TOTAL 3,914,903.00

26.25% of the 2011 General Appropriation in the 2011 budget = $4,074,555.92

Middlesex Cty Utilities $10,000.00
TOTAL 6,243,666.22

The Borough Clerk read the following resolution:

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

Resolution #55-12

The treasurer is hereby authorized to issue a check in the amount of $9,327.73 to redeem tax sale certificate 2011-1753
and a tax sale premium check in the amount of $1,500.00. The Certificate covered property located at 495 Union Avenue, Block 86, Lot 6.01/C001B.

The treasurer is hereby authorized to issue a check in the amount of $9,327.73 to redeem tax sale certificate 2011-1754 and a tax sale premium check in the amount of $1,400.00. The Certificate covered property located at 495 Union Avenue, Block 86, Lot 6.01/C001C.

US Bank Cust Crestar Capital LLC
2 Liberty Place – TLSG
50 South 16th Street – Suite 1950
Philadelphia, PA 19102

The Borough Clerk read the following resolution:

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

Resolution #56-12

Authorizing the Mayor and Borough Clerk to execute the 2012 Municipal Alliance Contracts with the County of Middlesex which provide funds to the Drug Alliance to allow them to continue to deliver successful substance abuse prevention programs in the Borough.

The Borough Clerk read the following resolution:

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

Resolution #58-12
WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Borough of Middlesex desires to further the public interest by obtaining funding in the amount of $634,850 from the State to fund the acquisition of Block 202, Lot 9 and Block 202, Lot 8 at a cost of $892,248.

NOW, THEREFORE, the governing body resolves that Ronald Dobies or the successor to the office of Mayor is hereby authorized to:

a. Make application for such a loan and/or such a grant,

b. Provide additional application information and furnish such documents as may be required, and

c. Act as the authorized correspondent of the above named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE Middlesex Borough Council

1. That the Mayor of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as the
acquisition of the above properties;
2. That the applicant has matching share of the project, if a match is required, in the amount of $446,125;
3. That, in the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules and regulations in its performance of the project; and
5. That 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 #59-12

The governing body hereby repeals Resolution #290-11, approved December 20, 2011 regarding the Settlement Agreement & Release for 14 Marshall Place.

The Borough Clerk read the following resolution:

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

Resolution #60-12

Approving the appointment of Anthony Parenti, 531 Chestnut Street and Rita DeFilippis, 30 Stella Place as school crossing guards for the Borough of Middlesex at a salary of $13.77 per hour. Both of these individuals have met all of the requirements for the position.
The Borough Clerk read the following resolution:

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

**Resolution #61-12**

Accepting the resignation of Marjorie Santana as a School Crossing Guard effective January 25, 2012.

The Borough Clerk read the following resolution:

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

**Resolution #62-12**

**WHEREAS**, URS, is working on behalf of GATX Corporation to construct a monitoring well on property owned by Cedar Rose Associates known as Block 318, Lot 50; and

**WHEREAS**, URS is requesting permission from the borough to travel across two borough-owned properties known as Block 318, Lot 44 and Block 319, Lot 47 off the east end of William Street and south of the Middlesex Sampling Plant; and

**WHEREAS**, since these parcels are in a flood hazard area, URS is preparing the relevant NJDEP permits to make authorized access into the wetlands and/or flood hazard areas.

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

1. The Governing Body hereby approves access to URS on
behalf of GATX Corporation across the two borough-owned properties to construct the monitoring well on Block 318, Lot 50.

2. The governing body authorizes the Mayor to execute the Wetlands Disturbance/Flood Hazard Area Permit.

3. 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 #63-12

AUTHORIZATION TO EXECUTE ELECTRICITY PURCHASE

WHEREAS, Borough of Middlesex has joined the Middlesex Regional Educational Services Commission (MRESC) Cooperative Pricing System for the purpose of participating in their Electric Aggregation Program and authorization is required for the MRESC to act as the agent for Borough of Middlesex at the time of purchase.

NOW THEREFORE BE IT RESOLVED, the governing body hereby authorize the MRESC to act as agent for the Borough of Middlesex for the purpose of executing a purchase agreement for Electricity and authorized the mayor to execute said Agreement.

__________________________________________________

The Borough Clerk read the following resolution:

BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex that:
Resolution #65-12

AUTHORIZATION TO EXECUTE NATURAL GAS PURCHASE

WHEREAS, Borough of Middlesex has joined the Middlesex Regional Educational Services Commission (MRESC) Cooperative Pricing System for the purpose of participating in their Natural Gas Aggregation Program and authorization is required for the MRESC to act as the agent for Borough of Middlesex at the time of purchase.

NOW THEREFORE BE IT RESOLVED, the governing body hereby authorize the MRESC to act as agent for the Borough of Middlesex for the purpose of executing a purchase agreement for Natural Gas and authorized the mayor to execute said Agreement.

__________________________________________________
____________________________________
The Borough Clerk read the following resolution:

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

Resolution #57-12

WHEREAS, the Borough of Middlesex has identified a need for a grant consultant to assist in the identification of funding opportunities appropriate for the community.

WHEREAS, in order to remain competitive in funding requests, the Borough will retain a grant consultant to prepare and submit comprehensive applications for a myriad of programs and services. The grant consultant will provide a scope of services proposal per grant for consideration; and

WHEREAS, the Borough has identified Joanne Bergin from Birdsall Services Group as a qualified, experienced grant professional who has been highly successful in securing grants
for municipalities across the state; and

WHEREAS, this action will be taken as a non-fair and open appointment.

NOW, THEREFORE, BE IT RESOLVED that the Borough appoints Joanne Bergin as Grant Consultant for the Borough of Middlesex.

Councilman DiMura made a motion to table this resolution, seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Members DiMura, First, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

__________________________________________________

The Borough Clerk read the following resolution:

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

Resolution #64-12

RESOLUTION AUTHORIZING EXECUTION OF THE RIGHT OF WAY AGREEMENT BETWEEN THE BOROUGH OF MIDDLESEX AND LIGHT TOWER FIBER LONG ISLAND LLC TO PERMIT THE INSTALLATION, USE AND MAINTENANCE OF TELECOMMUNICATIONS FACILITIES WITHIN PUBLIC RIGHT-OF-WAY FOR PURPOSES OF PROVIDING TELECOMMUNICATIONS SERVICES

WHEREAS, Light Tower Fiber Long Island LLC ("Light Tower"), a Delaware limited liability company, with offices located in Boxborough, Massachusetts is authorized to provide intrastate telecommunications services throughout the State of New Jersey pursuant to an Order issued by the New Jersey Board of Public Utilities ("NJBPU") in Docket No. TM08040212 dated June 16, 2008; and
WHEREAS, Light Tower has requested the consent of the Borough for permission to occupy public rights-of-way within the Borough of Middlesex for a period of fifty (50) years for the purpose of constructing, installing, operating, repairing, maintaining and replacing a telecommunications system; and

WHEREAS, it is deemed to be in the best interest of the Borough and its citizenry, particularly including the commercial and industrial citizens, for the Borough to grant municipal consent to Light Tower to occupy the public rights-of-way within the Borough for this purpose; and

WHEREAS, the granting of such consent is and shall be conditioned upon Light Tower’s continued compliance with all existing and future ordinances of the Borough and its entering into a written agreement with the Borough to, inter alia, indemnify and hold the Borough harmless as to all claims and liability resulting from any injury or damage which may arise from the construction, installation, operation, repair, maintenance, disconnection, replacement and removal of its telecommunications system within certain public rights-of-way and Light Tower’s provision of liability insurance coverage for personal injury and property damage.

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

1. That non-exclusive consent is hereby granted to Light Tower to occupy the public rights-of-way within the Borough of Middlesex for the purpose of construction, installation, operation, repair, maintenance and replacement of a telecommunications system for a period of fifty (50) years.

2. The within granted permission is conditioned upon Light Tower entering into the attached Rights-of-Use Agreement with the Borough of Middlesex and providing liability and property damage insurance coverage.

3. The Mayor and Municipal Clerk are hereby authorized to execute the attached Agreement.

4. A copy of this Resolution and the executed Right-of-Use
Agreement shall be filed in the Office of the Municipal Clerk.

Councilman DiMura made a motion to table this resolution, seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Members DiMura, First, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

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 #66-12

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.

Council President DiMura made a motion for approval, seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Members DiMura, First, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

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

Resolution #67-12

WHEREAS, quotes were received for a consultant to review the Boroughs FCC license modifications and narrow banding
emissions designators; and

**WHEREAS**, Vogel consulting Group, 105 Deer Trail, Ramsey, NJ 07446 was the lowest qualified quote and will perform the tasks at an hourly rate not to exceed $200.00 per hour with a not-to-exceed cost of $10,000 plus coordination fees of approximately $220 per frequency/channels per antenna site; and

**WHEREAS**, there are many influences beyond their control such as approval of the fire Coordinator, (IMSA/IAFC, ASHTO, APCO, AND FCCA) and unforeseen actions by the Federal Communications Commission, make it impossible to quote a firm price.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that Vogel Consulting Group be awarded as consultant for the FCC license modifications and narrow banding emissions designators in an amount not to exceed $10,000.

**NOW FURTHER BE IT RESOLVED** that the Chief Financial Officer hereby certifies that funds in the amount not to exceed $10,000 are available in Account No. 04-1797-00-1797-86.

Council President DiMura made a motion for approval, seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Members DiMura, First, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

__________________________________________________

**DISCUSSION ON AGENDA WORKSHOP ITEMS**

1. Recommendation of the Planning to amend Chapter 420-7, 23 & 24 and Chapter 48-17 of the Borough Code – Council President DiMura mentioned that the Committee reviewed and is proposing “An Ordinance Amending the Codes of the Borough of Middlesex Chapter 420-24, Outdoor Storage of Recreational Vehicles and Boats” be introduced at the February 28, 2012
Regular Meeting.

2. 100th Year Anniversary Dates – Councilwoman Tackach stated that the 100th Anniversary Committee meets the first Wednesday of each Month at the Library at 7PM. The dates that are proposed for this celebration are July 20, July 27 and August 3, 2012. Nadine Chemey will be running a 100th Anniversary Logo Contest and the Committee has scheduled raffles of two 26 inch beach cruisers, a commemorative quilt, and a piece of original artwork. To offset the cost of the event they are also looking to sell bracelets, car magnets and beach towels. The Committee is also organizing events which include, the Taste of Middlesex, Movie Night in Mountain View Park, a Scavenger Hunt, a Chili Cook Off, the unearthing of the 75th year time capsule along with a Flower and Art Show, Apple Pie Bake Off, Telephone calls from Santa and an Applebee Pancake Breakfast.

3. Councilwoman Jenkins discussed the Interlocal Agreement between Board of Ed and the Borough (Use of Fields & Responsibility to Maintain) – Mayor Dobies will set up a meeting with the Superintendent and Board President.

4. Councilwoman Jenkins also discussed the high school football lights – Mayor Dobies will set up a meeting with the Superintendent and Board President.

5. South Avenue Road Improvement Project – Sherman Avenue to Hall Street – Mayor Dobies will reach out to Piscataway for cost of this project in writing.

6. The Estate of Walter C. Ryan – Possible sale of property to Borough (Block 229, Lots 15-24) – Councilman First will get recommendations of his Committee and bring back to the Council.

7. The Estate of Walter C. Ryan – Donation of Land (Block 325, Lot 1) – Councilman First will get recommendations of his Committee and bring back to the Council.

8. Request to hold the 1st James Reilly Memorial Fishing Derby at Victor Crowell Park – Councilman Kaplan will meet with
Laura Thomasey to discuss.

9. Newfield’s request to execute the Temporary Discharge Approval for the Factory Lane Site – A resolution will be put on the February 28, 2012 Regular Meeting.

10. Swim Pool Commission Annual Fee – Council unanimously approved discontinuing the $25,000 administrative fee that was charged to the Swim Pool Commission.

11. Master Plan – Mayor Dobies will contact the Planning Board Chairman to get the status of the new Master Plan.

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PUBLIC COMMENTS

Bob Schueler, 58 Marlborough Avenue – Comments were made by Mr. Schueler on the following items: (a) discussed the sanitary sewer interlocal agreement with Piscataway to include the sewer on Raritan Avenue; (b) Suggested we look at the flow rate and suspended solids and that the administrative cost be proportioned to the flow; (c) The council in 2003 passed a resolution that the swim pool would provide $25,000 as a revenue to cover the administrative costs and no other board/commission pays a fee.

Pete Wasniak, 1200 Sheridan Avenue – Comments were made by Mr. Wasniak on the following items: (a) Pricing from the MRES per kilowatt and suggested that it might be a good time to lock into fixed pricing of gas and electricity at this time because of the present market. (b) Paying for the High School football lights; (c) The amount of surplus or deficit at this point in the budget; (d) The status of the union contracts; (e) The funds received from the employee health benefits; and if it will be dedicated to property tax relief; (f) The Landfill Report; and (g) The meeting at the Division of Pension and Benefits regarding the state not giving local government a fair share of income in the pension funding.

Peter Carroll, 432 Giles Avenue stated that he was not in agreement with the videotaping ordinance and that the council
is also trying to control our freedom with this ordinance.

Chris Masters, 128 Second Street commented on the boat ordinance and if it only applied to a portion of the driveway.

Frank Ryan, 303 Maple Street discussed the twice a week pick up of garbage for health reasons. Also, Mr. Ryan commented that one-half of the borough use plastic bags for garbage, rather than containers and that creates a problem with rodents. Mr. Ryan was concerned if the borough will be enforcing the use of proper containers with lids.

John Hoffman, 455 Lincoln Boulevard - Comments were made by Mr. Hoffman on the following items: (a) Use of plastic garbage bags that get ripped up by animals; (b) Status of the recycling coordinator; (c) He agreed with removal of the $25,000 charge that was paid by the Swim Pool Commission; and (d) Last year’s HUD money was spent on field lights when the bleachers were out of compliance for three years. He was also disappointed with the way the bleachers were installed and believes they were not installed to specifications.

Mike Class, 505 Harris Avenue – Comments were made by Mr. Class on the following items: (a) Stated that a group appealed the trailer ordinance and our Planning Board went through 7 months of attorney, engineers and meetings and their recommendations were turned down by a committee of two council members; (b) Increasing garbage twice a week when last year the DPW supervisors said they did not have enough manpower to do their job; (c) Why we are wasting our time on the videotaping ordinance; and (d) the Swim Pool Commission’s fee of $25,000 that was used for tax relief.

Mayor Dobies addressed the issues listed above and seeing that there was no further public comment, Mayor Dobies closed the public portion of the meeting.

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ADJOURNMENT

__________________________________________________
Council President DiMura made a motion to adjourn the Regular Meeting seconded by Councilman Kaplan and carried by unanimous vote of Council.

Respectfully submitted,

Kathleen Anello, RMC

Borough Clerk
BOROUGH OF MIDDLESEX

SPECIAL MEETING MINUTES

February 21, 2012

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 the Special Meeting Notice and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

- Mayor Ronald Dobies
- Council President: Ron DiMura
- Jeffrey First
- Sean Kaplan Absent
- Patricia Jenkins
- Michael Paff
- Michele Tackach
- Attorney: Attorney Aithal

Mayor Dobies opened the meeting to discuss the 2012 Department Budgets. The budgets for Municipal Court, Recreation, Police, Fire, Construction, Finance, IT, and Building & Ground were discussed.

PUBLIC COMMENTS

Mayor Dobies opened the public portion of the meeting.

Pete Wasniak, 1200 Sheridan Ave. stated that the Police Department is 30-35% of the municipal budget. He was pleased to see that the Governing body reviewed each line item in the budgets with the department heads. He also noted that while the contracts are being negotiated the Governing Body should remember that the Police Department did not make any concessions in their last contract. He would be in favor of a DPW and White Collar increase.

John Hoffman, 455 Lincoln Blvd. questioned the amount and
time we have on the leasing of the police vehicles.

Mayor Dobies addressed the issues and seeing that there was no further public comment, Mayor Dobies closed the public portion of the meeting.

**ADJOURNMENT**

Council President DiMura made a motion to adjourn the Special Meeting seconded by Councilwoman Jenkins and carried by unanimous vote of Council.

Respectfully submitted,

Kathleen Anello, RMC

Borough Clerk
BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
MARCH 13, 2012

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 the Annual Meeting Notice of December 16, 2011 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

- Mayor Ronald Dobies
- Council President: Ron DiMura
- Jeffrey First
- Sean Kaplan
- Patricia Jenkins
- Michael Paff
- Michele Tackach
- Attorney: Attorney Aithal (late)

PRESENTATIONS

Mayor Dobies congratulated the Girl Scouts on their 100th Anniversary and the Borough Clerk read the following proclamation:

GIRL SCOUT WEEK
MARCH 11–17, 2012
100th ANNIVERSARY
GIRL SCOUTS U.S.A.

WHEREAS, Girl Scouts of the USA, three million strong, is the largest girl-serving organization in the United States; and

WHEREAS, the Girl Scout movement emphasizes self-confidence, self-respect, leadership skills and decision making;
and

WHEREAS, the Girl Scout movement celebrates the individuality in girls empowering them to reach their full potential; and

WHEREAS, Girl Scouts serve their community taking action to make the world a better place; and

WHEREAS, Girl Scouts USA is all inclusive to all girls ages 5-17 offering programs responsive to their needs and interests.

NOW, THEREFORE, I, Ronald S. Dobies, by virtue of the authority vested in me as Mayor of the Borough of Middlesex, hereby recognize Girl Scouts U.S.A. on their 100th Anniversary and proclaim March 11 – 17, 2012 as GIRL SCOUT WEEK in the Borough of Middlesex.

Three representatives of the Girl Scouts, Jordan Kantor, Cathy Cooney and Christine Saviano spoke about what Girl Scouts meant to them. On behalf of the Governing Body, Mayor Dobies and Council President DiMura presented the Girl Scouts with a plaque and certificate in recognition of their 100th Anniversary of Girl Scouts U.S.A.

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Auditor Andy Hodulik attended the meeting to discuss the introduction of the 2012 Budget. Mr. Hodulik indicated that once approved, this budget will be sent to the State to review for comments or required changes. The budget stands at an increase of $404,000, which is a 3.8% increase over last year. Mr. Hodulik stated that the Public Hearing is scheduled for April 24, 2012.

Council President DiMura indicated that this budget is a work in progress and the council will continue to work on it over the next few months.

The Borough Clerk read the following resolution:

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

Resolution #84-12
BOROUGH OF MIDDLESEX
MIDDLESEX COUNTY, NEW JERSEY

Municipal Budget of the Borough of Middlesex, County of Middlesex for the Year 2012.

**BE IT RESOLVED,** that the following statement of revenues and appropriations shall constitute the Municipal Budget for the year 2012;

**BE IT FURTHER RESOLVED** that said Budget be published in the Courier News, Bridgewater, New Jersey in the issue of April 9, 2012.

The governing body of the Borough of Middlesex does hereby approve the following as the Budget for the year 2012:

<table>
<thead>
<tr>
<th>General Appropriations</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Appropriations Within “CAPS”</td>
<td>$11,155,306.93</td>
</tr>
<tr>
<td>Municipal Purposes</td>
<td></td>
</tr>
<tr>
<td>Appropriations Excluded from “CAPS”</td>
<td>4,554,096.36</td>
</tr>
<tr>
<td>Municipal Purposes</td>
<td></td>
</tr>
<tr>
<td>Reserve for Uncollected Taxes – Based on Estimated 98+ Percent of Taxes Collections</td>
<td>705,500.00</td>
</tr>
<tr>
<td>Total General Appropriations</td>
<td>16,414,403.29</td>
</tr>
<tr>
<td>Less: Anticipated Revenues Other Than Current</td>
<td></td>
</tr>
<tr>
<td>Property Taxes</td>
<td>4,816,084.16</td>
</tr>
<tr>
<td>Difference: Amount to be Raised by Taxes</td>
<td></td>
</tr>
</tbody>
</table>
For Support of Municipal Budget:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes</td>
<td>$11,073,586.18</td>
</tr>
<tr>
<td>b) Minimum Library Tax</td>
<td>$524,732.95</td>
</tr>
</tbody>
</table>

Councilman DiMura moved for introduction seconded by Councilwoman Jenkins and carried by the following roll call votes: Ayes: DiMura, First, Jenkins, Kaplan, Paff, and Tackach. Nos.: None. Abstain: None.

**NEW BUSINESS**

Mayor Dobies read Ordinance 1808-12 by title for introduction.

**ORDINANCE NO. 1808-12**

BOND ORDINANCE PROVIDING FOR ACQUISITION AND DEMOLITION OF CERTAIN FLOOD PRONE PROPERTIES FOR DEVELOPMENT AS OPEN SPACE IN AND BY THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING $2,540,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF $2,540,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Councilman DiMura moved for introduction seconded by Councilman Kaplan and carried by the following roll call votes: Ayes: DiMura, First, Jenkins, Kaplan, Paff, and Tackach. Nos.: None. Abstain: None.

**PUBLIC HEARING**

Mayor Dobies read Ordinance No. 1806-12 by title saying it had been posted on the bulletin board and made
available for any person who wanted a copy.

ORDINANCE NO. 1806-12

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING THE CODES OF THE BOROUGH OF MIDDLESEX CHAPTER 420-24, OUTDOOR STORAGE OF RECREATIONAL VEHICLES AND BOATS

Council President DiMura mentioned that he received numerous e-mails on this ordinance and there was a safety concern with having a boat with 200 gallons of gasoline located on the side yard. Council President DiMura suggested that the Council get the Fire Official’s input on this matter before moving forward with the hearing on this ordinance.

Councilman DiMura made a motion to table Ordinance No. 1806-12 seconded by Councilman Kaplan and carried by the following roll call votes: Ayes: DiMura, First, Jenkins, Kaplan, Paff and Tackach. Nos.: None. Abstain: None.

Mayor Dobies read Ordinance No. 1807-12 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1807-12

AN ORDINANCE AMENDING CHAPTER 248, LAND DEVELOPMENT, TO RESCIND SECTION 248-17.A(3) RECREATIONAL VEHICLES IN THE CODE OF THE BOROUGH OF MIDDLESEX

Mayor Dobies opened the Public Hearing on Ordinance No. 1807-12

Chris Master, 128 Second Street questioned if you can rescind this ordinance if Ordinance No. 1806-12 is tabled.

Steven Samer, 131 Second Street questioned why the ordinance is being rescinded.
Darlene Devereaux, 73 George Avenue mentioned that when she moved into town she contacted the Zoning Board about having a boat and she was told that she needed to install another driveway. She received her permit and installed the driveway and would like to know if she is grandfathered in because she has the Zoning Board Approval.

Doug LiPari, 225 First Street, Chris Master, 128 Second Street, Robert Lowry, 658 Bound Brook Road, Robert Willitts, 38 Stella Place, and David Kolodziej, 14 New Street spoke in opposition to this ordinance.

Seeing no further public participation, Mayor Dobies closed the hearing on Ordinance No. 1807-12.

Councilman DiMura moved for adoption seconded by Councilman First and carried by the following roll call votes: Ayes: DiMura, First, Jenkins, Kaplan, Paff and Tackach.Nos.: None. Abstain: None.

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ADOPTION OF MINUTES

Councilman Paff moved the approval of the February 28, 2012 Regular Meeting Minutes and the February 28, 2012 Executive Meeting Minutes seconded by Councilman First and carried by a unanimous vote of Council.

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COMMUNICATIONS/APPOINTMENTS-NONE

__________________________________________________

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance – Council President DiMura had nothing to report.
2. Recreation/Recreation Fields/Water & Light
a. Councilwoman Tackach mentioned that Swim Pool Applications are on the website and also at Borough Hall and that the Swim Pool will be opened on weekends from May 26, 2012 until June 23, 2012, at which time it will open 7 days a week until September 3, 2012.
b. The 100 Year Anniversary Committee will be at the April 10, 2012 Regular Meeting. The 100th Anniversary celebration is set for July 20, 2012 with a tentative rain date of July 21, 2012.
c. Deadline for the Logo Contest is set for March 30, 2012 – The Committee will pick a winner at their April 4, 2012 Meeting.
d. Easter Egg Hunt is set for March 31, 2012 with a rain date of April 1, 2012.
e. A request has been made by Ms. Nadine Chemey to name the girl’s softball field at Middlesex High School the Stan Spirdon Field. Mr. Spirdon was a girl’s softball coach for many years and was both a teacher and administrator at the High School for 40 year. The Class of 2011 has donated money to purchase a sign for this field. Both Mayor Dobies and Councilwoman Jenkins met with the Superintendent and it was suggested that possibly a field at Mauger be named in honor of Mr. Spirdon. This matter was discussed further in the public portion.

3. Fire/OEM/Board of Health/Rescue Squad – Councilman Kaplan had nothing to report.

4. Public Works/Parks/Sanitation/Recycling
   a. Councilwoman Jenkins stated that the 2012 Street Sweeping Schedule has been updated

5. Police/Legal/Code Enforcement/Municipal Court

6. Administration/Office on Aging/Legislation/License/Buildings & Grounds – Councilman First had nothing to report.
REPORTS – OTHER:

Mayor

1. Mayor Dobies discussed the lights located at the high school track. These lights were evaluated by the Borough Engineer and it was determined that the wooden cross arms were deteriorated. The Mayor discussed these lights with the Superintendent and requested that the lights be removed if they were a hazard, and the borough offered to pay ½ of the share of the cost. These lights are scheduled to be removed tomorrow. The Superintendent felt that the poles were okay for 10 – 15 years. The cost to replace the lights alone will be approximately $80,000 - $90,000, and for poles plus lights would be approximately $145,000 - $150,000. Council agreed to get a quote to remove both the poles and lights and agreed to split the cost for removal of both the poles and lights. Mayor Dobies will pass this information on to the Superintendent tomorrow.

2. Mayor Dobies requested that council approve a resolution this evening to waive the Road Opening Permit for the replacement of the South Avenue Bridge over Bound Brook, Piscataway Twp. and Middlesex Borough. A resolution will be done this evening.

Attorney

1. Attorney Aithal mentioned that he was told that the price for Middlesex Borough’s share for the improvements of South Avenue is approximately $900,000. The cost for the appraisals would be $2500, which does not include the acquisition costs. Attorney was directed to notify Piscataway Twp. in regard to this project and let Piscataway know we are not interested in moving with this at this time.

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COMMENTS ON AGENDA ITEMS - NONE

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The Borough Clerk read the following resolution:

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

**Consent Agenda 2012(F)**

WHEREAS, the Mayor and Council of the Borough of Middlesex has reviewed the Consent Agenda consisting of various proposed resolutions; and

WHEREAS, the Mayor and Council of the Borough of Middlesex is not desirous of removing any resolutions from this Agenda.

NOW THEREFORE **BE IT RESOLVED**, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following resolutions on the Consent Agenda are hereby approved and adopted.

**Resolution #85-12 – Resolution #89-12**

Councilman Paff made a motion for approval, seconded by Councilman DiMura and carried by the following roll call vote: Ayes: Members DiMura, First, Jenkins, Kaplan, Paff and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

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

**Resolution #85-12**

The Tax Collector is hereby authorized to issue a check in the amount of $7,206.34 and a $4,400 premium to redeem tax sale certificate #2011-1759, Block 191, Lot 11, 339 Lorraine Ave., check is to be made payable to:
The Borough Clerk read the following resolution:

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

**Resolution #86-12**

The governing body hereby declares the Police Dispatch Equipment ORBACOM TDM-150 surplus.

The Borough Clerk read the following resolution:

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

**Resolution #87-12**

The Tax Collector is hereby authorized to refund the 2010 NJ Homestead Rebate on the following properties. The homeowner had prepaid their 2012 property taxes before the State of New Jersey sent the rebates to the Borough.

<table>
<thead>
<tr>
<th>BLOCK/LOT</th>
<th>NAME &amp; ADDRESS</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>6/2.B/C064B</td>
<td>Zednick, Robert 64B Gramercy Gardens</td>
<td>$176.60</td>
</tr>
<tr>
<td>BLOCK/LOT</td>
<td>BLOCK/LOT</td>
<td>NAME &amp; ADDRESS</td>
</tr>
<tr>
<td>-----------</td>
<td>-----------</td>
<td>----------------</td>
</tr>
<tr>
<td>91/11</td>
<td>91/11</td>
<td>Tagliaferro, Raffelea &amp; Phyllis 206 Ambrose Ave</td>
</tr>
<tr>
<td>190/1.A</td>
<td>190/1.A</td>
<td>Marvuglio, Edward &amp; Veronica 329 Howard Ave</td>
</tr>
<tr>
<td>301/3</td>
<td>301/3</td>
<td>Dennis, Alfred D &amp; Linda F 24 Marlborough Ave</td>
</tr>
<tr>
<td>338/5</td>
<td>338/5</td>
<td>Guide, Anthony P 412 Drake Ave</td>
</tr>
</tbody>
</table>

The Borough Clerk read the following resolution:

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

Resolution #88-12

“A RESOLUTION TO PROVIDE FOR A TEMPORARY BUDGET FOR PAYMENT OF CLAIMS UNTIL THE ADOPTION OF THE 2012 BUDGET

A Temporary Budget in the amount of $6,256,666.22 to provide for the payment of claims and salaries including debt service payments between the first day of January 2012 and the adoption of the 2012 budget be set up as follows:

**GENERAL GOVERNMENT OPERATIONS:**

Building & Grounds – O/E $10,000.00

TOTAL 3,927,903.00

26.25% of the 2011 General Appropriation in the 2011 budget = $4,074,555.92

TOTAL 6,256,666.22
BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex that:

Resolution #89-12

RESOLUTION SUPPORTING PARTICIPATION IN THE SUSTAINABLE JERSEY™ MUNICIPAL CERTIFICATION PROGRAM

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balances and mutually supportive; and

WHEREAS, Middlesex Borough strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, Middlesex Borough hereby acknowledges that the residents of Middlesex Borough desire a stable, sustainable future for themselves and future generations; and

WHEREAS, Middlesex Borough wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable economically sound, local government practices; and

WHEREAS, to achieve the sustainable goals and in support of Green Initiatives, Middlesex Borough has created a “Green Team” which will consist of the following members:

Michael Schneider, Chairman Rober Schueler
Debra DeVuyst Joseph Waide
Joseph McNulty

WHEREAS, by endorsing a sustainable path Middlesex Borough is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, as elected representative of Middlesex Borough, we have significant responsibility to provide leadership which
will seek community-based sustainable solutions to strengthen our community.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of Middlesex Borough, County of Middlesex and State of New Jersey that to focus attention and effort within Middlesex Borough on matters of sustainability, the Middlesex Borough Governing Body wishes to pursue local initiatives and actions that will lead to Sustainable Jersey Municipal Certification.

BE IT FURTHER RESOLVED by the Governing Body of Middlesex Borough that we do hereby authorize Chairman Mike Schneider to serve as Middlesex’ Agent for the Sustainable Jersey Municipal Certification process and authorize him to complete the Municipal Registration on behalf of Middlesex Borough.

The Borough Clerk read the following resolution:

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

Resolution #90-12

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.

Council President DiMura made a motion for approval, seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Members DiMura, First, Jenkins, Kaplan, Paff and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

BE IT RESOLVED, by the Mayor and Council of the Borough of
WHEREAS, a request has been made by Rencor Inc. to waive the fee for the Road Opening Permit for the Replacement of Bridge 2-B-146 for South Avenue over Bound Brook for Piscataway Twp. and Middlesex Borough; and

WHEREAS, Middlesex County is funding the project and it is fully bonded.

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

1. The Governing Body hereby waives the fee for the Road Opening Permit for the Replacement of Bridge 2-B-146 for South Avenue over Bound Brook For Piscataway Twp. and Middlesex Borough.
2. This resolution shall take effect immediately.

Council President DiMura made a motion for approval, seconded by Councilman First and carried by the following roll call vote: Ayes: Members DiMura, First, Jenkins, Kaplan, Paff and Tackach. Nos.: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Councilwoman Jenkins discussed the three calls that she received from residents about complaints of fowl odors on Voorhees Avenue and was told that they had to first contact the County. These residents were discouraged because if they were not going to be home to wait on the County coming out, the County would not respond. She was concerned because the residents are getting conflicting stories and the County does not seem to know how to handle these complaints. Councilwoman Jenkins requested if the Board of Health had invited any of these county health representatives to their monthly meetings, and Board Secretary Anello indicated that both the County
Health Officer, County Environmental Health Division Head and the owner of Spray Tec were invited to attend the April Board of Health Meeting.

PUBLIC COMMENTS

Mayor Dobies opened the Public Potion of the meeting for any comments.

Nadine Chemey, 41 Glen Gary Road discussed the requested that she had made that was to have the girl’s softball field be named the “Stan Spirdon Field”. Ms. Chemey noted that Mr. Spirdon was a teacher, coach and administrator at the High School for over 40 years and made a major impact on this community for our children. She requested that the council reconsider this request, and although the Mauger fields are available, would like the high school softball field dedicated to him, since he taught and coached at the High School it would be a good way to offer the best in his memory. Councilwoman Tackach made a motion to name the softball field the Stan Spirdon Field seconded by Councilman Kaplan. Mayor Dobies requested Ms. Chemey put together a listing of what Mr. Spirdon has done to discuss further. Councilwoman Tackach withdrew her motion.

Frank Ryan, 303 Maple Street commented on the dedication of Mr. Spirdon and his support to name the field after him. Mr. Ryan also commented about how the engineer could just look at the lights and tell if they were safe.

Pete Wozniak, 1200 Sheraton Avenue questioned the total cost of damages with Hurricane Irene and also about the status of the emergency appropriations that were related to the storm.

John Hoffman, 455 Lincoln Boulevard discussed the following: (1) His support for naming the softball field after Mr. Spirdon; (2) The light poles at the High School and his suggestion that the Council consider selling the field to the Board of Education for $1; (3) Metering of the water usage of a certain drug company; (4) New Journey and the enforcement of their permit; (5) The proposed boat ordinance (less strict then the
present ordinance); (6) The untarped trucks from New Journey that scatter garbage and the status of New Journey’s County and State violation notices. Council President DiMura will relay the comments regarding New Journey at the next SWAC Meeting.

Mayor Dobies addressed all issues that were discussed in the public.

Seeing that there was no further public comment, Mayor Dobies closed the public portion of the meeting.

__________________________________________________

The Borough Clerk read the following resolution:

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

Resolution #91-12

**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. PBA Contract Negotiations
2. Disability Retirements

Councilman Kaplan made a motion for approval, seconded by Councilman DiMura and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, Paff and Tackach. Nos.: 
None. Abstain: None.

__________________________________________________

__________________________________________________

ADJOURNMENT

__________________________________________________

Council President DiMura made a motion to adjourn the Regular Meeting seconded by Councilman Kaplan and carried by unanimous vote of Council.

Respectfully submitted,

Kathleen Anello, RMC

Borough Clerk
BOROUGH OF MIDDLESEX

REGULAR MEETING MINUTES

MARCH 27, 2012

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 the Annual Meeting Notice of December 16, 2011 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

Mayor
Ronald Dobies
Student Counterparts
Thomas Cirone

council
Ron DiMura
Gregory Earl

President:
Jeffrey First (absent)
Sean Kaplan
Patricia Jenkins
Michael Paff
Michele Tackach (absent)

Attorney:
Attorney Aithal
Allan Garcia

Mayor Dobies welcomed all the Elks Youth Week participants to the Public Meeting.

__________________________________________________

PRESENTATIONS

__________________________________________________

NEW BUSINESS-NONE

__________________________________________________
PUBLIC HEARING

Mayor Dobies read Ordinance No. 1808-12 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1808-12

BOND ORDINANCE PROVIDING FOR ACQUISITION AND DEMOLITION OF CERTAIN FLOOD PRONE PROPERTIES FOR DEVELOPMENT AS OPEN SPACE IN AND BY THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING $2,540,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF $2,540,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Mayor Dobies opened the public hearing on Ordinance No. 1808-12. Seeing that there were no public comments, Mayor Dobies closed the Public Hearing on Ordinance No. 1808-12.

Councilman Kaplan made a motion to adopt Ordinance No. 1808-12 seconded by Council President DiMura and carried by the following roll call votes: Ayes: DiMura, Jenkins, Kaplan, and Paff. Nos.: None. Abstain: None.

PROCLAMATIONS

Mayor Dobies proclaimed the week of March 26 – 30, 2012 Elks Youth Week and had the Deputy Clerk read the following Proclamation:

PROCLAMATION

WHEREAS, the Benevolent and Protective Order of Elks has designated the week of March 26, 2012 as Elk’s Youth Week to honor America’s Junior Citizens for their accomplishments, and to give fitting recognition to their services to Community, State
and Nation; and

WHEREAS, Middlesex Elks 1488 will sponsor an observance during that week in tribute to the Junior Citizens of this Community; and

WHEREAS, no event could be more deserving of our support and participation than one dedicated to these young people who represent the nation’s greatest resource, and who in the years ahead will assume the responsibility for the advancement of our free society; and

WHEREAS, our Youth need the guidance, inspiration and encouragement which we alone can give in order to help develop those qualities of character essential for future leadership; and go forth to serve America; and

WHEREAS, to achieve this worthy objective we should demonstrate our partnership with Youth, our understanding of their hopes and aspirations and a sincere willingness to help prepare them in every way for the responsibilities and opportunities of citizenship.

NOW THEREFORE, I Ronald S. Dobies, Mayor of the Borough of Middlesex do hereby proclaim the week of March 26, 2012 as Elk’s Youth Week and urge all departments of government, civic, fraternal and patriotic groups and our citizens generally, to participate wholeheartedly in its observance.

__________________________
ADOPTION OF MINUTES

Council President DiMura moved the approval of the March 13, 2012 Regular Meeting Minutes and Executive Session Meeting Minutes seconded by Councilman Kaplan and carried by a unanimous vote of Council.
REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance – Council President DiMura had nothing to report.

2. Recreation/Recreation Fields/Water & Light
   a. Volunteer Background Check and Fingerprinting – An e-mail from the Recreation Director was read which indicated that our volunteer coach fingerprinting company will not accept purchase orders to pay for these fingerprints. The Recreation Director indicated that two alternatives were discussed which include requiring the volunteers to pay for these fingerprints and turn in the receipt for reimbursement or obtaining a credit card that is only used to pay for the fingerprinting. The Recreation Director would like a recommendation on which method of payment council would recommend.

3. Fire/OEM/Board of Health/Rescue Squad
   a. Councilman Kaplan moved to accept Anthony LaSala as a member of the Middlesex Fire Department seconded by Council President DiMura and carried by a unanimous vote of Council.
   b. Councilman Kaplan stated that the Middlesex Fire Department Carnival is set for the April 23 – April 28, 2012.
   c. Councilman Kaplan stated that the Rescue Squad will be holding Family Health Fair and Walkthrough at the Rescue Squad on May 20 and has requested use of the Parking Lot at Borough Hall. Council approved.
   d. Councilman Kaplan requested the use of the Police Department Electronic Sign on Mountain Avenue to direct parking to the Borough Hall Parking Lot for this event. Council approved.
   e. Councilman Kaplan requested that this event be posted on the Borough Electronic Sign and also on
5. Police/Legal/Code Enforcement/Municipal Court
   a. Councilman Paff moved the approval of the February, 2012 Police Department Report seconded
      by Councilwoman Jenkins and carried by a unanimous vote of Council.
6. Administration/Office on Aging/Legislation/License/Buildings & Grounds – Councilman First was absent.

REPORTS – OTHER:

Attorney

1. Attorney Aithal mentioned that South Avenue is set to undergo repairs and the borough portion of these repairs is $850,000. After speaking with Piscataway’s attorney, they have offered the borough an interest free loan to pay this amount in three installments.

COMMENTS ON AGENDA ITEMS - NONE

The Deputy Clerk read the following resolution:

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

Consent Agenda 2012(G)

**WHEREAS**, the Mayor and Council of the Borough of Middlesex has reviewed the Consent Agenda consisting of various proposed resolutions; and

**WHEREAS**, the Mayor and Council of the Borough of Middlesex are desirous of removing Resolutions #98-12 from this
NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following resolutions on the Consent Agenda are hereby approved and adopted.

Resolution #94-12 – Resolution #97-12

Councilman DiMura made a motion for approval, seconded by Councilman Paff and carried by the following roll call vote: Ayes: Members DiMura, Jenkins, Kaplan, and Paff. Nos.: None. Abstain: None.

The Deputy Clerk read the following resolution:

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

Resolution #94-12

WHEREAS, Middlesex Borough is a participant in the State of New Jersey’s Commodity Resale System for both gasoline and diesel fuel; and

WHEREAS, in order to participate in this program, Middlesex Borough, as the Lead Agency must renew this registration to participate in this system.

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

1. The Governing Body hereby approves the Mayor to execute the Registration Renewal for the Middlesex Borough Commodity Resale System with expires on May 26, 2012.
2. This resolution shall take effect immediately.
The Deputy Clerk read the following resolution:

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

**Resolution #95-12**

**WHEREAS,** an emergent condition has arisen with respect to providing temporary appropriations sufficient to cover commitments made during the period of January 1, 2012 to the date of adoption of the annual budget and no adequate provision has been made in the 2012 temporary appropriations to cover such commitments, and N.J.S.A. 40A: 4-20 provides for the creation of an emergency temporary appropriation for the purpose of covering such commitments; and

**WHEREAS,** the total emergency temporary resolutions adopted in the year 2012 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total $11,666,772.98 for the Current Fund Budget, $265,000.00 for the Swimming Pool Utility Budget;

**NOW, THEREFORE, BE IT RESOLVED** (not less than two-thirds of all of the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A.

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<td>Unemployment</td>
<td>36-472</td>
<td>7</td>
<td>50,000</td>
</tr>
</tbody>
</table>

**Statutory Expenses**

<table>
<thead>
<tr>
<th>Description</th>
<th>Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>PERS</td>
<td>36-475</td>
</tr>
<tr>
<td>PFRS</td>
<td>36-472</td>
</tr>
<tr>
<td>Social Security</td>
<td>2</td>
</tr>
</tbody>
</table>

**Debt Service**

<table>
<thead>
<tr>
<th>Description</th>
<th>Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bond Principal</td>
<td>45-920</td>
</tr>
<tr>
<td></td>
<td>2</td>
</tr>
<tr>
<td>Description</td>
<td>Account 1</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>Bond Interest</td>
<td>45-930</td>
</tr>
<tr>
<td>BAN Interest</td>
<td>45-620</td>
</tr>
<tr>
<td>Ban Paydown</td>
<td>45-940</td>
</tr>
<tr>
<td>Green Acres Loan</td>
<td>45-941</td>
</tr>
<tr>
<td>Hazardous Loan &amp; Interest</td>
<td>45-941</td>
</tr>
<tr>
<td>Infrastructure Loan</td>
<td>45-941</td>
</tr>
<tr>
<td>MCIA Loan</td>
<td>45-941</td>
</tr>
<tr>
<td><strong>State &amp; Federal Grants</strong></td>
<td>41-703</td>
</tr>
<tr>
<td>Drug Alliance</td>
<td>41-709</td>
</tr>
<tr>
<td>Older American</td>
<td>41-704</td>
</tr>
<tr>
<td>Body Armor</td>
<td>41-701</td>
</tr>
<tr>
<td>DWI</td>
<td>41-702</td>
</tr>
<tr>
<td>Municipal Court DWI</td>
<td>41-700</td>
</tr>
<tr>
<td>Clean Communities</td>
<td>41-700</td>
</tr>
<tr>
<td><strong>TOTAL CURRENT FUND</strong></td>
<td>2,265,07</td>
</tr>
<tr>
<td><strong>Swim Pool Utility</strong></td>
<td>01-700</td>
</tr>
<tr>
<td>Operating Appropriations</td>
<td></td>
</tr>
</tbody>
</table>
The Deputy Clerk read the following resolution:

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

**Resolution #96-12**

**AMENDMENT TO EXTEND THE 2010 CONTRACT BETWEEN THE COUNTY OF MIDDLESEX AND THE BOROUGH OF MIDDLESEX FOR INFORMATION AND ASSISTANCE & ASSISTED TRANSPORTATION SERVICES FOR THE CALENDAR YEAR 2012. THIS CONTRACT IS FUNDED WITH OLDER AMERICANS ACT FUNDS**

**WHEREAS,** the Middlesex County Office of Aging & Disabled Services entered into contract with the Borough of Middlesex for the provision of information & assistance and assisted transportation services, resolution #10-1691 October 7, 2010.

The undersigned hereby agrees to extend the contract for a third year (calendar year 2012) as allowed in the contract as follows:

1. The amount of the total contract shall be increased an additional $12,047 ($5,000 for the Information & Assistance, $7,047 for Assisted Transportation) for 2012.
2. All other provisions and terms of the contract, including any attachments to the contract, shall remain in full force and effect through December 31, 2012.

The Deputy Clerk read the following resolution:

**BE IT RESOLVED,** by the Mayor and Council of the Borough of
WHEREAS, pursuant to N.J.S.A. 40A:11-9(b) the Borough of Middlesex has appointed Tonya Hubosky as its Qualified Purchasing Agent; and

WHEREAS, pursuant to N.J.S.A. 40A:11-3(a) the Borough of Middlesex has established its bid threshold at $29,000; and

WHEREAS, on July 1, 2010 pursuant to N.J.S.A. 40A:11-3(c) the bid threshold was increased from $29,000 to $36,000.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Middlesex, in the County of Middlesex, in the State of New Jersey hereby increases its bid threshold to $36,000.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to forward a certified copy of this resolution to the Director of the Division of Local Government Services.

The Deputy Clerk read the following resolution:

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

WHEREAS, Middlesex Borough Rescue Squad has requested to hold fund raising within the borough of Middlesex by conducting seven coin tosses within the borough at the intersections of Route 28 and Harris Avenue, Shepherd Avenue, Greenbrook Road, Mountain Avenue and John F. Kennedy Drive; and

WHEREAS, the Rescue Squad would like to conduct these coin tosses on April 21, 2012, May 19, 2012, June 23, 2012, July
WHEREAS, the Rescue Squad has met all of the criteria required in Middlesex Borough Ordinance No. 1747-09, with the exception of the approval of the New Jersey Department of Transportation.

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


2. This resolution shall take effect immediately.

Council President DiMura made a motion for approval, seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Members DiMura, Jenkins, Kaplan, and Paff. Nos.: None. Abstain: None.

The Deputy Clerk read the following resolution:

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

Resolution #99-12

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.

Council President DiMura made a motion for approval, seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Members DiMura, Jenkins, Kaplan, and Paff. Nos.: None. Abstain: None.
DISCUSSION ON AGENDA WORKSHOP ITEMS - NONE

1. The Governing Body has been invited to attend the Middlesex Little League Opening Day Celebration on Saturday, April 14th at 12:30 p.m.

PUBLIC COMMENTS

Mayor Dobies opened the Public Portion of the meeting for any comments.

Pete Wasniak, 1200 Sheraton Avenue discussed his disappointment with the School Board Budget and how the school got $550,000 additional funds and still raised taxes. Mr. Wasniak also made recommendations for the municipal budget and suggested that borough put an article in the newsletter to enlighten residents into the budget.

Artea Lombardi, 517 Edgeworth Street discussed the Board of Education budget and if the Council worked with them regarding this budget. She would like to see another way to fund education, as the homeowners do not have the money any longer.

John Bevan, PBA President discussed the Memorandum of Agreement approved by the Governing Body at the March 22, 2012 Special Meeting and the status of the execution of the PBA Contract.

Frank Ryan, 303 Maple Street discussed Spray Tek and the horrible odors, and requested the Council find out what Spray Tek is doing and to take a stand as a town to get something done with them.

John Ericson, 209 Second Street stated that the Elks Youth Week Participants did a great job tonight.

Nadine Chemey, 41 Glen Gary Road stated that she forwarded background information to the governing body regarding the
dedication of the High School Softball Field as the Stan Spirdon Softball Field and would like the Council’s decision regarding this request. (See resolution below).

John Hoffman, 455 Lincoln Boulevard commended the Elks’ Youth Week Participants on the fine job that they did this evening. Mr. Hoffman also expressed his disappointment at the School Board Budget and requested that Council do their best to establish contact with the Board. Mr. Hoffman also discussed Spray Tech and his discouragement with how the DEP has handled them.

Mayor Dobies addressed all issues that were discussed in the public.

Seeing that there was no further public comment, Mayor Dobies closed the public portion of the meeting.

The following resolution was cancelled, and there was not a closed session held at the meeting.

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

Resolution #100-12

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. DPW Contract Negotiations
2. Disability Retirements

The Deputy Clerk read the following resolution:

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

**Resolution #101-12**

The Governing Body hereby approves the naming of the Girl’s Softball Field behind Middlesex High School the “Stan Spirdon Softball Field”.

Council President DiMura made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: DiMura, Jenkins, Kaplan, and Paff. Nos.: None. Abstain: None.

The Deputy Clerk read the following resolution:

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

**Resolution #102-12**

The Governing Body hereby approves extending the employment of the DPW Intermittent employees until April 15, 2012.

Council President DiMura made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: DiMura, Jenkins, and Kaplan.
Nos.: Paff. Abstain: None.

______________________________

______________________________

ADJOURNMENT

______________________________

Council President DiMura made a motion to adjourn the Regular Meeting seconded by Councilman Kaplan and carried by unanimous vote of Council.

Respectfully submitted,

Linda Chismar, RMC
Deputy Clerk
BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
APRIL 10, 2012

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 the Annual Meeting Notice of December 16, 2011 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

Mayor                                      Ronald Dobies
Council President:                       Ron
                  DiMura
commitment)
(vacation)                        Jeffrey First (work
                                    Sean Kaplan
Jenkins                        Patricia
                                        Michael Paff (absent)
                                        Michele Tackach

Attorney:                              Attorney Solomon
PRESENTATIONS

NEW BUSINESS-NONE

PUBLIC HEARING

Mayor Dobies read Ordinance No. 1806-12 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1806-12

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING THE CODES OF THE BOROUGH OF MIDDLESEX, CHAPTER 420-24, OUTDOOR STORAGE OF RECREATIONAL VEHICLES AND BOATS

Council President DiMura stated that there were questions from residents at the March 10, 2012 Meeting about the safety of the gas left in boats, which has been addressed by our Fire Official indicating that this is not a safety issue with the boats and trailers being stored on the side yards. Council President DiMura has driven throughout the town and looked at over 300 properties with boats or campers to see if they could comply with this new ordinance and approximately 90 – 95% could comply with this new ordinance. He is requesting council amend the ordinance so that owners that presently have these campers, trailers and boats would have a 60 day period to register them with the Zoning Official. If they are unable to comply with the ordinance they can file for a waiver with the Zoning Officer. This waiver will only be available for the 60 day period, and must be filed within that time period in order to comply. All campers, trailers and boats that are purchased in
the future will not be entitled to this waiver and must comply with the ordinance. Council will discuss this ordinance amendment at the next meeting and hold a public hearing.

Council President DiMura made a motion to table this ordinance until the April 24, 2012 Public Meeting, seconded by Councilwoman Jenkins and carried by the following roll call votes: Ayes: DiMura, Jenkins, Tackach. Nos.: None. Abstain: None.

PROCLAMATIONS

Mayor Dobies recognized John Fuhrmann by Proclamation as the Middlesex Elks Citizen of the Year.

PROCLAMATION

WHEREAS, John Fuhrmann has been a resident of Middlesex Borough for 48 years and has given many decades of service to Middlesex Borough and has improved the quality of life of our residents by his many accomplishments in serving in various capacities over the years; and

WHEREAS, John Fuhrmann chaired the committee which secured a $7,000,000 grant for Watchung Terrace, the borough’s 86 unit senior housing complex; and

WHEREAS, John Fuhrmann has been a member of the Zoning Board of Adjustments for 12 years, including serving several terms as Chairman, along with also being a member of the Planning Board for two years; and

WHEREAS, John Fuhrmann has been elected and served on the borough council from 1992 until 1994 and also from 1997 until 2002, and during his tenure has served as police liaison, administrative liaison and senior liaison; and

WHEREAS, John Fuhrmann also was appointed Mayor of the Borough of Middlesex in 2009 and during his tenure was vital in the hiring of a new construction official, updating the property maintenance code, replacement of damaged fire department
radios, installation of a fire alarm system at Borough Hall, receipt of a $350,000 grant to repave Mountain Avenue and returning the stability to municipal government after the resignation of his predecessor; and

WHEREAS, John Fuhrmann has been involved with the local Jaycee, a member of the Parks and Field Development Committee, Master of Ceremonies of many municipal functions and also has helped organize the Memorial Day Park with the American Legion John W. Lupo Memorial Post 306.

NOW, THEREFORE, I, RONALD S. DOBIES, Mayor of the Borough of Middlesex, State of New Jersey, along with the Middlesex Borough Council and on behalf of the residents of Middlesex, wish to thank Mr. Fuhrmann for all of his dedication, sacrifice and labor to our community.

IN WITNESS WHEREOF, I hereby set my hand and the seal of the Borough of Middlesex to be affixed this 10th day of April, 2012.

__________________________________________________

Mayor Dobies proclaimed April 27, 2012 as Arbor Day in the Borough of Middlesex.

PROCLAMATION

WHEREAS, in 1949 the legislature set aside the last Friday of April as Arbor Day to promote the planting of trees and to encourage the protection of our forests from fires and pests that destroy the beauty and usefulness of our woodlands; and

WHEREAS, half of New Jersey’s total land area is forested or tree covered; and

WHEREAS, trees play an important role in the ecosystem in which we live, and trees reduce the erosion of our precious topsoil caused by wind and water, clean the air we breathe and the water we drink, produce oxygen, provide habitat for birds and wildlife and reduce heating and cooling costs by
moderating temperature; and

**WHEREAS**, trees are renewable resource giving us paper for fine literature, wood for homes, fuel for fires, and countless other wood products; and

**WHEREAS**, trees provide increased property value, enhanced economic viability, and pleasing aesthetic qualities along streets and properties in municipalities; and

**WHEREAS**, trees planted in yards and farms, in school yards and parks, and along street and highways creates an enduring heritage for generations that follow; and

**NOW, THEREFORE, I, RONALD S. DOBIES**, Mayor of the Borough of Middlesex, do hereby proclaim April 27, 2012, as **ARBOR DAY**

In the community of Middlesex, and urge all citizens to support efforts to protect our trees and woodlands to support our Borough’s Urban Forestry Program, and the well being of present and future generations.

__________________________
ADOPTION OF MINUTES

Council President DiMura moved the approval of the March 27, 2012 Regular Meeting Minutes as amended seconded by Councilwoman Tackach and carried by a unanimous vote of Council.

__________________________
COMMUNICATIONS/APPOINTMENTS-NONE

__________________________
REPORTS – STANDING COMMITTEES:
1. Finance/Taxation/Real Estate/Construction Official/Insurance
   a. Council President DiMura moved to approve the February & March, 2012 Treasurer’s Report seconded by Councilwoman Jenkins and carried by a unanimous vote of Council. 

2. Recreation/Recreation Fields/Water & Light

3. Fire/OEM/Board of Health/Rescue Squad – Councilman Kaplan was absent

4. Public Works/Parks/Sanitation/Recycling
   b. Councilwoman Jenkins moved the approval of extending the 4 part time intermittent employees until October 31, 2012 seconded by Councilman DiMura and carried by a unanimous vote of Council.

5. Police/Legal/Code Enforcement/Municipal Court – Councilman Paff was absent

6. Administration/Office on Aging/Legislation-License/Buildings & Grounds – Councilman First was absent.

__________________________________________________

REPORTS – OTHER:

Mayor

1. Lease Agreement with Board of Education – Mayor has supplied Council with Board of Education Lease Agreement to review for discussion.
2. Howard Avenue Reconstruction – Mayor Dobies indicated that $300,000 of the grant could be used for road construction and council must decide about the remaining
The Borough Clerk read the following resolution:

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

**Consent Agenda 2012(H)**

WHEREAS, the Mayor and Council of the Borough of Middlesex has reviewed the Consent Agenda consisting of various proposed resolutions; and

WHEREAS, the Mayor and Council of the Borough of Middlesex are desirous of removing Resolutions #108-12 from this Agenda.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following resolutions on the Consent Agenda are hereby approved and adopted.

**Resolution #103-12 – Resolution #107-12**

Resolution #109 – Resolution #110

Councilman DiMura made a motion for approval, seconded by Councilman Jenkins and carried by the following roll call vote: Ayes: Members DiMura, Jenkins, and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

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

**Resolution #103-12**

Authorizing the Mayor and Borough Clerk to execute the Agreement between Veolia, Inc. and the Borough of Middlesex effective September 10, 2011 through September 9, 2021.

The Borough Clerk read the following resolution:

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

**Resolution #104-12**

Authorizing the Mayor and Borough Clerk to execute the PBA 181 Employees Contract effective January 1, 2012 – December 31, 2014.

The Borough Clerk read the following resolution:

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

**Resolution #105-12**

The Tax Collector is hereby authorized to issue a check in the amount of $29,614.55 and a $1,900 premium to redeem tax sale certificate #2010-1741, Block 278, Lot 7, 817 Voorhees Avenue., check is to be made payable to:

US Bank Cust Pro Capital I LLC

US Bank TLSG

2 Liberty Place

50 South 16th Street – Suite
The Borough Clerk read the following resolution:

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

**Resolution #106-12**

The Tax Collector is hereby authorized to cancel a municipally held Tax Sale Certificate #2000-1622 which has been redeemed on property located at Cronk Place, Block 317, Lot 14.

The Borough Clerk read the following resolution:

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

**Resolution #107-12**

The Tax Collector is hereby authorized to refund an overpayment of 2008 property taxes based on recommendation of the new Tax Assessor. The old Tax Assessor had assessed both properties substantially higher than justified. A correction has been made for 2009. The properties are listed below:

<table>
<thead>
<tr>
<th>BLOCK/LOT</th>
<th>NAME &amp; ADDRESS</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>227/22/C001</td>
<td>Jessica Pado</td>
<td>$1,895.94</td>
</tr>
<tr>
<td></td>
<td>207 Fourth St</td>
<td>old</td>
</tr>
</tbody>
</table>
The Borough Clerk read the following resolution:

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

**Resolution #109-12**

The Chief Financial Officer is hereby authorized to cancel the following encumbrances for unused monies from the Grant for Mt. View Park in the total amount of $52,295.97:

<table>
<thead>
<tr>
<th>Date</th>
<th>PO #</th>
<th>Vendor</th>
</tr>
</thead>
<tbody>
<tr>
<td>9/14/2011</td>
<td>49990</td>
<td>Maser Consulting</td>
</tr>
<tr>
<td></td>
<td>$52,295.97</td>
<td></td>
</tr>
</tbody>
</table>

The Borough Clerk read the following resolution:

**BE IT RESOLVED,** by the Mayor and Council of the Borough of Middlesex that:
Resolution #110-12

WHEREAS, on 02/09/12, Core Environmental Service applied to the Construction Office for a Building permit at 213 Beechwood Avenue; and

WHEREAS, Core Environmental Service submitted $150.00 in payment of said Building Permit number 2012-077; and

WHEREAS, on 02/09/12, due to an error in the application process, Core Environmental Service submitted was overcharged for his permit $75.00.

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 $75.00 in favor of Core Environmental Service for his permit number 2012-0077.

The Borough Clerk read the following resolution:

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

Resolution #108-12

WHEREAS, it had been found necessary to provide for a Special Emergency Appropriation to meet certain extraordinary expenses incurred, or to be incurred, by reason of damage caused by Hurricane Irene, and;

WHEREAS, under the provisions of N.J.S.A. 40A:4-54 et seq., the Borough of Middlesex authorized a Special Emergency Appropriation for hurricane damage related to Hurricane Irene on September 19, 2011, in the amount of $400,000.00;

WHEREAS, the Borough has ascertained the costs
incurred with respect to Hurricane Irene as charged against the Special Emergency Appropriation and the Borough wishes to cancel the remaining balance of unexpended Special Emergency Appropriations in the amount of $125,000.00.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Middlesex, that it does hereby authorize the cancellation of the unexpended balance of the Special Emergency Appropriation in the amount of $125,000.00.

Council President DiMura made a motion for approval, seconded by Councilwoman Tackach and carried by the following roll call vote: Ayes: Members DiMura, Jenkins, and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

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

Resolution #111-12

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.

Council President DiMura made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Members DiMura, Jenkins, and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:
BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex that:

Resolution #113-12

Authorizing the Mayor and Borough Clerk to execute the Memorandum of Agreement with the County of Middlesex concerning the use and training of a Taser International Model X2 device.

Council President DiMura made a motion for approval, seconded by Councilwoman Tackach and carried by the following roll call vote: Ayes: Members DiMura, Jenkins, and Tackach. Nos.: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS - NONE

1. Amending Chapter 407 – Parking Ordinance – Borough Attorney has reviewed our parking ordinance and updated the fees. This ordinance will be introduced at the April 24, 2012 Public Meeting.

2. Amending Chapter 420-58 – M Municipal District – This ordinance was reviewed by the Planning Board and set for introduction at the April 24, 2012 Public Meeting.

3. Parking on Side Streets along Middlesex High School Parking Lot – This situation was discussed previously with Chief Young and the High School was going to have the overflow of student parking that now park on the roadway park at Mt. View Park. Since this did not seem to resolve the situation, Council President DiMura recommended that the parking situation remain as it is. Mayor Dobies suggested that this matter be discussed further with all council present.

PUBLIC COMMENTS

Mayor Dobies opened the Public Portion of the meeting for any
comments.

Pete Wozniak, 1200 Sheraton Avenue thanked the Council President for knocking down the emergency appropriation to help the taxpayers and would like to add the monies received from FEMA into the fund balance when we adopt the budget. Mr. Wasniak also requested a synopsis of the Police Contract and mentioned that the White Collar is doing a good job and haven’t gotten raises in many years.

Chris Master, 128 Second Street appreciated Council President DiMura looking further into the boat ordinance and discussed the waiver.

Michael Class, 505 Harris Avenue questioned the Executive Session and why the matter regarding two former DPW employees that had not filed for litigation should be discussed in Executive Session, as they are no longer employees of the borough.

Frank Ryan, 303 Maple Street expressed his disappointment with the removal of trees that was done by PSE&G on Greenbrook Road. Mr. Ryan also discussed his discontent with the PBA comments that took place at the March 27, 2012 meeting with regard to the PBA Contract. He also discussed the prior Board of Health Meeting with regard to Spray Tek and would like to see Spray Tek held accountable.

George Emre, 443 Union Avenue indicated that he felt slighted by the Democratic Organization for not being reappointed to the Zoning Board of Adjustments.

Ken Griggs, 328 Runyon Avenue thanked the Council for the changes that they made in the trailer ordinance. He is concerned with the time waiver and would like the waiver also to address any new trailers that are purchased.

Pat Hoelzel, 534 Howard Avenue questioned why the last road on Howard Avenue (Marlborough Ave.) is not being paved.

Bill Moore, 165 Barbara Place discussed the boat/trailer ordinance and if it is fair for the residents that do not own
these boat/trailers to have to look at them.

Cindy Chomen, 10 Oswega Avenue discussed the waiver for the boat/trailer ordinance and if her situation for temporary storage of her boat and trailer while she preps/cleans them would qualify for this waiver.

Mayor Dobies addressed all issues that were discussed in the public.

Seeing that there was no further public comment, Mayor Dobies closed the public portion of the meeting.

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The Borough Clerk read the following resolution:

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

**Resolution #112-12**

**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. DPW Contract Negotiations


3. Director of Senior Services – Potential Disability

Council President DiMura made a motion for approval, seconded by Councilwoman Tackach and carried by the following roll call vote: Ayes: Members DiMura, Jenkins, and Tackach. Nos.: None. Abstain: None.

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ADJOURNMENT

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Council President DiMura made a motion to adjourn the Regular Meeting seconded by Councilwoman Jenkins and carried by unanimous vote of members present.

Respectfully submitted,

Kathleen Anello, RMC
Borough Clerk
BOROUGH OF MIDDLESEX

REGULAR MEETING MINUTES

APRIL 24, 2012

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 the Annual Meeting Notice of December 16, 2011 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

Mayor                                      Ronald Dobies
Council President:                     Ron
                                      Jeffrey First
DiMura
business)                                 Sean Kaplan (absent –
Patinia
Jenkins
                                      Patricia
                                          Michael Paff
                                          Michele Tackach

Attorney:                                 Attorney Aithal
PRESENTATIONS

Attorney Don Whitelaw attended the meeting and represented Vanick Property, which is proposing retail development at 232 and 220 Lincoln Boulevard. They have also included in their plan the parking area of 242 Lincoln Boulevard, which houses both Pathmark and Cub Liquors. This redevelopment will include 16,000 SF of new retail space and expand the shopping center to include multiple accesses. Mr. Scott Lurie, the Architect reviewed the plans and Mr. Bob Gazzale, the Engineer from Fisk Associates reviewed the proposed layout of the site. Vanick Property has already had his proposal reviewed by the Redevelopment Architect to comply with the borough’s redevelopment plan and this plan has also been submitted to the Zoning Officer. Council President DiMura has requested Vanick submit addresses and pictures of former sites that they have redeveloped. At this time, this proposal will be going to the Planning Board.

Borough Auditor, Andy Hodulick attended meeting and stated that if we compare the 2011 budget to the 2012 budget and remove grants the budget is up less than \(\frac{1}{2}\)%. Council President DiMura indicated that the budget is still a work in progress and amendments have to be made. The Finance Committee will be meeting before the next Public Meeting to make any suggestions and move to get the budget adopted.

Mayor Dobies opened the budget hearing.

Debbie DeVuyst, 73 Ramsey Road questioned the following items in the budget: (1) Why the budget does not show what the employees have paid for their health benefits and how it offsets the current premiums; (2) How the FEMA reimbursement is recorded in the budget; (3) If 2009 pension deferral is included in the pension payment; (4) The $150,000 currently in the budget for the borough’s unemployment insurance.
Council President DiMura along with Auditor Andy Hodulik addressed the issues as it relates to the introduced municipal budget.

Seeing no further public comments, Mayor Dobies closed the budget hearing.

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NEW BUSINESS

Mayor Dobies read Ordinance 1809-12 by title for introduction.

ORDINANCE NO. 1809-12

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING THE CODES OF THE BOROUGH OF MIDDLESEX CHAPTER 420-58, M MUNICIPAL DISTRICT

WHEREAS, the Municipal Land Use Law of the State of New Jersey, N.J.S.A. 40:55D-1, et seq., grants to municipalities the power to adopt a zoning ordinance relating to the nature and extent of the uses of lands, buildings and structures thereon;

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Middlesex, County of Middlesex, State of New Jersey as follows:

SECTION ONE. The Code of the Borough of Middlesex, Middlesex County, New Jersey Section 420-58 is hereby amended as follows:

420-58 M Municipal District.

A. Permitted principal uses. No building, structure or premises shall be erected, structurally altered or used except for the following uses:

(1) Governmental uses conducted by the Borough of Middlesex, Borough of Middlesex Board of Education, County of Middlesex
and/or the State of New Jersey.

SECTION TWO. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

SECTION THREE. This Ordinance may be renumbered for codification purposes.

SECTION FOUR. In the event that any section, part or provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION FIVE. This Ordinance shall take effect 20 days after passage and publication as provided by law.

Councilman DiMura moved for introduction seconded by Councilman Paff and carried by the following roll call votes: Ayes: DiMura, First, Jenkins, Paff, and Tackach. Nos.: None. Abstain: None.

Mayor Dobies read Ordinance 1810-12 by title for introduction.

**ORDINANCE NO. 1810-12**

AN ORDINANCE TO AMEND CHAPTER 407, VEHICLES AND TRAFFIC, ARTICLE III STOP INTERSECTIONS, ARTICLE IV PROHIBITED PARKING, ARTICLE V LIMITED PARKING, ARTICLE VI PARKING RESTRICTED, ARTICLE VII BUS STOPS, ARTICLE VIII COMMERCIAL VEHICLES, ARTICLE IX PARKING, STOPPING AND STANDING, ARTICLE X STOPPING AND STANDING, ARTICLE XIV PARKING PROHIBITED IN CERTAIN LOCATIONS, ARTICLE XV TRUCK EXCLUSION, AND ARTICLE XVIII PARKING IN SNOW-COVERED STREETS OF THE CODE OF THE BOROUGH OF MIDDLESEX
BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF MIDDLESEX THAT:

Section 407-7 Prohibited Parking; Penalty; Signs, 407-7B is amended to read as follows:

B. Any person found guilty of violating the provisions of this article shall be subject to a fine of not less than $54 nor more than $250.00

Section 407-8 Warrenville Road; prohibited parking; signs; penalty, 407-8C is amended to read as follows:

C. A fine of not less than $54 and not more than $250 shall be imposed for violation of this article.

Section 407-8.1 Baekeland Avenue; prohibited parking; signs; penalty shall be included to read as follows:

A. Parking of any motor vehicles, trucks, trailers, semitrailers or omnibuses, whether commercial or non-commercial, shall be prohibited on either side of Baekeland Avenue from River Road through to the point of intersection with Cedar Avenue/Possumtown Road.

B. No-parking signs in accordance with specifications as provided by statute of the State of New Jersey shall be exhibited at or near the intersection of Baekeland Avenue and River Road and Baekeland Avenue and Cedar Avenue/Possumtown Road, and shall put violators on notice that parking is prohibited along all portions of Baekeland Avenue.

C. A fine of not less than $54 and not more than $250 shall be imposed for violation of this article.

Section 407-9 Further prohibited parking; signs; penalty, 407-9D is amended to read as follows:

D. A fine of not less than $54 and not more than $250 shall be imposed for violation of this article.

Section 407-11 Drake Avenue; prohibited parking, 407-11C shall be included to read as follows:
C. A ninety-five dollar fine shall be imposed for violation of this section.

**Section 407-15 Violations and penalties is amended to read as follows:**

Unless another penalty is expressly provided by New Jersey Statute, every person convicted of a violation of a provision of this article or any supplement thereto shall be liable to a penalty of not more than $250 or imprisonment for a term not exceeding 15 days, or both.

**Section 407-16 Restriction; penalty, 407-16B is amended to read as follows:**

B. Any person violating the provisions hereinabove shall be subject to a fine of not more than $54.

**Section 407-17 Further restrictions; penalty, 407-17B is amended to read as follows:**

B. Any person violating this article shall, upon conviction thereof, be subject to a fine of $54 for a first offense, and $95 for every repeated offense.

**Section 407-17 Further restrictions; penalty, 407-17C shall be repealed**

**Section 407-19 Parking restrictions for Route 28, 407-19C is amended to read as follows:**

C. Any person violating the provisions hereinabove shall be subject to a fine of not more than $54.

**Section 407-21 Violations and penalties; is amended to read as follows:**

Any person violating the provisions herein above shall be subject to a fine of not more than $54

**Section 407-25 Violations and penalties; is amended to**
read as follows:

For a violation of any provision of this article, the offender shall be liable to a penalty of not more than $250 or imprisonment not exceeding 15 days, or both.

Section 407-29 Violations and penalties; is amended to read as follows:

Unless another penalty is expressly provided by New Jersey Statute, every person convicted of a violation of a provision of this article or any supplement thereto shall be liable to a penalty of not more than $250 or imprisonment for a term not exceeding 15 days or both.

Section 407-32 Violations and penalties; is amended to read as follows:

A fine of not less than $54 and not more than $250 shall be imposed for violation of this article.

Section 407-49 Violations and penalties; is amended to read as follows:

A fine of not less than $54 and not more than $250 shall be imposed for violation of this article.

Section 407-53 Violations and penalties is amended to read as follows:

A fine of not less than $54 and not more than $250 shall be imposed for violation of
this article.

Section 407-60 Violations and penalties is amended to read as follows:

Unless another penalty is expressly provide by New Jersey Statute, every person convicted of a violation of a provision of this article or any supplement thereto shall be liable to a penalty of not more than $250 or imprisonment for a term not exceeding 15 days, or both.

Section 407-64 Violations and penalties is amended to read as follows:

A $95 fine shall be imposed for violation of this section.

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 the above sections in Chapter 407, Vehicles and Traffic as stated.
2. This Ordinance shall take effect immediately upon final passage and publication according to law.

Councilman DiMura moved for introduction seconded by Councilwoman Tackach and carried by the following roll call votes: Ayes: DiMura, First, Jenkins, Paff, and Tackach. Nos.: None. Abstain: None.

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PUBLIC HEARING

Mayor Dobies read Ordinance No. 1806-12 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.
ORDINANCE NO. 1806-12

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING THE CODES OF THE BOROUGH OF MIDDLESEX, CHAPTER 420-24, OUTDOOR STORAGE OF RECREATIONAL VEHICLES AND BOATS

WHEREAS, the Municipal Land Use Law of the State of New Jersey, N.J.S.A. 40:55D-1, et seq., grants to municipalities the power to adopt a zoning ordinance relating to the nature and extent of the uses of lands, buildings and structures thereon;

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Middlesex, County of Middlesex, State of New Jersey as follows:

SECTION ONE. The Code of the Borough of Middlesex, Middlesex County, New Jersey Section 420-7 Definitions and Section 420-24 Outdoor Storage of Recreational Vehicles and Boats and Section 248-17, are hereby amended as follows:

420-7 Definitions.

YARD – An open space on a lot, lying between the principal building and the nearest lot line, unoccupied and unobstructed from the ground upward, except as otherwise provided in this chapter.

A. FRONT YARD

— An open, unoccupied space within and extending the full width of the lot between the front wall of a building and front lot line. For corner lots, the front shall coincide with the front door. The secondary street shall be considered a side yard and shall require twice the setback as required for interior lots.

B. REAR YARD

— An open, unoccupied space within and extending the full width of the lot between the rear wall of the building and the rear lot line.
C. SIDE YARD

— An open, unoccupied space within the lot between the principal structure and the side property line.


B. Trailered recreational vehicles, trailers and boats are permitted in residential zone and shall be stored in a private garage, in the rear yard, or on an impervious surface in the side yard providing a minimum 2 foot setback from the side property line. No part of the recreational vehicle, trailer or boat shall extend into the front yard area. No matter where a trailered recreational vehicle, trailer or boat is parked on the property in a residential zone, it must be currently registered with the DMV and must be readily operable. Any material used to cover or protect the vehicle must be maintained in good condition.

248-17.A(3) is omitted in its entirety.

SECTION TWO. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

SECTION THREE. This Ordinance may be renumbered for codification purposes.

SECTION FOUR. In the event that any section, part or provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION FIVE. This Ordinance shall take effect 20 days after passage and publication as provided by law.

Councilman DiMura moved to table Ordinance No. 1806-12 to Committee seconded by Councilman First and carried by the following roll call votes: Ayes: DiMura, First, Jenkins, Paff, and Tackach. Nos.: None. Abstain: None.
Mayor Dobies received a request from a resident that the committee consider having the waiver for a boat or trailer that was discussed also include if the resident purchase a new boat or trailer.

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PROCLAMATIONS - NONE

__________________________________________________

ADOPTION OF MINUTES

Councilman Paff moved the approval of the April 10, 2012 Regular Meeting Minutes seconded by Council President DiMura and carried by a unanimous vote of Council.

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COMMUNICATIONS/APPOINTMENTS - NONE

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REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance
   (a) Council President DiMura requested that council get back to him by the end of the week, so that the budget can be finalized and brought forward to the May 8, 2012 Public Meeting.

   (b) Council President DiMura thanked Frank Ryan for his help in obtaining stone for Victor Crowell Park to secure the bank along the dam.

1. Recreation/Recreation Fields/Water & Light
   (a) Councilwoman Tackach read the Recreation Director’s Monthly Report for April, 2012.
3. Fire/OEM/Board of Health/Rescue Squad – Councilman Kaplan was absent

4. Public Works/Parks/Sanitation/Recycling
   1. Councilwoman Jenkins thanked both Andrea Corcoran and Bob Teutsch for their help in organizing the “Clean Up Day” on Saturday, April 21, 2012 and thanked all the residents and organizations that participated in this event.

5. Police/Legal/Code Enforcement/Municipal Court
   (a) Councilman Paff moved the approval of the March, 2012 Police Department Monthly Report seconded by Councilman First and carried by a unanimous vote of Council members present.

   (b) Councilman Paff moved the approval of the March, 2012 Zoning/Code Violations Report seconded by Councilman First and carried by a unanimous vote of Council members present.

6. Administration/Office on Aging/Legislation/License/Buildings & Grounds
   (a) Video Tape of Council Meetings – Administration Committee met and agreed not to move forward on this ordinance.

REPORTS – OTHER:

Mayor

1. Lease Agreement with Board of Education – Mayor recommended that the Council and attorney review this agreement, in particular the maintenance of the football field. Councilwoman Jenkins will be meeting with the Board of Education to discuss.

2. Steel Work Boots – Awaiting a response from PEOSH.

3. J.H. Reid On-Site Recycling, Inc. – Renewal of a Recycling Center General Approval for Class B Materials – This
renewal has not yet been put on the SWAC Agenda. The Police Chief has no outstanding complaints about the center.

4. Public Defender – Mayor asked that Council consider the request for an alternate Public Defender.

5. 205 Runyon Avenue – Sale of Borough Property – Mayor Dobies will look into the sale of this 10 foot strip of property along the Grove Street right of way that resident has requested to purchase.

6. Walter Ryan Property – Donation of Lot 1, Block 325 – A motion was made by Council President DiMura seconded by Councilman Paff and carried by a unanimous vote of Council to move forward and accept the donation of this property.

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COMMENTS ON AGENDA ITEMS - NONE
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The Borough Clerk read the following resolution:

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

**Consent Agenda 2012(H)**

**WHEREAS**, the Mayor and Council of the Borough of Middlesex has reviewed the Consent Agenda consisting of various proposed resolutions; and

**WHEREAS**, the Mayor and Council of the Borough of Middlesex are not desirous of removing any resolutions from this Agenda.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following resolutions on the Consent Agenda are hereby approved and adopted.
Councilman DiMura made a motion for approval, seconded by Councilman First and carried by the following roll call vote: Ayes: Members DiMura, First, Jenkins, Paff, and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

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

**Resolution #114-12**

The Tax Collector is hereby authorized to refund an overpayment of 2nd quarter 2012 property taxes due to an overpayment by the finance/mortgage company on the following property:

<table>
<thead>
<tr>
<th>BLOCK/LOT</th>
<th>NAME &amp; ADDRESS</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/3</td>
<td>Miragliotta, Julie &amp; Lee</td>
<td>$261.96</td>
</tr>
</tbody>
</table>

16 Rolling Rd

The Borough Clerk read the following resolution:

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

**Resolution #115-12**

The Tax Collector is hereby authorized to issue a check in the amount of $22,462.70 and a $12,700 premium to redeem tax
The Borough Clerk read the following resolution:

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

**Resolution #116-12**

The Tax Collector is hereby authorized to cancel and/or amend 2010 Sanitary Sewer Use Charges on the following properties. This is based upon a recommendation by the Sewer Bill Review Committee:

<table>
<thead>
<tr>
<th>BLOCK/LOT</th>
<th>NAME &amp; ADDRESS</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>80/4</td>
<td>Union Plaza, LLC</td>
<td>$1,566.83</td>
</tr>
<tr>
<td></td>
<td>619 Union Avenue</td>
<td></td>
</tr>
<tr>
<td>83/10</td>
<td>Mazze, J</td>
<td>$714.89</td>
</tr>
<tr>
<td></td>
<td>41 Greenbrook Rd</td>
<td></td>
</tr>
<tr>
<td>86.B/22</td>
<td>DeOliveria, Paula</td>
<td>$1,037.07</td>
</tr>
<tr>
<td></td>
<td>22 Princeton Dr</td>
<td></td>
</tr>
<tr>
<td>111/9</td>
<td>Lacapria,</td>
<td></td>
</tr>
</tbody>
</table>
Robert                                             $    696.71
303 Hazelwood Ave

112/6 Nicolay, Todd &
Renee                                    $    739.52
319 Beechwood Ave

239/30 Reale,
Robert                                        $    708.29
151 Lee Dr

The Borough Clerk read the following resolution:

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

**Resolution #117-12**

The Governing Body hereby authorizes the Borough Engineer to go out to bid for the Howard Avenue Road Reconstruction Improvements.

The Borough Clerk read the following resolution:

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

**Resolution #118-12**

RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF

RADIO COMMUNICATIONS EQUIPMENT & ACCESSORIES
WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase Radio Communications Equipment and Accessories from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

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

WHEREAS, Motorola Solutions, Inc. is under the State Contract No. 53804 for the year 2012; and

WHEREAS, the cost for the purchase of Mobile Radios for the Police Department and a portable radio for the Fire Department is not to exceed $18,714.44; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of Radio Communications Equipment and Accessories ordered under State Contract No. 53804 be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed $18,714.44 are available in Account No. 04-1797-00-1797-86.

The Borough Clerk read the following resolution:

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

Resolution #119-12

Authorizing the Mayor and Borough Clerk to execute the Memorandum of Understanding by and between the Middlesex County Prosecutor’s Office and the Borough of Middlesex and Borough of Middlesex Police Department for the “Skywatch” Surveillance Platform.
The Borough Clerk read the following resolution:

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

**Resolution #120-12**

**APPOINTING LICENSED SITE REMEDIATION PROFESSIONAL**

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) now requires each municipality in the State of New Jersey to appoint a Licensed Site Remediation Professional (LSRP) to facilitate in the remediation of any Borough owned property; and

WHEREAS, Rohan Tadas, CHMM, LSRP, of T&M Associates, is a fully qualified certified Licensed Site Remediation Professional (LSRP).

NOW, THEREFORE, **BE IT RESOLVED** by the Council of the Borough of Middlesex that Rohan Tadas, CHMM, LSRP, of T&M Associates, be appointed as Licensed Site Remediation Professional for the Borough of Middlesex under the terms and conditions of the current 2012 Professional Engineering Services Contract with T&M Associates said term to expire December 31, 2012.

The Borough Clerk read the following resolution:

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

**Resolution #121-12**

The Governing Body hereby authorizes the Borough Engineer to go out to bid for the Mountain View Park Project.

Councilman DiMura made a motion to table this resolution until further discussion is held with the Borough Engineer at the May 8, 2012 Public Meeting seconded by Councilman Paff and
carried by the following roll call vote: Ayes: Members DiMura, First, Jenkins, Paff, and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

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

**Resolution #122-12**

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.

Council President DiMura made a motion for approval, seconded by Councilman First and carried by the following roll call vote: Ayes: Members DiMura, First, Jenkins, Paff and Tackach. Nos.: None. Abstain: None.

**DISCUSSION ON AGENDA WORKSHOP ITEMS - NONE**

**PUBLIC COMMENTS**

Mayor Dobies opened the Public Potion of the meeting for any comments.

Frank Ryan, 303 Maple Street thanked the Council for moving ahead with the Victor Crowell Park project. Mr. Ryan also requested council consider renaming Middlesex Borough “Lincoln Borough”. Mr. Ryan also noted the odor coming from the Spray Tek site.

Debbie DeVuyst, 73 Ramsey Road questioned both the capital
budget and replacing the Fire Truck and also having the Council consider updating the Fire Department ordinance which hasn’t been updated since 1967 and mission statement which includes their duties and have it reflect emergency services.

Mayor Dobies addressed all issues that were discussed in the public.

Seeing that there was no further public comment, Mayor Dobies closed the public portion of the meeting.

The Borough Clerk ready the following resolution:

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

**Resolution #123-12**

**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. Director of Senior Services – Potential Disability

Council President DiMura made a motion for approval, seconded by Councilwoman Tackach and carried by the following roll call vote: Ayes: Members DiMura, First, Jenkins, Paff and Tackach. Nos.: None. Abstain: None.

ADJOURNMENT

Council President DiMura made a motion to adjourn the Regular Meeting seconded by Councilwoman Jenkins and carried by unanimous vote of members present.

Respectfully submitted,

Kathleen Anello, RMC

Borough Clerk
BOROUGH OF MIDDLESEX

REGULAR MEETING MINUTES

MAY 8, 2012

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 the Annual Meeting Notice of December 16, 2011 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

Mayor                                      Ronald Dobies
Council President:                     Ron
DiMura

Jeffrey First (absent – business)

Sean Kaplan
Patricia

Jenkins

Michael Paff (absent)
Michele Tackach
PRESENTATIONS

Bound Brook Pump Station Improvements – T&M attended meeting to discuss the scope and fee estimate for professional engineering services associated with improvements to the Bound Brook Pump Station and what could be done within the funding available. After their meeting with Tom Moskal and Jerome Sheehan to discuss the operational and maintenance issues with regard to the Pump Station, the following list of suggested improvements was generated:

1. Electrical Service Evaluation – T&M will monitor the incoming power for one month, compile a report and notify PSE&G on the service so T&M can provide recommendations for improvements.
2. Flow Meter Installation – Presently no metering onsite and NJDEP requires this. T&M will design the installation of a doghouse manhole to be located outside the pump station over the effluent discharge main. The manhole will house a new flow meter and include a data logger installed inside the main building to allow the Borough to keep logs of the flow as needed.
3. Influent Sluice Gate Replacement – T&M will evaluate the existing gate to determine if parts can be replaced and the gate repaired without installation of a new unit. If the existing gate cannot be repaired then T&M will design for the replacement of the existing sluice gate with an in-kind replacement. The thimble or frame will also be replaced and the concrete around the opening will be evaluated to determine if additional concrete repair is necessary.
4. Pump Replacement – The station has three existing dry pit submersible pumps. Two are 12hp and the third is a 20 hp unit. The existing spare pump, manufactured by Flygt, is stored on a cart at the pump station as well and was noted by Mr. Moskal that the impeller was chipped and its bearings required replacement. As requested by the Borough T&M will design for the replacement of all three pumps.
5. Fire Alarm Modifications – T&M will design for the installation of new devices as required by the fire code, including explosion proof listed heat detectors at the lower (classified) area, and connect the new devices into the existing alarm panel.

6. South Avenue Flume Evaluation – T&M will conduct one day of field survey 75 feet on either side of the location of the flume and document all topographic features including roadways, driveways, manholes, trees, signs, fences, underground utilities, concrete pads, landscaping and other physical features. Elevations will be provided using an assumed datum. Once complete, a base map will be created and T&M will design the realignment of the flume to allow easier access to the sewer main for maintenance and cleaning purposes.

T&M anticipates draft bid documents will be forwarded to the Borough for review and approval within 60 days of receipt of authorization to proceed. The entire construction project is expected to take approximately 8 months. Mayor Dobie requested that the Engineer provide council with the cost of services for construction administration and inspection services be forwarded to the Council to review before approval.

Council also discussed the pricing for the pumps, the wattage of the electrical service, the location of the generator and its possible elevation due to flooding, and any grease that may be coming from the station.

Mt. View Park – Council President DiMura (Finance Chair) and Dominick Carrino will meet to discuss the preliminary construction cost estimate.

__________________________________________________

NEW BUSINESS - NONE

__________________________________________________

PUBLIC HEARINGS

Mayor Dobies read Ordinance No. 1809-12 by title saying it had
been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1809-12

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY
AMENDING THE CODES OF THE BOROUGH OF MIDDLESEX
CHAPTER 420-58, M MUNICIPAL DISTRICT

WHEREAS, the Municipal Land Use Law of the State of New Jersey, N.J.S.A. 40:55D-1, et seq., grants to municipalities the power to adopt a zoning ordinance relating to the nature and extent of the uses of lands, buildings and structures thereon;

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Middlesex, County of Middlesex, State of New Jersey as follows:

SECTION ONE. The Code of the Borough of Middlesex, Middlesex County, New Jersey Section 420-58 is hereby amended as follows:

420-58 M Municipal District.

A. Permitted principal uses. No building, structure or premises shall be erected, structurally altered or used except for the following uses:

(1) Governmental uses conducted by the Borough of Middlesex, Borough of Middlesex Board of Education, County of Middlesex and/or the State of New Jersey.

SECTION TWO. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

SECTION THREE. This Ordinance may be renumbered for codification purposes.

SECTION FOUR. In the event that any section, part or provision
of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION FIVE. This Ordinance shall take effect 20 days after passage and publication as provided by law.

Mayor Dobies opened the public hearing on Ordinance No. 1809-12. Seeing that there were no public comments, Mayor Dobies closed the Public Hearing on Ordinance No. 1809-12.

Councilman DiMura moved for adoption seconded by Councilman Kaplan and carried by the following roll call votes: Ayes: DiMura, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

Mayor Dobies read Ordinance No. 1810-12 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1810-12

AN ORDINANCE TO AMEND CHAPTER 407, VEHICLES AND TRAFFIC, ARTICLE III STOP INTERSECTIONS, ARTICLE IV PROHIBITED PARKING, ARTICLE V LIMITED PARKING, ARTICLE VI PARKING RESTRICTED, ARTICLE VII BUS STOPS, ARTICLE VIII COMMERCIAL VEHICLES, ARTICLE IX PARKING, STOPPING AND STANDING, ARTICLE X STOPPING AND STANDING, ARTICLE XIV PARKING PROHIBITED IN CERTAIN LOCATIONS, ARTICLE XV TRUCK EXCLUSION, AND ARTICLE XVIII PARKING IN SNOW-COVERED STREETS OF THE CODE OF THE BOROUGH OF MIDDLESEX

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

Section 407-7 Prohibited Parking; Penalty; Signs, 407-7B
is amended to read as follows:

B. Any person found guilty of violating the provisions of this article shall be subject to a fine of not less than $54 nor more than $250.00

Section 407-8 Warrenville Road; prohibited parking; signs; penalty, 407-8C is amended to read as follows:

C. A fine of not less than $54 and not more than $250 shall be imposed for violation of this article.

Section 407-8.1 Baekeland Avenue; prohibited parking; signs; penalty shall be included to read as follows:

A. Parking of any motor vehicles, trucks, trailers, semitrailers or omnibuses, whether commercial or non-commercial, shall be prohibited on either side of Baekeland Avenue from River Road through to the point of intersection with Cedar Avenue/Possumtown Road.

B. No-parking signs in accordance with specifications as provided by statute of the State of New Jersey shall be exhibited at or near the intersection of Baekeland Avenue and River Road and Baekeland Avenue and Cedar Avenue/Possumtown Road, and shall put violators on notice that parking is prohibited along all portions of Baekeland Avenue.

C. A fine of not less than $54 and not more than $250 shall be imposed for violation of this article.

Section 407-9 Further prohibited parking; signs; penalty, 407-9D is amended to read as follows:

D. A fine of not less than $54 and not more than $250 shall be imposed for violation of this article.

Section 407-11 Drake Avenue; prohibited parking, 407-11C shall be included to read as follows:

C. A ninety-five dollar fine shall be imposed for violation
Section 407-15 Violations and penalties is amended to read as follows:

Unless another penalty is expressly provided by New Jersey Statute, every person convicted of a violation of a provision of this article or any supplement thereto shall be liable to a penalty of not more than $250 or imprisonment for a term not exceeding 15 days, or both.

Section 407-16 Restriction; penalty, 407-16B is amended to read as follows:

B. Any person violating the provisions hereinabove shall be subject to a fine of not more than $54.

Section 407-17 Further restrictions; penalty, 407-17B is amended to read as follows:

B. Any person violating this article shall, upon conviction thereof, be subject to a fine of $54 for a first offense, and $95 for every repeated offense.

Section 407-17 Further restrictions; penalty, 407-17C shall be repealed

Section 407-19 Parking restrictions for Route 28, 407-19C is amended to read as follows:

C. Any person violating the provisions hereinabove shall be subject to a fine of not more than $54.

Section 407-21 Violations and penalties; is amended to read as follows:

Any person violating the provisions herein above shall be subject to a fine of not

more than $54

Section 407-25 Violations and penalties; is amended to read as follows:
For a violation of any provision of this article, the offender shall be liable to a penalty of not more than $250 or imprisonment not exceeding 15 days, or both.

Section 407-29 Violations and penalties; is amended to read as follows:

Unless another penalty is expressly provided by New Jersey Statute, every person convicted of a violation of a provision of this article or any supplement thereto shall be liable to a penalty of not more than $250 or imprisonment for a term not exceeding 15 days or both.

Section 407-32 Violations and penalties; is amended to read as follows:

A fine of not less than $54 and not more than $250 shall be imposed for violation of this article.

Section 407-49 Violations and penalties; is amended to read as follows:

A fine of not less than $54 and not more than $250 shall be imposed for violation of this article.

Section 407-53 Violations and penalties is amended to read as follows:

A fine of not less than $54 and not more than $250 shall be imposed for violation of this article.

Section 407-60 Violations and penalties is amended
to read as follows:

Unless another penalty is expressly provide by New Jersey Statute, every person convicted of a violation of a provision of this article or any supplement thereto shall be liable to a penalty of not more than $250 or imprisonment for a term not exceeding 15 days, or both.

Section 407-64 Violations and penalties is amended to read as follows:

A $95 fine shall be imposed for violation of this section.

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 the above sections in Chapter 407, Vehicles and Traffic as stated.
2. This Ordinance shall take effect immediately upon final passage and publication according to law.

Mayor Dobies opened the public hearing on Ordinance No. 1810-12. Seeing that there were no public comments, Mayor Dobies closed the Public Hearing on Ordinance No. 1810-12.

Councilman DiMura moved for adoption seconded by Councilman Kaplan and carried by the following roll call votes: Ayes: DiMura, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

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PROCLAMATIONS

The Deputy Clerk proclaimed the week of May 13 – 19, 2012 as Police Week and Peace Officers Memorial Day.
Police Week & Peace Officers Memorial Day

WHEREAS, the Congress and President of the United States have designated May 15 as Peace Officers Memorial Day, and the week in which it falls as Police Week; and

WHEREAS, the members of the Middlesex Borough Police Department play an essential role in safeguarding the rights and freedoms of the citizens of Middlesex Borough; and

WHEREAS, it is important that all citizens know and understand the problems, duties and responsibilities of their police department, and that members of our police department recognize their duty to serve the people by safeguarding life and property, by protecting them against violence or disorder, and by protecting the innocent against deception and the weak against oppression or intimidation; and

WHEREAS, the Middlesex Borough Police Department has grown to be a modern and scientific law enforcement agency which unceasingly provides a vital public service;

NOW, THEREFORE, I Ronald S. Dobies, call upon the citizens of Middlesex Borough and upon patriotic, civic and educational organizations to observe the week of May 13 through May 19, 2012, as Police Week in which all of our citizens may join commemorating police officers, past and present, who by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to their communities and, in doing so, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

I FURTHER call upon the citizens of Middlesex Borough to observe Sunday, May 15, 2012 as Peace Officers Memorial Day in honor of all officers who, by their courageous deeds, have lost their lives or have become disabled in the performance of duty.

ADOPTION OF MINUTES
Council President DiMura moved the approval of the April 24, 2012 Regular Meeting Minutes and April 24, 2012 Executive Session Meeting Minutes seconded by Councilwoman Jenkins and carried by a unanimous vote of Council.

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COMMUNICATIONS/APPOINTMENTS

Mayor Dobies appointed Valerie DiNizio, Pat Sweeney, Carolyn Lester and William Lester to the 100th Anniversary Celebration Committee for a term expiring December 31, 2012.

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REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance – Council President DiMura had nothing to report.

2. Recreation/Recreation Fields/Water & Light – Councilwoman Tackach had nothing to report.

3. Fire/OEM/Board of Health/Rescue Squad –
   (a) Councilman Kaplan reported that the Rescue Squad will be holding their Family Fun and Safety Day on May 20, 2012 from 12PM – 4PM. A request was made by the Rescue Squad to close Legion Place and hang a banner for this event on Marlborough Avenue or Mountain Avenue. Council President DiMura made a motion to close Legion Place and hang the banner on Marlborough Avenue seconded by Councilwoman Jenkins and carried by a unanimous vote of members present.

4. Public Works/Parks/Sanitation/Recycling
   a. Councilwoman Jenkins moved the approval of the April, 2012 DPW Monthly Report seconded by Council President DiMura and carried by a unanimous vote of Council.
   b. Mayor Dobies mentioned that the DPW will be assisting the Board of Education cleaning up their
property east of the shopping center and also at Mt.
View Park where the signs are located.

5. Police/Legal/Code Enforcement/Municipal Court
   a. Councilman DiMura moved the approval of the
      March, 2012 Construction Office Report carried by a
      unanimous vote of Council members present.

6. Administration/Office on Aging/Legislation/License/
   Buildings & Grounds – Councilman First was absent.

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REPORTS – OTHER:

Mayor

1. Hiring a temporary part-time worker for the Recreation
   Department – Council President DiMura indicated that
   funds are available in the Recreation Budget that were
   allocated for Babe Ruth umpires and can cover the hiring
   of a temporary part time worker for 4 hours per day at
   $12 per hour.

2. Radio Tower Behind Borough Hall – The County is looking
   to install two new antennas at the Middlesex Borough
   Tower. The company that is interested must contact T-
   Mobile and provide the necessary documentation per our
   agreement.

3. Parking on Side Streets along Middlesex High School
   Parking Lot – Council discussed that this is primarily a
   “Board of Education” matter and that it should remain as
   it is otherwise traffic would be moved to more hazardous
   roads and that we would have to do this for other roads in
   the area leading to more hazardous conditions.

4. Summer Hours – Councilman DiMura made a motion to
   resume Summer Hours for the Administrative Staff from
   Memorial Day – August 31, 2012 seconded by Councilman
   Kaplan and carried by a unanimous vote of council.

5. Renewal of Contract for the Assessor – Mayor Dobies
   recommended a 2% increase for the Tax Assessor for 3
   years. Council will review the Assessor’s present
   resolution/contract.

6. Clean Communities Grant – The Borough has received a
$21,000 Grant for Clean Communities.

COMMENTS ON AGENDA ITEMS - NONE

The Deputy Clerk read the following resolution:

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

Consent Agenda 2012(K)

WHEREAS, the Mayor and Council of the Borough of Middlesex has reviewed the Consent Agenda consisting of various proposed resolutions; and

WHEREAS, the Mayor and Council of the Borough of Middlesex is desirous of removing Resolution #127-12 from this Agenda.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following resolutions on the Consent Agenda are hereby approved and adopted.

Resolution #124-12 – Resolution # 126-12
Resolution #128-12

Councilman DiMura made a motion for approval, seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Members DiMura, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

The Deputy Clerk read the following resolution:

**BE IT RESOLVED,** by the Mayor and Council of the Borough of
Resolution #124-12

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

WHEREAS, On April 30, 2012 Chief Young recommended Police Officer Matthew Tripp 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 Matthew Tripp be and is hereby advanced in grade to Patrolman Class “A” effective May 14, 2012 at an annual salary $96,423.

Resolution #125-12

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

WHEREAS, On April 30, 2012 Chief Young recommended Police Officer Marc Arancio 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 Marc Arancio be and is hereby advanced in grade to Patrolman Class “A” effective May 14, 2012 at an annual salary $96,423.
The Deputy Clerk read the following resolution:

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

**Resolution #126-12**

The Tax Collector is hereby authorized to refund 1st & 2nd quarter 2012 property taxes in the amount of $2,305.70 on Block 224, Lot 19, 131 Seventh Street. The homeowner has been certified as 100% totally disabled during wartime service by the Department of Veteran Affairs.

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The Deputy Clerk read the following resolution:

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

**Resolution #128-12**

The Tax Collector is hereby authorized to cancel a municipally held Tax Sale Certificate #2009-1732 which has been redeemed on property located at Mitchell St., Block 271, Lot 9.

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The Deputy Clerk read the following resolution:

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

**Resolution #127-12**

**RESOLUTION RELEASING THE PERFORMANCE BOND COVERING RECONSTRUCTION OF BEECHWOOD AND MOUNTAIN AVENUES PROJECT**

**WHEREAS,** Top Line Construction Corp., 22 Fifth Street, Somerville, NJ 08876 has requested a release of the performance bond letter of credit based upon the work
completed; and

WHEREAS, Maser Consulting P.A. has conducted a site inspection;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey in accordance with NJAC 40:55D-53c. (1) of the Municipal Land Use Law, and by recommendation of the Borough Engineer release of the performance bond in the amount of $641,156.35.

Councilman DiMura made a motion to table this resolution until the May 22, 2012 Public Meeting seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Members DiMura, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

The Deputy Clerk read the following resolution:

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

Resolution #129-12

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.

Council President DiMura made a motion for approval, seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Members DiMura, Jenkins, Kaplan and Tackach. Nos.: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS
1. Ordinance Amending Chapter 168 Construction Code Fee Schedule – Council discussed this proposed ordinance and were concerned about the percentage of increase in some of the fees. The Construction Official will attend the May 22, 2012 Meeting to discuss these increases.

2. Ordinance No. 1796-11 Clothing Bins to amend section 11-3 Requirements for placement, Use of Clothing Bins by amending the following: (1) The Person has obtained a valid permit from the Borough Council to the Borough Zoning Officer. Council will introduce this ordinance at the May 22, 2012 Public Meeting.

3. Councilman DiMura discussed the odor issues that have been discussed at Board of Health Meetings and the different procedures that have been followed to report these complaints. He is recommending that at this point he would like the Mayor to reach out to our state officials to get them involved in a sit down discussion regarding this matter, as we are not making any headway.

4. Website – Councilman DiMura recommended that Mayor Dobies appoint a Committee to work on the website, as he has received numerous complaints about inaccurate and outdated information that is posted on the borough website. Mayor Dobies appointed Councilman Kaplan and Councilwoman Jenkins to this committee and to work on this matter.

PUBLIC COMMENTS

Mayor Dobies opened the Public Potion of the meeting for any comments.

Debbie DeVuyst, 73 Ramsey Road questioned Councilman Kaplan regarding the status of the radio system and the licensing. Councilman Kaplan addressed this matter and updated Ms. DeVuyst on what has been done to date.

Pete Wozniak, 1200 Sheridan Avenue stated that it was a good point about the water proofing of the generator and discussed the sluice gate and submersible pumps. Mr. Wozniak was also concerned about where the funding for this project would be
coming from.

John Hoffman, 455 Lincoln Boulevard discussed the following items: (1) Generator in the flood zone; (2) Parking near Parker Fire House illegally on the side walk; (3) The Boat Ordinance and the Planning Board membership that voted for it; (4) The issues with New Journey and Spray Tec; (5) Branches left in Daisy Park after trees were removed; (6) Status of Haverstick Field; and (7) Request to have council work on quality of life issues that affect everyone in the borough.

Mayor Dobies addressed all issues that were discussed in the public.

Seeing that there was no further public comment, Mayor Dobies closed the public portion of the meeting.

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ADJOURNMENT

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Council President DiMura made a motion to adjourn the Regular Meeting seconded by Councilwoman Jenkins and carried by unanimous vote of members present.

Respectfully submitted,

Linda Chismar, RMC
Deputy Clerk
BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
MAY 22, 2012

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 the Annual Meeting Notice of December 16, 2011 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

Mayor                                      Ronald Dobies
Council President:                        Ron
                     Jeffrey First
                     Sean Kaplan
                     Patricia
                     Michael Paff
                     Michele Tackach

Attorney:                                   Attorney Solomon
PRESENTATIONS

John Viloet from Wireless C/E, along with Fire Chief Mott and Assistant Chief Castaldo demonstrated their new Motorola radio EX-6000. Fireman Chomen also gave a demonstration of how this radio functions. Mr. Viloet noted the difference in this new model radio versus the radio that is presently being used. Some differences and benefits of this new radio include: (1) oversized control, (2) oversized display, (3) bumper guard, rugged (4) bright color, (5) waterproof, (6) audio two sided microphone, (7) oversized emergency button, and (8) optional 3 year warranty. The cost for the EX-6000 dual band radio including the warranty is approximately $3,500. Councilman Kaplan estimates that the borough would need 30 new radios. Mayor Dobies forwarded this matter to the Finance Committee for their recommendation and follow up with Council.

NEW BUSINESS

Mayor Dobies read Ordinance 1811-12 by title for introduction.

ORDINANCE NO. 1811-12

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 11, DONATION BINS, SECTION 11-3

WHEREAS, pursuant to N.J.S.A. 40:48-1, the governing body of a municipality may make, amend, repeal, and enforce ordinances to manage regulate and control the finances and property of the municipality; and

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Middlesex, County of Middlesex, State of New Jersey as follows:

SECTION ONE. The Code of the Borough of Middlesex, Middlesex County, New Jersey is hereby amended to the
11-3  Requirements for placement, use of clothing bins

Notwithstanding any other provision of law to the contrary, no person shall place, use, or employ a donation clothing bin, for solicitation purposes, unless all of the following requirements are met:

1. The person has obtained a valid permit from the Borough Zoning Officer.

2. The person, and any other entity which may share or profit from any clothing or other donations collected via the bin maintains a bona fide office where a representative of the person or other entity, respectively, can be reached at a telephone information line during normal business hours for the purpose of offering informing concerning the person or other entity. For the purposes of this subsection, an answering machine or service unrelated to the person does not constitute a bona fide office; and

3. The following information is clearly and conspicuously displayed on the exterior of the donation clothing bin:

   A. The name and address of the registered person that owns the bin, and of any other entity which may share or profit from any clothing or other donations collected via the bin;

   B. The telephone number of the person’s bona fide office and, if applicable, the telephone number of the bona fide office of any other entity which may share or profit from any clothing or other donations collected via the bin;

   C. In cases when any entity other than the person who owns the bin may share or profit from any clothing or other donations collected via the bin, a notice, written in a clear and easily understandable manner, indicating that clothing or other donations collected
via the bin, their proceeds, or both, may be shared, or given entirely to, an entity other than the person who owns the bin, and identifying all such entities which may share or profit from such donations; and

D. A statement, consistent with the information provided to the Borough in the most recent permit or renewal application indicating the manner in which the person anticipates any clothing or other donations collected via the bin would be used, sold or dispersed, and the method by which the proceeds of collected donations would be allocated or spent.

SECTION TWO. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

SECTION THREE. This Ordinance may be renumbered for codification purposes.

SECTION FOUR. In the event that any section, part or provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION FIVE. This Ordinance shall take effect 20 days after passage and publication as provided by law.

Councilman DiMura moved for introduction seconded by Councilwoman Tackach and carried by the following roll call votes: Ayes: DiMura, First, Jenkins, Kaplan, Paff, and Tackach. Nos.: None. Abstain: None.

Mayor Dobies read Ordinance 1812-12 by title for introduction.

ORDINANCE NO. 1812-12

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY
AMENDING THE CODES OF THE BOROUGH OF MIDDLESEX
CHAPTER 420-24, OUTDOOR STORAGE OF
RECREATIONAL VEHICLES AND BOATS

WHEREAS, the Municipal Land Use Law of the State of New Jersey, N.J.S.A. 40:55D-1, et seq., grants to municipalities the power to adopt a zoning ordinance relating to the nature and extent of the uses of lands, buildings and structures thereon;

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Middlesex, County of Middlesex, State of New Jersey as follows:

SECTION ONE. The Code of the Borough of Middlesex, Middlesex County, New Jersey Section 420-7 Definitions and Section 420-24 Outdoor Storage of Recreational Vehicles and Boats and Section 248-17, are hereby amended as follows:

420-7 Definitions.

YARD – An open space on a lot, lying between the principal building and the nearest lot line, unoccupied and unobstructed from the ground upward, except as otherwise provided in this chapter.

A. FRONT YARD

— An open, unoccupied space within and extending the full width of the lot between the front wall of a building and front lot line. For corner lots, the front shall coincide with the front door. The secondary street shall be considered a side yard and shall require twice the setback as required for interior lots.

B. REAR YARD

— An open, unoccupied space within and extending the full width of the lot between the rear wall of the building and the rear lot line.

C. SIDE YARD

— An open, unoccupied space within the lot between the principal structure and the side property line.

B. Storage of recreational vehicles in residential zones. Recreational vehicles, including the trailers of such recreational vehicles and boats, owned by residents and stored on their property in a residential zone shall be subject to the following requirements; provided that none of the following shall apply to passenger motor vehicles, pickup trucks or vans with a maximum weight carrying capacity of up to one ton when owned or used by the resident on the property and parked or stored in the paved driveway portion of the property.

(1) Such vehicles and trailers shall be registered with the Zoning Officer prior to parking or storing on the property, provided however that all such vehicles already on the property as of June 1, 2012 must be registered on or prior to August 31, 2012.

(2) Storage of such vehicles and trailers must be in compliance with all laws, statutes and ordinances, including, but not limited to Sections 248-17, 420-23 and 420-24 of the Code of the Borough of Middlesex, as may be amended.

(3) The owner of such vehicle and trailers being registered must be the owner or legal resident occupying the property upon which the owner seeks to park or store such vehicle.

(4) At the time of registration of such vehicle and any trailer with the Zoning Officer, if the owner of such vehicle or trailer reasonably believes that he/she cannot comply with the applicable ordinances, specifically Sections 420-23 and 420-24 of the Code of the Borough of Middlesex, as may be amended, the owner may submit a letter to the Zoning Officer of the Borough, or his/her designee, seeking administrative relief from the provisions of the applicable ordinances. Nothing herein shall limit the ability of the owner of such vehicle and trailer from making application for relief from the Zoning Board of the Borough of Middlesex without first submitting a letter seeking administrative relief from the provisions of the applicable ordinances.

(5) After August 31, 2012, all vehicles and trailers
registered and parked/stored must comply with the provisions of the applicable ordinances of the Code of the Borough of Middlesex then in effect. Accordingly, after August 31, 2012, the Zoning Officer shall not process any new applications for administrative relief from the provisions of Sections 420-23 and 420-24 of the Code of the Borough of Middlesex. Nothing herein shall limit the ability of the owner of such vehicles from making application for relief from the Planning or Zoning Boards of the Borough of Middlesex.

(6) The Zoning Officer or his/her designee may require such additional information from the owner of such vehicle and trailer and/or property as is necessary to determine whether administrative relief may be granted. Upon determination by the Zoning Officer or his/her designee to grant administrative relief, the relief so granted shall be limited to the owner of that specifically registered vehicle and trailer at the specific property upon which the registration indicates the vehicle and trailer shall be parked/stored. The relief granted shall not be transferable should the owner obtain a new or different vehicle or trailer, nor shall the relief granted be transferrable by the owner of the property or the vehicle and trailer so registered hereunder to any subsequent property owner or subsequent vehicle or trailer owner in any manner whatsoever.

(7) The relief granted hereunder shall only apply to one such vehicle and trailer at any given property, without regard to ownership of vehicles or trailers by other residents of the property. If relief is sought hereunder, or obtained hereunder, and a second or subsequent such vehicle and trailer is registered at that property, all vehicles and trailers, including the vehicle and trailer for which relief was granted hereunder, shall be required to comply with the provisions of Sections 420-23 and 420-24 of the Code of the Borough of Middlesex. Accordingly, any prior granted relief shall become void upon submission of registration of any additional recreational vehicle and trailer at such property, without regard to ownership of the subsequently registered recreational vehicle and trailer.

(8) For purposes of registration and the relief granted hereunder, trailers used for recreational vehicles and boats shall be subject to the same restrictions and limitations as the
recreational vehicles and boats towed thereby.

(9) If, however, the owner of a registered recreational vehicle or boat desires to obtain a replacement trailer for that registered recreational vehicle or boat, and no other improvements or changes to the property are sought, that owner shall make application to the Zoning Board of Adjustment for use variance relief without submission of a site plan and such relief may be granted by the Zoning Board of Adjustment in its sole and independent judgment.

(10) Any violation of this section, including failure to properly register a recreational vehicle, boat or trailer shall result in the imposition of a fine of $50.00 per day.

(11) Parking of recreational vehicles, boats or trailers in the side yard area must provide for a minimum of two feet setback from the side yard line.

(12) All recreational vehicles, boats and trailers, no matter where parked (residential zone, or non-residential zone, garage, backyard or sideyard) must be place on a paved area; must be currently registered with the DMV (however, it does not have to be registered to the owner of the property); must be “mobile” at all times (no flat tires on recreational vehicles or trailer, no boat placement on “cradles” of any sort); the recreational vehicle, boat or trailer and/or any material covering or protecting the recreational vehicle, boat or trailer, must be maintained and operational and shall not display wear and tear above and beyond normal and reasonable wear.

248-17.A(3) is omitted in its entirety.

SECTION TWO. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

SECTION THREE. This Ordinance may be renumbered for codification purposes.

SECTION FOUR. In the event that any section, part or provision of this Ordinance shall be held to be unenforceable or invalid by
any court, such holding shall not affect the validity of this
Ordinance as a whole, or any part thereof, other than the part
so held unenforceable or invalid.

SECTION FIVE. This Ordinance shall take effect 20 days after
passage and publication as provided by law.

Councilman DiMura moved for introduction seconded by
Councilwoman Tackach and carried by the following roll call
votes: Ayes: DiMura, First, Jenkins, Kaplan, Paff, and
Tackach. Nos.: None. Abstain: None.

Mayor Dobies read Ordinance 1813-12 by title for introduction.

ORDINANCE NO. 1813-12

AN ORDINANCE FIXING AND DETERMINING THE
SALARIES AND COMPENSATION OF CERTAIN POLICE
OFFICERS OF THE BOROUGH OF MIDDLESEX FOR THE

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

The salary and rate of compensation of each officer of the
Police Department of the Borough of Middlesex shall be and the
same is hereby fixed respectively for the years 2012, 2013, &
2014 as follows:

<table>
<thead>
<tr>
<th>Rank</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Captain</td>
<td>$118,080</td>
<td>$120,442</td>
<td>$122,851</td>
</tr>
<tr>
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<td>$110,909</td>
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<td>Sergeant</td>
<td>$103,730</td>
<td>$105,805</td>
<td>$107,921</td>
</tr>
<tr>
<td>Patrolman A</td>
<td>$ 96,423</td>
<td>$ 98,351</td>
<td>$100,318</td>
</tr>
</tbody>
</table>
Employees hired after January 1, 2012 shall enjoy the following:

<table>
<thead>
<tr>
<th>Employee</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Patrolman B</td>
<td>$86,786</td>
<td>$88,521</td>
<td>$90,292</td>
</tr>
<tr>
<td>Patrolman C</td>
<td>$77,149</td>
<td>$78,692</td>
<td>$80,266</td>
</tr>
<tr>
<td>Patrolman D</td>
<td>$67,514</td>
<td>$68,864</td>
<td>$70,241</td>
</tr>
<tr>
<td>Patrolman E</td>
<td>$57,877</td>
<td>$59,034</td>
<td>$60,215</td>
</tr>
<tr>
<td>Academy</td>
<td>$38,605</td>
<td>$39,377</td>
<td>$40,165</td>
</tr>
<tr>
<td>Corporal</td>
<td>$1,127</td>
<td>$1,150</td>
<td>$1,173</td>
</tr>
</tbody>
</table>

**SECTION 2**

Rates of Compensation established above shall serve as a guide in employment and subsequent changes in rates of employees hired after passage of this ordinance.

**SECTION 3**

The Mayor and Council shall have the sole discretion in determining who shall be placed on Minimum, Maximum and on interim steps of the salary range and their determination shall.
be final and conclusive on all employees.

**SECTION 4**

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

**SECTION 5**

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

Councilman Kaplan moved for introduction seconded by Councilwoman Tackach and carried by the following roll call votes: Ayes: DiMura, First, Jenkins, Kaplan, Paff, and Tackach. Nos.: None. Abstain: None.

________________________________________________

**PUBLIC HEARINGS-NONE**

________________________________________________

**PROCLAMATIONS-NONE**

________________________________________________

**ADOPTION OF MINUTES**

Council President DiMura moved the approval of the May 8, 2012 Regular Meeting Minutes seconded by Councilman Paff and carried by a unanimous vote of Council.

________________________________________________

**COMMUNICATIONS/APPOINTMENTS-NONE**
REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance
   a. Council President DiMura moved the approval of the April, 2012 Treasurer’s Report seconded by Councilman Paff and carried by a unanimous vote of Council.

2. Recreation/Recreation Fields/Water & Light – Councilwoman Tackach had nothing to report.

3. Fire/OEM/Board of Health/Rescue Squad –
   a. Hazmat Bill Back Recovery Program - Councilman Kaplan reported that through this County Program the Borough was able to recoup $3,834.08, which was given to Police ($359), Rescue Squad ($1075) and Fire ($2400) for responding to a Hazmat call.
   b. Board of Health (Odor Complaint Update) – Last Tuesday there was a heavy odor from Spray Tec and Mickey Gross of the County came and confirmed this odor and Spray Tec was fined $5,000.
   c. Recognizing the April, 2012 Board of Health Report. Councilman Kaplan would like Council to be supplied copies of this report to review the outstanding items that are being handled for the month by the Board of Health.


5. Police/Legal/Code Enforcement/Municipal Court
   a. Councilman Paff moved the approval of the April, 2012 Police Department Report seconded by Councilman First and carried by a unanimous vote of Council members present.
   b. Administration/Office on Aging/Legislation/License/
Buildings & Grounds – Councilman First had nothing to report.

REPORTS – OTHER:

Mayor

1. Maternity Leave Coverage – A request was made to increase Karen Wick’s hours to 37 ½ per week and keep Jim Ayotte at 30 hours per week when Michele Galek is on maternity leave. This will be given to the Administration Committee to review.

2. Governing Body Meeting Recommendations – Mayor Dobies recommended meeting once a month for the months of July, August and November. This will be given to the Administration Committee to review.

3. Professional Grant Services – T&M has provided the lowest quote for this services and a resolution has been put on the Agenda to approve these services.

4. Tax Assessor’s Salary – This will be turned over to the Finance Committee for their recommendations.

COMMENTS ON AGENDA ITEMS - NONE

The Borough Clerk read the following resolution:

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

Consent Agenda 2012(L)

WHEREAS, the Mayor and Council of the Borough of Middlesex has reviewed the Consent Agenda consisting of
various proposed resolutions; and

WHEREAS, the Mayor and Council of the Borough of Middlesex is desirous of removing Resolution #127-12, #134-12 and #137-12 from this Agenda.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following resolutions on the Consent Agenda are hereby approved and adopted.

Resolution #130-12 - #133-12
Resolution #135-12 - #136-12
Resolution #138-12 – Resolution #140-12
Resolution #143-12

Councilman DiMura made a motion for approval, seconded by Councilman Paff and carried by the following roll call vote:
Ayes: Members DiMura, First, Jenkins, Kaplan Paff and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

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

Resolution #130-12

The Tax Collector is hereby authorized to refund 1st & 2nd quarter 2012 property taxes in the amount of $2,717.06 on Block 245, Lot 4, 145 So Lincoln Avenue. The homeowner has been certified as 100% totally disabled during wartime service by the Department of Veteran Affairs. The check is to be made payable to:

Walters, Michael & Patricia
The Borough Clerk read the following resolution:

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

**Resolution #131-12**

The Tax Collector is hereby authorized to issue a check in the amount of $51,389.62 to redeem tax sale certificate #2008-1708, Block 295, Lot 55, 409-411 Lincoln Blvd., check is to be made payable to:

US Bank-Cust/Sass Muni V dtr
2 Liberty Place
50 S 16th Street, Suite 1950
Philadelphia, PA 19102

The Borough Clerk read the following resolution:

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

**Resolution #132-12**

**WHEREAS,** bids were received on April 4, 2012 to Provide and Install In-Car Digital Video Recording Systems; and

**WHEREAS,** there was one bid received which is listed below:

L-3 Mobile-Vision, Inc.
NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that:

1. At the recommendation of the Purchasing Agent, the IT Project Manager and the Chief of Police the Governing Body hereby awards the contract to Provide and Install In-Car Digital Video Recording Systems in the amount of $45,454.76 to L-3 Mobile-Vision, Inc.

2. This resolution shall take effect immediately.

NOW FURTHER BE IT RESOLVED that the Chief Financial Officer hereby certifies that the funds in the amount of $45,454.76 are available in Account No. 04-1772-00-1772-71.

The Borough Clerk read the following resolution:

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

Resolution #133-12

RESOLUTION CALLING FOR THE RESTORATION OF ENERGY TAXES TO MUNICIPALITIES

WHEREAS, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and

WHEREAS, when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties and other entities; the State is supposed to collect Energy Taxes for the
benefit of municipal governments; and

WHEREAS, for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; and

WHEREAS, while the State may need to have the right to over-ride the statutory dedication of these revenues to local governments, in order to deal with emergencies and crises that may occur; current State policy makers should not exercise that right automatically; and

WHEREAS, while that right should be the exception, it has become the rule; and

WHEREAS, by using tactics such as reducing CMPTRA, which is also comprised of revenues that should be returned to municipalities, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and

WHEREAS, from $72 million in State Fiscal Year 2005, to $505 million in State Fiscal Year 2011, the State’s diversion of Energy Taxes has continued to grow; and

WHEREAS, in 2008, 2009 and 2010 (SFY 2009, 2010 and 2011), funding for municipal revenue replacement was slashed by about $26 million in 2008 and $32 million in 2009, followed by losses of about $271 million in 2010; and

WHEREAS, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS, local elected officials are in the best position to decide the best use for these resources, which were always intended to fund local programs and services;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Governing Body of Middlesex Borough, that we join with the League of Municipalities in calling for the immediate restoration
of funding diverted from Energy Taxes intended for local use; and

**BE IT FURTHER RESOLVED**, that we, respectfully, call on State policy makers to end the diversion of our municipal resources to cover State spending and to provide us with this important tool to relieve the worst-in-the-nation property tax burden borne, for too long, by the people of New Jersey; and

**BE IT FINALLY RESOLVED**, that copies of this Resolution be forwarded to the Governor of the State of New Jersey, our State Legislators and the League of Municipalities.

The Borough Clerk read the following resolution:

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

**Resolution #135-12**

“A RESOLUTION TO PROVIDE FOR A TEMPORARY BUDGET FOR PAYMENT OF CLAIMS UNTIL THE ADOPTION OF THE 2012 BUDGET

A Temporary Budget in the amount of $12,208,635.29 to provide for the payment of claims and salaries including debt service payments between the first day of January 2012 and the adoption of the 2012 budget be set up as follows:

**GENERAL GOVERNMENT OPERATIONS:**

Mt.View Park Grant 500,000.00

Clean Communities Grant 21,167.23

Haz-Mat Grant 3,834.08
The Borough Clerk read the following resolution:

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

**Resolution #136-12**

The governing body hereby approves hiring Mrs. Jeannine Thompson, 347 Seneca Avenue, Middlesex, NJ as the temporary Recreation Secretary for 20 hours per week at $12.00 per hour effective immediately.

The Borough Clerk read the following resolution:

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

**Resolution #138-12**

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF SERVER FOR IN-CAR DIGITAL VIDEO RECORDING SYSTEM**

**WHEREAS,** the Governing Body of the Borough of Middlesex wishes to purchase a server for the In-Car DVR system from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

**WHEREAS,** the purchase of goods and services by local contracting units is authorized by the Local Contracts Law,
WHEREAS, Dell is under the State Contract No. 70256 for the year 2012; and

WHEREAS, the cost for the purchase of the server is not to exceed $5,555.27; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of a server for the In-Car DVR system is ordered under State Contract No. 70256 be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed $5,555.27 is available in Account No. 04-1772-00-1772-71 in the amount of $3,253.49 and in Account No. 04-1797-00-1797-71 in the amount of $2,301.78.

The Borough Clerk read the following resolution:

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

Resolution #139-12

WHEREAS, T&M Associates has provided a proposal for Grant Procurement Services dated May 7, 2012; and

WHEREAS, this proposal includes identifying available funding programs and prepare up to 6 annual funding applications which could include the FEMA Assistance to Fire Fighters Grant Application, the Sustainable Jersey Grant Application, Finish Line Legacy Grant, Baseball Tomorrow Grant, Banbury Foundation Grant and other funding programs as they become available. (excluding FEMA Hazardous Mitigation Grant Program); and

WHEREAS, the scope of services shall include: the preparation of a strategic grants master plan, a monthly grants status report; attendance at quarterly meetings with the borough; coordination of funding documents, and review of all
pertinent current and pending funding regulations and legislation; and

WHEREAS, T&M Associates will assign Lori Thompson as Lead Grant Writer and provide her services on an annual basis not to exceed $15,000 to be invoiced monthly (excluding application or permit fees).

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

1. The Governing Body hereby approves the proposal for Grant Procurement Services submitted by T&M Associates in the annual amount of $15,000 (excluding application or permit fees).
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 #140-12

The governing body hereby approves the Mayor execute the Treatment Works Approval Application for the 150 Lincoln Boulevard, LLC proposed residential development.

The Borough Clerk read the following resolution:

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

Resolution #143-12

The governing body hereby approves hiring Ms. Hala Steffen, 9 Foxhall, Middlesex, NJ as the temporary bus driver for the Office of Senior Services when needed at $12.00 per hour.
The Borough Clerk read the following resolution:

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

**Resolution #127-12**

**RESOLUTION RELEASING THE PERFORMANCE BOND COVERING RECONSTRUCTION OF BEECHWOOD AND MOUNTAIN AVENUES PROJECT**

**WHEREAS,** Top Line Construction Corp., 22 Fifth Street, Somerville, NJ 08876 has requested a release of the performance bond letter of credit based upon the work completed; and

**WHEREAS,** Maser Consulting P.A. has conducted a site inspection;

**NOW THEREFORE BE IT RESOLVED,** by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey in accordance with NJAC 40:55D-53c. (1) of the Municipal Land Use Law, and by recommendation of the Borough Engineer release of the performance bond in the amount of $641,156.35.

Councilman DiMura made a motion for approval seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, Paff and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

**BE IT RESOLVED,** by the Mayor and Council of the Borough of Middlesex that:
Resolution #134-12

WHEREAS, the Recreation Department will be hiring Playground Counselors for the Summer Playground Program which will run from June 25, 2012 – August 3, 2012; and

WHEREAS, the individuals listed below have been approved by the Recreation Department and the Recreation Commission to be employed for this Summer Playground Program:

2012 SUMMER PLAYGROUND STAFF

<table>
<thead>
<tr>
<th>NAME</th>
<th>RATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chismar, Chris</td>
<td>12.60</td>
</tr>
<tr>
<td>Colacci, Jenna</td>
<td>7.61</td>
</tr>
<tr>
<td>Costantino, Nicholas*</td>
<td>7.25</td>
</tr>
<tr>
<td>Dornick, Christopher*</td>
<td>7.25</td>
</tr>
<tr>
<td>Farley, Kyle</td>
<td>7.61</td>
</tr>
<tr>
<td>Girvan, Courtney</td>
<td>10.00</td>
</tr>
<tr>
<td>Girvan, Erica</td>
<td>9.17</td>
</tr>
<tr>
<td>Girvan, Skylar</td>
<td>7.99</td>
</tr>
<tr>
<td>Jesionka, Jennifer</td>
<td>8.70</td>
</tr>
<tr>
<td>Kaplan, Sarah</td>
<td>7.61</td>
</tr>
<tr>
<td>Kennick, Jessica</td>
<td>7.99</td>
</tr>
<tr>
<td>Keri, Christopher</td>
<td>10.50</td>
</tr>
<tr>
<td>Lawless, Christine*</td>
<td>7.25</td>
</tr>
<tr>
<td>Leandro, Joe*</td>
<td>7.25</td>
</tr>
<tr>
<td>Lester, Michael</td>
<td>7.25</td>
</tr>
<tr>
<td>Matt, Paige</td>
<td>9.17</td>
</tr>
<tr>
<td>McGuire, Nicole</td>
<td>7.99</td>
</tr>
<tr>
<td>Schneider, Anne</td>
<td>7.25</td>
</tr>
<tr>
<td>Yoos, Natalie</td>
<td>11.55</td>
</tr>
</tbody>
</table>

names with * are a new hire.

Councilwoman Tackach made a motion for approval seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Paff and Tackach. Nos.: None. Abstain: Kaplan.

__________________________________________________
The Borough Clerk removed the following resolution as the resident cancelled the block party.

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

**Resolution #137-12**

**WHEREAS,** the residents of 342 Fairview Avenue have requested to have a block party on May 27, 2012 between the hours of 12 noon and 9 p.m. on Osceola Avenue between Fairview Avenue and Clinton Avenue; and

**WHEREAS,** all the designated officials have been given approval for this block party.

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

1. The Governing Body hereby grants approval to the residents at 342 Fairview Avenue, to conduct a block party on May 27, 2012 between the hours of 12 noon p.m. and 9 p.m. on Osceola Avenue between Fairview Avenue and Clinton Avenue.
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 #141-12**

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.
Council President DiMura made a motion for approval, seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, Paff and Tackach. Nos.: None. Abstain: None.

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DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Ordinance Amending Chapter 168 Construction Code Fee Schedule – Council President discussed these increases with the Construction Official and Council agreed to introduce the ordinance at the June 12, 2012 Public Meeting.

2. Senate Bill 1451 & Senate Bill 1452 – Amendments to the Open Public Records Act & Open Public Meeting Act – Mayor Dobies requested that Council read the following bills that involve numerous restrictions and decide whether they want to support these bills.

3. Hiring 2 DPW Part Time Workers for Summer Months – Councilwoman Jenkins made a motion to hire two part time workers from June 4th – August 31 for 30 hours per week at $12 per hour seconded by Council President DiMura and carried by unanimous vote of council.

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PUBLIC COMMENTS

Mayor Dobies opened the Public Potion of the meeting for any comments.

Pete Wozniak, 1200 Sheridan Avenue questioned if there will be another public hearing on the 2012 Budget. Mr. Wozniak also discussed the salary tiers in the police contract and the temporary part time DPW employees.

Chris Master, 128 Second Street, Matt Hoelzel, 534 Howard Avenue and Steve Lewis, 129 Second Street discussed the boat ordinance and the following items: (1) If all boats are required to be registered, (2) If the area where the boats are parked required pavement; and (3) if many complaints were received
recently about the parking of these boats.

Mike McGinley, 8 Douglas Avenue complained about (1) the long grass on the vacant property on Shearn Drive and the boat on the property, (2) the Motorola radios that were discussed this evening and having more than one vendor in to demonstrate the radio; and (3) complimented the Recycle Center employees for the center’s cleanliness and their customer service.

Mayor Dobies addressed all issues that were discussed in the public.

Seeing that there was no further public comment, Mayor Dobies closed the public portion of the meeting.

The Borough Clerk read the following resolution.

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

**Resolution #142-12**

**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. DPW/White Collar Contract Negotiations

Council President DiMura made a motion for approval, seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, Paff and Tackach. Nos.: None. Abstain: None.

ADJOURNMENT

Council President DiMura made a motion to adjourn the Regular Meeting seconded by Councilwoman Jenkins and carried by unanimous vote of members present.

Respectfully submitted,

Kathleen Anello, RMC
Borough Clerk
BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
JUNE 12, 2012

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 the Annual Meeting Notice of December 16, 2011 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

Mayor                                      Ronald Dobies
Council President:                        Ron DiMura
Jeffrey First (absent - work)
Sean Kaplan
Patricia
Jenkins
Michael Paff (absent)
Michele Tackach

Attorney:  Attorney Solomon

________________________________________

________________________________________
Mayor Dobies read the following resolution:

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

**Resolution #144-12**

WHEREAS, Luke Kelly has successfully completed the psychological and medical examination required for the position of a Probationary Patrolman in the Borough of Middlesex; and

WHEREAS, Chief Young is recommending that Luke Kelly be appointed to the position of Probationary Patrolman effective June 13, 2012 at an annual salary of $47,430.00.

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

1. Luke Kelly is hereby appointed a Probationary Patrolman for the Borough of Middlesex effective June 13, 2012 at an annual salary of $47,430.00.

2. This resolution shall take effect immediately.

Council President DiMura moved for adoption seconded by Councilman Kaplan and carried by the following roll call votes: Ayes: DiMura, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

Mayor Dobies congratulated Mr. Kelly and wished him well in his career, and pointed out that he is working for a great police department.

Chief Young also welcomed Mr. Kelly to the police department and thanked the governing body for letting them hire a new officer.

**PRESENTATIONS**

Ms. Coleen Bagonyl did not attend the meeting to accept her Outstanding Citizen Award, but was recognized by the
governing body for attaining her Girl Scout Gold Award.

Cindy Chomen, Secretary to the Middlesex Municipal Alliance Committee recognized the following winners of the Bullying Essay Contest and they each read their essay:

- 4th Grade     Kayla Cuba
- 5th Grade     Amna Gaba
- 6th Grade     Brian Ngo

Each winner then received a Certificate of Appreciation and a $50.00 Gift Card.

NEW BUSINESS

Mayor Dobies read Ordinance No. 1814-12 by title for introduction.

ORDINANCE NO. 1814-12

AN ORDINANCE AMENDING THE CONSTRUCTION CODE ORDINANCE OF THE BOROUGH OF MIDDLESEX TO AMEND THE EXISTING FEE SCHEDULE AS SET FORTH IN CHAPTER 168 OF THE CODE OF THE BOROUGH OF MIDDLESEX

Purpose: The purpose of this Ordinance is to amend the Construction Code Ordinance of the Borough of Middlesex and to amend the existing fee schedule set forth in the Construction Code of the Borough of Middlesex.

WHEREAS, the Governing Body has requested the Construction Official to review the existing fee schedule as set forth in the Borough’s Construction Code to determine if the fees set forth therein are reasonable and comparable to the fees charged in similar size municipalities for similar services;
and

**WHEREAS**, the purpose of the fees charged by a municipality for inspections of buildings and for operating the construction office is to insure that the office is self sufficient and that the fees charged by the office are adequate to cover the cost for operating the office; and

**WHEREAS**, the cost for operating the construction office has exceeded the revenue generated by that office during the past several years; and

**WHEREAS**, the Construction Official has done a study of other municipalities and has determined that, in almost all areas, the fees charged by the Borough of Middlesex are lower for inspection fees than the fees charged by other municipalities of similar size in this area; and

**WHEREAS**, the Construction Code Official has reviewed the fees suggested by the State of New Jersey in its Uniform Construction Code and has found them, in his opinion and in most instances, to be reasonable; and

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Middlesex as follows:

1. The Construction Code Ordinance of the Borough of Middlesex, as set forth in Section 168-1 et. seq. of the Official Code of the Borough of Middlesex is hereby amended as follows:

**Section 168-2 Construction Fees**

A. The Building Sub Code fees shall be as follows:

1. New Construction: The fee shall be computed by the volume of the structure multiplied by 0.050 for buildings and structures of all use groups.
(a). Flat fees shall be as follows:

1. Swimming Pools (R-3 and R-5)
   a. In-Ground
      $250.00

2. Demolition
   a. Residential and farm buildings under 5,000 square feet and less than 30 feet in height
      $300.00

9. Change of Contractor
   (i). Minor Fee:
      (a) Roof
          $75.00 (less than $6,000 cost of work)

      $100.00 (greater than $6,001 cost of work)

   (b) Siding
      $100.00

B. Plumbing Fees and Definitions.

Plumbing fees shall be as follows:

   (a) Plumbing Fixtures per unit
       $25.00

   (p) Water & Sewer Capping
       $100.00 (each)

C. Solar Equipment

Solar Equipment fees shall be as follows:

   (a) 1 - 10 kw
       $75.00

   10 - 20 kw
       $100.00
This Ordinance shall take effect upon final passage and publication according to law.

Council President DiMura moved for introduction seconded by Councilman Kaplan and carried by the following roll call votes:
Ayes:  DiMura, Jenkins, Kaplan, and Tackach.  Nos.:  None.  Abstain:  None.

__________________________

PUBLIC HEARINGS

Mayor Dobies read Ordinance No. 1811-12 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1811-12

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 11, DONATION BINS, SECTION 11-3

WHEREAS, pursuant to N.J.S.A. 40:48-1, the governing body of a municipality may make, amend, repeal, and enforce ordinances to manage regulate and control the finances and property of the municipality; and

NOW, THEREFORE, BE IT ORDAINED by the Governing Body
SECTION ONE. The Code of the Borough of Middlesex, Middlesex County, New Jersey is hereby amended to the following:

11-3  Requirements for placement, use of clothing bins

Notwithstanding any other provision of law to the contrary, no person shall place, use, or employ a donation clothing bin, for solicitation purposes, unless all of the following requirements are met:

1. The person has obtained a valid permit from the Borough Zoning Officer.

2. The person, and any other entity which may share or profit from any clothing or other donations collected via the bin maintains a bona fide office where a representative of the person or other entity, respectively, can be reached at a telephone information line during normal business hours for the purpose of offering informing concerning the person or other entity. For the purposes of this subsection, an answering machine or service unrelated to the person does not constitute a bona fide office; and

3. The following information is clearly and conspicuously displayed on the exterior of the donation-clothing bin:

   a. The name and address of the registered person that owns the bin, and of any other entity which may share or profit from any clothing or other donations collected via the bin;
   b. The telephone number of the person’s bona fide office and, if applicable, the telephone number of the bona fide office of any other entity which may share or profit from any clothing or other donations collected via the bin;
   c. In cases when any entity other than the person who owns the bin may share or profit from any clothing or other donations collected via the bin, a notice,
written in a clear and easily understandable manner, indicating that clothing or other donations collected via the bin, their proceeds, or both, may be shared, or given entirely to, an entity other than the person who owns the bin, and identifying all such entities which may share or profit from such donations; and

d. A statement, consistent with the information provided to the Borough in the most recent permit or renewal application indicating the manner in which the person anticipates any clothing or other donations collected via the bin would be used, sold or dispersed, and the method by which the proceeds of collected donations would be allocated or spent.

SECTION TWO. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

SECTION THREE. This Ordinance may be renumbered for codification purposes.

SECTION FOUR. In the event that any section, part or provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION FIVE. This Ordinance shall take effect 20 days after passage and publication as provided by law.

Mayor Dobies opened the public hearing on Ordinance No. 1811-12. Seeing that there were no public comments, Mayor Dobies closed the Public Hearing on Ordinance No. 1811-12.

Council President DiMura moved for adoption seconded by Councilwoman Jenkins and carried by the following roll call votes: Ayes: DiMura, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

Mayor Dobies read Ordinance No. 1812-12 by title saying it had
been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1812-12

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY
AMENDING THE CODES OF THE BOROUGH OF MIDDLESEX
CHAPTER 420-24, OUTDOOR STORAGE OF RECREATIONAL VEHICLES AND BOATS

WHEREAS, the Municipal Land Use Law of the State of New Jersey, N.J.S.A. 40:55D-1, et seq., grants to municipalities the power to adopt a zoning ordinance relating to the nature and extent of the uses of lands, buildings and structures thereon;

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Middlesex, County of Middlesex, State of New Jersey as follows:

SECTION ONE. The Code of the Borough of Middlesex, Middlesex County, New Jersey Section 420-7 Definitions and Section 420-24 Outdoor Storage of Recreational Vehicles and Boats and Section 248-17, are hereby amended as follows:

420-7 Definitions.

YARD – An open space on a lot, lying between the principal building and the nearest lot line, unoccupied and unobstructed from the ground upward, except as otherwise provided in this chapter.

A. FRONT YARD

— An open, unoccupied space within and extending the full width of the lot between the front wall of a building and front lot line. For corner lots, the front shall coincide with the front door. The secondary street shall be considered a side yard and shall require twice the setback as required for interior lots.

B. REAR YARD
— An open, unoccupied space within and extending the full width of the lot between the rear wall of the building and the rear lot line.

C. SIDE YARD

— An open, unoccupied space within the lot between the principal structure and the side property line.


B. Trailer recreational vehicles, trailers, and boats are permitted in residential zone and shall be stored in a private garage, in the rear yard, or on an impervious or gravel surface in the side yard providing a minimum 2-foot setback from the side property line. No part of the recreational vehicle, trailer, or boat shall extend into the front yard area. No matter where a trailer recreational vehicle, trailer, or boat is parked on the property in a residential zone, it must be currently registered with the DMV and must be readily operable. Any material used to cover or protect the vehicle must be maintained in good condition.

(1) Such vehicles and trailers shall be registered with the Zoning Officer prior to parking or storing on the property, provided however that all such vehicles already on the property as of June 1, 2012 must be registered on or prior to August 31, 2012.

(2) Storage of such vehicles and trailers must be in compliance with all laws, statutes and ordinances, including, but not limited to Sections 248-17, 420-23 and 420-24 of the Code of the Borough of Middlesex, as may be amended.

(3) The owner of such vehicle and trailers being registered must be the owner or legal resident occupying the property upon which the owner seeks to park or store such vehicle.

(4) At the time of registration of such vehicle and any trailer with the Zoning Officer, if the owner of such vehicle or trailer reasonably believes that he/she cannot comply with the applicable ordinances, specifically Sections 420-23 and 420-24
of the Code of the Borough of Middlesex, as may be amended, the owner may submit a letter to the Zoning Officer of the Borough, or his/her designee, seeking administrative relief from the provisions of the applicable ordinances. Nothing herein shall limit the ability of the owner of such vehicle and trailer from making application for relief from the Zoning Board of the Borough of Middlesex without first submitting a letter seeking administrative relief from the provisions of the applicable ordinances.

(5) After August 31, 2012, all vehicles and trailers registered and parked/stored must comply with the provisions of the applicable ordinances of the Code of the Borough of Middlesex then in effect. Accordingly, after August 31, 2012, the Zoning Officer shall not process any new applications for administrative relief from the provisions of Sections 420-23 and 420-24 of the Code of the Borough of Middlesex. Nothing herein shall limit the ability of the owner of such vehicles from making application for relief from the Planning or Zoning Boards of the Borough of Middlesex.

(6) The Zoning Officer or his/her designee may require such additional information from the owner of such vehicle and trailer and/or property as is necessary to determine whether administrative relief may be granted. Upon determination by the Zoning Officer or his/her designee to grant administrative relief, the relief so granted shall be limited to the owner of that specifically registered vehicle and trailer at the specific property upon which the registration indicates the vehicle and trailer shall be parked/stored. The relief granted shall not be transferable should the owner obtain a new or different vehicle or trailer, nor shall the relief granted be transferrable by the owner of the property or the vehicle and trailer so registered hereunder to any subsequent property owner or subsequent vehicle or trailer owner in any manner whatsoever.

(7) The relief granted hereunder shall only apply to one such vehicle and trailer at any given property, without regard to ownership of vehicles or trailers by other residents of the property. If relief is sought hereunder, or obtained hereunder, and a second or subsequent such vehicle and trailer is registered at that property, all vehicles and trailers, including
the vehicle and trailer for which relief was granted hereunder, shall be required to comply with the provisions of Sections 420-23 and 420-24 of the Code of the Borough of Middlesex. Accordingly, any prior granted relief shall become void upon submission of registration of any additional recreational vehicle and trailer at such property, without regard to ownership of the subsequently registered recreational vehicle and trailer.

(8) For purposes of registration and the relief granted hereunder, trailers used for recreational vehicles and boats shall be subject to the same restrictions and limitations as the recreational vehicles and boats towed thereby.

(9) If, however, the owner of a registered recreational vehicle or boat desires to obtain a replacement trailer for that registered recreational vehicle or boat, and no other improvements or changes to the property are sought, that owner shall make application to the Zoning Board of Adjustment for use variance relief without submission of a site plan and such relief may be granted by the Zoning Board of Adjustment in its sole and independent judgment.

(10) Any violation of this section, including failure to properly register a recreational vehicle, boat, or trailer shall result in the imposition of a fine of $50.00 per day.

(11) All recreational vehicles, boats and trailers, no matter where parked (residential zone, or non-residential zone, garage, backyard or side yard) must be currently registered with the DMV (however, it does not have to be registered to the owner of the property); must be “mobile” at all times (no flat tires on recreational vehicles or trailer, no boat placement on “cradles” of any sort); the recreational vehicle, boat or trailer and/or any material covering or protecting the recreational vehicle, boat or trailer, must be maintained and operational and shall not display wear and tear above and beyond normal and reasonable wear.

248-17.A(3) is omitted in its entirety.

SECTION TWO. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or
inconsistent.

SECTION THREE. This Ordinance may be renumbered for codification purposes.

SECTION FOUR. In the event that any section, part or provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION FIVE. This Ordinance shall take effect 20 days after passage and publication as provided by law.

Councilman DiMura made a motion to introduce as amended which included changes to section 420-24 B. and 420-24 B.12 seconded by Councilwoman Tackach and carried by the following roll call votes: Ayes: DiMura, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

This ordinance will be further considered for final passage after a public hearing on June 26, 2012.

Mayor Dobies read Ordinance No. 1813-12 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1813-12


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

The salary and rate of compensation of each officer of the Police Department of the Borough of Middlesex shall be and the same is hereby fixed respectively for the years 2012, 2013, &
2014 as follows:

<table>
<thead>
<tr>
<th>Rank</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Captain</td>
<td>2%</td>
<td>2%</td>
<td>2%</td>
</tr>
<tr>
<td></td>
<td>$118,080</td>
<td>$120,442</td>
<td>$122,851</td>
</tr>
<tr>
<td>Lieutenant</td>
<td>$110,909</td>
<td>$113,127</td>
<td>$115,389</td>
</tr>
<tr>
<td>Sergeant</td>
<td>$103,730</td>
<td>$105,805</td>
<td>$107,921</td>
</tr>
<tr>
<td>Patrolman A</td>
<td>$ 96,423</td>
<td>$ 98,351</td>
<td>$100,318</td>
</tr>
<tr>
<td>Patrolman B</td>
<td>$ 86,786</td>
<td>$ 88,521</td>
<td>$ 90,292</td>
</tr>
<tr>
<td>Patrolman C</td>
<td>$ 77,149</td>
<td>$ 78,692</td>
<td>$ 80,266</td>
</tr>
<tr>
<td>Patrolman D</td>
<td>$ 67,514</td>
<td>$ 68,864</td>
<td>$ 70,241</td>
</tr>
<tr>
<td>Patrolman E</td>
<td>$ 57,877</td>
<td>$ 59,034</td>
<td>$ 60,215</td>
</tr>
<tr>
<td>Academy</td>
<td>$ 38,605</td>
<td>$ 39,377</td>
<td>$ 40,165</td>
</tr>
<tr>
<td>Corporal</td>
<td>$ 1,127</td>
<td>$ 1,150</td>
<td>$ 1,173</td>
</tr>
</tbody>
</table>

Employees hired after January 1, 2012 shall enjoy the following:

<table>
<thead>
<tr>
<th>Patrolman A</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2%</td>
<td>2%</td>
<td>2%</td>
</tr>
<tr>
<td></td>
<td>$96,423</td>
<td>$98,351</td>
<td>$100,318</td>
</tr>
<tr>
<td>Patrolman B</td>
<td>$88,256</td>
<td>$90,020</td>
<td>$ 91,821</td>
</tr>
<tr>
<td>Patrolman C</td>
<td>$80,090</td>
<td>$81,692</td>
<td>$ 83,326</td>
</tr>
<tr>
<td>Patrolman D</td>
<td>$71,925</td>
<td>$73,364</td>
<td>$ 74,831</td>
</tr>
<tr>
<td>Patrolman E</td>
<td>$63,760</td>
<td>$65,035</td>
<td>$ 66,336</td>
</tr>
<tr>
<td>Patrolman F</td>
<td>$55,595</td>
<td>$56,707</td>
<td>$ 57,841</td>
</tr>
<tr>
<td>Probationary</td>
<td>$47,430</td>
<td>$48,379</td>
<td>$ 49,346</td>
</tr>
<tr>
<td>Academy</td>
<td>$40,000</td>
<td>$40,800</td>
<td>$41,616</td>
</tr>
</tbody>
</table>

SECTION 2

Rates of Compensation established above shall serve as a guide in employment and subsequent changes in rates of employees hired after passage of this ordinance.

SECTION 3

The Mayor and Council shall have the sole discretion in determining who shall be placed on Minimum, Maximum and on interim steps of the salary range and their determination shall be final and conclusive on all employees.

SECTION 4

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 5

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

Mayor Dobies opened the public hearing on Ordinance No. 1813-12. Seeing that there were no public comments, Mayor Dobies closed the Public Hearing on Ordinance No. 1813-12.

Council President DiMura moved for adoption seconded by Councilman Kaplan and carried by the following roll call votes: Ayes: DiMura, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

__________________________________________________

PROCLAMATIONS-NONE

__________________________________________________

ADOPTION OF MINUTES
Councilman Kaplan moved the approval of the May 22, 2012 Regular Meeting Minutes and Executive Session Meeting Minutes seconded by Councilwoman Jenkins and carried by a unanimous vote of Council.

COMMUNICATIONS/APPOINTMENTS-NONE

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance
   a. Council President DiMura moved the approval of the May, 2012 Treasurer’s Report seconded by Councilman Kaplan and carried by a unanimous vote of Council.
   b. VC Park Projects – Council received breakdown of costs to move forward with this project in the amount of $36,500. Funds will be coming from the Victor Crowell Park Grant. A resolution will be done tonight.
   c. Emergency Services – Radios – The Finance Committee has requested that the IT Technician compile a budget for all the radios needed in the borough and reach out to other vendors for quotes. This information will be presented at the June 26, 2012 Meeting.
   d. Mountainview Park Project – Council President DiMura requested that the council review their information on this project and that a resolution be put on the June 26, 2012 Agenda to move forward and allow the engineer to go out to bid for this project.
   e. The Finance Committee met and reviewed the final budget breakdown. They are recommending that the budget be amended at the June 26, 2012 Meeting. Any questions on the budget or the capital budget should be directed to Council President
DiMura or the Finance Committee.

2. Recreation/Recreation Fields/Water & Light – Councilwoman Tackach discussed the bleachers that are needed by the Recreation Department and the quotes that were received. Councilwoman Jenkins will get a report from Rob Heisch on these bleachers and forward information to the Finance Committee.

3. Fire/OEM/Board of Health/Rescue Squad
   a. Councilman Kaplan attended the Board of Health Meeting and they have requested to attend a council meeting to open communications with the governing body. Councilman Kaplan will reach out to have them attend the July 24, 2012 Meeting.
   b. Councilman Kaplan stated that the Rescue Squad held their Family Fun Day and were able to get 10 new members. Councilman Kaplan thanked the DPW and Fire Department for their help with the sign for this event.


5. Police/Legal/Code Enforcement/Municipal Court – Councilman Paff was absent.

6. Administration/Office on Aging/Legislation/License/Buildings & Grounds
   a. Construction Office/Maternity Leave – Administrative Committee agreed to increase Karen Wick’s hours to 37 ½ during Michele Galek’s maternity leave.
   b. Assessor’s Salary – This will be discussed with the increases for all department heads.
   c. Personnel Policy – The Personnel Policy reviewed by our former Labor Attorney will be discussed at the June 26, 2012 Regular Meeting.
   d. Council Summer Regular Meeting Schedule – Administrative Committee recommended to only hold one council meeting in November, but keep the summer schedule as it is.

__________________________________________________

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REPORTS – OTHER:

__________________________________________________
Mayor

1. **Fireworks (July 14, 2012)** – Approval for the Fireworks is only needed by Middlesex County. The contract has been reviewed by our attorney, and a resolution to execute this contract will be put on the June 26, 2012 Regular Meeting.

2. **Property Maintenance – Weeds & Grass** – The Code Enforcer is having problems with the maintenance of homes taken over by banks. An ordinance to have an Administrative cost added to the work done by the borough on these properties will be introduced in July, which would allow the Health Officer or Code Enforcer to move forward and send a letter to the resident.

__________________________________________________
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**COMMENTS ON AGENDA ITEMS - NONE**

__________________________________________________
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The Borough Clerk read the following resolution:

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

Consent Agenda 2012(M)

**WHEREAS**, the Mayor and Council of the Borough of Middlesex has reviewed the Consent Agenda consisting of various proposed resolutions; and

**WHEREAS**, the Mayor and Council of the Borough of Middlesex is desirous of removing Resolution #147-12, and #151-12 from this Agenda.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following resolutions on the Consent Agenda are hereby approved and adopted.

Resolution #145-12 - #146-12
Resolution #148-12 - #150-12
Resolution #152-12 – Resolution #153-12

Councilman Kaplan made a motion for approval, seconded by Council President DiMura and carried by the following roll call vote: Ayes: DiMura, Jenkins, Kaplan and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

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

Resolution #145-12
RESOLUTION APPROVING ESTIMATED TAX LEVY FOR THE CALENDAR YEAR 2012

WHEREAS, the Borough of Middlesex, Middlesex County, New Jersey has, due to various circumstances, delayed the final adoption of the Borough’s 2012 municipal budget, necessitating the issuance of estimated bills; and

WHEREAS, the issuance of estimated tax bills requires a resolution of the governing body.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Middlesex that estimated tax bills are hereby authorized at 101.66% of last year’s levy reflecting an Estimated Tax Levy of $38,344,906.68 for the calendar year 2012.

BE IT FURTHER RESOLVED that certified copies of this resolution be filed with the New Jersey Division of Local Government Services and with the Middlesex County Board of Taxation.
The Borough Clerk read the following resolution:

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

**Resolution #146-12**

BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, New Jersey that the disbursing officers be and are hereby authorized to refund escrow monies to close the following escrow account:

<table>
<thead>
<tr>
<th>BLOCK/LOT</th>
<th>NAME</th>
<th>AMOUNT</th>
<th>ACCOUNT #</th>
</tr>
</thead>
<tbody>
<tr>
<td>26/24</td>
<td>Richard P Rossman, Executor</td>
<td>$514.25</td>
<td>7760142603</td>
</tr>
<tr>
<td>12 Park Place</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mail to: 1 Village Court</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Flemington, NJ 08822</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

including interest to date of refund.

The Borough Clerk read the following resolution:

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

**Resolution #148-12**

“A RESOLUTION TO PROVIDE FOR A TEMPORARY BUDGET FOR PAYMENT OF CLAIMS UNTIL THE ADOPTION OF THE 2012
A Temporary Budget in the amount of $12,209,811.32 to provide for the payment of claims and salaries including debt service payments between the first day of January 2012 and the adoption of the 2012 budget be set up as follows:

GENERAL GOVERNMENT OPERATIONS:

Debt Service – MCIA Loan
1,176.03

TOTAL 12,209,811.32

The Borough Clerk read the following resolution:

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

**Resolution #149-12**

Authorizing the Mayor and Borough Clerk to execute the Interlocal Service Agreement with the County of Middlesex for the E-waste Subsidy Program for properly recycling consumer electronics.

The Borough Clerk read the following resolution:

**BE IT RESOLVED,** by the Mayor and Council of the Borough of
Resolution #150-12

WHEREAS, the borough has received Proposal No. 120640, revised June 4, 2012 from Birdsall Services Group for the Professional Services Proposal for the Grant Close-Out for the FEMA and NJDEP Blue Acres Programs; and

WHEREAS, this proposal includes the following:

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Project Administration</td>
<td>$42,000</td>
</tr>
<tr>
<td>2</td>
<td>Surveying</td>
<td>$9,500</td>
</tr>
<tr>
<td>3</td>
<td>Preliminary Site Assessment</td>
<td>($24,500)</td>
</tr>
<tr>
<td>4</td>
<td>Building Demolition Consulting</td>
<td>($53,000)</td>
</tr>
<tr>
<td>5</td>
<td>Asbestos Abatement and Demolition Oversight</td>
<td>($34,000)</td>
</tr>
</tbody>
</table>

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

1. The governing body hereby approves the Project Proposal from Birdsall Services Group for Professional Services for the Grant Close-Out for the FEMA and NJDEP Blue Acres Program in the amount of $163,000.

2. This resolution shall take effect immediately. The CFO hereby certifies that funds in the amount of $163,000 are available in Account No. 04-1808-00-1808-60.
Middlesex that:

Resolution #152-12

Authorizing the Mayor and Borough Clerk to execute an agreement with the County of Middlesex to accept from them the Automatic License Plate Recognition System, which was provided with Fiscal Year 2010 funding from the Office of Homeland Security and Preparedness.

The Borough Clerk read the following resolution:

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

Resolution #153-12

WHEREAS, the Borough of Middlesex wishes to have a fireworks display on Saturday, July 14, 2012 with a rain date of Sunday, July 15, 2012 beginning after dusk; and

WHEREAS, the display shall comply with all the requirements as set forth in Chapter 33 of the 2006 International Fire Code- New Jersey Edition and NFPA 1123 and 1126; and

WHEREAS, the Borough of Middlesex will obtain a permit from the New Jersey Division of Fire Safety, Bureau of Fire Code Enforcement; and

WHEREAS, the Fire Department will be on standby for display and response; and

WHEREAS, the FAA has been notified and any conditions imposed by the FAA will be complied with.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey does hereby approve the discharge of fireworks in Mountainview Park on July 14, 2012 (rain date July 15, 2012).
The Borough Clerk read the following resolution:

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

**Resolution #147-12**

The application for renewal of Liquor Licenses for the year 2012-2013 which have been approved by the Police Department, Fire Department, Board of Health and be accepted; and the Borough Clerk is hereby authorized to issue the following licenses in consideration of the fees which have been paid to the Borough of Middlesex and the State of New Jersey:

R&C Lettiere, Inc. t/a Endzone Lounge  
1211-33-001-003  
425 Bound Brook Road

Rikjo Liquors, Inc. t/a Middlesex Liquor Store  
1211-44-005-002  
708 Union Avenue

OK Liquors, t/a Cub Liquors, Inc.  
1211-32-011-004  
242 Lincoln Boulevard

Vilaverdense t/a Vincenzo’s Restaurant  
1211-33-012-004  
665 Bound Brook Road

Middlesex Lodge 2301 BPO Elks  
1211-31-014-001  
545 Bound Brook Road

Pearldhyan,
Councilman Kaplan made a motion to table this resolution seconded by Council President DiMura and carried by the following roll call vote: Ayes: DiMura, Jenkins, Kaplan and Tackach. Nos.: None. Abstain: None.
The Borough Clerk read the following resolution:

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

**Resolution #151-12**

Hiring Brendon DeVaney, 529 Howard Avenue, Middlesex, New Jersey and Michael Camacho, 102 Marlborough Avenue, Middlesex, New Jersey as temporary summer help in the DPW effective June 6, 2012 until August 31, 2012 at $12.00 per hour at 30 hours per week at the recommendation of the Acting Superintendent.

Council President DiMura made a motion to amend this resolution to reflect an effective date of June 6, 2012 – August 31, 2012 seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: DiMura, Jenkins, Kaplan and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

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

**Resolution #154-12**

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.

Council President DiMura made a motion for approval, seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: DiMura, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.
The Borough Clerk read the following resolution:

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

**Resolution #156-12**

The governing body hereby approves the Request for Proposal dated May 8, 2012 from T&M Associates for the Victor Crowell Park/Creighton Lake Dam Embankment Improvements in the amount of $36,500.

The CFO hereby certifies that funds in the amount of $36,500 are available in Account No. 02-4000-00-3009-90.

Council President DiMura made a motion for approval, seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: DiMura, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

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**DISCUSSION ON AGENDA WORKSHOP ITEMS**

1. **Flexible Spending Account Proposal** – The CFO indicated that in order to be compliant with our benefits, we need to offer the borough employees a flexible spending account. Afflac has offered to do this without any charge. Before moving forward with an employee meeting, the CFO will send out a memo to all employees to see if anyone if interested.

2. **Senate Bill 1451 & Senate Bill 1452** – Amendments to the Open Public Records Act & Open Public Meeting Act – Council agreed to approve a resolution at the June 26, 2012 Regular Meeting.

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**PUBLIC COMMENTS**
Mayor Dobies opened the Public Potion of the meeting for any comments.

Pete Wozniak, 1200 Sheridan Avenue questioned if the Council checked with the BOE regarding financial information for the budget, and offered to be of assistance if needed. Mr. Wozniak also questioned if Council purchased a new fire truck and discussed the flexible spending account that was discussed on the Agenda.

Artea Lombardi, 517 Edgeworth Avenue discussed clarification on the boat ordinance and if it could be put on someone else's property.

Matt Hoelzel, 534 Howard Avenue spoke regarding the boat ordinance and that the boat must be registered or there is a $50 fine. He also discussed the impervious surface for these boats and the waiver that is needed for the existing boats that don't meet the criteria of the ordinance.

Frank Ryan, 303 Maple Street recommended that the council look into pay increases because of the amount of time that is put into their job.

John Hoffman, 455 Lincoln Boulevard spoke about (1) The Board of Health meeting with the Mayor and Council (2) The Boat ordinance regarding paving of yards and registration of the boat with the DMV; (3) Unregistered vehicles that are on public roads that are inoperable; and (4) parking of vehicle on sidewalk near Parker Fire House.

Mayor Dobies addressed all issues that were discussed in the public.

Seeing that there was no further public comment, Mayor Dobies closed the public portion of the meeting.

Councilman DiMura requested that discussion regarding Spray Tek and the Recreation Dept. Temporary Clerk be added on to
The Borough Clerk read the following resolution.

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

**Resolution #155-12**

**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. DPW/White Collar Contract Negotiations

Council President DiMura made a motion to include Spray-Tek and the Temporary Clerk Position at the Recreation Center to the Executive Session Meeting seconded by Councilman Kaplan and carried by a unanimous vote of Council.

Council President DiMura made a motion to approve the Executive/Closed Session as amended seconded by Councilwoman Jenkins and carried by a unanimous vote of Council.

Councilman Kaplan requested to speak with the Zoning Officer
about new businesses moving into town.

Councilman Kaplan mentioned that on June 18th there will be a FEMA Assistance to Firefighter’s Grant Workshop if anyone is interested in attending.

ADJOURNMENT

Council President DiMura made a motion to adjourn the Regular Meeting seconded by Councilman Kaplan and carried by unanimous vote of members present.

Respectfully submitted,

Kathleen Anello, RMC

Borough Clerk
BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
JULY 10, 2012

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 the Annual Meeting Notice of December 16, 2011 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

Mayor                                      Ronald Dobies
Council President:                   Ron DiMura
                                         Jeffrey First
                                         Sean Kaplan
                                         Patricia Jenkins
                                         Michael Paff
                                         Michele Tackach

Attorney:                                 Aravind Aithal

Councilwoman Tackach stated that she had a personnel issue to add to tonight’s agenda for Executive Session. Mayor Dobies also requested the following items be added to the agenda (1)
Removal of Resolution #176-12 at the request of the prospective hire, (2) Adding a resolution to move forward with the design work for the Bound Brook Pump Station, and (3) Permission for OLMV to put up a banner on Marlborough Road for their Annual Carnival from August 8th – August 11th.

__________________________
PUBLIC HEARING
Mayor Dobies opened the hearing on the Budget Amendment.

Pete Wozniak, 1200 Sheridan Ave. stated that the introduced budget had a total of $700,000 in surplus and after reviewing, he noticed that we put an extra $125,000 or a total of $825,000 which he commended us on. He questioned how much surplus we had last year. Mr. Wasniak also asked about how much we received from FEMA for Hurricane Irene and how many tax points we went up this year.

Seeing that there was no further public comment, Mayor Dobies closed the public hearing on the budget amendment.

__________________________
NEW BUSINESS
The Borough Clerk read the following resolution:

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

Resolution #171-12

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

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

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Middlesex has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2012 budget year.

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

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
   a. Payment of interest and debt redemption charges
   b. Deferred charges and statutory expenditures
   c. Cash deficit of preceding year
   d. Reserve for uncollected taxes
   e. Other reserves and non-disbursement items
   f. Any inclusions of amounts required for school purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:
   a. All estimates of revenue are reasonable, accurate, and correctly stated,
   b. Items of appropriation are properly set forth
   c. In itemization, form, arrangement, and content, the budget will
permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

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

Council President DiMura moved for adoption seconded by Councilman Kaplan and carried by the following roll call votes:
Ayes: DiMura, First, Jenkins, Kaplan, Paff, and Tackach.
Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

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

Resolution #172-12
Adoption 2012 Municipal Budget

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Middlesex, County of Middlesex, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:
BE IT RESOLVED by the Mayor and Borough Council of the Borough of Middlesex, County of Middlesex, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Municipal purposes</td>
<td>$10,884,926.21</td>
</tr>
<tr>
<td>(e) Minimum Library Tax</td>
<td>$524,732.95</td>
</tr>
</tbody>
</table>

Receives from Delinquent Taxes: $594,694.10

Amount to be Raised by Taxation for Municipal Purposes: $10,884,926.21

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 10th day of July, 2012. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2012 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.
(Item 6[a], Sheet 11) 10,884,926.21
Amount to be raised by taxation minimum library levy 524,732.
Total Revenues $16,395,744.63

SUMMARY OF APPROPRIATIONS

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>General Appropriations</strong></td>
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<tr>
<td>Within &quot;CAPS&quot;</td>
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</tr>
<tr>
<td>(a&amp;b) Operations Including Contingent</td>
<td>9,737,068.93</td>
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<tr>
<td>(e) Deferred Charges and Statutory Expenditures - Municipal</td>
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<tr>
<td>Excluded from &quot;CAPS&quot;</td>
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<tr>
<td>(a) Operations - Total Operations Excluded from &quot;CAPS&quot;</td>
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<tr>
<td>(c) Capital Improvements</td>
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<td>(d) Municipal Debt Service</td>
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<tr>
<td>(e) Deferred Charges - Municipal</td>
<td>55,000.00</td>
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<tr>
<td>(m) Reserve for Uncollected Taxes</td>
<td>705,000.00</td>
</tr>
<tr>
<td>Total Appropriations</td>
<td>$16,395,744.63</td>
</tr>
</tbody>
</table>
BE IT RESOLVED by the Mayor and Borough Council of the Borough of Middlesex, County of Middlesex, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of:

(a) $10,884,926.21 (Item 2 below) for municipal purposes

(e) $524,732.95 (Item 5 below) Minimum Library Tax

Swimming Pool Utility Fund:

<table>
<thead>
<tr>
<th>Total</th>
<th>$372,800.00</th>
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<tbody>
<tr>
<td>Reven</td>
<td></td>
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<tr>
<td>ues</td>
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</tr>
</tbody>
</table>

Total $372,800.00

Appropriations

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 10th day of July, 2012. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2012 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Council President DiMura moved for adoption seconded by Councilman Kaplan and carried by the following roll call votes: Ayes: DiMura, First, Jenkins, Kaplan, Paff, and Tackach. Nos.: None. Abstain: None.

PRESENTATIONS

Chris Gulics, the Borough’s grant representative for the FEMA buyouts attended the meeting to give the governing body an overview of the Hazardous Mitigation Grant. Mr. Gulics stated that the grant the Borough received is for $2.5 million which covers seven properties. This grant has a 25% match which is
covered by the Greenacres Program a subsidiary of Blue Acres. The appraisals are completed and were reviewed by FEMA and the state and it has been determined that we will be using the certified appraisal which is market value. As of next week, we will be submitting the appraisals to the homeowner. The homeowner can do their own appraisal at their own cost. If any homeowner on the list does not take the buyout, we will move forward with the next resident (that would be the resident with the most repetitive loss) on the alternate list. The Hazardous Mitigation Grant allows for elevation but Blue Acres doesn’t. The grant funding and mitigation is secured through acquisition. Elevation would mean we would have to reallocate the grant funds if the homeowner can match the 25% cost. Mr. Gulics stated that there would be no duplication of funds. FEMA is not going to pay twice. The final steps is to get a survey of the properties, preliminary assessment, add the properties to the ROSI, go out to public bid, demolition, and final restoration of the land.

PROCLAMATIONS-NONE

ADOPTION OF MINUTES

Councilman Kaplan moved the approval of the June 26, 2012 Regular Meeting Minutes seconded by Councilman Paff and carried by a unanimous vote of Council.

COMMUNICATIONS/APPOINTMENTS-NONE

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/
Insurance
a. Council President DiMura noted that he along with the Mayor met with the Board of Education and stated that it was a very constructive and productive meeting. They will continue to meet quarterly to keep the lines of communication open. The next meeting is scheduled for October 4, 2012.

2. Recreation/Recreation Fields/Water & Light – Councilwoman Tackach had nothing to report.

3. Fire/OEM/Board of Health/Rescue Squad
   a. Councilman Kaplan stated that the Flood Advisory Committee meets on the third Thursday of the month. The Committee is currently working on a folder which will contain emergency contacts, location of shelters, and who to call, exits out of town, and other emergent information. They are also writing a letter to our congressman requesting more funding for our flooding issues. Councilman Kaplan also noted that he, the Mayor, and Councilman DiMura met with residents identifying spots that are in need of de-snagging/de-silting. Councilman Kaplan reported that the DEP has changed the guidelines regarding de-silting and de-snagging. The Borough can request from the DEP to do a de-silting program as long as we stay in the guidelines of 15 ft. wide and 500 linear feet.
   Councilman Kaplan asked council if he could contact the engineer and move forward on the de-silting/de-snagging of the area from Cap Lane through 7th Street. Council agreed to have Councilman Kaplan work with the engineer on this project. Councilman Kaplan also is trying to schedule with the Fire Department to get the pumper truck out along the tributaries to help locate where the backups are. Council President DiMura asked that we also reach out to the engineer about the possibility of natural berm along Cap Lane.

5. Police/Legal/Code Enforcement/Municipal Court – Councilman Paff had nothing to report.

6. Administration/Office on Aging/Legislation/License/Buildings & Grounds – Councilman First had nothing to report.

REPORTS – OTHER:

Mayor

1. Mayor Dobies requested that council approve a resolution tonight for T&M’s proposal for design work at the Bound Brook Pump Station. Council asked the engineer attend the next meeting for further discussion.

2. A request was made from OLMV for permission to put up a banner along Marlborough Ave. from Aug. 8 – August 11th for OLMV Annual Carnival. Councilman Kaplan made a motion to approve seconded by Council President DiMura and carried by a unanimous vote of council.

The Borough Clerk read the following resolution:

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

Consent Agenda 2012(M)

WHEREAS, the Mayor and Council of the Borough of Middlesex has reviewed the Consent Agenda consisting of various proposed resolutions; and

WHEREAS, the Mayor and Council of the Borough of Middlesex is desirous of removing Resolution #176-12 from this Agenda.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following resolutions on the
Consent Agenda are hereby approved and adopted.

**Resolution #173-12 - #175-12**

Councilwoman Jenkins made a motion for approval, seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, Paff, and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

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

**Resolution #173-12**

The Tax Collector is hereby authorized to issue a check in the amount of $8,096.27 to redeem tax sale certificate #2011-1768, Block 264, Lot 5, 218 Runyon Avenue and to issue a check in the amount of $4,400 to refund a tax sale premium. The checks are to be made payable to:

FWDSL & Associates
LP
290 US Highway 22
West
Green Brook, NJ
08812

The Borough Clerk read the following resolution:

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

**Resolution #174-12**
WHEREAS, CorePharma, applied to the Construction Office for a Zoning Permit for 215 Wood Avenue; and

WHEREAS, CorePharma submitted a check in the amount of $50.00 on 6/18/12 in payment of said Zoning Permit for a proposed construction of flagpole; and

WHEREAS, no permit was required.

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 $50.00 in favor of CorePharma, 215 Wood Avenue, Middlesex NJ 08846, for refund of fee for Zoning Permit.

The Borough Clerk read the following resolution:

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

Resolution #175-12

WHEREAS, the Borough Council of the Borough of Middlesex, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Borough Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Middlesex.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Middlesex, County of Middlesex, State of New Jersey hereby recognizes the following:
1. The Borough Council does hereby authorize submission of an application for the Middlesex Municipal Alliance Grant for calendar year 2013 in the amount of $13,884.00
2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance Grant, including the administrative compliance and audit requirements.

The Borough Clerk read the following resolution:
**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that:

**Resolution #177-12**

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.

Council President DiMura made a motion for approval, seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, Paff and Tackach. Nos.: None. Abstain: None.

**PUBLIC COMMENTS**

Mayor Dobies opened the Public Portion of the meeting for any comments.

John Ericson, 209 Second Street thanked Councilman Kaplan, Council President DiMura, and the Mayor for meeting on Cap Lane on July 1st.

Pete Wozniak, 1200 Sheridan Avenue had the questioned the following items (1) When Route 28 was going to be paved, (2) This year’s tax collection percentage rate, (3) How the meeting with the school went and if the topic of the football field turf
came up, and (4) If the Board agreed to open their books to the public.

Artea Lombardi, 517 Edgeworth Street attended the meeting with the Board of Education and thanked Council President DiMura for keeping the Board of Education meeting focused and keeping the meeting on a positive note. Mrs. Lombardi also questioned how the buyout of all 7 houses is going to affect our tax base.

John Hoffman, 455 Lincoln Blvd. questioned who would be watching over 150 Lincoln Blvd. as they are removing the contaminated dirt off the site today. He also questioned what the governing body is doing about the overcrowding in homes. Mr. Hoffman thanked both Council President DiMura and Councilman Kaplan for taking the time to come to his home when he had a problem with his neighbor.

Amy Bigge, 5 Marshall Place thanked Mayor Dobies for bringing up tonight the Bound Brook Pump Station. She noted that the generator is running day and night and the sound is like a jackhammer.

Debra DeVuyst, 73 Ramsey Road questioned if the new regulations from the DEP apply to 150 Lincoln Blvd.

Mayor Dobies addressed all issues that were discussed in public.

Seeing that there was no further public comment, Mayor Dobies closed the public portion of the meeting.

Mayor Dobies asked for a motion to go into closed session to discuss the continuation of temporary employment for the Recreation Department part-time secretary. Councilwoman Tackach made the motion seconded by Council President DiMura and carried by a unanimous vote of council.

**ADJOURNMENT**

__________________________________________________
__________________________
Council President DiMura made a motion to adjourn the Regular
Meeting seconded by Councilman Kaplan and carried by unanimous vote of council.

Respectfully submitted,

Kathleen Anello, RMC

Borough Clerk
BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
JULY 24, 2012

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 the Annual Meeting Notice of December 16, 2011 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

Mayor                                     Ronald Dobies
Council President:                  Ron DiMura
                                        Jeffrey First
                                        Sean Kaplan
                                        Patricia Jenkins
                                        Michael Paff
                                        Michele Tackach

Attorney:                                Aravind Aithal

PRESENTATIONS

Dominick Carrino of T&M Associates attended the meeting to discuss the status of the Bound Brook Pump Station Improvements and the revised construction cost
estimate. There has been an issue with the voltage and T&M has been dealing with PSE&G to correct the problem. The construction cost estimate has been revised for this project and it now is estimated at $316,800. Once the borough has authorized the engineer to proceed it will take 60 days to submit draft plans, with the DEP review and coordination will take 2 months. Bidding is scheduled to take place in November and the project should be awarded the first meeting in February. Construction is scheduled to begin in March and completed in August. T&M has reached out to the DEP about the anticipated schedule for work and was notified that based on the improvements these funds could be drawn through the loan that was issued to the borough.

Council discussed the exhaust from the generator and the odor. T&M indicated that they could have the exhaust coming out the front of the generator, but the scheduled work will not eliminate the smell that comes from the pump station. T&M could have their representative look for any potential grants for a scrubber that could help this odor problem. Tom Moskal of the Sewer Department explained all the work that he has accomplished to date which includes designing the well system and the installation of the well. DEP has said that the work on the generator can be done as a separate job, which would be done with the Purchasing Agent through an RFP.

Victor Crowell Park - Mr. Carrino provided council with a diagram of Victor Crowell Park and indicated where the new stones would be located, along with the gabion baskets and plantings. Mr. Carrino indicated that the placement of the rocks could be done through an RFP because it would be under the bid threshold, and he feels that this work can be done prior to the 9/11 Memorial. The other work at the lake will be done through public bid. Council gave permission to the engineer to figure out how much it will cost to move the rocks.

Councilman Kaplan indicated that the Flood Advisory Committee met and discussed the desnagging of the streams and the silt build up. Renderings will be needed for the area including 7th Street to Cap Lane. T&M will check on the FEMA website for FEMA maps and data and formulate application to the DEP. The engineer will f/u on this matter with Council.
Mt. View Park – 90% of the preliminary plans have been completed, and this will then be reviewed with council. At this time T&M is looking at bidding the project the second week of August and awarding the bid at the August 28, 2012 Regular Meeting. They foresee that construction will be done in the fall and winter (weather permitting). The color coating must be done in the spring. The Board of Education has reviewed and approved the Borough’s proposed park project.

Howard Avenue – This project proposal is 95% finished. This project is scheduled to be advertised for bid on August 14, 2012, awarded in September and have a construction start up date of October 1. T&M is anticipating that it will take 2 months to complete, and the budget is being kept under $300,000.

Jim Ayotte, Construction Official attended meeting and notified the governing body that the remediation of the Chem Ray site had begun a couple weeks ago and he is overseeing this work. At this time there is approximately 8,000 tons of hazardous waste currently removed from the site and 1,440 tons of contaminated soil arsenic will be remediated. The dirt has all been removed by trucks that have automatic soil covers, and there are men sweeping near the site on Lincoln Boulevard so that it is completely left clean. Freehold Soil is checking on the soil erosion. Mr. Ayotte anticipated that this project should be done in another 2 weeks, and then the contractor will provide the blueprints of the buildings. At this time construction is scheduled to begin in September.

Jim Ayotte requested that the Council amend the ordinance to increase the cost for the residential reinspection fees to be increased from $25.00 to $50.00. Council agreed to amend the residential reinspection fee to $50.00.

Jim Ayotte discussed the status of the close out of old permits dating back to the late 1990’s. Although the office has been able to close out some permits that residents have requested, the construction official foresees that once the Clerk returns
from her maternity leave, the office should be able to begin working on this task again.

COMMUNICATIONS/APPOINTMENTS-NONE

PUBLIC HEARINGS-NONE

NEW BUSINESS

Mayor Dobies stated that two items have been added to the Agenda which include waiving of the zoning fees for the Board of Education and also the request for DPW overtime for the Parente Tournament.

Mayor Dobies read Ordinance No. 1815-12 by title for introduction.

BOROUGH OF MIDDLESEX

ORDINANCE NO. 1815-12


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

The salary and rate of compensation of each of the officers and employees of the Borough of Middlesex shall be and the same is hereby fixed respectively as:

2012  2013
2014

<table>
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<th>2%</th>
<th>2.25%</th>
<th>2.25%</th>
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<td>Recreation Secretary</td>
<td>$33,757.92</td>
<td>$34,517.47</td>
<td>$35,294.11</td>
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<tr>
<td><strong>Admin.Asst/ Aging</strong></td>
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<tr>
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<tr>
<td>Technical Assistant</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

Dept.Ct.Admin – Includes the bi-lingual stipend.

SECTION 2

Rates of Compensation established above shall serve as a guide in employment and subsequent changes in rates of employees hired after passage of this ordinance.

SECTION 3

The Mayor and Council shall have the sole discretion in determining who shall be placed on Minimum, Maximum and on interim steps of the salary range and their determination shall be final and conclusive on all employees.

SECTION 4

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are and the same are hereby
repealed.

**SECTION 5**

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

Council President DiMura moved for introduction seconded by Councilman Kaplan and carried by the following roll call votes: Ayes: DiMura, First, Jenkins, Kaplan, Paff and Tackach. Nos.: None. Abstain: None.

Mayor Dobies read Ordinance No. 1816-12 by title for introduction.

**BOROUGH OF MIDDLESEX**

**ORDINANCE NO. 1816-12**


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

The salary and rate of compensation of each hourly employee of the Board of Public Works of the Borough of Middlesex shall be and the same is hereby fixed respectively for the years 2012, 2013 & 2014 as follows:

PUBLIC WORKS EMPLOYEES, INCLUDING ROADS, PARKS, SANITATION, RECYCLING AND SEWERS:

<table>
<thead>
<tr>
<th>Title</th>
<th>Salary/ Hour 2012</th>
<th>Salary/ Hour 2013</th>
<th>Salary/ Hour 2014</th>
</tr>
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<tbody>
<tr>
<td>Laborer First six months</td>
<td>2% $13.43</td>
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</tr>
<tr>
<td>Duration</td>
<td>Salary/ Hour</td>
<td>Salary/ Hour</td>
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<td>6-18 months</td>
<td>$16.15</td>
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<td>$25.34</td>
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<tr>
<td>67 months plus</td>
<td>Top Rate</td>
<td>Top Rate</td>
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</tbody>
</table>

Garbage Department Employees:

<table>
<thead>
<tr>
<th>Title</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Garbage Truck Driver</td>
<td>$31.7241</td>
<td>$32.4379</td>
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<td>$30.3323</td>
<td>$31.0148</td>
<td>$31.7126</td>
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<tr>
<td>Lead Person</td>
<td>$31.8295</td>
<td>$32.5457</td>
<td>$33.2780</td>
</tr>
</tbody>
</table>

Parks Department Employees:

<table>
<thead>
<tr>
<th>Title</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lead Person</td>
<td>$31.8295</td>
<td>$32.5457</td>
<td>$33.2780</td>
</tr>
</tbody>
</table>

Public Works Employee #1

<table>
<thead>
<tr>
<th>Title</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Works</td>
<td>$31.8295</td>
<td>$32.5457</td>
<td>$33.2780</td>
</tr>
</tbody>
</table>

Solid Waste Department Employees:

<table>
<thead>
<tr>
<th>Title</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lead Person</td>
<td>$31.8295</td>
<td>$32.5457</td>
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<td>Public Works</td>
<td>$31.8295</td>
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<table>
<thead>
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<th>Title</th>
<th>2012</th>
<th>2013</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Public Works</td>
<td>$31.8295</td>
<td>$32.5457</td>
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</tr>
</tbody>
</table>

General Public Works Employees:

<table>
<thead>
<tr>
<th>Title</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utility Person</td>
<td>$17.1902</td>
<td>$17.5770</td>
<td>$17.9725</td>
</tr>
<tr>
<td>Title</td>
<td>Salary/ Hour 2012</td>
<td>Salary/ Hour 2013</td>
<td>Salary/ Hour 2014</td>
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</tr>
<tr>
<td><strong>Solid Waste</strong></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Truck Driver</td>
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<td></td>
<td></td>
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</tr>
<tr>
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<td>$30.3323</td>
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<tr>
<td><strong>Garbage</strong></td>
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<td>Department</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Employee #1</td>
<td>$30.3312</td>
<td>$31.0137</td>
<td>$31.7115</td>
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<tr>
<td><strong>Road Department</strong></td>
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<tr>
<td><em>Employees:</em></td>
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</tr>
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<tr>
<td><strong>Chief Mechanic</strong></td>
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<tr>
<td><strong>Mechanic - Assistant</strong></td>
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<td></td>
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</tr>
<tr>
<td><strong>Sewer Department</strong></td>
<td></td>
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<td></td>
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<td><strong>Public Works</strong></td>
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<tr>
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SECTION 2

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SECTION 3

The Mayor and Council shall have the sole discretion in determining who shall be placed on Minimum, Maximum and on interim steps of the salary range and their determination shall be final and conclusive on all employees.

SECTION 4

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 5

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

Council President DiMura moved for introduction seconded by Councilman Kaplan and carried by the following roll call votes: Ayes: DiMura, First, Jenkins, Kaplan, Paff and Tackach. Nos.: None. Abstain: None.
PROCLAMATIONS-NONE

ADOPTION OF MINUTES

Councilman Kaplan moved the approval of the July 10, 2012 Regular Meeting Minutes and Executive Session Meeting Minutes seconded by Councilman First and carried by a unanimous vote of Council.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance
   a. Council President DiMura stated that the Capital Budget will be introduced at the August 14, 2012 Regular Meeting. If council has any recommendations, please contact Council President DiMura to discuss.
   b. Finance Committee has requested that the Purchase Order threshold be reduced to $250.00 without council liaison approval. The Borough Clerk will e-mail all department heads a notice that they must e-mail their liaison and the CFO for approval before submitting a purchase order over $250.00.

2. Recreation/Recreation Fields/Water & Light
   a. Councilwoman Tackach indicated that the Girl’s Softball bleachers have been repaired. New bleachers have been put in the capital budget.

3. Fire/OEM/Board of Health/Rescue Squad
   a. Councilman Kaplan moved the acceptance of Jean Vecchio into the Middlesex Fire Department seconded by Council President DiMura and carried by a unanimous vote of Council.
   b. Councilman Kaplan stated that the Flood Advisory Committee met on Thursday and they are working on the information booklet. Also they are writing a letter to Congress for more funding for Middlesex
Borough and are working with the engineer to implement a program to reduce flooding in the area.

c. Narrowband Radio Communication Update – Councilman Kaplan indicated that the borough is now 100% compliant with the narrow banding. Councilman Kaplan thanked Ryan Zittel for all his help with this project.

4. Public Works/Parks/Sanitation/Recycling

5. Police/Legal/Code Enforcement/Municipal Court
   b. Councilman Paff mentioned that Officers Carroll, Duca and Falk had been recognized by the New Jersey Division of Highway Traffic Safety with the 2011 DWI Top Gun Award for leading the police department with the DWI arrests for 2011.

6. Administration/Office on Aging/Legislation-License/Buildings & Grounds – Councilman First had nothing to report.

REPORTS – OTHER:

Mayor

1. Master Plan – Mayor Dobies is working on the master plan and would like council to look at Pages 23 and 24 and advise of any recommendations.

2. Board of Education has requested that the borough waive the $50.00 zoning fees. This fee is being paid by the contractor, not the Board of Education. Councilman First made a motion to reject the Board of Education’s request to waive the Zoning fee seconded by Councilman Paff and carried by a unanimous vote of Council.

3. Jim Ianetti of the DPW has requested four DPW
employees work OT to clean up the softball fields within the Borough during the Parente Softball Tournament on Saturday, August 4. Mayor Dobies requested council consider 3 employees which have been used in the past. The funds for the OT will be approximately $850 for three employees. Councilman Kaplan made a motion for approval, seconded by Councilman DiMura and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, and Kaplan. Nos.: Paff. Abstain: Tackach. The administrative liaison will be reviewing policy on overtime issues for private functions.

4. Mayor Dobies recommended Ms. Lauri Thompson of T&M work on new grants that we have received, which include the flood mitigation grant that has been forwarded to the Flood Advisory Committee. Councilman Kaplan made a motion to have T&M prepare a proposal for the August 14, 2012 Regular Meeting to have T&M move forward and apply for the flood mitigation grant which is due September 30, 2012 seconded by Councilwoman Jenkins and carried by a unanimous vote of Council.

The Borough Clerk read the following resolution:

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

Consent Agenda 2012(N)

WHEREAS, the Mayor and Council of the Borough of Middlesex has reviewed the Consent Agenda consisting of various proposed resolutions; and

WHEREAS, the Mayor and Council of the Borough of Middlesex is desirous of removing Resolution #178 from this Agenda.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following resolutions on the Consent Agenda are hereby approved and adopted.
Resolution #179-12 - #181-12

Councilman Paff made a motion for approval, seconded by Councilman First and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, Paff, and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

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

**Resolution #179-12**

**WHEREAS**, the residents of the 500 block of Clinton Avenue, between East Greenlawn and Seneca Avenue have requested to have a block party on July 28, 2012 between the hours of 11 a.m. and 11 p.m.; and

**WHEREAS**, all the designated officials have been given approval for this block party.

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

1. The Governing Body hereby grants approval to the residents of the 500 block of Clinton Avenue, between East Greenlawn and Seneca Avenue, to conduct a block party on July 28, 2012 between the hours of 11 a.m. and 11 p.m.
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 #180-12

WHEREAS, an application has been filed for a place to place transfer of Plenary Retail Consumption License No. 1211-33-002-008, Faron Realty Management, t/a Ferraro’s Pizza & Pub, for the purpose of expanding the premises under license wherein the sale, service and storage of alcoholic beverages are authorized; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Middlesex does hereby approve, effective July 25, 2012, the expansion of the aforesaid Plenary Retail Consumption Licensed premises located at 275 Lincoln Boulevard to place under license the area delineated in the application form and the sketch of the licensed premise on file in the Clerk’s Office.

The Borough Clerk read the following resolution:

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

Resolution #181-12

WHEREAS, T&M Associates has provided a project proposal with a revised date of July 24, 2012 for the Bound Brook Pump Station Improvements Scope and Fee Estimate for Engineering Services Design/Bid/Award; and

WHEREAS, this proposal includes the following:

Phase A – Design
Documents $39,500

Phase B – Bidding and Recommendation of Award $ 3,000
Alternate to include South Ave.

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
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<tr>
<td>Flume</td>
<td>$5,750</td>
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</table>

**TOTAL**

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Fee</td>
<td>$48,250</td>
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<td>50</td>
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</tbody>
</table>

**WHEREAS**, the governing body hereby authorizes T&M Associates to go out to bid for the Bound Brook Pump Station Improvements.

**NOW, THEREFORE BE IT RESOLVED**, that the governing body of the Borough of Middlesex hereby approves the proposal from T&M Associates in the amount of $48,250 for the scope and fee Estimate for the Bound Brook Pump Station and hereby authorize T&M Associates to go out to Bid for the Bound Brook Pump Station Improvements.

**NOW, FURTHER BE IT RESOLVED**, that the Chief Financial Officer certifies that funds in the amount of $52,500 are available in Account No. 04-1611-00-1611-60.

---

The Borough Clerk read the following resolution:

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

**Resolution #178-12**

The governing body hereby approves extending the temporary employment of Mrs. Jeannine Thompson as a temporary Recreation Secretary for 20 hours per week at $12.00 per hour until August 31, 2012.

Council President DiMura made a motion to table this resolution seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, Paff, and Tackach. Nos.: None. Abstain: None.
The Borough Clerk read the following resolution:

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

Resolution #182-12

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.

Councilman Paff made a motion for approval, seconded by Councilman First and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, Paff and Tackach. Nos.: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Update from Website Committee – Councilwoman Jenkins reported on behalf of the Website Committee that the Committee has been reviewing the Community Links on the website and they have made recommendations and changes to be incorporated into this area. These changes were forwarded to the Borough Clerk and the Committee will move forward on the review of the website.

PUBLIC COMMENTS

Mayor Dobies opened the Public Portion of the meeting for any comments.

Betty Platten, 4 Hooker Avenue questioned the location of the rocks on the diagram that was presented by T&M Associates regarding Victor Crowell Park.
John Hoffman, 455 Lincoln Boulevard discussed (1) the cost for the placement of the rocks at Victor Crowell Park; (2) the possibility of a natural gas generator at the pump station; (3) the Construction Official overseeing the removal of soil from the Chem Ray site; (4) the salary increases for the Borough employees; (5) the cuts and/or retirements over the last few years in the Police Department; (6) the bleachers at the softball field; and (7) the overtime being paid to the DPW for the Parente Tournament.

Pete Wozniak, 1200 Sheridan Avenue discussed (1) the amount of quotes that the Purchasing Agent will be getting for the work with the rocks at Victor Crowell Park; (2) suggestions for the funds that the borough is receiving with regard to Chapter 78 and the employee health benefits; and (3) recommendation not to hire more police officers, as retirement benefits put a strain on the municipality.

Mayor Dobies addressed all issues that were discussed in the public.

Seeing that there was no further public comment, Mayor Dobies closed the public portion of the meeting.

**ADJOURNMENT**

Council President DiMura made a motion to adjourn the Regular Meeting seconded by Councilman Kaplan and carried by unanimous vote of members present.

Respectfully submitted,

Kathleen Anello, RMC
Borough Clerk
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 the Annual Meeting Notice of December 16, 2011 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

Mayor: Ronald Dobies (vacation)
Council President: Ron DiMura
Jeffrey First (work)
Sean Kaplan
Patricia Jenkins
Michael Paff (absent)
Michele Tackach

Attorney: Aravind Aithal

PRESENTATIONS-NONE

COMMUNICATIONS/APPOINTMENTS-NONE

PUBLIC HEARINGS

The Borough Clerk read Ordinance No. 1815-12 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

BOROUGH OF MIDDLESEX
ORDINANCE NO. 1815-12


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

The salary and rate of compensation of each of the officers and employees of the Borough of Middlesex shall be and the same is hereby fixed respectively as:

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
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<tbody>
<tr>
<td>GRADE A</td>
<td>2%</td>
<td>2.25%</td>
<td>2.25%</td>
</tr>
<tr>
<td>Recreation</td>
<td>$ 33,757.92</td>
<td>$ 34,517.47</td>
<td>$ 35,294.11</td>
</tr>
</tbody>
</table>
SECTION 2
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SECTION 3
The Mayor and Council shall have the sole discretion in determining who shall be placed on Minimum, Maximum and on interim steps of the salary range and their determination shall be final and conclusive on all employees.

SECTION 4
All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are and the same are hereby repealed.

SECTION 5
This Ordinance shall take effect upon its final passage, approval and publication according to law.

Council President DiMura opened the public hearing on Ordinance No. 1815-12. Seeing that there was no public participation, Council President DiMura closed the public hearing on Ordinance No. 1815-12.

Council President DiMura moved for adoption seconded by Councilman Kaplan and carried by the following roll call votes: Ayes: DiMura, First, Jenkins, Kaplan, Paff and Tackach. Nos.: None. Abstain: None.
The Borough Clerk read Ordinance No. 1816-12 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

BOROUGH OF MIDDLESEX
ORDINANCE NO. 1816-12


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

The salary and rate of compensation of each hourly employee of the Board of Public Works of the Borough of Middlesex shall be and the same is hereby fixed respectively for the years 2012, 2013 & 2014 as follows:

PUBLIC WORKS EMPLOYEES, INCLUDING ROADS, PARKS, SANITATION, RECYCLING AND SEWERS:

<table>
<thead>
<tr>
<th>Title</th>
<th>Salary/ Hour</th>
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<tr>
<td></td>
<td>2012</td>
<td>2013</td>
<td>2014</td>
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<tr>
<td>Laborer</td>
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</tr>
<tr>
<td>First six months</td>
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<tr>
<th>Title</th>
<th>Salary/ Hour</th>
<th>Salary/ Hour</th>
<th>Salary/ Hour</th>
<th>Salary/ Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2012</td>
<td>2013</td>
<td>2014</td>
<td>2014</td>
</tr>
<tr>
<td>Solid Waste Truck Driver</td>
<td>$31.7241</td>
<td>$32.4379</td>
<td>$33.1678</td>
<td></td>
</tr>
<tr>
<td>Solid Waste Employee #1</td>
<td>$30.3323</td>
<td>$31.0148</td>
<td>$31.7126</td>
<td></td>
</tr>
<tr>
<td>Solid Waste Employee #1</td>
<td>$30.3312</td>
<td>$31.0137</td>
<td>$31.7115</td>
<td></td>
</tr>
</tbody>
</table>

Road Department Employees:

<table>
<thead>
<tr>
<th>Title</th>
<th>Salary/ Hour</th>
<th>Salary/ Hour</th>
<th>Salary/ Hour</th>
<th>Salary/ Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2012</td>
<td>2013</td>
<td>2014</td>
<td>2014</td>
</tr>
<tr>
<td>2%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.25%</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>2.25%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Title</td>
<td>2012</td>
<td>2013</td>
<td>2014</td>
<td></td>
</tr>
<tr>
<td>---------------------------</td>
<td>------------</td>
<td>------------</td>
<td>------------</td>
<td></td>
</tr>
<tr>
<td>Lead Person</td>
<td>$31.8295</td>
<td>$32.5457</td>
<td>$33.2780</td>
<td></td>
</tr>
<tr>
<td>Public Works Employee #1</td>
<td>$30.3323</td>
<td>$31.0148</td>
<td>$31.7126</td>
<td></td>
</tr>
<tr>
<td>Chief Mechanic</td>
<td>$34.8862</td>
<td>$35.6711</td>
<td>$36.4737</td>
<td></td>
</tr>
<tr>
<td>Mechanic - Assistant</td>
<td>$32.4063</td>
<td>$33.1354</td>
<td>$33.8809</td>
<td></td>
</tr>
<tr>
<td><strong>Sewer Department Employees:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Salary/Hour</td>
<td>Salary/Hour</td>
<td>Salary/Hour</td>
<td></td>
</tr>
<tr>
<td>Public Works Employee #1</td>
<td>$30.3321</td>
<td>$31.0146</td>
<td>$31.7124</td>
<td></td>
</tr>
<tr>
<td><strong>General Public Works Employees:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Salary/Hour</td>
<td>Salary/Hour</td>
<td>Salary/Hour</td>
<td></td>
</tr>
<tr>
<td>Utility Person</td>
<td>$17.1902</td>
<td>$17.5770</td>
<td>$17.9725</td>
<td></td>
</tr>
</tbody>
</table>

**SECTION 2**

Rates of Compensation established above shall serve as a guide in employment and subsequent changes in rates of employees hired after passage of this ordinance.

**SECTION 3**

The Mayor and Council shall have the sole discretion in determining who shall be placed on Minimum, Maximum and on interim steps of the salary range and their determination shall be final and conclusive on all employees.

**SECTION 4**

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

**SECTION 5**

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

Council President DiMura opened the public hearing on Ordinance No. 1816-12. Seeing that there was no public participation, Council President DiMura closed the public hearing on Ordinance No. 1816-12.

Council President DiMura moved for adoption seconded by Councilman Kaplan and carried by the following roll call votes: Ayes: DiMura, First, Jenkins, Kaplan, Paff and Tackach. Nos.: None. Abstain: None.

**NEW BUSINESS**

The Borough Clerk read Ordinance No. 1817-12 by title for introduction.

BOROUGH OF MIDDLESEX
ORDINANCE NO. 1817-12
AN ORDINANCE TO AMEND CHAPTER 158, RESALE CERTIFICATES AND RESALE LEASED CERTIFICATES AND AMENDING SECTION 158-2 FEE FOR RESALE CERTIFICATE AND SECTION 158-7 FEE FOR RESALE LEASED CERTIFICATE OF THE CODE OF THE BOROUGH OF MIDDLESEX

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

(a) Chapter 158-2 Fee shall be amended to read as follows:

The fee for a Resale Certificate shall be $100 in the event that only one inspection is required of the Construction Official, but in the event that the Construction Official is required to make more than one inspection of the premises before issuing a Resale Certificate, there shall be an additional charge of $50 per each inspection of the premises made by the Construction Official after the initial inspection.

(b) Chapter 158-7 Fee shall be amended to read as follows:

The fees for a Resale Leased Certificate shall be $250.

(c) All references to Certificate of Occupancy or Certificate of Continued Occupancy shall be amended to read “Resale Certificate” and all references to Certificate of Leased Occupancy shall be amended to read “Resale Leased Certificate” in Chapter 158.

Councilman Kaplan moved for introduction seconded by Councilwoman Jenkins and carried by the following roll call votes: Ayes: DiMura, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read Ordinance No. 1818-12 by title for introduction.

BOROUGH OF MIDDLESEX
ORDINANCE NO. 1818-12

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF $1,116,450 THEREFOR AND AUTHORIZING THE ISSUANCE OF $779,125 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Middlesex, in the County of Middlesex, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to $1,116,450, including a grant in the amount of $300,000 from the State of New Jersey Department of Transportation (the “State Grant”) for the purpose or improvement in Section 3(e)(1) and further including the aggregate sum of $37,325 as the several down payments for the improvements or purposes required by the Local Bond Law.
No down payment is required pursuant to N.J.S.A. 40A:2-11(c) for the purpose or improvement in Section 3(c)(1) since the improvement or purpose is being partially funded by the State Grant. The amount of the down payment appropriated is 5% of the costs of the improvements or purposes which are not funded by the above referenced State Grant ($746,500). The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments and the State Grant referred to in Section 1 hereof, negotiable bonds are hereby authorized to be issued in the principal amount of $779,125 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Appropriation and Estimated Cost</th>
<th>Estimated Maximum Amount of Bonds or Notes</th>
<th>Period of Usefulness</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Public Works Department</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1) The acquisition of plow equipment,</td>
<td>$12,000</td>
<td>$11,400</td>
<td>15 years</td>
</tr>
<tr>
<td>including all related costs and</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>expenditures incidental thereto.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2) The acquisition of a tilt camera with</td>
<td>$73,000</td>
<td>$69,350</td>
<td>10 years</td>
</tr>
<tr>
<td>3x digital zoom, including all related</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>costs and incidental thereto.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3) Retro fits, including all work and</td>
<td>$23,000</td>
<td>$21,850</td>
<td>15 years</td>
</tr>
<tr>
<td>materials necessary therefor and</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>incidental thereto.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4) Cleaning of streams, including all work</td>
<td>$153,000</td>
<td>$145,350</td>
<td>15 years</td>
</tr>
<tr>
<td>and materials necessary therefor and</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>incidental thereto.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Purpose</td>
<td>Appropriation and Estimated Cost</td>
<td>Estimated Maximum Amount of Bonds or Notes</td>
<td>Period of Usefulness</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>----------------------------------</td>
<td>------------------------------------------</td>
<td>----------------------</td>
</tr>
<tr>
<td>b) <strong>Police Department</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1) The acquisition of computer hardware, including all related costs</td>
<td>$12,000</td>
<td>$11,400</td>
<td>5 years</td>
</tr>
<tr>
<td>and expenditures incidental thereto.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2) The acquisition of an APG interviewer recording system for</td>
<td>$18,000</td>
<td>$17,100</td>
<td>10 years</td>
</tr>
<tr>
<td>interview rooms, including all related costs and expenditures</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>incidental thereto.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3) The acquisition of rifle mounts for patrol cars and rifle/shotgun</td>
<td>$7,000</td>
<td>$6,650</td>
<td>10 years</td>
</tr>
<tr>
<td>racks for armory, including all related costs and expenditures</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>incidental thereto.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) <strong>Fire Department</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The acquisition of new hoses for engine 21 and 23, gear and a thermal</td>
<td>$77,000</td>
<td>$73,150</td>
<td>5 years</td>
</tr>
<tr>
<td>imaging camera for engine 21 and 23, including all related costs and</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>expenditures incidental thereto.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d) <strong>Rescue Squad Department</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The acquisition of automated external defibrillators and a Striker</td>
<td>$17,500</td>
<td>$16,625</td>
<td>15 years</td>
</tr>
<tr>
<td>ambulance cot and mount, including all related costs and expenditures</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>incidental thereto.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### e) Road Department

1) Improvements to Howard Avenue, including all work and materials necessary therefor and incidental thereto.  
   - **Purpose:** Improvements to Howard Avenue, including all work and materials necessary therefor and incidental thereto.  
   - **Appropriation and Estimated Cost:** $369,950  
   - **Estimated Maximum Amount of Bonds or Notes:** $300,000  
   - **Period of Usefulness:** 10 years  
   - **Notes:** Includes a $300,000 State of New Jersey Department of Transportation Grant.

2) Improvements to secondary roads, including all work and materials necessary therefor and incidental thereto.  
   - **Appropriation and Estimated Cost:** $200,000  
   - **Estimated Maximum Amount of Bonds or Notes:** $190,000  
   - **Period of Usefulness:** 5 years

### f) Buildings and Grounds Department

The acquisition of a chiller for municipal buildings, including all related costs and expenditures incidental thereto.  
   - **Appropriation and Estimated Cost:** $48,000  
   - **Estimated Maximum Amount of Bonds or Notes:** $45,600  
   - **Period of Usefulness:** 15 years

### g) Office of Emergency Management

The acquisition of a new command vehicle and upgrades, including all related costs and expenditures incidental thereto.  
   - **Appropriation and Estimated Cost:** $40,000  
   - **Estimated Maximum Amount of Bonds or Notes:** $38,000  
   - **Period of Usefulness:** 5 years
### Purpose

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Appropriation and Estimated Cost</th>
<th>Estimated Maximum Amount of Bonds or Notes</th>
<th>Period of Usefulness</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>h) Computer Data Department</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1) The acquisition of a new server for phones, including all related costs and expenditures incidental thereto.</td>
<td>$40,000</td>
<td>$38,000</td>
<td>10 years</td>
</tr>
<tr>
<td>2) The acquisition of a wireless connection for the Recreation/Senior Center, including all related costs and expenditures incidental thereto.</td>
<td>$5,000</td>
<td>$4,750</td>
<td>10 years</td>
</tr>
<tr>
<td><strong>i) Recreation Department</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1) The acquisition of a new copier, including all related costs and expenditures incidental thereto.</td>
<td>$15,000</td>
<td>$14,250</td>
<td>15 years</td>
</tr>
<tr>
<td>2) The acquisition of bleachers for the softball field, including all related costs and expenditures incidental thereto.</td>
<td>$6,000</td>
<td>$5,700</td>
<td>15 years</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td>$1,116,450</td>
<td>$779,125</td>
<td></td>
</tr>
</tbody>
</table>

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this
ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the Borough may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 9.66 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by $779,125, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding $99,950 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

Section 7. The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or, if other than the State Grant in Section 1 hereof, to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide s
secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the “Rule”) for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Councilwoman Tackach moved for introduction seconded by Councilwoman Jenkins and carried by the following roll call votes: Ayes: DiMura, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

Council President DiMura thanked the Finance Committee for their work done on this capital budget and stated that this budget was kept under $1,000,000 and included the paving of secondary roads and the cleaning of the stream areas in the borough, which are much needed.

PROCLAMATIONS-NONE

ADOPTION OF MINUTES

Councilwoman Jenkins moved the approval of the July 24, 2012 Regular Meeting Minutes seconded by Councilman Kaplan and carried by a unanimous vote of Council.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance
   (a) Council President DiMura moved the approval of the June, 2012 Finance Report seconded by Councilwoman Jenkins and carried by a unanimous vote of Council.

2. Recreation/Recreation Fields/Water & Light
   (a) Councilwoman Tackach received e-mail from Recreation Director about men’s softball team drinking on a borough field which is not allowed. She has also notified the Police Chief. Because this area is covered under the Recreation Department, Attorney Aithal indicated that Council can make a recommendation to the department to recommend that they revoke their permit. A resolution will be approved this evening to make this recommendation to the Recreation Department.
   (b) Councilwoman Tackach mentioned that the Recreation Dept. will show the “Parent Trap” movie in the park on Friday, August 17th at 8:30 p.m.

3. Fire/OEM/Board of Health/Rescue Squad
(a) Councilman Kaplan met with the engineer and walked the area of First through Fifth Street including Cap Lane and indicated that we are waiting for FEMA to get the overview of the area so that we can apply for the permit to desnag the streams. This should be received by next week.

(b) Councilman Kaplan and Council President DiMura met with Lori Thompson, and we are moving forward to apply for the FEMA Grant for the next set of homes that meet all the requirements and criteria. Certified letters will be sent to those people and we will be moving forward to apply for this grant. Council President DiMura stressed that we will continue to apply for grants for buy outs or elevation whether there is a flood or not, we will allocate money in the budget to apply for these grants yearly, and continue to be proactive.


5. Police/Legal/Code Enforcement/Municipal Court – Councilman Paff was absent.

6. Administration/Office on Aging/Legislation-License/Buildings & Grounds – Councilman First was absent.

REPORTS – NONE

The Borough Clerk read the following resolution:

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

Consent Agenda 2012(O)

WHEREAS, the Mayor and Council of the Borough of Middlesex has reviewed the Consent Agenda consisting of various proposed resolutions; and

WHEREAS, the Mayor and Council of the Borough of Middlesex is not desirous of removing any resolutions from this Agenda.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following resolutions on the Consent Agenda are hereby approved and adopted.

Resolution #183-12 - #189-12

Council President Kaplan made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: DiMura, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

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

Resolution #183-12

WHEREAS, the Governing Body wishes to revise the Purchasing Manual; and
WHEREAS, the following Borough of Middlesex thresholds will be in effect;

I. purchase order to the vendor, one for vendors’ record and one to be returned to the Borough for payment. A third copy goes to the requisitioning department.

II. If value is over $250, the Chief Finance Officer obtains signed approval of the Council Chairperson and two members of the Finance Committee, returns requisition to the Purchasing Agent to complete procedure of Paragraph I.

III. If value is over $1,500, three prices must be solicited and the purchase made from the lowest responsible bidder. This applies even if the purchase is exempt from formal bidding if over $29,000.

IV. If value is over $29,000, formal specifications must be prepared and approved by the Governing Body for advertisement of sealed bids.

V. If value is over $29,000 and being purchased under a State Contract or Cooperative Purchasing Council, it must be approved by a resolution of the Governing Body.

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

1. The Governing Body is hereby authorized to execute the revised Purchasing Manual.

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 #184-12

WHEREAS, Ed Greenfield, the homeowner of 437 High St, made application to the Board of Adjustment for a variance to build a garage at said address; and

WHEREAS, Check No. 1643 dated 07/06/2012 payable to the Borough of Middlesex, was submitted in the amount of $300.00 in payment of said application; and

WHEREAS, check no. 1644 dated 07/06/2012 payable to the Borough of Middlesex, was submitted in the amount of $1000.00 in payment of escrow and

WHEREAS, said homeowner at 437 High St, Block 39, Lot 17 cancelled the application to the Board of Adjustment and has requested refund of the fees; and

WHEREAS, the application had not progressed to the review stage.
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 $1300.00 in favor of Edward Greenfield, 437 High St, Middlesex, NJ 08846 for refund of fee for Board of Adjustment application and escrow.

The Borough Clerk read the following resolution:

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

Resolution #185-12

WHEREAS, James J. Reid was issued a street opening permit on 8/2/11; and

WHEREAS, J.H Reid On-Site Recycling deposited $2500.00 with the Borough of Middlesex to ensure proper repair and maintenance of the roadway; and

WHEREAS, twenty-five percent of said fee shall be taken out for administration charges; and

WHEREAS, said roadway at 172 Baekeland Ave was inspected by Angelo Rossi, Plumbing Inspector, found to have been maintained in a satisfactory manner.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex that the disbursing officers be and they are hereby authorized to draw a check in the amount of $1875.00 in favor of J. H. Reid On-Site Recycling, 172 Baekeland Avenue, Middlesex, NJ 08846 for refund of Street Opening Permit No. 2011-01.

The Borough Clerk read the following resolution:

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

Resolution #186-12

WHEREAS, Jeffrey Buccellato was issued a street opening permit on 01/17/2012; and

WHEREAS, Jeffrey Buccellato deposited $2500.00 with the Borough of Middlesex to ensure proper repair and maintenance of the roadway; and

WHEREAS, said roadway at 519 Fairview Avenue was inspected by the Dept. of Public Works and Angelo Rossi, Plumbing Inspector, found to have been maintained in a satisfactory manner.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that the disbursing officers be and they are hereby authorized to draw a check in the amount of $1875.00 in favor of Jeffrey Buccellato, 313 Beechwood Ave, Middlesex NJ 08812, for refund of Street Opening Permit No. 2012-001.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:
**Resolution #187-12**

The Chief Financial Officer is hereby authorized to cancel the following encumbrances from the Capital Ordinances in the total amount of $40,108.28:

<table>
<thead>
<tr>
<th>Date</th>
<th>PO #</th>
<th>Vendor Name</th>
<th>Amount</th>
<th>Ord.#</th>
</tr>
</thead>
<tbody>
<tr>
<td>4/14/2010</td>
<td>46787</td>
<td>DeSesa Engineering</td>
<td>$3,225.17</td>
<td>1686-06</td>
</tr>
<tr>
<td>12/15/2008</td>
<td>43908</td>
<td>Absolute Fire Protection</td>
<td>$214.00</td>
<td>1687-06</td>
</tr>
<tr>
<td>8/28/2008</td>
<td>43239</td>
<td>Sherwin Williams</td>
<td>$642.68</td>
<td>1493-00</td>
</tr>
<tr>
<td>6/14/2006</td>
<td>37902</td>
<td>T&amp;M Associates</td>
<td>$36.77</td>
<td>1687-06</td>
</tr>
<tr>
<td>3/30/2007</td>
<td>39818</td>
<td>T&amp;M Associates</td>
<td>$10.02</td>
<td>1687-06</td>
</tr>
<tr>
<td>5/24/2007</td>
<td>40142</td>
<td>T&amp;M Associates</td>
<td>$40.89</td>
<td>1643-05</td>
</tr>
<tr>
<td>10/15/2007</td>
<td>41076</td>
<td>T&amp;M Associates</td>
<td>$1,184.00</td>
<td>1687-06</td>
</tr>
<tr>
<td>4/22/2008</td>
<td>42395</td>
<td>T&amp;M Associates</td>
<td>$29.88</td>
<td>1548-01</td>
</tr>
<tr>
<td>5/21/2008</td>
<td>42611</td>
<td>T&amp;M Associates</td>
<td>$14,752.83</td>
<td>1605/1599-04</td>
</tr>
<tr>
<td>1/21/2009</td>
<td>44089</td>
<td>T&amp;M Associates</td>
<td>$15,376.32</td>
<td>1590-03</td>
</tr>
<tr>
<td>10/7/2009</td>
<td>45725</td>
<td>Tektron</td>
<td>$800.00</td>
<td>1736-08</td>
</tr>
<tr>
<td>10/9/2007</td>
<td>41026</td>
<td>Transnet</td>
<td>$3,795.72</td>
<td>1718-06</td>
</tr>
</tbody>
</table>

The Borough Clerk read the following resolution:

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

**Resolution #188-12**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

**WHEREAS**, the Annual Report of Audit for the year 2011 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body, and

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and
WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the Governing Body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations; and

WHEREAS, the members of the Governing Body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations”, as evidenced by the group affidavit form of the Governing Body, and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the Local Governing Body to the penalty provisions of R.S. 52:27BB-52-to wit:

R.S. 52:27BB-52 – A local officer or member of a Local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars ($1,000.00) or imprisonment for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Middlesex, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

The Borough Clerk read the following resolution:

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

Resolution #189-12

Hiring Dorothy Coren, 20 Mead Avenue, Middlesex, NJ at $12.00 as temporary help in the Construction Office from August 22nd – August 31st to cover the office while the construction clerk is on vacation.

Council President DiMura stated that the following resolutions which will rescind the 2012 Calendar Year Budget, amend the budget and then readopt the budget must be done due to the fact that when we submitted the budget the State advised us that the funds that we were using for surplus in the amount of $400,000 were based on the FEMA appropriation last year. The state ruled that we cannot use non-cash, even though the auditors from last year and this year felt it could be used. Basically we have to rescind the budget, amend the budget and make changes in the miscellaneous revenues for Hurricane Irene and the Reserve for Insurance Refund. Because of the reduction of $400,000, we will go into surplus next year with $125,000 and loose the reserve for the insurance fund. Council President DiMura indicated that this will not affect the tax rate, but this had to be done to amend the budget and get it approved by the State.

The Borough Clerk read the following resolution:
BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #190-12

RESOLUTION TO RESCIND 2012 CALENDAR YEAR BUDGET

WHEREAS, the Borough of Middlesex, Middlesex County, NJ adopted its budget via local examination process on July 10, 2012, and

WHEREAS, the local budget for 2012 included the utilization of non-cash surplus, which, based upon the review of the Division of Local Government Services has not been approved and cannot be utilized, and

WHEREAS, the Division of Local Government Services has instructed the Borough to replace the non-cash surplus item of revenue with other existing cash sources of revenue, and

WHEREAS, in order to comply with the request of the Division of Local Government Services, the adoption of the 2012 Municipal Budget is to be rescinded and re-adopted, upon the passing of an amendment to revise the 2012 revenues as indicated.

NOW, THEREFORE, BE IT RESOLVED, that the adoption of the Municipal Budget for the year 2012, certified on July 10, 2012, is hereby and duly rescinded.

BE IT FURTHER RESOLVED, that a copy of this resolution be forward to the Director of the Division of Local Government Services.

Councilwoman Jenkins made a motion for approval, seconded by Councilwoman Tackach and carried by the following roll call vote: Ayes: DiMura, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

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

Resolution #191-12

RESOLUTION TO AMEND 2012 CALENDAR YEAR BUDGET

WHEREAS, the local municipal budget for the calendar year 2012 was approved on the 13th day of March, 2012, and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved amended budget, as directed by the Division of Local Government Services;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Middlesex, County of Middlesex, New Jersey, that the following amendments to the approved budget for the calendar year 2012 be made:

<table>
<thead>
<tr>
<th>Ayes</th>
<th>Nays</th>
<th>Abstained</th>
</tr>
</thead>
<tbody>
<tr>
<td>(DiMura)</td>
<td>( )</td>
<td>( )</td>
</tr>
<tr>
<td>(Jenkins)</td>
<td>( )</td>
<td>( )</td>
</tr>
<tr>
<td>(Kaplan)</td>
<td>Absent</td>
<td>( )</td>
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</tbody>
</table>

Recorded Vote
(Insert last names)
**BE IT FURTHER RESOLVED,** that two (2) certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services for certification of the calendar year 2012 local municipal budget so amended.

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the governing body on the 14th day of August, 2012.

Councilwoman Jenkins made a motion for approval, seconded by Councilwoman Tackach and carried by the following roll call vote: Ayes: DiMura, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

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

**Resolution #192-12**

**RESOLUTION TO ADOPT 2012 MUNICIPAL BUDGET**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Middlesex, County of Middlesex, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

(a) $10,884,926.21 (Item 2 below) for municipal purposes

(b) $524,732.95 (Item 5 below) Minimum Library Tax
Recorded Vote
(Insert last name)

<table>
<thead>
<tr>
<th>Ayes</th>
<th>(DiMura</th>
<th>Nays</th>
<th>(Kaplan</th>
<th>Absent(</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(Jenkins</td>
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<td>(Tackach</td>
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<td></td>
<td>Absent (Paff</td>
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<tr>
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<td></td>
<td></td>
<td>(First</td>
</tr>
</tbody>
</table>

Current Fund:
SUMMARY OF REVENUES
1. General Revenues
   Surplus Anticipate                                      $ 525,000.00
   Miscellaneous Revenues Anticipated                      3,866,391.37
   Receipts from Delinquent Taxes                         594,694.10
2. Amount to be Raised by Taxation for Municipal Purposes
   (Item 6[a], Sheet 11)                                  10,884,926.21
5. Amount to be raised by taxation minimum library levy
                                                         524,732.95
Total Revenues                                           $16,395,744.63

SUMMARY OF APPROPRIATIONS
5. General Appropriations:
   Within "CAPS"
     (a&b) Operations Including Contingent                9,737,068.93
     (e) Deferred Charges and Statutory Expenditures – Municipal 1,398,402.00
     Excluded from "CAPS"
     (a) Operations - Total Operations Excluded from "CAPS" 3,157,948.45
     (c) Capital Improvements                               64,050.00
     (d) Municipal Debt Service                             1,278,275.25
     (e) Deferred Charges - Municipal                        55,000.00
     (m) Reserve for Uncollected Taxes                      705,000.00
Total Appropriations                                      $16,395,744.63

Swimming Pool Utility Fund:
Total Revenues                                           $372,800.00
Total Appropriations                                      $372,800.00

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 14th day of August, 2012. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2012 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.
Councilwoman Jenkins made a motion for approval, seconded by Councilwoman Tackach and carried by the following roll call vote: Ayes: DiMura, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

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

**Resolution #193-12**

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.

Councilman Kaplan made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: DiMura, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

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

**Resolution #195-12**

WHEREAS, it has come to the attention of the Borough Council that members of a team in the Men’s Softball League sanctioned through the Recreation Department have been consuming alcohol on borough property; and

WHEREAS, all teams in the men’s Softball League have been on notice that alcohol is not to be consumed during, before or after games on borough property; and

WHEREAS, ample notice has been provided by the Recreation Department that alcohol cannot be consumed; and

WHEREAS, there is concern of this reckless conduct in terms of safety of borough residents.

NOW THEREFORE BE IT RESOLVED, by the governing body of the Borough of Middlesex, County of Middlesex, State of New Jersey that:

1. The Governing Body shall strongly urge the Recreation Department to revoke the authorization of the Men’s Softball League to continue to use Borough Property until further satisfactory assurances that such conduct will cease and not recur.

2. This recommendation shall take effect immediately and be transmitted to the Director of Recreation for consideration and action.

Councilwoman Jenkins made a motion for approval, seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: DiMura, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

**DISCUSSION ON AGENDA WORKSHOP ITEMS**
1. Master Plan – Council President DiMura requested that any suggestions regarding the Master Plan be forwarded to Mayor Dobies before the next meeting.

2. Middlesex Pop Warner Pep Rally – The governing body has been invited to the Pop Warner Pep Rally to be held at 6pm on Thursday, August 23 at Cook Field. Please RSVP.

3. Amendment to the Sewer Ordinance – Council President DiMura asked the Finance Committee to review this ordinance first, and the Administrative Committee to review again, as he feels it is unfair to the residents that they pay the same amount as the businesses. Council President DiMura would like this ordinance back on the Agenda for Council to discuss at the September 25, 2012 Regular Meeting.

4. Landlord Rental Property Registration Ordinance – This ordinance was forwarded to the Administrative Committee to discuss and bring back to Council at the September 25, 2012 Regular Meeting.

5. AFLAC – Flexible Spending Account – The CFO indicated that AFLAC will be coming in on August 23, 2012 to discuss the flexible spending account with all employees. Council agreed to a limit of $1000 per year for the employees to contribute to this account at this time.

6. September 11, 2012 Regular Meeting – Council agreed to reschedule this meeting for September 18th.

7. New Journey – Council President DiMura mentioned that on Friday Middlesex County went to court with New Journey and they got an injunction to shut them down. New Journey went back to appeal this injunction, and they were given until August 16 to file this appeal and the County will have until August 20th to respond. At this time they are not shut down.

8. Board of Health/Council Meeting – A special meeting will be held between the governing body and the Board of Health for September 6th at the Library at 7PM. The discussion will be Spray Tec. The Board of Health will then follow with their regular meeting.

9. Councilman Kaplan recommended that the Purchasing Agent forward the updated Purchasing Manual to all Department Heads and having them sign that they received it.

PUBLIC COMMENTS

Council President DiMura opened the Public Portion of the meeting for any comments.

John Ericson, 209 Second Street stated that he appreciated the Council’s efforts regarding the flood. Mr. Ericson also discussed the AFLAC Spending Account and recommended that Council increase the employee contribution amount.

Pete Wozniak, 1200 Sheridan Avenue discussed (1) Court decision on COAH; (2) Pretreatment program for sewage usage and the monitoring of the businesses in the borough; and (3) Budget Amendment and readoption of the 2012 Budget and if it effects next year’s tax levy.

John Hoffman, 455 Lincoln Boulevard discussed (1) the enforcing of public intoxication on the ball fields; (2) picking up of garbage from private events in town; (3) the functions of the Acting Superintendent with regard to picking up garbage; and (4) New Journey operating its business.

Council President DiMura addressed all issues that were discussed in the public.

Seeing that there was no further public comment, Council President DiMura closed the public portion of the meeting.

The Borough Clerk read the following resolution:
**BE IT RESOLVED**, by the Mayor and Council of the Borough of Middlesex that:

**Resolution #194-12**

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 – Permanent Part-Time Workers (Holidays)
2. Department Head Salaries
3. Piscataway Sewer Agreement

Council President DiMura made a motion for approval, seconded by Councilwoman Tackach and carried by the following roll call vote: Ayes: Members DiMura, Jenkins, Kaplan and Tackach. Nos.: None. Abstain: None.

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**ADJOURNMENT**

Council President DiMura made a motion to adjourn the Regular Meeting seconded by Councilman Kaplan and carried by unanimous vote of members present.

Respectfully submitted,

Kathleen Anello, RMC
Borough Clerk
BOROUGH OF MIDDLESEX  
REGULAR MEETING MINUTES  
AUGUST 28, 2012

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 the Annual Meeting Notice of December 16, 2011 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

Mayor  Ronald Dobies  
Council President:  Ron DiMura  
Jeffrey First (absent – work)  
Sean Kaplan  
Patricia Jenkins  
Michael Paff (absent)  
Michele Tackach

Attorney:  Aravind Aithal

PRESENTATIONS-NONE

COMMUNICATIONS/APPOINTMENTS-NONE

PUBLIC HEARINGS

Mayor Dobies read Ordinance No. 1817-12 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

BOROUGH OF MIDDLESEX  
ORDINANCE NO. 1817-12

AN ORDINANCE TO AMEND CHAPTER 158, RESALE CERTIFICATES AND RESALE LEASED CERTIFICATES AND AMENDING SECTION 158-2 FEE FOR RESALE CERTIFICATE AND SECTION 158-7 FEE FOR RESALE LEASED CERTIFICATE OF THE CODE OF THE BOROUGH OF MIDDLESEX

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

(a) Chapter 158-2 Fee shall be amended to read as follows:

The fee for a Resale Certificate shall be $100 in the event that only one inspection is required of the Construction Official, but in the event that the Construction Official is required to make more
than one inspection of the premises before issuing a Resale Certificate, there shall be an additional charge of $50 per each inspection of the premises made by the Construction Official after the initial inspection.

(b) Chapter 158-7 Fee shall be amended to read as follows:

The fees for a Resale Leased Certificate shall be $250.

(c) All references to Certificate of Occupancy or Certificate of Continued Occupancy shall be amended to read “Resale Certificate” and all references to Certificate of Leased Occupancy shall be amended to read “Resale Leased Certificate” in Chapter 158.

Mayor Dobies opened the public hearing on Ordinance No. 1817-12. Seeing that there was no public participation, Mayor Dobies closed the hearing on Ordinance No. 1817-12.

Councilwoman Tackach moved for adoption seconded by Councilman DiMura and carried by the following roll call votes: Ayes: DiMura, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

Mayor Dobies read Ordinance No. 1818-12 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

BOROUGH OF MIDDLESEX
ORDINANCE NO. 1818-12

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF $1,116,450 THEREFOR AND AUTHORIZING THE ISSUANCE OF $779,125 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Middlesex, in the County of Middlesex, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to $1,116,450, including a grant in the amount of $300,000 from the State of New Jersey Department of Transportation (the “State Grant”) for the purpose or improvement in Section 3(e)(1) and further including the aggregate sum of $37,325 as the several down payments for the improvements or purposes required by the Local Bond Law. No down payment is required pursuant to N.J.S.A. 40A:2-11(c) for the purpose or improvement in Section 3(e)(1) since the improvement or purpose is being partially funded by the State Grant.
The amount of the down payment appropriated is 5% of the costs of the improvements or purposes which are not funded by the above referenced State Grant ($746,500). The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments and the State Grant referred to in Section 1 hereof, negotiable bonds are hereby authorized to be issued in the principal amount of $779,125 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Appropriation and Estimated Cost</th>
<th>Estimated Maximum Amount of Bonds or Notes</th>
<th>Period of Usefulness</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Public Works Department</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1) The acquisition of plow equipment, including all related costs and expenditures incidental thereto.</td>
<td>$12,000</td>
<td>$11,400</td>
<td>15 years</td>
</tr>
<tr>
<td>2) The acquisition of a tilt camera with 3x digital zoom, including all related costs and incidental thereto.</td>
<td>$73,000</td>
<td>$69,350</td>
<td>10 years</td>
</tr>
<tr>
<td>3) Retro fits, including all work and materials necessary therefor and incidental thereto.</td>
<td>$23,000</td>
<td>$21,850</td>
<td>15 years</td>
</tr>
<tr>
<td>4) Cleaning of streams, including all work and materials necessary therefor and incidental thereto.</td>
<td>$153,000</td>
<td>$145,350</td>
<td>15 years</td>
</tr>
<tr>
<td>Purpose</td>
<td>Appropriation and Estimated Cost</td>
<td>Estimated Maximum Amount of Bonds or Notes</td>
<td>Period of Usefulness</td>
</tr>
<tr>
<td>---------</td>
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<td>--------------------------------------------</td>
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</tr>
<tr>
<td><strong>b) Police Department</strong></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>1) The acquisition of computer hardware, including all related costs and expenditures incidental thereto.</td>
<td>$12,000</td>
<td>$11,400</td>
<td>5 years</td>
</tr>
<tr>
<td>2) The acquisition of an APG interviewer recording system for interview rooms, including all related costs and expenditures incidental thereto.</td>
<td>$18,000</td>
<td>$17,100</td>
<td>10 years</td>
</tr>
<tr>
<td>3) The acquisition of rifle mounts for patrol cars and rifle/shotgun racks for armory, including all related costs and expenditures incidental thereto.</td>
<td>$7,000</td>
<td>$6,650</td>
<td>10 years</td>
</tr>
<tr>
<td><strong>c) Fire Department</strong></td>
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<tr>
<td>The acquisition of new hoses for engine 21 and 23, gear and a thermal imaging camera for engine 21 and 23, including all related costs and expenditures incidental thereto.</td>
<td>$77,000</td>
<td>$73,150</td>
<td>5 years</td>
</tr>
<tr>
<td><strong>d) Rescue Squad Department</strong></td>
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</tr>
<tr>
<td>The acquisition of automated external defibrillators and a Striker ambulance cot and mount, including all related costs and expenditures incidental thereto.</td>
<td>$17,500</td>
<td>$16,625</td>
<td>15 years</td>
</tr>
</tbody>
</table>
### e) Road Department

1) Improvements to Howard Avenue, including all work and materials necessary therefor and incidental thereto.

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Appropriation and Estimated Cost</th>
<th>Estimated Maximum Amount of Bonds or Notes</th>
<th>Period of Usefulness</th>
</tr>
</thead>
<tbody>
<tr>
<td>e) Road Department</td>
<td>$369,950 (includes a $300,000 State of New Jersey Department of Transportation Grant)</td>
<td>$69,950</td>
<td>10 years</td>
</tr>
</tbody>
</table>

2) Improvements to secondary roads, including all work and materials necessary therefor and incidental thereto.

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Appropriation and Estimated Cost</th>
<th>Estimated Maximum Amount of Bonds or Notes</th>
<th>Period of Usefulness</th>
</tr>
</thead>
<tbody>
<tr>
<td>f) Buildings and Grounds Department</td>
<td>$200,000</td>
<td>$190,000</td>
<td>5 years</td>
</tr>
</tbody>
</table>

### f) Buildings and Grounds Department

The acquisition of a chiller for municipal buildings, including all related costs and expenditures incidental thereto.

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Appropriation and Estimated Cost</th>
<th>Estimated Maximum Amount of Bonds or Notes</th>
<th>Period of Usefulness</th>
</tr>
</thead>
<tbody>
<tr>
<td>f) Buildings and Grounds Department</td>
<td>$48,000</td>
<td>$45,600</td>
<td>15 years</td>
</tr>
</tbody>
</table>

### g) Office of Emergency Management

The acquisition of a new command vehicle and upgrades, including all related costs and expenditures incidental thereto.

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Appropriation and Estimated Cost</th>
<th>Estimated Maximum Amount of Bonds or Notes</th>
<th>Period of Usefulness</th>
</tr>
</thead>
<tbody>
<tr>
<td>g) Office of Emergency Management</td>
<td>$40,000</td>
<td>$38,000</td>
<td>5 years</td>
</tr>
<tr>
<td>Purpose</td>
<td>Appropriation and Estimated Cost</td>
<td>Estimated Maximum Amount of Bonds or Notes</td>
<td>Period of Usefulness</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>----------------------------------</td>
<td>------------------------------------------</td>
<td>----------------------</td>
</tr>
<tr>
<td><strong>h) Computer Data Department</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1) The acquisition of a new server for phones, including all related costs and expenditures incidental thereto.</td>
<td>$40,000</td>
<td>$38,000</td>
<td>10 years</td>
</tr>
<tr>
<td>2) The acquisition of a wireless connection for the Recreation/Senior Center, including all related costs and expenditures incidental thereto.</td>
<td>$5,000</td>
<td>$4,750</td>
<td>10 years</td>
</tr>
<tr>
<td><strong>i) Recreation Department</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1) The acquisition of a new copier, including all related costs and expenditures incidental thereto.</td>
<td>$15,000</td>
<td>$14,250</td>
<td>15 years</td>
</tr>
<tr>
<td>2) The acquisition of bleachers for the softball field, including all related costs and expenditures incidental thereto.</td>
<td>$6,000</td>
<td>$5,700</td>
<td>15 years</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td><strong>$1,116,450</strong></td>
<td><strong>$779,125</strong></td>
<td></td>
</tr>
</tbody>
</table>

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this
ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:
(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the Borough may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefitted thereby.
(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 9.66 years.
(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by $779,125, and the obligations authorized herein will be within all debt limitations prescribed by that Law.
(d) An aggregate amount not exceeding $99,950 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

Section 7. The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or, if other than the State Grant in Section 1 hereof, to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.
Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the “Rule”) for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor Dobies opened the public hearing on Ordinance No. 1818-12.

John Hoffman, 455 Lincoln Boulevard questioned the improvements that were listed in the capital budget.

Seeing that there was no further public participation, Mayor Dobies closed the hearing on Ordinance No. 1818-12.

Council President DiMura moved for adoption seconded by Councilwoman Jenkins and carried by the following roll call votes: Ayes: DiMura, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

Mayor Dobies commended the Finance Committee on an excellent capital budget and noted the infrastructure projects included in the budget.

NEW BUSINESS-NONE

CORRESPONDENCE

The Borough Clerk read a letter of thanks from Colonel John G. Voorhees, Jr. of the United States Army for being the Grand Marshall for the Middlesex Memorial Day Parade.

ADOPTION OF MINUTES

Councilman Kaplan moved the approval of the August 14, 2012 Regular Meeting Minutes and Executive Session Meeting Minutes seconded by Councilman DiMura and carried by a unanimous vote of Council.
REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance
   (a) Council President DiMura moved the approval of the July, 2012 Finance Report
       seconded by Councilwoman Jenkins and carried by a unanimous vote of Council.

2. Recreation/Recreation Fields/Water & Light – Councilwoman Tackach had nothing to report.

3. Fire/OEM/Board of Health/Rescue Squad
   (a) Councilman Kaplan made a motion to approve Steve Tarbous and Rich Tarbous
       as drivers for Beechwood Fire House and Sean Young as a driver for Lincoln Fire House
       seconded by Councilwoman Tackach and carried by a unanimous vote of Council.
   (b) Councilman Kaplan recognized William Gould for attaining Life Membership with
       the Fire Department.
   (c) Councilman Kaplan updated Council on the flooding. Councilman Kaplan and
       Mayor Dobies met with Lori Thompson and the residents regarding the grant that is due
       September 30 and discussed with the residents the pros and cons of this grant, along
       with the competition to obtain this grant. Councilman Kaplan will also be meeting with
       the residents tomorrow to discuss this matter further.

4. Public Works/Parks/Sanitation/Recycling
   (a) Councilwoman Jenkins moved the approval of the July, 2012 DPW Monthly
       Report seconded by Council President DiMura and carried by a unanimous vote of Council.

5. Police/Legal/Code Enforcement/Municipal Court
   (a) Council President DiMura moved the approval of the July, 2012 Police
       Department Monthly Report seconded by Councilwoman Jenkins and carried by a
       unanimous vote of Council.

6. Administration/Office on Aging/Legislation-License/Buildings & Grounds – Councilman
   First was absent.

REPORTS – OTHER:

Mayor

1. Traffic Cameras - Mayor Dobies is prepared to move ahead with these traffic cameras.

2. Request from DPW Employee to take State Test for Public Works Manager – DPW
   Liaison Jenkins will look into this matter, consult with the Finance Chair and follow up
   with Council.

3. Mayor Dobies notified everyone that Once a Week Garbage resumes on September 1,
   2012 and the Administrative Summer Hours end on August 31, 2012.

4. Republic Services of NJ Request for Class C Recycling Facility – Mayor Dobies
   indicated that we have a request from SWAC regarding Republic Services request for a
   Class C Recycling Facility. Council President DiMura indicated that Republic has
   refused to pay any increase in their host community fee. The Borough Attorney will
review the application and put together a resolution for the next meeting to indicate our
dissatisfaction.

5. 2013 NJDOT Grant – Borough Engineer will work with the Council to prepare a list of
roads to apply for this grant.

6. Bicycle Sale – Mayor Dobies will forward his recommendations to Council on how to
best get rid of these bicycles.

The Borough Clerk read the following resolution:

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

Consent Agenda 2012(P)

WHEREAS, the Mayor and Council of the Borough of Middlesex has reviewed the
Consent Agenda consisting of various proposed resolutions; and

WHEREAS, the Mayor and Council of the Borough of Middlesex is desirous of removing
Resolution #202-12 and Resolution #204-12 from this Agenda.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of
Middlesex, County of Middlesex, State of New Jersey that the following resolutions on the
Consent Agenda are hereby approved and adopted.

Resolution #196-12 - Resolution #201-12
Resolution #203-12

Council President DiMura made a motion for approval, seconded by Councilwoman Jenkins and
carried by the following roll call vote: Ayes: DiMura, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

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

Resolution #196-12

WHEREAS, the resident at 342 Fairview Avenue requested to have a block party on
September 8, 2012 between the hours of 12 p.m. and 9 p.m.; and

WHEREAS, all the designated officials have been given approval for this block party.

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

1. The Governing Body hereby grants approval to the resident at 342 Fairview Avenue to
conduct a block party on September 8, 2012 between the hours of 12 p.m. and 9 p.m.
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 #197-12**

The treasurer is hereby authorized to issue a check in the amount of $11,304.66 to redeem tax sale certificate 2011-1766 and a tax sale premium check in the amount of $3,800.00. The Certificate covered property located at 146 Coleman Street, Block 241, Lot 10.

US Bank Cust for Phoenix
2 Liberty Place – TLSG
50 South 16th Street – Suite 1950
Philadelphia, PA 19102

The Borough Clerk read the following resolution:

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

**Resolution #198-12**

**WHEREAS**, Russell Hayek applied to the Construction Office for a Certificate of Continued Occupancy at 338 First St; and

**WHEREAS**, Russell Hayek submitted cash in the amount of $100.00 on 05/17/12 in payment of said Certificate Continued Occupancy; 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 $100.00 in favor of Russell Hayek, 115 Weber Avenue, Sayreville, NJ 08872 for refund of fee for Certificate of Continued Occupancy.

The Borough Clerk read the following resolution:

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

**Resolution #199-12**

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF BULLARD FIRE HELMETS**

**WHEREAS**, the Governing Body of the Borough of Middlesex wishes to purchase Bullard Fire Helmets from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and
WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Contracts Law, 40A:11-12; and

WHEREAS, AAA Emergency Supply is under State Contract No. A80952 for the year 2012; and

WHEREAS, the cost for the purchase of the helmets is not to exceed $2,091.60; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of fire helmets is ordered under State Contract No. A80952 be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed $2,091.60 is available in Account No. 04-1797-00-1797-74.

The Borough Clerk read the following resolution:

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

Resolution #200-12

RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF BLACK DIAMOND FIRE BOOTS

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase Black Diamond Fire Boots from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

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

WHEREAS, Absolute Fire Protection is under State Contract No. A80957 for the year 2012; and

WHEREAS, the cost for the purchase of the boots is not to exceed $10,439.64; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of fire boots is ordered under State Contract No. A80957 be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed $10,439.64 is available in Account No. 04-1797-00-1797-74.

The Borough Clerk read the following resolution:

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

Resolution #201-12

The Governing Body hereby agrees to waive the construction permit fees for the heaters for the Beechwood Fire House effective immediately.

The Borough Clerk read the following resolution:
BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #203-12

Accepting the resignation of Sonia Selinas from the Court Office effective September 20, 2012.

The Borough Clerk read the following resolution:

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

Resolution #202-12

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES FOR BOROUGH PUBLIC DEFENDER TO MARCO BENUCCI, LLC

WHEREAS, the Governing Body of the Borough of Middlesex wishes to appoint Marco Benucci, LLC, 1130 Route 202 South, Suite A-7, Raritan, NJ as the Borough Public Defender for the Borough of Middlesex for the period from August 28, 2012 to December 31, 2012.

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

1. Marco Benucci, LLC whose office is located at 1130 Route 202 South, Suite A-7, Raritan, New Jersey is hereby appointed as the Borough Public Defender for the Borough of Middlesex for the period from August 28, 2012 through December 31, 2012 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk’s Office.

2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

Council President DiMura made a motion for approval, seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: DiMura, Jenkins and Kaplan. Nos.: None. Abstain: Tackach.

The Borough Clerk read the following resolution:

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

Resolution #204-12

WHEREAS, bids were received on August 23, 2012 for the Mountain View Park Project; and

WHEREAS, three bids were received as listed below:

<table>
<thead>
<tr>
<th>BIDDER</th>
<th>BID</th>
</tr>
</thead>
<tbody>
<tr>
<td>Halecon, Inc.</td>
<td>$751,185</td>
</tr>
</tbody>
</table>
Bridgewater, NJ

ASAP, Inc. $766,425
Point Pleasant, NJ

D&S Land Development, Inc. $786,811
Ramsey, NJ

WHEREAS, the Borough Engineer in concurrence with the Borough Attorney recommends to award the bid to Halecon, Inc. in the amount of $751,185; and

WHEREAS, this award is contingent upon approval from the New Jersey Department of Labor and Division of Wage and Hour Compliance.

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

1. Based upon the recommendation of the Borough Engineer and Borough Attorney, the governing body hereby awards the bid for the Mountain View Park Project to Halecon, Inc. in the amount of $751,185.

NOW FURTHER BE IT RESOLVED, that the Chief Financial Officer hereby certifies that funds in the amount of $450,000 is available in Account No. 02-4000-00-3010-90 and $301,185 is available in Account No. 01-2010-41-7127-101.

Council President DiMura made a motion for approval, seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: DiMura, Jenkins, Kaplan and Tackach. Nos.: None. Abstain: None.

The Borough Engineer indicated that this project will be started by mid-September and take approximately 6 weeks.

The Borough Clerk read the following resolution:

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

Resolution #205-12

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.

Council President DiMura made a motion for approval, seconded by Councilwoman Tackach and carried by the following roll call vote: Ayes: DiMura, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS
1. Master Plan – Mayor Dobies has not received any suggestions for the Master Plan. He will meet with Councilman First to discuss further.

PUBLIC COMMENTS

Mayor Dobies opened the Public Portion of the meeting for any comments.

John Hoffman, 455 Lincoln Boulevard discussed (1) Police cameras; (2) Police parking across from the Police Department for traffic surveillance, rather than on Lincoln Boulevard and Mountain Avenue; (3) Republic's Host Community Payments and their request for the Class C Recycling Facility; (4) Status of New Journey.

Mayor Dobies addressed all issues that were discussed in the public.

Seeing that there was no further public comment, Mayor Dobies closed the public portion of the meeting.

The Borough Clerk read the following resolution:

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

Resolution #206-12

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. Department Head Salaries Administration

Council President DiMura made a motion for approval, seconded by Councilwoman Tackach and carried by the following roll call vote: Ayes: Members DiMura, Jenkins, Kaplan and Tackach. Nos.: None. Abstain: None.

ADJOURNMENT
Council President DiMura made a motion to adjourn the Regular Meeting seconded by Councilman Kaplan and carried by unanimous vote of members present.

Respectfully submitted,

Kathleen Anello, RMC
Borough Clerk
BOROUGH OF MIDDLESEX
SPECIAL MEETING MINUTES
SEPTEMBER 6, 2012

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 the Annual Meeting Notice of December 16, 2011 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

Mayor : Ronald Dobies
Council President: Ron DiMura
Jeffrey First
Sean Kaplan
Patricia Jenkins
Michael Paff (absent)
Michele Tackach

Attorney: Aravind Aithal

Middlesex Board of Health
President: John Madden
Amelia Sherr
Thomas Harrity
Bob Schueler
Melissa Fedosh
Ron Cohen (absent)
Nancy Purcell-Holmes
Michael Conahan

Middlesex County
Mickey Gross, Division Head
Lester Jones, Director – Health Officer
Tom Sikorski, Management Specialist

DISCUSSION

Mickey Gross, Division Head discussed the complaints that were received by the County for Spray Tek during 2012 and mentioned that the County received two complaints in January, two in February, 10 in March, 4 in April, 11 in May, 4 in June, 2 in July, and 5 in August. Mr. Gross indicated that the staff responded within one hour to every complaint. There were three verifiable complaints which were dated February 1, March 9 and May 5 and fines were issued in the amounts of $1,000, $2,000 and $5,000. The $1,000 and $2,000 fine were settled and the $5,000 fine will be addressed in Superior Court.
The DEP has required Spray Tek to stack test, which should be started on September 1. Board of Health President John Madden has been in contact with the Officials for the DEP regarding the stack testing and explained how it works.

Mayor Dobies explained the borough’s concern about this problem that has not gotten resolved. Mickey Gross explained that they cannot regulate the laws, but can only follow what the law allows them to do. Mickey Gross offered to sit down to discuss this matter with the Mayor, and Mayor Dobies suggested that a representative from the DEP needs to be included in this discussion.

It was recommended that a letter be sent to the Commissioner of the DEP to have a representative come to discuss this matter with both the Borough and County. It was suggested that the governing body and the Board of Health also do the same. Mayor Dobies also will forward a copy of this letter to the Governor’s Aid to advise them of this matter.

________________________________________________________________________________________________________

PUBLIC COMMENTS

Mayor Dobies opened the Public Portion of the meeting for any comments.

John Hoffman, 455 Lincoln Boulevard discussed (1) How to obtain information from the DEP regarding Spray Tek, (2) Issues with New Journey; (3) Length of time trucks idle on Lincoln Boulevard.

Frank Ryan, 303 Maple Street discussed addressing the DEP and the Governor about their responsibility to have Spray Tek address the odors problem immediately and return back in a month to discuss.

Amelia Sherr requested that besides the County being kept advised of this matter, the Board of Health President needs to be kept informed.

Betty Platten, 4 Hooker Avenue discussed what could be done to override the County and have the chemical companies obey the law.

John Ericson, 209 Second Street discussed that the complaint form was buried on the website.

Mayor Dobies and Board of Health President John Madden addressed all issues that were discussed in the public.

Seeing that there was no further public comment, Mayor Dobies closed the public portion of the meeting.

Lester Jones committed to writing a letter next week to the DEP and the Governor’s Office with copies to the Board of Health and governing body.

Mickey Gross reminded the governing body that Republic is scheduled to come before the County to discuss obtaining a Class C Recycling Permit.

________________________________________________________________________________________________________

ADJOURNMENT

Council President DiMura made a motion to adjourn the Regular Meeting seconded by Councilman Kaplan and carried by unanimous vote of members present.
Respectfully submitted,

Kathleen Anello, RMC
Borough Clerk
BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
SEPTEMBER 25, 2012

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 the Annual Meeting Notice of December 16, 2011 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

Mayor
Council President:
Ronald Dobies
Ron DiMura
Jeffrey First
Sean Kaplan
Patricia Jenkins
Michael Paff (absent)
Michele Tackach

Attorney: Aravind Aithal

PRESENTATIONS-NONE

PUBLIC HEARINGS-NONE

NEW BUSINESS-NONE

PROCLAMATIONS

The Borough Clerk proclaimed October, 2012 as Domestic Violence Awareness Month and read the following Proclamation:

PROCLAMATION

WHEREAS, violence against women, children, and men continues to become more prevalent as a social problem in our society; and

WHEREAS, the crime of domestic violence violates an individual’s privacy, dignity, security, and humanity, due to systematic use of physical, emotional, sexual, psychological and economic control and/or abuse, with the impact of this crime being wide-ranging; and

WHEREAS, Women Aware, Inc. agency along with The Middlesex/Dunellen Domestic Violence Response Team has offered unparalleled services to women, children and men who have been victimized by domestic violence;
NOW, THEREFORE BE IT RESOLVED, that in recognition of the important work being done by Women Aware, Inc. & The Middlesex/Dunellen Domestic Violence Response Team, I, Ronald Dobies, Mayor of Middlesex Borough, do hereby proclaim the month of October 2012 as DOMESTIC VIOLENCE AWARENESS MONTH and urge all citizens to actively participate in the scheduled activities and programs sponsored by Women Aware, Inc., and to work toward the elimination of personal and institutional violence against women, children, and men.

Given Under My Hand And The Seal Of The Borough Of Middlesex, New Jersey, This 25th Day Of September, 2012.

ADOPTION OF MINUTES

Councilman First moved the approval of the August 28, 2012 Regular Meeting Minutes and the September 6, 2012 Special Meeting Minutes seconded by Councilwoman Jenkins and carried by a unanimous vote of Council.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance
   (a) Council President DiMura moved the approval of the August, 2012 Finance Report seconded by Councilman First and carried by a unanimous vote of Council.
   (b) Council President DiMura stated that he attended the SWAC Meeting at the County regarding Republic and informed the County that the Borough was not in favor of their request to become a Class C Recycling Facility. Council President DiMura indicated that at this time we must set up a meeting with them to discuss further.

2. Recreation/Recreation Fields/Water & Light – Councilwoman Tackach had nothing to report.

3. Fire/OEM/Board of Health/Rescue Squad
   (a) Flood Update - Councilman Kaplan stated that he is working with the DEP regarding their approval. The engineer has come back with the Scope of Work to be done which is being reviewed. Councilman Kaplan also attended the Greenbrook Flood Commission Meeting on September 18 regarding the raising of the Greenbrook/Sebring Mill Bridge and stated that this project should be completed in January, 2013.
   (b) Narrow Band Update – The FCC Coordinator Specialist that has helped the borough become FCC Narrow Band Compliant has completed this work $7,000 under budget.
   (c) Grand Sanitation Update – Grand Sanitation was operating without a certificate of occupancy and the Zoning Official is requiring them to get a site plan or move out. They have been fined and will be moving out by the end of the month.
   (d) Councilman Kaplan reported that October 3, 2012 is the National Walk Your Child to School Day.
   (e) Councilman Kaplan reported that October 7, 2012 is the Fire Department’s final inspection to be held at 10 AM at the Walgreen’s Parking Lot.
   (f) Councilman Kaplan reported that Parker Fire House’s Open House is scheduled for October 12, 2012 at 7 PM.

4. Public Works/Parks/Sanitation/Recycling
(a) Councilwoman Jenkins moved the approval of the August, 2012 DPW Monthly Report seconded by Council President DiMura and carried by a unanimous vote of Council.

5. Police/Legal/Code Enforcement/Municipal Court
   (a) Council President DiMura moved the approval of the August, 2012 Construction Report seconded by Councilman First and carried by a unanimous vote of Council.
   (b) Council President DiMura moved the approval of the August, 2012 Police Department Report seconded by Councilwoman Tackach and carried by a unanimous vote of Council.
   (c) Council President DiMura mentioned that the Domestic Violence Response Team’s Candlelight Vigil is scheduled to be held on October 4, 2012 at 6:30 PM at Mt. View Park.

6. Administration/Office on Aging/Legislation/License/Buildings & Grounds
   (a) Master Plan – Councilman First thanked the Mayor for reviewing the Master Plan and submitting his recommendations. The Committee met and decided that we need more information from the Planner. Councilman First recommended that the Planner come before the Council to discuss and the Borough Clerk will schedule the Planner to attend a Regular Meeting.

REPORTS – OTHER:

Mayor

1. Disposal of Bicycles - Mayor Dobies made a recommendation that the borough salvage the bicycles that they have accumulated and sell for metal. This will give us a boost in our recycling grant for next year. Council approved a resolution be done this evening to approve.

The Borough Clerk read the following resolution:

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

Consent Agenda 2012(R)

WHEREAS, the Mayor and Council of the Borough of Middlesex has reviewed the Consent Agenda consisting of various proposed resolutions; and

WHEREAS, the Mayor and Council of the Borough of Middlesex is desirous of removing Resolution #221-12 from this Agenda.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following resolutions on the Consent Agenda are hereby approved and adopted.

Resolution #207-12 - Resolution #220-12
Resolution #222-12 – Resolution #223-12
Council President DiMura made a motion for approval, seconded by Councilman First and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

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

Resolution #207-12

WHEREAS, the resident at 14 Glen Gary Road requested to have a block party on September 29, 2012 between the hours of 12 p.m. and 11 p.m.; and

WHEREAS, all the designated officials have been given approval for this block party.

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

1. The Governing Body hereby grants approval to the resident at 14 Glen Gary Road to conduct a block party on September 29, 2012 between the hours of 12 p.m. and 11 p.m.

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 #208-12

WHEREAS, the resident at 23 Wilson Street requested to have a block party on October 7, 2012 between the hours of 1 p.m. and 5 p.m.; and

WHEREAS, all the designated officials have been given approval for this block party.

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

3. The Governing Body hereby grants approval to the resident at 23 Wilson Street to conduct a block party on October 7, 2012 between the hours of 1 p.m. and 5 p.m.

4. 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 #209-12

AUTHORIZING STATE CONTRACT PURCHASE OF
BLACK SOUND BARS FOR FLAT PANEL DISPLAYS

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase black sound bars for flat panel displays for Dell OptiPlex from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

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

WHEREAS, Dell is under State Contract No. 70256 for the year 2012; and

WHEREAS, the cost for the purchase of the sound bars is not to exceed $114.76; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of sound bars is ordered under State Contract No. 70256 be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed $114.76 is available in Account No. 01-2010-20-1401-062.

The Borough Clerk read the following resolution:

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

Resolution #210-12

WHEREAS, Resolution #96-12 was adopted March 27, 2012 which extended the contract between the County of Middlesex and the Borough of Middlesex for Information and Assistance & Assisted Transportation Services for the calendar year, which is funded with Older Americans Act Funds; and

WHEREAS, we have been notified that there has been an increase in the dollar amount of the contract from $12,047 to $12,126; and

WHEREAS, all other provisions and terms of the contract shall remain in full force and effect through December 31, 2012.

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

1. The Governing Body hereby authorizes the Mayor and Borough Clerk to execute the Amendment which extends the contract between the County of Middlesex and the Borough of Middlesex for Information and Assistance & Assisted Transportation Services for 2012 in order to increase the dollar amount from $12,047 to $12,126.

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 #211-12
WHEREAS, the Mayor and Council has the sole discretion to fix and determine the salaries and compensation of the officers and employees of the Borough of Middlesex.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following salaries and rates of compensation for the year 2012 be hereby fixed respectively as follow:

<table>
<thead>
<tr>
<th>Title</th>
<th>2012 Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Court Administrator</td>
<td>$ 51,000</td>
</tr>
<tr>
<td>Borough Clerk</td>
<td>$ 70,407</td>
</tr>
<tr>
<td>Deputy Borough Clerk</td>
<td>$ 47,009</td>
</tr>
<tr>
<td>Treasurer</td>
<td>$ 60,279</td>
</tr>
<tr>
<td>Chief Financial Officer</td>
<td>$ 6,491</td>
</tr>
<tr>
<td>Tax Collector</td>
<td>$ 58,986</td>
</tr>
<tr>
<td>Purchasing Agent</td>
<td>$ 5,304</td>
</tr>
<tr>
<td>Police Chief</td>
<td>$ 141,558</td>
</tr>
<tr>
<td>Acting Superintendent</td>
<td>$ 79,801</td>
</tr>
<tr>
<td>Recreation Director</td>
<td>$ 57,322</td>
</tr>
<tr>
<td>Construction Official (PT)</td>
<td>$ 47,736</td>
</tr>
<tr>
<td>Zoning Officer (PT)</td>
<td>$ 25,500</td>
</tr>
<tr>
<td>Assessor (PT)</td>
<td>$ 30,600</td>
</tr>
<tr>
<td>Director – Office on Aging</td>
<td>$ 42,560</td>
</tr>
<tr>
<td>Shade Tree Secretary</td>
<td>$ 2,375</td>
</tr>
<tr>
<td>Recreation Commission Secretary</td>
<td>$ 1,112</td>
</tr>
</tbody>
</table>

The Borough Clerk read the following resolution:

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

Resolution #212-12

RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF SERVERS FOR PHONE SYSTEM

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase servers for the phone system at Police Headquarters from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

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

WHEREAS, NWN Corporation is under State Contract No. 73979 for the year 2012; and

WHEREAS, the cost for the purchase of the servers is not to exceed $36,037.00; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of servers is ordered under State Contract No. 73979 be and is hereby approved.
The CFO hereby certifies that the funds in the amount not to exceed $36,037.00 is available in Account No. 04-1818-00-1818-90.

The Borough Clerk read the following resolution:

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

**Resolution #213-12**

**WHEREAS,** T&M Associates has provided a proposal dated August 27, 2012 for the scope of work and fee estimate for the construction inspection of the proposed improvements to the tennis and basketball courts at Mountain View Park; and

**WHEREAS,** the contract provides administration and construction observation and includes providing a part time Project Manager and part time inspector to coordinate with the borough, contractor and other agencies; and

**WHEREAS,** the lump sum fee of $37,500 includes the construction administration and inspection based on an anticipated effort of 340 hours.

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

1. The Governing Body hereby approves the proposal dated August 27, 2012 in the amount of $37,500 for the scope of work and fee estimate for the construction inspection of the proposed improvements to the tennis and basketball courts at Mountain View Park.

2. This resolution shall take effect immediately.

**NOW FURTHER BE IT RESOLVED,** that the Chief Financial Officer certifies that funds in the amount of $8,349 are available in Account No. 02-4000-00-3010-90 and $29,151 in Account No. 01-2010-41-7127-101.

The Borough Clerk read the following resolution:

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

**Resolution #214-12**

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF VHF RADIO EQUIPMENT FOR NARROWBANDING COMPLIANCE**

**WHEREAS,** the Governing Body of the Borough of Middlesex wishes to purchase VHF Radio Equipment for Narrowbanding Compliance from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

**WHEREAS,** the purchase of goods and services by local contracting units is authorized by the Local Contracts Law, 40A:11-12; and
WHEREAS, Motorola is under State Contract No. 53804 for the year 2012; and

WHEREAS, the cost for the purchase of VHF Radio Equipment for Narrowbanding Compliance is not to exceed $334,961.47; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of VHF Radio Equipment for Narrowbanding Compliance is ordered under State Contract No. 53804 be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed $334,961.47 are available in Account No. 04-1797-00-1797-86.

The Borough Clerk read the following resolution:

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

Resolution #215-12

The Tax Collector is hereby authorized to amend 4th quarter 2012 taxes based on a Middlesex County Board of Taxation judgment on the following property:

<table>
<thead>
<tr>
<th>BLOCK/LOT</th>
<th>NAME &amp; ADDRESS</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>58/1.02</td>
<td>Kanevski, Ivan &amp; Kanevskia, Lioudmila 130 Nelson Street</td>
<td>$3,394.92 old $ 230.22 new</td>
</tr>
</tbody>
</table>

The Borough Clerk read the following resolution:

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

Resolution #216-12

The Tax Collector is hereby authorized to cancel taxes on the following property. This property was bought by the US Army Corp of Engineers who are exempt from paying taxes.

<table>
<thead>
<tr>
<th>BLOCK/LOT</th>
<th>ADDRESS</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>71.01/1</td>
<td>113 Greenbrook Rd</td>
<td>1st &amp; 2nd qtr 2013 – 1220.45</td>
</tr>
</tbody>
</table>

The Borough Clerk read the following resolution:

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

Resolution #217-12

The Tax Collector is hereby authorized to cancel 3rd & 4th quarter 2012 property taxes in the amount of $3,034.46 and 1st & 2nd quarter 2013 property taxes in the amount of $2,979.90 on Block 224, Lot 19, 131 Seventh Street. The homeowner has been certified as 100% totally disabled during wartime service by the Department of Veteran Affairs.
The Borough Clerk read the following resolution:

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

**Resolution #218-12**

The Tax Collector is hereby authorized to amend taxes for 4th quarter 2012 in the amount of $1,491.44 on Block 6, Lot 3, 229 Bound Brook Road. This block and lot was combined with Block 6, Lot 4.

The Borough Clerk read the following resolution:

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

**Resolution #219-12**

The Tax Collector is hereby authorized to amend 2012 taxes for qualified Senior Citizen, Disabled Person and Veteran deductions:

<table>
<thead>
<tr>
<th>BLOCK &amp; LOT</th>
<th>NAME &amp; ADDRESS</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>6/2.02/C071B</td>
<td>Carrasco, Rosaura 71B Gramercy Gardens</td>
<td>$ 250.00</td>
</tr>
<tr>
<td>72/4.10</td>
<td>Ambrosini, Louis &amp; Josephine 4 Holly Court</td>
<td>$ 250.00</td>
</tr>
<tr>
<td>86.02/18</td>
<td>Gaither, SE &amp; HM &amp; DiDonato, MI 21 Judson Drive</td>
<td>$ 250.00</td>
</tr>
<tr>
<td>153/28</td>
<td>Mitterando, Carmella 234 Oak Drive</td>
<td>$ 250.00</td>
</tr>
<tr>
<td>174/25</td>
<td>Zaleski, Alexander &amp; Christina 141 Giles Avenue</td>
<td>$ 250.00</td>
</tr>
<tr>
<td>181/7</td>
<td>Carl Baumeister Trust 211 Giles Avenue</td>
<td>$ 250.00</td>
</tr>
<tr>
<td>197/33</td>
<td>Kirk, Elmer J &amp; Carol A 428 Cook Avenue</td>
<td>$ 250.00</td>
</tr>
<tr>
<td>244/8</td>
<td>Lance, Evelyn 168 So Lincoln Avenue</td>
<td>$ 250.00</td>
</tr>
<tr>
<td>374/9</td>
<td>Titzell, George R &amp; Joan M 13 So Woodland Avenue</td>
<td>$ 250.00</td>
</tr>
</tbody>
</table>
The Borough Clerk read the following resolution:

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

Resolution #220-12

Authorizing T&M Associates to go out to bid for the FY2012 Mill and Overlay Road Program for the Borough of Middlesex in an amount not to exceed $300,000.

The Borough Clerk read the following resolution:

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

Resolution #222-12

The Mayor and Borough Clerk are authorized to execute the First Amendment to the Ground Lease between the Borough of Middlesex and T-Mobile Northeast LLC.

The Borough Clerk read the following resolution:

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

Resolution #223-12

The Mayor and Borough Clerk are authorized to execute the Memorandum of Lease Amendment between the Borough of Middlesex and T-Mobile North LLC.

The Borough Clerk read the following resolution:

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

Resolution #224-12

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.

Council President DiMura made a motion for approval, seconded by Councilwoman Tackach and carried by the following roll call vote: Ayes: DiMura, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.
BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #226-12

WHEREAS, the Borough of Middlesex has determined that they possess approximately 200 – 300 whole bicycles and parts of bicycles that are each of nominal value; and

WHEREAS, the costs incurred by the Borough in selling the bicycles outweigh the expected return from such sale; and

WHEREAS, the Borough of Middlesex desires to efficiently dispose of the bicycles.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, County of Middlesex and State of New Jersey that the bicycles now in storage and the bicycles in inventory for greater than 6 months be included as Borough scrap and disposed by way of scrap recycle.

Council President DiMura made a motion for approval, seconded by Councilwoman Tackach and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Model Airplane Noise Issue - Mayor Dobies met with Brian Silversmith and discussed only using the flying field from 11AM – 6PM. Council President DiMura indicated that we do not have an ordinance with time, but the Recreation Commission’s Policy has a time that indicates that you could not start no earlier than 10 AM. Mayor indicated we will stay with 11AM – 6PM at this time until further notice from the Commission. Councilman Kaplan recommended that once we have a policy it should be posted on a sign at the Park.

2. Landlord Rental Registration Ordinance – Council President DiMura worked with the borough attorney on changes to this ordinance. Council President DiMura requested that Council review this ordinance and reach out to him with any concerns.

3. Sewer Ordinance – An amendment was prepared to the Sewer Ordinance which addresses residential properties and non-residential properties. This ordinance will be introduced at the next meeting.

4. Best Practice Worksheet – This worksheet was discussed and is due on September 28, 2012.

5. Stewart Robel – Request for 10 Foot Strip of Right of Way on Grove Ave. – If we sell this strip of land, it will make the property more valuable to Mr. Robel. Mayor Dobies would like the council to consider, and direct any questions to Frank Betts.

6. Ordinance to approve drivers when driving municipal vehicles – The Fire Department has no ordinance in place regarding drivers with regard to loss of license and points on their license. Council is considering a policy and possibly consider drivers have a minimum of 3 years driving experience, or 21 years old with 4 years driving experience. Councilman Kaplan and Councilwoman Jenkins will work on spearheading this ordinance.

PUBLIC COMMENTS

Mayor Dobies opened the Public Portion of the meeting for any comments.
John Ericson, 209 Second Street discussed the sewer ordinance and questioned if borough residents would now receive separate sewer bills. Mr. Ericson also discussed the flood update.

George Connors, 421 Jasinski Street, Manville, New Jersey read a letter to the Council on behalf of the Middlesex Modelers Model Airplane Club and requested that the council not consider limiting their access to Mountain View Park as a control line flying field.

Brian Silversmith, President of the Middlesex Modelers Model Airplane Club, 86 Kingsland Circle, Monmouth Junction mentioned that every member swears that they have not used the flying field before 11 AM in the morning.

Nickolas Giampino, 13 New Street discussed the noise from the Airplane Clubs and that he has been living at his home for 3 years and had he known about this noise he would never have bought the house. He discussed the many hours that he hears this noise, played a recording of the sound from his telephone and explained how this affects his quality of life. Mr. Giampino stated that the Airplane Club members are not residents of the Borough, and they get to enjoy peace and quiet at their house. Mr. Giampino has been dealing with the Mayor, and requested the council look into this noise. Mr. Giampino also referenced Section 446-14 regarding Nuisance and Chapter 305 Peace and Order in the borough code book.

A Resident of 14C Fox Hall stated that he has never heard any noise from the airplanes and he has a business on Union Avenue.

Frank Ryan, 303 Maple Street discussed (1) Status of the letter to be sent to Spray-Tek from the County; (2) The blacktop that was never completed at the end of Mountain Avenue and Route 28 and also Mountain Avenue and Lincoln Boulevard; and if we could use the Tree Fund in the budget to purchase trees for Victor Crowell Park.

Albert Ferraro, 4 Marshall Drive, Lebanon (Member of the Middlesex Modelers) spoke regarding the Model Airplane noise.

John Hoffman, 455 Lincoln Boulevard discussed (1) Status of Grand Disposal; (2) Republic not paying their host community agreement; (3) New Journey still operating (4) Becoming a member of the Landlord Registration Committee; (5) The sewer ordinance and National Dust Control; and (6) The odor at Spray Tek today.

Pete Wozniak, 1200 Sheridan Avenue questioned if we received any report from the Department of Energy regarding the landfill.

Mayor Dobies addressed all issues that were discussed in the public.

Seeing that there was no further public comment, Mayor Dobies closed the public portion of the meeting.

The Borough Clerk read the following resolution:

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

Resolution #225-12
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. Hiring of Deputy Court Administrator
2. Andreola & Battista Vacation & Sick Pay Reimbursement Claims

Council President DiMura made a motion for approval, seconded by Councilwoman Tackach and carried by the following roll call vote: Ayes: Members DiMura, First, Jenkins, Kaplan and Tackach. Nos.: None. Abstain: None.

Mayors Dobies recessed the meeting to executive session. Councilman First adjourned the executive session and Mayor Dobies read the following resolution:

Mayor Dobies read the following resolution:

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

Resolution #227-12

The Governing Body hereby approves offering Ms. Connie Dapuzzo a Conditional Offer of Employment as Deputy Court Administrator in the Court Office.

Council President DiMura made a motion for approval, seconded by Councilwoman Tackach and carried by the following roll call vote: Ayes: Members DiMura, First, Jenkins, Kaplan and Tackach. Nos.: None. Abstain: None.

ADJOURNMENT

Council President DiMura made a motion to adjourn the Regular Meeting seconded by Councilman Kaplan and carried by unanimous vote of members present.

Respectfully submitted,

Kathleen Anello, RMC
Borough Clerk
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 the Annual Meeting Notice of December 16, 2011 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

Mayor                     Ronald Dobies
Council President:        Ron DiMura
Jeffrey First            
Sean Kaplan              Patricia
Jenkins                   Michael Paff (absent)
                           Michele Tackach

Attorney:                 Aravind Aithal

PRESENTATIONS-NONE
NEW BUSINESS

The Borough Clerk read Ordinance No. 1819-12 by title for introduction.

BOROUGH OF MIDDLESEX

ORDINANCE NO. 1819-12

AN ORDINANCE AMENDING THE SEWER ORDINANCE OF THE BOROUGH OF MIDDLESEX TO AMEND THE EXISTING USER CLASSES SCHEDULE AS SET FORTH IN CHAPTER 332 OF THE CODE OF THE BOROUGH OF MIDDLESEX

Purpose: The purpose of this Ordinance is to amend the Sewer Ordinance of the Borough of Middlesex and to amend the existing User Classes and Rates set forth in the Code of the Borough of Middlesex.

WHEREAS, the Governing Body has requested a review of the existing User Classes schedule as set forth in the Borough’s Code to determine if the Rates set forth therein are reasonable and comparable to the Rates charged in similar size municipalities for similar services among the various user classes; and

WHEREAS, the Borough wishes to equitably and fairly apportion the costs incurred by the Borough in providing sanitary sewerage services to its residents and businesses; and

WHEREAS, the cost and fees paid by the Borough to the Middlesex County Sewer Authority and other sewerage and/or other municipalities or political subdivisions for sewerage-related costs and fees exceed the fees collected by the Borough from its residents and business for such services;
and

WHEREAS, the Borough has done a study of other municipalities and has determined that the Rates charged by the Borough of Middlesex to businesses for sewerage-related services are lower than the rates charged by other municipalities of similar size in this area; and

WHEREAS, the residential property owners are directly or indirectly burdened with the shortfall in collections of fees from non-residential users of the sewerage system of the Borough; and

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

1. The Sewer Ordinance of the Code of the Borough of Middlesex, as set forth in Section 332-1 et seq. of the Official Code of the Borough of Middlesex is hereby amended as follows:

§ 332-41

USER CLASSES.

1. “Tax exempt” includes institutions which pay no ad valorem taxes or receive substantial credits in paying such taxes, except public schools and publicly owned facilities performing local government functions which discharge solely domestic wastes.
2. “Industrial and commercial” includes all users, except residential users introducing less than 75,000 gallons per quarter (gpq) of domestic sanitary wastes, regardless of the discharge volume.
3. “Residential” includes single and multi-family dwellings, including garden apartments, which introduce no more than the equivalent of 75,000 gallons per quarter (gpq) per unit user of domestic sanitary wastes.
4. Except as otherwise defined herein, for purposes of determining sewer charge, users shall be charged based upon the following classifications:

Class 1 – Hotels, Motels, Nursing Homes, Assisted Living
Facilities and Retirement homes.

**Class 2** – Bagel Shops, Bars and Grills (with kitchen), Bakeries, Butchers, Delicatessens, Diner, Doughnut Shops, Ice Cream Shops, Luncheonettes, Restaurants, Social Clubs, Meat Markets and Supermarkets.

**Class 3** – Fast Food Restaurants.

**Class 4** – Barber Shops, Bars and Taverns (no kitchen), Disposal, Food Markets, Laundromats, Manufacturing, Service Station (full repair only), Beauty Salons, Cleaners, Clinics, Day Care Centers, Dental Practices, Funeral Parlors, General Construction, Health Spas, Kennels, Medical Offices, Orphanages, Pet Grooming, Pharmacy, Photograph Developing, Print Shops.


**Class 6** – Laboratories and Mini Medical.

**Class 7** – Accountants, Attorneys, Banking, Chiropractors, Consultants, Engineers, General Offices, Government-Other, Insurance, Opticians and Post Office.

**Class 8** – Malls and Shopping Centers.

**Class 9** – All other users, including residential users, exceeding
75,000 gallons of domestic sanitary waste per quarter.

§ 332-43

SEWER USE CHARGE.

A. At least once each year, the Borough of Middlesex shall review and revise, as necessary, sewer use and sewer user charges and shall establish by resolution a schedule of charges by flow, biochemical oxygen demand, suspended solids, chlorine demand and other such criteria as the Borough of Middlesex shall deem appropriate. Any charges so established shall provide for the equitable distribution of:
   1. MCUA operations and maintenance charges.
   2. MCUA debt service charges.
   3. Sewer system maintenance and operation charges incurred by the Borough of Middlesex, including overhead.
   4. Borough of Middlesex debt service related to the sewer system.
   5. Charges from other sewerage and/or other municipalities or political subdivisions.
   6. Other sewerage-related costs.

B. The schedule of user charges shall provide for revenue in an amount not less than equal to the total of the above costs. The schedule of charges shall be amended yearly, at the time of adoption of the Borough’s annual budget or at such other times as the Borough may determine to reflect changes and/or adjustments in the changes.

C. Rates.

<table>
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<tr>
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<th>Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flow</td>
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<td>$105.01 per hundred weights</td>
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[1] The rates established herein shall adjust automatically to reflect any increases in the annual charges by the MCUA to its rates.

[2] The quantities to be used for the billing shall be as follows:
(a) BOD: 200 mg/l.
(b) SS: 280 mg/l.
(c) Cl: four mg/l.

[3] Industries that produce high quantities of BOD and SS shall be required to sample their waste to determine what BOD, SS and chlorine (Cl.) should be used for their billing.

[4] All Residential properties or users which discharge more than 75,000 gallons of domestic sanitary waste water per quarter or any non-residential property or user, including industrial and commercial property or user regardless of the volume of discharge per quarter, in addition to the prevailing MCUA rates for BOD, SS and Cl., shall also be charged a service charge for flow based on the user class as follows:

a.  

<table>
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<tr>
<th>Class (100s)</th>
<th>Rate/Gallons</th>
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<tr>
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b. Except as provided in Section 332-38, as may be amended, all other structures or properties which discharge more than 75,000 gallons of domestic sanitary waste water per quarter shall be charged the rates charged by the Middlesex County Utilities Authority for BOD, SS and Cl., above, and 0.3150/100 gallons of flow.

c. Where any building or structure is used for purposes comprising two or more of the classifications set forth in § 332-41, the flow service charge shall be the total of the fees for each such classification, prorated based upon the square footage of each classification to the total square footage of the building or structure.
2. This Ordinance shall take effect January 1, 2013 subject to its final passage, approval and publication according to law.

Council President DiMura made a motion for introduction, seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

__________________________

PROCLAMATIONS

The Borough Clerk proclaimed October 10, 2012 as Put the Brakes on Fatalities Day® and read the following Proclamation:

PROCLAMATION

PUT THE BRAKES ON FATALITIES DAY®

OCTOBER 10, 2012

WHEREAS, Across the nation, traffic crashes caused 32,310 fatalities in 2011 and are the leading cause of death for young people ages 15 to 34; and,

WHEREAS, In New Jersey, 627 individuals lost their lives in traffic crashes in 2011; and,

WHEREAS, Alcohol-related crashes accounted for 24 percent of the State’s traffic fatalities, while speed related fatalities for 2011 climbed to 174 from 61 recorded in 2007.

WHEREAS, Motorcyclists, bicycle riders and pedestrians face increased risks on New Jersey’s roadways, as people opt for alternative modes of transportation; and,

WHEREAS, 92 motorcyclists, 17 bicyclists and 143 pedestrians were killed in New Jersey in traffic-related crashes in 2011; and,

WHEREAS, Safer driving behaviors such as buckling up, every ride; obeying posted speed limits; stopping for pedestrians in crosswalks and using crosswalks when walking; avoiding aggressive driving behaviors; never driving impaired;
wearing proper safety gear when riding a motorcycle or bicycle; and, focusing solely on driving by avoiding distractions, can dramatically reduce the number of traffic-related injuries and deaths;

NOW, THEREFORE, I Ronald S. Dobies, Mayor of the Borough of Middlesex, Middlesex County, New Jersey, do hereby proclaim October 10, 2012, as Put the Brakes On Fatalities Day®, and call upon everyone to put these lifesaving behaviors into practice to improve safety on the roadways in our community and throughout the State.

The Borough Clerk proclaimed October 17, 2012 – October 24, 2012 as Radon Action Week and read the following Proclamation:

PROCLAMATION
RADON ACTION WEEK
OCTOBER 17 – 24, 2012

WHEREAS, radon is a naturally occurring radioactive gas that is the second leading cause of lung cancer, causing as many as 500 lung cancer deaths annually in New Jersey; and

WHEREAS, elevated radon levels are found in many homes and pose a serious health threat to families residing in these homes; and

WHEREAS, any home may have high level of radon—even if neighboring homes do not; and

WHEREAS, radon testing is easy and inexpensive—and elevated levels of radon can be effectively reduced at the cost of a typical home repair; and

WHEREAS, a significant number of homes in Middlesex Borough have elevated levels of radon; and

WHEREAS, by mitigating homes with radon
concentration at or above 4 pCi/L in New Jersey, 140-250 lives are saved annually.

**NOW, THEREFORE, I** Ronald S. Dobies, Mayor of Middlesex Borough, on behalf of the Middlesex Borough Council and residents of Middlesex Borough, do hereby proclaim the week of October 17 – October 24, 2012 as

**RADON ACTION WEEK**

In the Borough of Middlesex and call upon all residents who have not yet tested to test their homes for radon and to reduce radon levels if elevated levels are found, to protect their families from the serious health risk of radon.

**ADOPTION OF MINUTES**

Councilman Kaplan moved the approval of the September 25, 2012 Regular Meeting Minutes and Executive Session Meeting Minutes seconded by Councilman Tackach and carried by a unanimous vote of Council.

**REPORTS – STANDING COMMITTEES:**

1. Finance/Taxation/Real Estate/Construction Official/Insurance
   a. Council President DiMura moved the approval of the September, 2012 Treasurer’s Report seconded by Councilwoman Tackach and carried by a unanimous vote of Council.

2. Recreation/Recreation Fields/Water & Light – Councilwoman Tackach had nothing to report.

3. Fire/OEM/Board of Health/Rescue Squad
   a. Councilman Kaplan indicated that the Fire Department held their Final Inspection on Sunday and Parker Fire House took first place. Councilman Kaplan thanked the Fire Department for all the time
spent in taking care of the vehicles and equipment.
5. Police/Legal/Code Enforcement/Municipal Court – Councilman Paff was absent.
6. Administration/Office on Aging/Legislation/License/Buildings & Grounds
   a. Borough Administrator – Councilman First recommended that the Council start to consider the hiring of a borough administrator to handle the day to day activities of the Borough, as when the term of Mayor Dobies ends, it is unlikely that the next mayor would be retired.

__________________________________________________

**REPORTS – OTHER:**

**Mayor**

1. Shade Tree Conference – October 26 & October 27 - Mayor Dobies suggested that if a Shade Tree representative does not attend this meeting maybe a DPW employee or Council member might want to attend.
2. 2013 MCUA Rate Schedule – Mayor Dobies sent copies of this rate schedule to Council members to review.
3. Master Plan - The discussion of the Master Plan with the Planner will be rescheduled for Tuesday in November.
4. DPW Intermittent Employees – Mayor Dobies recommended extending the DPW Intermittent Employees until November 30. The Finance Committee will review funding, and discuss further at the October 23, 2012 Regular Meeting.
5. Mayor Dobies appointed Finance Chairman Council President DiMura and BOE Liaison Councilwoman Jenkins to a committee representing the borough council to discuss with members from the BOE committee a complete plan for the renovations of the football and two baseball fields. The committees will make a presentation to their respective groups for approval or disapproval of the plan.

__________________________________________________
The Borough Clerk read the following resolution:

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

Consent Agenda 2012(S)

**WHEREAS**, the Mayor and Council of the Borough of Middlesex has reviewed the Consent Agenda consisting of various proposed resolutions; and

**WHEREAS**, the Mayor and Council of the Borough of Middlesex is not desirous of removing any resolutions from this Agenda.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following resolutions on the Consent Agenda are hereby approved and adopted.

Resolution #228-12 - Resolution #235-12

Resolution #237-12

Councilman First made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

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

**Resolution #228-12**

The Tax Collector is hereby authorized to amend 2012 4th quarter taxes to $688.68 on Block 26, Lot 24.01 and cancel 4th quarter taxes on Block 26, Lot 24.02. The original property Block 26, Lot 24 was subdivided into two lots. The first half
2012 taxes were paid on the original Lot 24.

The Borough Clerk read the following resolution:

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

**Resolution #229-12**

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF**

**SAVIN C9120 COPIER**

**WHEREAS,** the Governing Body of the Borough of Middlesex wishes to purchase a Savin C9120 copier from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

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

**WHEREAS,** KDI-Inc is under State Contract No. A51464 for the year 2012; and

**WHEREAS,** the cost for the purchase of the copier is not to exceed $7,318.00; and

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Borough Council that the purchase of a Savin C9120 copier is ordered under State Contract No. A51464 be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed $7,318.00 is available in Account No. 04-1818-00-1818-81.
The Borough Clerk read the following resolution:

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

**Resolution #230-12**

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF AMMUNITION FOR POLICE DEPARTMENT**

**WHEREAS,** the Governing Body of the Borough of Middlesex wishes to purchase ammunition for the Police Department from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

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

**WHEREAS,** Eagle Point Gun is under State Contract No. A81296 for the year 2012; and

**WHEREAS,** the cost for the purchase of the ammunition is not to exceed $2,052.54; and

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Borough Council that the purchase of ammunition is ordered under State Contract No. A81296 be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed $2,052.54 is available in Account No. 01-2010-25-2402-110.

The Borough Clerk read the following resolution:

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

Resolution #231-12

RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF

TWO AUDIO/VIDEO RECORDING SYSTEMS

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase of two (2) audio/video recording systems for the interview rooms from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

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

WHEREAS, APG Security Systems, LLC is under State Contract No. T2585 for the year 2012; and

WHEREAS, the cost for the purchase of two audio/video recording systems is not to exceed $15,306.00; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of two audio/video recording systems is ordered under State Contract No. T2585 be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed $15,306 are available in Account No. 04-1818-00-1818-71.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:
Resolution #232-12

Authorizing Ms. O’Connell of the law office of Ellen O’Connell, LLC to act in the capacity of hearing officer at an hourly rate of $185.00 and not to exceed $1,000.00.

__________________________________________________

The Borough Clerk read the following resolution:

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

Resolution #233-12

Hiring Corrine Dapuzzo, 25 Chase Street, Nutley, New Jersey as the Deputy Court Administrator at an annual salary of $40,000 effective October 10, 2012, pending receipt of a satisfactory background check and physical.

__________________________________________________

The Borough Clerk read the following resolution:

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

Resolution #234-12

RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF

PHASE II COMPLIANT RETROFIT CURB PLATES

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase Phase II Compliant Retrofit Curb Plates from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

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

WHEREAS, Campbell Foundry is under State Contract No. A71626 for the year 2012; and

WHEREAS, the cost for the purchase of Phase II Compliant Retrofit Curb Plates is not to exceed $20,880.00; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of Phase II Compliant Retrofit Curb Plates is ordered under State Contract No. A71626 be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed $20,880.00 are available in Account No. 04-1818-00-1818-92.

__________________________________________________

The Borough Clerk read the following resolution:

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

Resolution #235-12

The Tax Collector is hereby authorized to cancel 2011 Sanitary Sewer Use Charges on the following property.

<table>
<thead>
<tr>
<th>BLOCK/LOT</th>
<th>NAME &amp; ADDRESS</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>259/6 Inc</td>
<td>Fram Trak Inc</td>
<td>$ .70</td>
</tr>
<tr>
<td></td>
<td></td>
<td>205 Hallock Ave</td>
</tr>
</tbody>
</table>

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of
Resolution #237-12

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE FAIRVIEW AVENUE RECONSTRUCTION PROJECT

NOW, THEREFORE, BE IT RESOLVED that Council of Middlesex Borough 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-2013-Middlesex Borough-00306 to the New Jersey Department of Transportation on behalf of Middlesex Borough.

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

The Borough Clerk read the following resolution:

Resolution #236-12

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.

Council President DiMura made a motion for approval, seconded by Councilwoman Tackach and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan,
Personnel Policy – Councilman First will relay information regarding the Personnel Policy to the Borough Clerk.

PUBLIC COMMENTS

Mayor Dobies opened the Public Portion of the meeting for any comments.

Pete Wozniak, 1200 Sheridan Avenue questioned the hiring of the Deputy Court Administrator.

Nickolas Giampino, 13 New Street discussed the status of the noise at the Model Airplane Field. Mr. Giampino recommended that Councilman Kaplan come out on October 21 to hear the noise from the air field. Mr. Giampino also received signatures from neighbors that are affected by this noise.

Monique Herzog, 16 Emma Place indicated that she has complained to the Police Department about the noise several years ago. She mentioned that the noise is endless and it sounds like a leaf blower going all day, especially on the weekends.

Mayor Dobies addressed all issues that were discussed in the public.

Seeing that there was no further public comment, Mayor Dobies closed the public portion of the meeting.

ADJOURNMENT
Council President DiMura made a motion to adjourn the Regular Meeting seconded by Councilman Kaplan and carried by unanimous vote of members present.

Respectfully submitted,

Kathleen Anello, RMC

Borough Clerk
BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
OCTOBER 23, 2012

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 the Annual Meeting Notice of December 16, 2011 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

Mayor                                      Ronald Dobies
Council President:                     Ron DiMura
                                          Jeffrey First
                                          Sean Kaplan
                                          Patricia Jenkins
                                          Michael Paff (absent)
                                          Michele Tackach

Attorney:                                 Aravind Aithal

PRESENTATIONS

Freeholder Ron Rios, Stacy Bersani, and Khalid Anjum from Middlesex County attended the meeting and discussed the new public notification system being offered in Middlesex County as a shared service opportunity. Ms. Bersani discussed the process and benefits of each participant controlling the emergency notifications and gave examples of the emergency uses for this system which included severe weather alerts, evacuation orders, terror threats, missing persons, crime prevention and solving, throughfare/road closures, health emergencies and shelter-in-place activations. The cost for Middlesex Borough to be included in this County Notification System would be an annual fee of $2,440.35 for unlimited access or a cost of $1,000 per call.

Mayor Dobies assigned Council President DiMura, Councilman Kaplan and
Councilman First to look into this notification system and report back to the council.

PROCLAMATIONS-NONE

PUBLIC HEARINGS

Mayor Dobies read Ordinance No. 1819-12 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

BOROUGH OF MIDDLESEX

ORDINANCE NO. 1819-12

AN ORDINANCE AMENDING THE SEWER ORDINANCE OF THE BOROUGH OF MIDDLESEX TO AMEND THE EXISTING USER CLASSES SCHEDULE AS SET FORTH IN CHAPTER 332 OF THE CODE OF THE BOROUGH OF MIDDLESEX

Purpose: The purpose of this Ordinance is to amend the Sewer Ordinance of the Borough of Middlesex and to amend the existing User Classes and Rates set forth in the Code of the Borough of Middlesex.

WHEREAS, the Governing Body has requested a review of the existing User Classes schedule as set forth in the Borough’s Code to determine if the Rates set forth therein are reasonable and comparable to the Rates charged in similar size municipalities for similar services among the various user classes; and

WHEREAS, the Borough wishes to equitably and fairly apportion the costs incurred by the Borough in providing sanitary sewerage services to its residents and businesses; and

WHEREAS, the cost and fees paid by the Borough to the Middlesex County Sewer Authority and other sewerage and/or other municipalities or political subdivisions for sewerage-related costs and fees exceed the fees collected by the Borough from its residents and business for such services; and

WHEREAS, the Borough has done a study of other municipalities and has determined that the Rates charged by the Borough of Middlesex to businesses for sewerage-related services are lower than the rates charged by other municipalities of similar size in this area; and

WHEREAS, the residential property owners are directly or indirectly burdened with the shortfall in collections of fees from non-residential users of the sewerage system of the Borough; and

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

1. The Sewer Ordinance of the Code of the Borough of Middlesex, as set forth in
Section 332-1 et seq. of the Official Code of the Borough of Middlesex is hereby amended as follows:

§ 332-41

USER CLASSES

A. “Tax exempt” includes institutions which pay no ad valorem taxes or receive substantial credits in paying such taxes, except public schools and publicly owned facilities performing local government functions which discharge solely domestic wastes.

B. “Industrial and commercial” includes all users, except residential users introducing less than 75,000 gallons per quarter (gpq) of domestic sanitary wastes, regardless of the discharge volume.

C. “Residential” includes single and multi-family dwellings, including garden apartments, which introduce no more than the equivalent of 75,000 gallons per quarter (gpq) per unit user of domestic sanitary wastes.

D. Except as otherwise defined herein, for purposes of determining sewer charge, users shall be charged based upon the following classifications:

Class 1 – Hotels, Motels, Nursing Homes, Assisted Living Facilities and Retirement homes.

Class 2 – Bagel Shops, Bars and Grills (with kitchen), Bakeries, Butchers, Delicatessens, Diner, Doughnut Shops, Ice Cream Shops, Luncheonettes, Restaurants, Social Clubs, Meat Markets and Supermarkets.

Class 3 – Fast Food Restaurants.

Class 4 – Barber Shops, Bars and Taverns (no kitchen), Disposal, Food Markets, Laundromats, Manufacturing, Service Station (full repair only), Beauty Salons, Cleaners, Clinics, Day Care Centers, Dental Practices, Funeral Parlors, General Construction, Health Spas, Kennels, Medical Offices, Orphanages, Pet Grooming, Pharmacy, Photograph Developing, Print Shops.


Class 6 – Laboratories and Mini Medical.

Class 7 – Accountants, Attorneys, Banking, Chiropractors, Consultants, Engineers, General Offices, Government-Other, Insurance, Opticians and Post Office.

Class 8 – Malls and Shopping Centers.

Class 9 – All other users, including residential users, exceeding 75,000 gallons of domestic sanitary waste per quarter.

§ 332-43

SEWER USE CHARGE.

A. At least once each year, the Borough of Middlesex shall review and revise, as
necessary, sewer use and sewer user charges and shall establish by resolution a schedule of charges by flow, biochemical oxygen demand, suspended solids, chlorine demand and other such criteria as the Borough of Middlesex shall deem appropriate. Any charges so established shall provide for the equitable distribution of:

1. MCUA operations and maintenance charges.
2. MCUA debt service charges.
3. Sewer system maintenance and operation charges incurred by the Borough of Middlesex, including overhead.
4. Borough of Middlesex debt service related to the sewer system.
5. Charges from other sewerage and/or other municipalities or political subdivisions.
6. Other sewerage-related costs.

B. The schedule of user charges shall provide for revenue in an amount not less than equal to the total of the above costs. The schedule of charges shall be amended yearly, at the time of adoption of the Borough’s annual budget or at such other times as the Borough may determine to reflect changes and/or adjustments in the changes.

Rates.

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[1] The rates established herein shall adjust automatically to reflect any increases in the annual charges by the MCUA to its rates.

[2] The quantities to be used for the billing shall be as follows:
   (a) BOD: 200 mg/l.
   (b) SS: 280 mg/l.
   (c) Cl: four mg/l.

[3] Industries that produce high quantities of BOD and SS shall be required to sample their waste to determine what BOD, SS and chlorine (Cl.) should be used for their billing.

[4] All Residential properties or users which discharge more than 75,000 gallons of domestic sanitary waste water per quarter or any non-residential property or user, including industrial and commercial property or user regardless of the volume of discharge per quarter, in addition to the prevailing MCUA rates for BOD, SS and Cl., shall also be charged a service charge for flow based on the user class as follows:

(a) Rate/Gallons

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(b) Except as provided in Section 332-38, as may be amended, all other structures or properties which discharge more than 75,000 gallons of domestic sanitary waste water per quarter shall be charged the rates charged by the Middlesex County Utilities Authority for BOD, SS and Cl., above, and 0.3150/100 gallons of flow.

(c) Where any building or structure is used for purposes comprising two or more of the classifications set forth in § 332-41, the flow service charge shall be the total of the fees for each such classification, prorated based upon the square footage of each classification to the total square footage of the building or structure.

(2) This Ordinance shall take effect January 1, 2013 subject to its final passage, approval and publication according to law.

Mayor Dobies opened the Public Hearing on Ordinance No. 1819-12. Seeing that there was no public participation, Mayor Dobies closed the public hearing.

Councilman Kaplan made a motion for adoption, seconded by Councilman First and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

NEW BUSINESS—NONE

ADOPTION OF MINUTES

Councilman Kaplan moved the approval of the October 9, 2012 Regular Meeting Minutes seconded by Councilwoman Jenkins and carried by a unanimous vote of Council.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance
   a. DPW Intermittent Employees - Council approved extending these employees until November 30, 2012.
   b. Councilman DiMura made a motion to change the November 27, 2012 meeting to be held on November 20, 2012 seconded by Councilwoman Tackach and carried by unanimous vote of Council.
   c. Councilman DiMura made a motion to freeze the 2012 Budget seconded by Councilman Kaplan and carried by a unanimous vote of Council. Also, the CFO will notify all department heads that their 2013
budget is due to the Finance Committee by November 15th.

2. Recreation/Recreation Fields/Water & Light – Councilwoman Tackach had nothing to report.

3. Fire/OEM/Board of Health/Rescue Squad
   a. Councilman Kaplan indicated that Middlesex County will be sending three fire department members, an OEM and Rescue Squad member to Nevada for Hazmat training at no cost to the Borough.
   b. Flood Update – Lori Thompson went to Flood Meeting to discuss the grant available which is due October 26th. This grant can be used for the reproduction of a catalog to help residents prepare for hurricanes and flooding. Councilman Kaplan made a motion to have Ms. Thompson apply for this grant seconded by Councilwoman Tackach and carried by a unanimous vote of Council.
   c. Middlesex Modelers Update – Councilman Kaplan went out to the Flying Field on October 14th and 21st and also spoke with residents. Councilman Kaplan would like to follow up on this matter in a month after looking into the exhaust system of these aircrafts and also the buffer of trees that are affected by the change in season.

4. Public Works/Parks/Sanitation/Recycling
   a. Councilwoman Jenkins moved the approval of the September DPW Report seconded by Council President DiMura and carried by a unanimous vote of Council.

5. Police/Legal/Code Enforcement/Municipal Court – Councilman Paff was absent.

6. Administration/Office on Aging/Legislation/License/Buildings & Grounds
   a. Personnel Policy – Council was forwarded a copy of the Personnel Policy prepared by Borough Labor Attorney and Mayor Dobies. This will be discussed at the November 20, 2012 Special Meeting.

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REPORTS – OTHER:

Mayor

1. Property Owner Request for Borough to Purchase Vacant Private Property off Mountain Avenue – Council will review.
2. Mayor Dobies accepted the resignation of Mark Devine from the Recreation Commission and Elissa Miller from the Library Board of Trustees.
3. Mayor Dobies moved the appointment of Beverly Weber to the unexpired term of Elissa Miller from the Library Board of Trustees.
4. Mayor Dobies mentioned that the Borough received the 2012 Community Development Block Grant in the amount of $48,921.
5. Leaf Bags – Mayor Dobies discussed the distribution of leaf bags and suggested that if residents misplace their coupon that we give them bags if we have extra.
6. Republic – Council gave permission to Mayor Dobies to prepare a letter regarding Republic’s request for a Class C Recycling Facility.
7. Zoning Map – Mayor Dobies had a copy of the new Zoning Map and indicated that the Planning Board will make recommendations on this map and then forward it to the Mayor and Council to accept.
8. Councilwoman Jenkins will provide dates to Mayor Dobies to meet with the Board of Education.
The Borough Clerk read the following resolution:

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

Consent Agenda 2012(S)

**WHEREAS**, the Mayor and Council of the Borough of Middlesex has reviewed the Consent Agenda consisting of various proposed resolutions; and

**WHEREAS**, the Mayor and Council of the Borough of Middlesex are desirous of removing Resolution #238-12 and Resolution #244-12 from this Agenda.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following resolutions on the Consent Agenda are hereby approved and adopted.

**Resolution #239-12 - Resolution #243-12**

Councilman Kaplan made a motion for approval, seconded by Council President DiMura and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that: Resolution #239-12

The Tax Collector is hereby authorized to cancel 3rd & 4th quarter 2012 taxes in the amount of $192.50 and 1st & 2nd quarter 2013 taxes in the amount of $96.25 on Block 81, Lot 20, Dunlap Place. This property is owned by the Borough of Middlesex and is tax exempt.

The Borough Clerk read the following resolution:

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

**Resolution #240-12**

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF BULLARD THERMAL IMAGING CAMERA BUNDLE**

**WHEREAS**, the Governing Body of the Borough of Middlesex wishes to purchase a Bullard Thermal Imaging Camera bundle from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

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

WHEREAS, AAA Emergency Supply is under State Contract No. A0952 for the year 2012; and

WHEREAS, the cost for the purchase of a Bullard Thermal Imaging Camera bundle is not to exceed $13,567.85; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of a Bullard Thermal Imaging Camera bundle is ordered under State Contract No. A0952 be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed $13,567.85 are available in Account No. 04-1818-00-1818-75.

The Borough Clerk read the following resolution:

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

Resolution #241-12


The Borough Clerk read the following resolution:

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

Resolution #242-12

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE MARLBOROUGH AVENUE RECONSTRUCTION PROJECT

NOW, THEREFORE, BE IT RESOLVED that Council of Middlesex Borough 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-2013-Middlesex Borough-00596 to the New Jersey Department of Transportation on behalf of Middlesex Borough.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Middlesex Borough and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.
The Borough Clerk read the following resolution:

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

**Resolution #243-12**

The Governing Body hereby approves the Mayor and Borough Clerk execute the Department of the Army Corps of Engineers Right of Entry to conduct soil borings on Block 295, Lot 31 to aid in the bedrock groundwater investigation for the Middlesex Sampling Plant FUSRAP Project.

The Borough Clerk read the following resolution:

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

**Resolution #238-12**

The Chief Financial Officer hereby authorizes a refund of $175.00 to Spartan Towing, 800 William Street, Middlesex, New Jersey for their application of a towing license for 2012.

Councilman Kaplan made a motion for approval, seconded by Council President DiMura and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

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

**Resolution #244-12**

Approving a Agreement between the Borough of Middlesex and Wayne Andreola for cost associated with unpaid compensation vacation and sick in the amount of $951.36 and authorizing the Mayor to enter into a Settlement Agreement and General Release.

Council President DiMura made a motion for approval, seconded by Councilwoman Tackach and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, and Kaplan. Nos.: None. Abstain: Tackach.

The Borough Clerk read the following resolution:
BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #245-12

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.

Council President DiMura made a motion for approval, seconded by Councilwoman Tackach and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Board of Health President & Vice President’s request to have the fines increased for the feeding of cats and other animals – Councilman Kaplan made a motion to reject the recommendation of the Board of Health seconded by Councilman DiMura and carried by a unanimous vote of Council.
2. Recommendation for Police Ordinance – Mayor Dobies discussed the proposed amendment to the Police Ordinance. This was forwarded to Police Committee to review.
3. Recommendation to have staff use Vacation Day for December 24, 2012 – Council approved.

PUBLIC COMMENTS

Mayor Dobies opened the Public Portion of the meeting for any comments.

Cecilia Fisher, 336 Seneca Avenue questioned the sewer ordinance and if it applies only to businesses. She also stated that she was not in favor of being fined for feeding birds.

Debbie DeVuyst, 73 Ramsey Road questioned if when we calculated the new fees for the sewer ordinance did we take into consideration the sections that use Piscataway sewer. Also, she questioned if we have settled the Piscataway sewer bill yet.

Mayor Dobies addressed all issues that were discussed in the public.

Seeing that there was no further public comment, Mayor Dobies closed the public portion of the meeting.
The Borough Clerk read the following resolution:

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

**Resolution #246-12**

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. Increases for Part Time Employees
   Councilman First made a motion for approval, seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Members DiMura, First, Jenkins, Kaplan and Tackach. Nos.: None. Abstain: None.

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**ADJOURNMENT**

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Council President DiMura made a motion to adjourn the Regular Meeting seconded by Councilman Kaplan and carried by unanimous vote of members present.

Respectfully submitted,

Kathleen Anello, RMC

Borough Clerk
BOROUGH OF MIDDLESEX

SPECIAL MEETING MINUTES

NOVEMBER 20, 2012

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 the Annual Meeting Notice of December 16, 2011 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

Mayor                                      Ronald Dobies
Council President:                   Ron DiMura
Jeffrey First (absent)
Sean Kaplan
Patricia Jenkins
Michael Paff (late)
Michele Tackach

Attorney:                                 Aravind Aithal

The Borough Clerk read the following resolution:

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

Resolution #247-12

WHEREAS, Daniel McCue has successfully completed the psychological and medical examination required for the position of a Probationary Patrolman in the Borough of Middlesex; and

WHEREAS, Chief Young is recommending that Daniel McCue be appointed to the position of Probationary Patrolman effective November 21, 2012 at an annual salary of $47,430.00.

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

1. Daniel McCue is hereby appointed a Probationary Patrolman for the Borough of
Middlesex effective November 21, 2012 at an annual salary of $47,430.00.

2. This resolution shall take effect immediately. Council President DiMura moved for adoption seconded by Councilman Kaplan and carried by the following roll call votes: Ayes: DiMura, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

Mayor Dobies congratulated Mr. McCue and pointed out that he is working for a great police department.

Chief Young also welcomed Mr. McCue to the police department and wished him luck in his career.

PRESENTATIONS-NONE

PROCLAMATIONS-NONE

PUBLIC HEARINGS-NONE

NEW BUSINESS

The Borough Clerk read Ordinance No. 1820-12 by title for introduction.

BOROUGH OF MIDDLESEX

ORDINANCE NO. 1820-12

AN ORDINANCE TO AMEND CHAPTER 80, POLICE DEPARTMENT SECTION 80-15A & SECTION 15B CLASSES OF PATROLMEN, ADVANCEMENT AND SECTION 80-16A, 80-16B, 80-16C, 80-16D & 80-16E PROMOTIONS OF THE CODE OF THE BOROUGH OF MIDDLESEX

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

(1) Chapter 80-15A & Chapter 80-15B Classes of Patrolmen; Advancement shall be amended to read as follows:

A. There will be eight (8) classes of patrolmen which shall be known as “Patrolman Class A,” “Patrolman Class B,” “Patrolman Class C,” “Patrolman Class D,” “Patrolman Class E,” “Patrolman Class F,” “Probationary Patrolman” and “Academy Patrolman.”

B. The Academy Patrolman shall advance to Probationary Patrolman level upon
graduation from the Academy. The patrolman shall advance from Probationary Patrolman after one year of satisfactory service, upon the recommendation of the Chief of Police. The patrolman will become eligible for additional advances in grade at the expiration of each additional year, upon the recommendation of the Chief of Police, until they have reached Class A, and they shall be paid salaries designed in the Salary Ordinance under the established categories.

(2) Chapter 80-16A, Chapter 80-16B, Chapter 80-16C, Chapter 80-16D, Chapter 80-16E Promotions shall be amended to read as follows:

A. All promotions to superior positions shall be made from the membership of the Middlesex Police Department. In order to be eligible for promotion to the rank of Corporal or Sergeant a candidate must be a Class A Patrolman with a minimum of five (5) years of continuous service with the Middlesex Police Department. In order to be eligible for any rank above Sergeant, a candidate must have held the position of Sergeant for at least two (2) years. All candidates for promotions must have satisfactorily completed all assigned training in order to be eligible for promotion. Promotions to the rank of Corporal shall be made upon the recommendation of the Chief of Police and approval of the Mayor and Council, based upon the candidate’s length and merit of service as provided in N.J.S.A. 40A:14-129.

B. Promotional process for all positions, other than Captain of Police and Chief of Police, will be delineated by General Order in the Middlesex Borough Police Department Policy and Procedures Manual. Eligible candidates will be elevated and rated on a range of criteria to include, but is not limited to: a resume, interview with a professional review board, review of performance and personnel file. No minimum score is required in any one section in order to continue to any other section of the promotional process.

C. Eligibility list. An eligibility list will be established based upon the final evaluation scores. The eligibility list shall remain in effect for a period of two years from the date posted.

D. Selection process. The Mayor and Council, after considering and weighing the recommendation of the Chief of Police, shall promote the highest-scoring candidate or candidates.

E. Testing process for promotion to the position of Captain of Police and Police Chief.

1. The promotion to the position of Captain of Police and Police Chief shall be the sole prerogative of the Mayor and Council. Only superior officers (Sergeant or higher in rank) are eligible for promotion to Captain of Police and Police Chief. Eligible candidates will be evaluated and rated on a range of criteria to include but is not limited to: a resume, interview with the Mayor and Council, review of performance and personnel file. In the promotion of Captain of Police the Police Chief will sit in on the interview but will not take part in any scoring. No minimum score is required in any one section in order to continue to any other section of the promotional process.

   a. Mayor and Council Interview. The candidates will be interviewed by the Mayor and Council, and they will review the candidate's personnel file, work history and job performance, will evaluate recommendations of the Police Chief, and any written recommendations in the candidate's file from members of the Middlesex Police Department or by other members of the general public, if any, and will also observe the manner in which the candidates answer questions in order to determine his or her ability to assume the duties and responsibilities of the Captain of Police or the Police Chief.

   b. Final decision for the promotion or appointment shall rest with the Mayor and Council.
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 the above sections in Chapter 80 Police Department as stated.
2. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.
3. This Ordinance shall take effect immediately upon final passage and publication according to law.

Council President

DiMura made a motion for approval, seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: DiMura, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

ADOPTION OF MINUTES

Councilwoman Tackach moved the approval of the October 23, 2012 Regular Meeting Minutes seconded by Councilman Kaplan and carried by a unanimous vote of Council.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance – Councilman DiMura had nothing to report.
2. Recreation/Recreation Fields/Water & Light – Councilwoman Tackach had nothing to report.
3. Fire/OEM/Board of Health/Rescue Squad
   (a) Councilman Kaplan indicated that there were 55 calls from the storm and there were two storm related fires, with two deaths. Also Dave Thul, the Fire Department chaplain passed away and a funeral with military honors was held in Wrightstown. Since the storm there has been 45 calls and a structural fire at Moisha, where the investigation is currently pending. Councilman Kaplan thanked the Fire Department, Rescue Squad, OEM, DPW, Police Department and Borough Hall employees for all of their effort during the storm.
   (b) Flood Update – The grant application has been submitted and we should hear if we receive it next week. We did have a program with valuable information to give to the residents regarding hurricane evacuation and flood preparation. Councilman Kaplan thanked all the volunteers that helped to distribute this literature to borough residents.
   (c) Reschedule of Rabies Clinic – December 1 – This clinic has been rescheduled for December 1, 2012 between 8:30 AM and 10:30 AM at the DPW garage.
   (d) Rescue Squad Update – Greg Flipski has resigned and John Hein will be the new Captain of the Rescue Squad. Phil Laura is now the President.
   (e) Councilman Kaplan indicated that Vince Vacca has now taken life membership.
   (f) Councilwoman Jenkins made a motion to accept Joe Buro & Eric Powlison as
Junior Members of the Fire Department seconded by Councilwoman Tackach and carried by a unanimous vote of Council.

(g) Councilwoman Tackach made a motion to accept Tom Kurtz as a Qualified Driver for Engine 21 seconded by Councilwoman Jenkins and carried a unanimous vote of Council.

4. Public Works/Parks/Sanitation/Recycling
   (a) Councilwoman Jenkins moved the approval to extend the DPW Intermittent employees employment until December 31, 2012 seconded by Councilman DiMura and carried by a unanimous vote of Council. Attorney Aithal indicated that because of the emergent situation Councilwoman Tackach would be able to vote on this approval.


6. Administration/Office on Aging/Legislation/License/Buildings & Grounds - Councilman First was absent.

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REPORTS – OTHER:

Mayor

1. Train Whistles – Cedar Avenue- Mayor Dobies received a letter to have a “quiet zone” at the Cedar Avenue train track intersection. It was discussed that there has been several fatalities at this crossing. This matter was sent to Committee to review.

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The Borough Clerk read the following resolution:

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

Consent Agenda 2012(T)

WHEREAS, the Mayor and Council of the Borough of Middlesex has reviewed the Consent Agenda consisting of various proposed resolutions; and

WHEREAS, the Mayor and Council of the Borough of Middlesex is not desirous of removing any resolutions from this Agenda.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following resolutions on the Consent Agenda are hereby approved and adopted.

Resolution #248-12 - Resolution #258-12

Councilman Kaplan made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: DiMura, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.
The Borough Clerk read the following resolution:

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

**Resolution #248-12**

RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF

DELL PRECISION T3600 MT 635W WORKSTATION

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase a Dell Precision T3600 MT 635W workstation from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

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

WHEREAS, Dell is under State Contract No. 70256 for the year 2012; and

WHEREAS, the cost for the purchase of the workstation is not to exceed $1,697.26; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of a Dell Precision T3600 MT 635W workstation is ordered under State Contract No. 70256 be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed $1,697.26 is available in Account No. 04-1797-00-1797-74.

The Borough Clerk read the following resolution:

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

**Resolution #249-12**

RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF

DELL 1355CNW MULTIFUNCTION COLOR PRINTER

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase a Dell 1355cnw multifunction color printer from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

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

WHEREAS, Dell is under State Contract No. 70137 for the year 2012; and
WHEREAS, the cost for the purchase of a printer is not to exceed $281.39; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of a printer is ordered under State Contract No. 70137 be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed $281.39 is available in Account No. 01-2010-20-1401-050.

The Borough Clerk read the following resolution:

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

Resolution #250-12

RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF THREE SOUND BARS FOR DELL OPTIPLEX

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase of three (3) sound bars for Dell Optiplex from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

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

WHEREAS, Dell is under State Contract No. 70256 for the year 2012; and

WHEREAS, the cost for the purchase of three sound bars is not to exceed $83.97; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of three sound bars is ordered under State Contract No. 70256 be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed $83.97 are available in Account No. 01-2010-20-1401-050.

The Borough Clerk read the following resolution:

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

Resolution #251-12

The Tax Collector is hereby authorized to amend 2012 4th quarter taxes to $3,945.86 on Block 321, Lot 36.02, 519 Fairview Avenue. The taxes were being paid on an estimated basis and the added assessment, for a new home, did not take
this into account which resulted in an overbill.

The Borough Clerk read the following resolution:

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

*Resolution #252-12*

The Tax Collector is hereby authorized to refund an overpayment of 4th quarter 2012 property taxes due to an overpayment by the finance/mortgage company on the following property:

<table>
<thead>
<tr>
<th>BLOCK/LOT</th>
<th>NAME &amp; ADDRESS</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>56/18.01</td>
<td>Levonaitis, Kevin</td>
<td>$1334.25</td>
</tr>
<tr>
<td>7 E Wilson St</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Check is to be made payable to: GMAC Mortgage
PO Box 961219
Ft Worth, TX 76161-0219

The Borough Clerk read the following resolution:

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

*Resolution #253-12*

The Tax Collector is hereby requesting that the Governing Body allow the last date of payment, without interest, for 4th quarter 2012 property taxes to be extended to November 30, 2012 due to Hurricane Sandy.

The Borough Clerk read the following resolution:

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

*Resolution #254-12*

The Treasurer is hereby authorized to remit the Condo Reimbursements for 2012 to the following:
The Borough Clerk read the following resolution:

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

**Resolution #255-12**

**STATE OF NEW JERSEY**

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**GREEN ACRES**

**ENABLING RESOLUTION**

**WHEREAS,** the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition
and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Borough of Middlesex desires to further the public interest by obtaining a grant of $634,850.00 from the State to fund the following projects: Borough of Middlesex Flood-Prone Property Mitigation.

NOW, THEREFORE, the governing body/board resolves that Mayor Dobies or the successor to the office of Mayor is hereby authorized to:

1. Make application for such a loan and/or such a grant
2. Provide additional application information and furnish such documents as may be required
3. Act as the authorized correspondent of the above named applicant, and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project.

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

1. The Mayor of the above named body is hereby authorized to execute an agreement and any amendment thereto with the State known as Borough of Middlesex Flood-Prone Property Mitigation, and
2. That the applicant has its matching share of the project, if match is required, in the amount of $1,904,550.00.
3. That, in the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. That 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 #256-12

WHEREAS, it has been found necessary to make an Emergency Appropriation to meet certain extraordinary expenses incurred, or to be incurred, by Hurricane Sandy and,

WHEREAS, NJSA 40A:4-54 provides that it shall be lawful to make such appropriation, which appropriation and the same shall be provided for in succeeding annual budgets by the inclusion of an annual appropriation of one-fifth of the amount authorized pursuant to this act.

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body
members affirmatively concurring) that in accordance with NJS 40A:4-54:

1. An emergency appropriation is hereby made for Hurricane Sandy in the amount of $200,000.00.
2. That the emergency appropriation shall be provided for in the budgets of the next succeeding years by the inclusion of not less than $40,000.00.
3. That the statement required by the Local Finance Board has been filed with the Clerk and a copy will be transmitted to the Director of Local Government Services.
4. That two (2) certified copies of this resolution will be filed with the Division of Local Government Services; however, no approval is required from the Division.

The Borough Clerk read the following resolution:

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

Resolution #257-12

Budget transfers for 2012:

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<tr>
<th>Department</th>
<th>A/C# to/from</th>
<th>Amount</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
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</tr>
<tr>
<td>Finance S/W</td>
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<tr>
<td>Assessment S/W</td>
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</tr>
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<td>Road S/W</td>
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<td>Shade Tree S/W</td>
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<tr>
<td>Sr. Nutrition S/W</td>
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<td>Employee Sick Pay S/W</td>
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</tr>
<tr>
<td>Municipal Court S/W</td>
<td>43-4901-011</td>
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</tr>
<tr>
<td>NJ Unemployment</td>
<td>36-4767-101</td>
<td>44,647.00</td>
<td></td>
</tr>
<tr>
<td>Telephone O/E</td>
<td>31-4402-101</td>
<td>5,000.00</td>
<td></td>
</tr>
<tr>
<td>Natural Gas O/E</td>
<td>31-4462-101</td>
<td>5,000.00</td>
<td></td>
</tr>
</tbody>
</table>

76,147.00  76,147.00
The Borough Clerk read the following resolution:

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

Resolution #258-12

The governing body hereby approves John Fuhrmann as a volunteer driver for the Office of Senior Services effective immediately.

The Borough Clerk read the following resolution:

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

Resolution #259-12

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.

Council President DiMura made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: DiMura, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Board of Education – Council President DiMura mentioned that last week the Board of Education reached out to the Recreation Director and requested to use the baseball field and softball field outfield grass for football practice. The Board of Education was informed that due to the State of Emergency Mountain View Park was closed. Dr. Baker then permitted the football team to practice under the lights in the evening. Council President DiMura stated that the park was closed because the Borough had not yet assessed the lights and did not know if using them would affect the electrical power in the area. The Borough had an agreement regarding the maintenance of these fields with the Board of Education that expired in December, 2010, and we have been trying to get together with them to discuss this agreement since July. Council President DiMura suggested that due to the actions of Dr. Baker he would like Council to close the fields to the Board of Education until we have a valid agreement with them. Mayor Dobies requested that a resolution be endorsed that the Board of Education shall no longer be permitted to use or make any improvements to or upon the fields at Mountain View Park until such time as an approved agreement between the Borough of Middlesex and Borough of Middlesex Board of Education is reached and duly approved by the Mayor and Council. Council approved this resolution below.

2. Middlesex Community Pool – Proposal to Increase Rates of Annual Membership – Council requested that the Swim Pool Commission provide backup information as to why it wants to increase fees.

3. The governing body agreed to cancel the December 4, 2012 Regular Public
Meeting due to having a quorum, and only hold a meeting on December 18, 2012.

______________

PUBLIC COMMENTS

Mayor Dobies opened the Public Portion of the meeting for any comments.

Pete Wozniak, 1200 Sheridan Avenue discussed the costs and expenses incurred for Sandy and the Emergency Appropriation resolution. Mr. Wozniak also discussed the town of New Egypt purchasing electricity for all of its residents at a better price and gave this information to council to look into.

John Erickson, 209 Second Street discussed the amount of the emergency appropriation allocation and the proposal for increase to join the Middlesex Pool.

Kevin Redzinski, 441 Fairview Avenue discussed that they should make it standard operating procedure to open the spill way at the lake for all future storms. Also, he discussed the Superintendent allowing the football team to use the park when it was closed due to Hurricane Sandy.

John Doesburgh, 437 Fairview Avenue discussed (1) the Board of Education using Mountain View Park after Hurricane Sandy; (2) recognized Councilwoman Tackach for her help during the storm; (3) Information on Facebook regarding Hurricane Sandy and having a Borough Facebook page to increase communication; (4) the information that was put on Nixle; (5) the Shade Tree Commission and their credentials to evaluate trees; and (6) the responsibility of the sidewalk broken due to tree roots.

Dan Barlette, 516 Clinton Avenue discussed (1) the OEM procedures and their communication strategy; (2) pushing the twitter page; (3) why there were not detour signs to reroute traffic on route 28; (4) why a curfew was not enacted; and (5) when the park will be cleared of debris.

John Hoffman, 455 Lincoln Boulevard discussed: (1) when the trees will be cleaned up on Lincoln Boulevard; (2) the conditions of the sidewalk on Lincoln Boulevard near C Street; (3) PSE&G not doing job taking care of their property (poles that went down in Middlesex); (4) smell from Spray Tec on Sunday at Pathmark; (5) parking of landscape vehicle on business property; and (6) commended the borough for the job done with the storm.

Amy Bigge, 5 Marshall thanked the governing body for the great job done with the storm clean up and the distribution of food after Hurricane Sandy.

Betty Platten, 4 Hooker Place commended the Mayor and Council for their help with regard to Hurricane Sandy along with the OEM, Fire, Police and Rescue Squad. Ms. Platten also discussed the train whistle on Cedar Avenue and the need for a “quiet zone”.

Council President DiMura commended Councilwoman Jenkins and Tackach for the great job that they did after the storm.

Mayor Dobies addressed all issues that were discussed in the public.
Seeing that there was no further public comment, Mayor Dobies closed the public portion of the meeting.

The Borough Clerk read the following resolution:

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

**Resolution #260-12**

**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. Vacation Policy
2. Increases for Part Time Employees
3. Time Allotted for Hurricane Sandy

Councilwoman Jenkins made a motion for approval, seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Members DiMura, Jenkins, Kaplan and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

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

**Resolution #261-12**

**WHEREAS**, the Borough of Middlesex and the Borough of Middlesex Board of Education have previously entered into negotiations and agreements regarding the use of Borough property by the Borough of Middlesex Board of Education; and

**WHEREAS**, the Borough of Middlesex and the Borough of Middlesex Board of
Education do not currently have an agreement regarding the use of Borough property by the Borough of Middlesex Board of Education; and

WHEREAS, the immediately preceding agreement between the Borough of Middlesex and the Borough of Middlesex Board of Education expired on or about December 31, 2010.

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 Borough of Middlesex Board of Education shall no longer be permitted to use or make any improvements to or upon the following Borough properties until such time as an approved agreement between the Borough of Middlesex and Borough of Middlesex Board of Education is reached and duly approved by the Mayor and Council:
   1. The football field located at the Middlesex Borough High School.
   2. The Borough baseball fields and softball fields at Mountain View Park.
   3. The soccer fields located at Mountain View Park.
2. This resolution shall take effect November 23, 2012.

Council President DiMura made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Members DiMura, Jenkins, Kaplan and Tackach. Nos.: None. Abstain: None.

ADJOURNMENT

Council President DiMura made a motion to adjourn the Regular Meeting seconded by Councilman Kaplan and carried by unanimous vote of members present.

Respectfully submitted,

Kathleen Anello, RMC
Borough Clerk
BOROUGH OF MIDDLESEX

SPECIAL MEETING MINUTES

DECEMBER 18, 2012

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 the Annual Meeting Notice of December 16, 2011 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

A moment of silence was observed for the Newtown, Connecticut tragedy.

SALUTE TO THE FLAG

ROLL CALL

Mayor                                      Ronald Dobies
Council President:                     Ron DiMura
Jeffrey First
Sean Kaplan
                         Patricia Jenkins
                         Michael Paff
                         Michele Tackach

Attorney:                                 Aravind Aithal

PRESENTATIONS-NONE

PROCLAMATIONS-NONE

PUBLIC HEARINGS

The Borough Clerk read Ordinance No. 1820-12 by title saying it had been posted on
the bulletin board and made available for any person who wanted a copy.

BOROUGH OF MIDDLESEX

ORDINANCE NO. 1820-12

AN ORDINANCE TO AMEND CHAPTER 80, POLICE DEPARTMENT SECTION 80-15A & SECTION 15B CLASSES OF PATROLMEN, ADVANCEMENT AND SECTION 80-16A, 80-16B, 80-16C, 80-16D & 80-16E PROMOTIONS OF THE CODE OF THE BOROUGH OF MIDDLESEX

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

(1) Chapter 80-15A & Chapter 80-15B Classes of Patrolmen; Advancement shall be amended to read as follows:

A. There will be eight (8) classes of patrolmen which shall be known as “Patrolman Class A,” “Patrolman Class B,” “Patrolman Class C,” “Patrolman Class D,” “Patrolman Class E,” “Patrolman Class F,” “Probationary Patrolman” and “Academy Patrolman.”

B. The Academy Patrolman shall advance to Probationary Patrolman level upon graduation from the Academy. The patrolman shall advance from Probationary Patrolman after one year of satisfactory service, upon the recommendation of the Chief of Police. The patrolman will become eligible for additional advances in grade at the expiration of each additional year, upon the recommendation of the Chief of Police, until they have reached Class A, and they shall be paid salaries designed in the Salary Ordinance under the established categories.

(2) Chapter 80-16A, Chapter 80-16B, Chapter 80-16C, Chapter 80-16D, Chapter 80-16E Promotions shall be amended to read as follows:

A. All promotions to superior positions shall be made from the membership of the Middlesex Police Department. In order to be eligible for promotion to the rank of Corporal or Sergeant a candidate must be a Class A Patrolman with a minimum of five (5) years of continuous service with the Middlesex Police Department. In order to be eligible for any rank above Sergeant, a candidate must have held the position of Sergeant for at least two (2) years. All candidates for promotions must have satisfactorily completed all assigned training in order to be eligible for promotion. Promotions to the rank of Corporal shall be made upon the recommendation of the Chief of Police and approval of the Mayor and Council, based upon the candidate’s length and merit of service as provided in N.J.S.A. 40A:14-129.

B. Promotional process for all positions, other than Captain of Police and Chief of Police, will be delineated by General Order in the Middlesex Borough Police Department Policy and Procedures Manual. Eligible candidates will be elevated and rated on a range of criteria to include, but is not limited to: a resume, interview with a professional review board, review of performance and personnel file. No minimum score is required in any one section in order to continue to any other section of the promotional process.

C. Eligibility list. An eligibility list will be established based upon the final evaluation scores. The eligibility list shall remain in effect for a period of two years from the date posted.
D. Selection process. The Mayor and Council, after considering and weighing the recommendation of the Chief of Police, shall promote the highest-scoring candidate or candidates.

E. Testing process for promotion to the position of Captain of Police and Police Chief.
   1. The promotion to the position of Captain of Police and Police Chief shall be the sole prerogative of the Mayor and Council. Only superior officers (Sergeant or higher in rank) are eligible for promotion to Captain of Police and Police Chief. Eligible candidates will be evaluated and rated on a range of criteria to include but is not limited to: a resume, interview with the Mayor and Council, review of performance and personnel file. In the promotion of Captain of Police the Police Chief will sit in on the interview but will not take part in any scoring. No minimum score is required in any one section in order to continue to any other section of the promotional process.
      a. Mayor and Council Interview. The candidates will be interviewed by the Mayor and Council, and they will review the candidate's personnel file, work history and job performance, will evaluate recommendations of the Police Chief, and any written recommendations in the candidate’s file from members of the Middlesex Police Department or by other members of the general public, if any, and will also observe the manner in which the candidates answer questions in order to determine his or her ability to assume the duties and responsibilities of the Captain of Police or the Police Chief.
      b. Final decision for the promotion or appointment shall rest with the Mayor and Council.

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 the above sections in Chapter 80 Police Department as stated.
2. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.
3. This Ordinance shall take effect immediately upon final passage and publication according to law.

Mayor Dobies opened the Public Hearing on Ordinance No. 1820-12. Seeing that there was no public participation, Mayor Dobies closed the Public Hearing on Ordinance No. 1820-12.

Council President DiMura made a motion for approval, seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, Paff and Tackach. Nos.: None. Abstain: None.

NEW BUSINESS

APPOINTMENTS
Mayor Dobies moved to accept the resignation of Ms. Fran Benitz from the Library Board of Trustees and the resignation of Mr. Jeffrey D’Ambrosia from the Planning Board seconded by Councilman Kaplan and carried by a unanimous vote of Council.

Mayor Dobies appointed Ms. Carolina Marino to the Recreation Commission for a term expiring December 31, 2015.

ADOPTION OF MINUTES

Council President DiMura moved the approval of the November 20, 2012 Regular Meeting Minutes seconded by Councilman Kaplan and carried by a unanimous vote of Council.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance
   a. Council President DiMura moved the approval of the November 20, 2012 Finance Report seconded by Councilman Kaplan and carried by a unanimous vote of Council.
2. Recreation/Recreation Fields/Water & Light – Councilwoman Tackach had nothing to report.
3. Fire/OEM/Board of Health/Rescue Squad – Councilman Kaplan had nothing to report.
5. Police/Legal/Code Enforcement/Municipal Court – Councilman Paff had nothing to report.
6. Administration/Office on Aging/Legislation/License/Buildings & Grounds - Councilman First had nothing to report.

REPORTS – OTHER:

Mayor

1. BOE Lease Agreement – Mayor Dobies stated that he intended on having better news with regard to the Lease Agreement with the Board of Education. This was discussed with the respective attorneys, and revisions were made. The Board of Education did not pass the agreement last night and have been told that the Superintendent would respond by the January 15th meeting. This will be discussed further in executive session.

The Borough Clerk read the following resolution:

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

Consent Agenda 2012(U)
WHEREAS, the Mayor and Council of the Borough of Middlesex has reviewed the Consent Agenda consisting of various proposed resolutions; and

WHEREAS, the Mayor and Council of the Borough of Middlesex is desirous of removing Resolution Nos. #266-12, #269-12, #270-12, #271-12, #272-12, and #286-12 from this Agenda.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following resolutions on the Consent Agenda are hereby approved and adopted.

Resolution #262-12 - Resolution #265-12
Resolution #267-12 – Resolution #268-12
Resolution #273-12 – Resolution #285-12
Resolution #287-12 – Resolution #288-12
Resolution #291-12

Councilman Kaplan made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, Paff and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

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

Resolution #262-12

The Middlesex Pool Commission is leaving $3,001.00 in the Snack Bar Account for the 2013 swim pool season.

The Borough Clerk read the following resolution:

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

Resolution #263-12

WHEREAS, ADT Security Services received Electric Permit No. 20120425 on July 11, 2012 to install an alarm system at 12 Marlborough Avenue; and

WHEREAS, ADT submitted Check #1624 dated July 17, 2012, payable to the Borough of Middlesex for payment of said Electric Permit; and

WHEREAS, the homeowner cancelled the contract and the alarm system
was never installed.

**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 $60.80 in favor of ADT Security Services, 21 Northfield Ave., Edison, NJ 08837 for refund of the fee for Electric Permit #20120424.

The Borough Clerk read the following resolution:

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

**Resolution #264-12**

The Treasurer is hereby authorized to refund $100.00 to Middlesex Funeral Home, 528 Bound Brook Road, Middlesex, NJ for an error they made through the Electronic Death Registration System with regard to certified copies.

The Borough Clerk read the following resolution:

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

**Resolution #265-12**

The Treasurer is hereby authorized to refund $50.00 to Harvest Moon Gourmet, 188 Westervelt Avenue, North Plainfield, NJ 07060 for a Vending Machine License, as the requested location for this vending machine was not approved by the Zoning Official.

The Borough Clerk read the following resolution:

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

**Resolution #267-12**

WHEREAS, an emergency has arisen with respect to Hurricane Sandy 2012 and, no adequate provision was made in the 2012 budget for the aforesaid purpose, and NJSA 40A:4-54 provides for the creation of an emergency appropriation for the purpose mentioned above, and

WHEREAS, the need has arisen to increase the emergency appropriation for Hurricane Sandy by the amount of $200,000.00, and

WHEREAS, the total amount of the amended emergency appropriations created, including the appropriation to be created by this resolution is $400,000.00 and three (3) percent of the total operating appropriations in the budget for 2012 is
$428,802.57 and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2012,

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJSA 40A:4-54:

• An emergency appropriation is hereby made for Hurricane Sandy in the amount of $400,000.00

• That the emergency appropriation shall be provided for in the budgets of the next succeeding years by the inclusion of not less than $80,000.00.
• That the statement required by the Local Finance Board has been filed with the Clerk and a copy will be transmitted to the Director of Local Government Services.

• That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services.

The Borough Clerk read the following resolution:

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

Resolution #268-12

A RESOLUTION AUTHORIZING REIMBURSEMENT OF MEDICARE PREMIUMS FOR CERTAIN ELIGIBLE PENSIONERS UNDER CHAPTER III, PUBLIC LAW 1973, N.J. HEALTH BENEFITS PLANS

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

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

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex that the disbursing officers be and they are hereby authorized to draw checks, charged against Insurance (1) Group Insurance for Employees from the period July through December 2012, as follows:

Robert H. Agans $578.40 Archie J. Blood, Jr. $578.40
16 Marlborough Avenue 54 Lincoln Avenue
Middlesex, NJ 08846 Barnegat, NJ 08005
<table>
<thead>
<tr>
<th>Name</th>
<th>Amount</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anthony DiBartolomio</td>
<td>$578.40</td>
<td>4714 Southern Trail</td>
</tr>
<tr>
<td>Angeline DiBartolomio</td>
<td>$578.40</td>
<td>4714 Southern Trail</td>
</tr>
<tr>
<td>Myrtle Beach, SC 29579</td>
<td></td>
<td>Myrtle Beach, SC 29579</td>
</tr>
<tr>
<td>Earl S. Thompson</td>
<td>$578.40</td>
<td>6525 41 Avenue North</td>
</tr>
<tr>
<td>Susan Cole</td>
<td>$692.40</td>
<td>246 Oak Drive</td>
</tr>
<tr>
<td>6525 41 Avenue North</td>
<td></td>
<td>St. Petersburg, FL 33709-4907</td>
</tr>
<tr>
<td>St. Petersburg, FL 33709-4907</td>
<td></td>
<td>Myrtle Beach, SC 29579</td>
</tr>
<tr>
<td>Rita Wahler</td>
<td>$599.40</td>
<td>16 Fitzsimmons Ave</td>
</tr>
<tr>
<td>Anthony Cole</td>
<td>$578.40</td>
<td>246 Oak Drive</td>
</tr>
<tr>
<td>Middlesex, NJ 08846</td>
<td></td>
<td>Middlesex, NJ 08846</td>
</tr>
<tr>
<td>Charlie Nash</td>
<td>$578.40</td>
<td>213 Melrose Avenue</td>
</tr>
<tr>
<td>Diane Nash</td>
<td>$578.40</td>
<td>213 Melrose Avenue</td>
</tr>
<tr>
<td>Middlesex, NJ 08846</td>
<td></td>
<td>Middlesex, NJ 08846</td>
</tr>
<tr>
<td>Lorraine Smith</td>
<td>$578.40</td>
<td>5602 Gold Ct.</td>
</tr>
<tr>
<td>John Giuliani</td>
<td>$578.40</td>
<td>339 Second Street</td>
</tr>
<tr>
<td>New Bern, NC 28560-9747</td>
<td></td>
<td>Middlesex, NJ 08846</td>
</tr>
<tr>
<td>Jerome Nowak</td>
<td>$578.40</td>
<td>6544 North Kennedy Avenue</td>
</tr>
<tr>
<td>Arthur Roberts</td>
<td>$578.40</td>
<td>305 Harris Avenue</td>
</tr>
<tr>
<td>Fresno, CA 93710</td>
<td></td>
<td>Middlesex, NJ 08846</td>
</tr>
<tr>
<td>Dorothy Coren</td>
<td>$663.00</td>
<td>20 Mead Avenue</td>
</tr>
<tr>
<td>20 Mead Avenue</td>
<td></td>
<td>Middlesex, NJ 08846</td>
</tr>
</tbody>
</table>

The Borough Clerk read the following resolution:
BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #273-12

The Tax Collector is hereby authorized to issue a check in the amount of $8,201.07 to redeem tax sale monies paid at November 27, 2012 tax sale on Block 314, Lot 14.01, Cronk Place. The property owner came in the afternoon of the tax sale to redeem before a tax sale certificate was issued. The check is to be made payable to:

FWDSL & Associates LP
5 Cold Hill Road South #11
Mendham, NJ 07945

The Borough Clerk read the following resolution:

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

Resolution #274-12

The Tax Collector is hereby authorized to refund an overpayment of 4th quarter 2012 property taxes due to an overpayment by the finance/mortgage company on the following property:

<table>
<thead>
<tr>
<th>BLOCK/LOT</th>
<th>NAME &amp; ADDRESS</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>79/12</td>
<td>Saltzman, Philip</td>
<td>$1,750.00</td>
</tr>
<tr>
<td></td>
<td>19 Ramsey Rd</td>
<td></td>
</tr>
</tbody>
</table>

Check is to be made payable to: Flagstar Bank

Attn: Refunds Department
1 CoreLogic Drive
Westlake, TX 76262

| 81/14.01  | Coffey, Michael     | $1,998.44 |
|           | 53 Greenbrook Rd    |          |
Check is to be made payable to: Cenlar Federal Savings
Attn: Refunds Department
1 CoreLogic Drive
Westlake, TX 76262
_________________________________________________________________

The Borough Clerk read the following resolution:  

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

**Resolution #275-12**

The Tax Collector is hereby authorized to amend 2012 Sanitary Sewer Use Charges on the following property.

<table>
<thead>
<tr>
<th>BLOCK/LOT</th>
<th>NAME &amp; ADDRESS</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>290/1</td>
<td>National Dust Control</td>
<td>$</td>
</tr>
<tr>
<td>1,798.46 new</td>
<td></td>
<td></td>
</tr>
<tr>
<td>200 Blackford Ave</td>
<td>$11,629.23</td>
<td></td>
</tr>
<tr>
<td>old</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The Borough Clerk read the following resolution:  

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

**Resolution #276-12**

The Tax Collector is hereby authorized to transfer monies from the Current Fund into Unity Bank collected at the November 27, 2012 tax sale for premiums on specified properties in the amount of $211,500.00.

<table>
<thead>
<tr>
<th>BLOCK/LOT</th>
<th>NAME &amp; ADDRESS</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>13/55</td>
<td>FWDSL &amp; Associates, LP</td>
<td>$2,000</td>
</tr>
<tr>
<td>14/5</td>
<td>Phoenix Funding</td>
<td>$13,500</td>
</tr>
<tr>
<td>32/2</td>
<td>FWDSL &amp; Associates, LP</td>
<td>$400</td>
</tr>
<tr>
<td>33/1</td>
<td>FWDSL &amp; Associates, LP</td>
<td>$10,000</td>
</tr>
<tr>
<td>44/1</td>
<td>Phoenix Funding</td>
<td>$11,500</td>
</tr>
<tr>
<td>Account Number</td>
<td>Payee</td>
<td>Amount</td>
</tr>
<tr>
<td>----------------</td>
<td>--------------------------------</td>
<td>---------</td>
</tr>
<tr>
<td>71.01/16</td>
<td>Stuart Lasher</td>
<td>$600</td>
</tr>
<tr>
<td>159/4</td>
<td>Phoenix Funding</td>
<td>$10,000</td>
</tr>
<tr>
<td>167.01/6</td>
<td>Phoenix Funding</td>
<td>$17,500</td>
</tr>
<tr>
<td>173/2/C0001</td>
<td>FWDSL &amp; Associates, LP</td>
<td>$3,000</td>
</tr>
<tr>
<td>173/2/C0002</td>
<td>FWDSL &amp; Associates, LP</td>
<td>$3,000</td>
</tr>
<tr>
<td>173/2/C0003</td>
<td>FWDSL &amp; Associates, LP</td>
<td>$3,000</td>
</tr>
<tr>
<td>173/2/C0004</td>
<td>FWDSL &amp; Associates, LP</td>
<td>$3,400</td>
</tr>
<tr>
<td>173/2/C0005</td>
<td>FWDSL &amp; Associates, LP</td>
<td>$3,800</td>
</tr>
<tr>
<td>173/2/C0006</td>
<td>FWDSL &amp; Associates, LP</td>
<td>$3,400</td>
</tr>
<tr>
<td>197/35</td>
<td>Phoenix Funding</td>
<td>$16,500</td>
</tr>
<tr>
<td>209/97</td>
<td>Phoenix Funding</td>
<td>$15,000</td>
</tr>
<tr>
<td>256/12</td>
<td>FWDSL &amp; Associates, LP</td>
<td>$400</td>
</tr>
<tr>
<td>285/54</td>
<td>FWDSL &amp; Associates, LP</td>
<td>$13,500</td>
</tr>
<tr>
<td>288/39</td>
<td>FWDSL &amp; Associates, LP</td>
<td>$23,000</td>
</tr>
<tr>
<td>289/60</td>
<td>FWDSL &amp; Associates, LP</td>
<td>$20,000</td>
</tr>
<tr>
<td>291/43</td>
<td>US Bank Cust\Empire V</td>
<td>$5,000</td>
</tr>
<tr>
<td>309/25</td>
<td>FWDSL &amp; Associates, LP</td>
<td>$10,000</td>
</tr>
<tr>
<td>340/1</td>
<td>FWDSL &amp; Associates, LP</td>
<td>$23,000</td>
</tr>
</tbody>
</table>

The check should be made payable to: Borough of Middlesex

The Borough Clerk read the following resolution:

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

**Resolution #277-12**

The Tax Collector is hereby authorized to refund an overpayment of 4th quarter 2012 property taxes due to an overpayment by the finance/mortgage company on the following property:
The Borough Clerk read the following resolution:

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

**Resolution #278-12**

BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, New Jersey that the disbursing officers be and are hereby authorized to refund escrow monies to close the following escrow accounts:

<table>
<thead>
<tr>
<th>BLOCK/LOT</th>
<th>NAME</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>361/3</td>
<td>Ralyn Realty LLC</td>
<td>$ 568.25</td>
</tr>
<tr>
<td>7760142548</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>30 Baekeland Ave</td>
<td></td>
</tr>
</tbody>
</table>

including interest to date of refund.

The Borough Clerk read the following resolution:

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

**Resolution #279-12**

The Tax Collector is hereby authorized to refund 2nd quarter 2012 property taxes on
The following properties. The finance/mortgage company overpaid.

<table>
<thead>
<tr>
<th>BLOCK/LOT</th>
<th>NAME &amp; ADDRESS</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>121/2</td>
<td>Pasko, Robin</td>
<td>$1,579.83</td>
</tr>
<tr>
<td></td>
<td>207 Chestnut St</td>
<td></td>
</tr>
</tbody>
</table>

The Borough Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that: **Resolution #280-12**

The Tax Collector is hereby authorized to amend 2012 taxes for qualified Senior Citizen, Disabled Person and Veteran deductions:

<table>
<thead>
<tr>
<th>BLOCK &amp; LOT</th>
<th>NAME &amp; ADDRESS</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>86.02/18</td>
<td>Gaither, SE &amp; HM &amp; DiDonato, MI</td>
<td>$250.00</td>
</tr>
<tr>
<td></td>
<td>21 Judson Dr</td>
<td></td>
</tr>
<tr>
<td>174/25</td>
<td>Zaleski, Alexander &amp; Christina</td>
<td>$250.00</td>
</tr>
<tr>
<td></td>
<td>141 Giles Ave</td>
<td></td>
</tr>
<tr>
<td>84/15</td>
<td>Fusco, Peter</td>
<td>$250.00</td>
</tr>
<tr>
<td></td>
<td>40 Ramsey Rd</td>
<td></td>
</tr>
</tbody>
</table>

The Borough Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that: **Resolution #281-12**

The Tax Collector is hereby authorized to refund an overpayment of 4th quarter 2012 property taxes due to an overpayment by the finance/mortgage company on the following property:

<table>
<thead>
<tr>
<th>BLOCK/LOT</th>
<th>NAME &amp; ADDRESS</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
The Borough Clerk read the following resolution:

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

Resolution #282-12

RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF TWO (2) PORT REPLICATOR

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase two (2) port replicators from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

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

WHEREAS, Dell is under State Contract No. 70137 for the year 2012; and

WHEREAS, the cost for the purchase of a printer is not to exceed $239.98; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of port replicators is ordered under State Contract No. 70137 be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed $239.98 is available in Account No. 01-2010-20-1401-062.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that: Resolution #283-12

Budget Transfers for 2012:
<table>
<thead>
<tr>
<th>Department</th>
<th>A/C#</th>
<th>Amount From</th>
<th>Amount To</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction S/W</td>
<td>22-1951-011</td>
<td>5,000.00</td>
<td></td>
</tr>
<tr>
<td>Insurance Temp O/E</td>
<td>23-2122-101</td>
<td>2,000.00</td>
<td></td>
</tr>
<tr>
<td>Insurance Long Term O/E</td>
<td>23-2132-101</td>
<td>1,500.00</td>
<td></td>
</tr>
<tr>
<td>Police S/W</td>
<td>25-2401-011</td>
<td>20,000.00</td>
<td></td>
</tr>
<tr>
<td>Solid Waste S/W</td>
<td>25-3051-011</td>
<td>11,500.00</td>
<td></td>
</tr>
<tr>
<td>Garbage S/W</td>
<td>25-3071-011</td>
<td>30,000.00</td>
<td></td>
</tr>
<tr>
<td>Natural Gas O/E</td>
<td>31-4462-101</td>
<td>5,000.00</td>
<td></td>
</tr>
<tr>
<td>Roads O/E</td>
<td>26-2901-131</td>
<td>10,000.00</td>
<td></td>
</tr>
<tr>
<td>Piscataway Sewer O/E</td>
<td>25-3112-101</td>
<td>60,000.00</td>
<td></td>
</tr>
<tr>
<td>Telephone O/E</td>
<td>31-4402-101</td>
<td>5,000.00</td>
<td></td>
</tr>
<tr>
<td>Totals</td>
<td></td>
<td>75,000.00</td>
<td>75,000.00</td>
</tr>
</tbody>
</table>

The Borough Clerk read the following resolution:

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

Resolution #284-12

AUTHORIZING BOROUGH OF MIDDLESEX TO

ENTER INTO A REDEVELOPMENT AGREEMENT

WITH 150 LINCOLN BOULEVARD, LLC.

WHEREAS, the Redevelopment Law provides a process for municipalities to participate in the redevelopment and improvement of areas in need of rehabilitation; and

WHEREAS, on September 18, 2007, in full accordance with all applicable provisions of the Redevelopment Law, the Borough duly adopted the Lincoln Boulevard Redevelopment Plan, as subsequently amended on August 11, 2011 (the “Redevelopment Plan”); and

WHEREAS, 150 Lincoln Boulevard, LLC. is the owner of property identified as Lots 1 & 2 in Block 129, and Lots 1, 2 & 3 in Block 348 on the Official Tax Map of the Borough, commonly known as 144-150 Lincoln Boulevard, which shall be consolidated and identified as Lot 1.01 on the Official Tax Map of the Borough (hereinafter referred to individually and/or jointly as the “Project Site” and the
WHEREAS, pursuant to the terms and provisions of the Redevelopment Plan, the Redeveloper applied for and on December 19, 2011 obtained Preliminary and Final Major Site Plan approval from the Planning Board of the Borough (the “Planning Board”), as memorialized in a Resolution adopted by the Board on February 8, 2012; and

WHEREAS, in furtherance of the Board’s approval, and as expressly required by Section 15.2 of the Redevelopment Agreement, it is the desire of the Borough to enter into a Redevelopment Agreement and designate the 150 Lincoln Boulevard, LLC. as the redeveloper of the project area, subject to the execution and delivery of the attached Redevelopment Agreement by the Borough and the Redeveloper; and

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

1. The Mayor and Borough Clerk are hereby authorized to execute a Redevelopment Agreement with 150 Lincoln Boulevard, LLC in a form substantially consistent with the document attached hereto, together with such non-material modifications as the Borough’s Redevelopment Attorney may deem appropriate.
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 #285-12

BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, New Jersey that the disbursing officers be and are hereby authorized to refund escrow monies to close the following escrow account:

<table>
<thead>
<tr>
<th>BLOCK/LOT ACCOUNT #</th>
<th>NAME</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>213/2 7760142389</td>
<td>Rawson Food Services Inc</td>
<td>$ 31.96</td>
</tr>
<tr>
<td></td>
<td>1272 Bound Brook Rd</td>
<td></td>
</tr>
</tbody>
</table>

Mail Check To: P O Box 670
Rocky Hill, NJ 08553

including interest to date of refund.
The Borough Clerk read the following resolution:

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

**Resolution #287-12**

WHEREAS, bids were received October 16, 2012 for Howard Avenue Road Improvements;

WHEREAS, there were two bids received which are listed below:

- Top Line Construction Corp                $313,147.47
  22 Fifth St
  Somerville, NJ  08876
- CRC General Contractors                   $329,218.00
  41 Hamilton Ave
  Kearney, NJ  07032

WHEREAS, the Borough Engineer in concurrence with the Borough Attorney recommends to award the bid to Top Line Construction Corp. in the amount of $313,147.47; and

WHEREAS, this award is contingent upon approval from the New Jersey Department of Labor and Division of Wage and Hour Compliance and authorization to award from the New Jersey Department of Transportation.

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 Borough Engineer and Borough Attorney, the governing body hereby awards the bid for the Howard Avenue Road Improvements to Top Line Construction Corp. in the amount of $313,147.47.

NOW FURTHER BE IT RESOLVED, that the Chief Financial Officer hereby certifies that funds in the amount of $300,000 are available in Account No. 04-1818-00-1818-84 and $13,147.47 are available in Account No. 04-1643-00-1643-84.
BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #288-12

WHEREAS, bids were received November 27, 2012 for 2012 Mill and Overlay Project;

WHEREAS, there were seven bids received, the three lowest are listed below:

<table>
<thead>
<tr>
<th>A</th>
<th>TOTAL</th>
<th>BASE BID</th>
<th>ALT.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stilo Excavation Inc</td>
<td></td>
<td>$224,935.50</td>
<td></td>
</tr>
<tr>
<td>2907 South Clinton Ave</td>
<td></td>
<td>$253,924.50</td>
<td></td>
</tr>
<tr>
<td>South Plainfield, NJ 07080</td>
<td>$28,989.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fischer Contracting Inc</td>
<td></td>
<td>$229,417.50</td>
<td></td>
</tr>
<tr>
<td>10 Short Hills Ln</td>
<td></td>
<td>$260,102.50</td>
<td></td>
</tr>
<tr>
<td>Scotch Plains, NJ 07076</td>
<td></td>
<td>$30,685.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>$260,102.50</td>
<td></td>
</tr>
<tr>
<td>DeSantis Construction Inc</td>
<td></td>
<td>$243,437.35</td>
<td></td>
</tr>
<tr>
<td>491 Elizabeth Ave</td>
<td></td>
<td>$275,383.55</td>
<td></td>
</tr>
<tr>
<td>Somerset, NJ 08873</td>
<td></td>
<td>$21,946.20</td>
<td></td>
</tr>
</tbody>
</table>

WHEREAS, the Borough Engineer in concurrence with the Borough Attorney recommends to award the bid to Stilo Excavation Inc. in the amount of $253,924.50; and

WHEREAS, this award is contingent upon approval from the New Jersey Department of Labor and Division of Wage and Hour Compliance.

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 Borough Engineer and Borough Attorney, the governing body hereby awards the bid for the 2012 Mill and Overlay Project to Stilo Excavation Inc. in the amount of $253,924.50.

NOW FURTHER BE IT RESOLVED, that the Chief Financial Officer hereby certifies that funds in the amount of $200,000 are available in Account No. 04-1818-00-1818-84 and $53,924.50 are available in Account No.
The Borough Clerk read the following resolution:

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

**Resolution #291-12**

MIDDLESEX COUNTY MUNICIPAL JOINT INSURANCE FUND

JOINT TRUST AGREEMENT AND RESOLUTION TO JOIN

**WHEREAS,** a number of local governmental units in the State of New Jersey have joined together to form a Joint Insurance Fund as permitted by the Chapter 372 Laws of 1983 (40A:10-36); and

**WHEREAS,** the statutes and regulations governing the creation and operation of a Joint Insurance Fund contain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a Fund; and

**WHEREAS,** the Governing Body of the Borough of Middlesex has determined that membership in the Middlesex County Municipal Joint Insurance Fund (hereinafter referred to as the “Fund”) is in the best interests of itself and its citizens; and

**WHEREAS,** the Governing Body of the Borough of Middlesex has previously executed a resolution to join the Middlesex County Municipal Joint Insurance Fund subject to the acceptance of its assessment;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Middlesex (hereinafter referred to as the “Municipality”) does hereby resolve and agree to become a member of the Fund for a period not to exceed three (3) years beginning January 1, 2013 for the purpose of establishing the following types of coverage:

- Workers’ Compensation and Employer’s Liability;
- General Liability including law enforcement and public officials liability;
- Motor vehicle liability;
- Property damage (buildings, contents, equipment, and motor vehicle);
- Cyber Policy
- Underground Storage Tanks

**BE IT FURTHER RESOLVED,** that the Municipality has never defaulted on claims and has not been canceled for nonpayment of insurance premiums for a period of at least two years prior to the adoption of this Resolution; and

**BE IT FURTHER RESOLVED,** that the Mayor and the Municipal Clerk are authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the Fund and to deliver same to the Executive Director of the Fund with the express reservation that said document shall become
The Borough Clerk read the following resolution:

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

**Resolution #266-12**

Extending the following four intermittent DPW employees until February 28, 2013:

- Brian Palazzi
- Delmar Rouse
- Michael Camacho
- Vacant

Council President DiMura made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, and Paff. Nos.: None. Abstain: Tackach.

The Borough Clerk read the following resolution:

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

**Resolution #269-12**

Karen Wick’s hours are hereby increased as Clerk in the Construction Office to 30 hours per week.

Council President DiMura made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, and Paff. Nos.: None. Abstain: Tackach.

The Borough Clerk read the following resolution:

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

**Resolution #270-12**

Jim Ayotte’s hours are hereby increased as Construction Official in the Construction Office to 30 hours per week.

Council President DiMura made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, and Paff. Nos.: None. Abstain: Tackach.
The Borough Clerk read the following resolution:

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

**Resolution #271-12**

Ryan Zittel’s hours are hereby increased as IT employee in the Borough to 30 hours per week.

Council President DiMura made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, Paff and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

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

**Resolution #272-12**

Terminating the part time intermittent employment of Vito Tolomeo in the DPW effective December 10, 2012.

Council President DiMura made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, and Paff. Nos.: None. Abstain: Tackach.

The Borough Clerk read the following resolution:

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

**Resolution #286-12**

**AUTHORIZING AN AMENDMENT OF**

**SECTION 9.8 OF THE PERSONNEL POLICY**

**OF THE BOROUGH OF MIDDLESEX ENTITLED**

**“HOLIDAY AND VACATION BENEFITS”**

**WHEREAS**, the Borough of Middlesex (hereinafter the “Borough”) previously adopted the “Borough of Middlesex Personnel Policy” (hereinafter the “Personnel Policy”) on August 18, 1999, subsequently amended on January 22, 2008 and March 22, 2011; and
WHEREAS, pursuant to Section 1 of the Personnel Policy, the Governing Body is authorized to amended the Personnel Policy, from time to time as deemed necessary, by resolution; and

WHEREAS, as provided in Section 1 of the Personnel Policy, the purpose of the Personnel Policy is to set forth regulations and policies applicable to all employees of the Borough and to provide for the administration of such regulations and policies; and

WHEREAS, the Governing Body has deemed it necessary to amend Section 9 of the Personnel Policy, to include under Section 9.8:

Section 9.8 Expiration of Vacation Benefits. Each and every employee without exception must take authorized annual vacation periods for health, rest, relaxation and pleasure within the calendar year. Extra compensation will not be allowed in lieu of unused vacation.

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

1. Section 9.8 Expiration of Vacation Benefits of the Personnel Policy is hereby amended as stated above; and
2. This Resolution shall take effect immediately.

Council President DiMura made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, and Paff. Nos.: None. Abstain: Tackach.

The Borough Clerk read the following resolution:

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

Resolution #289-12

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.

Council President DiMura made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: DiMura, First, Jenkins, Kaplan, Paff and Tackach. Nos.: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS- NONE
PUBLIC COMMENTS

Mayor Dobies opened the Public Portion of the meeting for any comments.

Dave Oliver, 216 Ashland Road spoke regarding the events that took place in Connecticut and indicated that he was speaking with the Superintendent of Schools and with the Chief of Police and wanted to reassure the community that we are as protected as we can be. He has great faith and trust in the Police Department and respect for the teachers in the school system. He also discussed that when he left council in 2001 the Police Department had 32 members and requested that the council consider increasing the force back to a 32 member department.

Ed Johnson, 216 Hazelwood Avenue spoke on behalf of himself and his neighbors to thank the mayor and council for the wonderful job done by everyone during the storm, especially the DPW. Because we will continue to have the floods and storms, we are lucky to have these DPW employees.

Frank Ryan thanked everyone involved with the storm because he knows that they worked around the clock to help. He also mentioned that he was annoyed with the Courier News about the article with the lights at the football field. Mr. Ryan also mentioned an article in the Star Ledger about a man in Newark that recycles oils, both cooking and vegetable and has contracts in various towns and suggested we consider setting up a tank in the recycling center to recycle this oil to diesel fuel. Mr. Ryan also thanked both Councilmen First and Paff for the time that was spent on council and hopes that they continue their involvement with the town. Mr. Ryan wished the governing body a Merry Christmas.

Steve Yacik, 13 Shearn Drive commented on the interactions with the Board of Education on the shared service agreement and its current status. His perception over the past few weeks is that both the board attorney and borough attorney had amicable interactions moving towards an agreement. He mentioned that the Board of Education will respond to the resolution in early January and hopes that the dialog continues, and we work together for the good of the town and the children.

Kevin Ruzinski, 441 Fairview Avenue discussed that this arguing with the Board of Education and Borough has already cost the taxpayers. He requested that the council rescind the resolution, so that there will be another 45 days before we enter into litigation.

John Hoffman, 455 Lincoln Boulevard thanked everyone that serves this town and the community and wished everyone a Merry Christmas and a Happy New Year.

Bob Sherr, 212 Lucia Street thanked the governing body and borough employees for the work done during the storm. He would hope that the governing body and the Board of Education could work out an agreement and recommended that both the school and governing body have greater dialog so that the schools are safe and secure given what is going on. Former Mayor Sherr also commended both Councilman Paff and First for their service to the borough.

Mayor Dobies addressed all issues that were discussed in the public.

Seeing that there was no further public comment, Mayor Dobies closed the public
Mayor Dobies stated that in Executive Session we will also be discussing the closure of specific recreational properties and the Board of Education Facility Use Agreement. Possible action may be taken after executive session.

Mayor Dobies also thanked both Councilman First and Paff for their contribution on the Borough Council and wished both of them future success. Both Councilman Paff and First expressed their thanks for allowing them to serve on the Council.

The Borough Clerk read the following resolution:

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

**Resolution #290-12**

**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. DPW request for compensation time for Hurricane Sandy

Councilwoman Jenkins made a motion for approval, seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Members DiMura, First, Jenkins, Kaplan, Paff and Tackach. Nos.: None. Abstain: None.

Council President DiMura moved to reconvene the Regular Meeting seconded by Councilman Kaplan and carried by a unanimous vote of Council.

The Borough Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that:
Resolution # 292-12

WHEREAS, the Borough of Middlesex has a duty and responsibility to the residents and users of certain Borough properties to assure that recreational properties within the Borough are in a safe condition; and

WHEREAS, the Borough of Middlesex has a duty and responsibility to adequately maintain the recreational properties within the Borough; and

WHEREAS, the costs, materials and manpower required to maintain and assure the safe condition of the recreational properties within the Borough are significant; and

WHEREAS, “Super Storm” Sandy has exacerbated the conditions of certain recreational properties within the Borough to a degree rendering them in need of significant improvements, repairs and/or maintenance; and

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

1. The Mayor and Council of the Borough of Middlesex shall authorize the closure of the following recreational properties until further notice:
   1. The football field located at the Middlesex Borough High School.
   2. The Borough baseball fields and softball fields.
   3. The soccer fields located at Mountain View Park.
   4. The northern portion of Mountain View Park.
   5. The field immediately west of the football field.
   6. The above named recreational properties shall remain closed until the Mayor and Council of the Borough of Middlesex determine that they are safe for use by the residents of the Borough and the public and/or a plan is approved for the improvements, repair and/or maintenance of such properties.

2. This resolution shall take effect immediately.

Councilman DiMura made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Members DiMura, First, Jenkins, Kaplan, and Paff Nos.: Tackach. Abstain: None.

The Borough Clerk read the following resolution:

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

Resolution # 293-12

The Mayor is hereby authorized to execute the Board of Education Facility Use Agreement between the Borough of Middlesex and the Middlesex Board of Education and the Athletic Fields & Facility Use Agreement.

Councilman DiMura made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Members DiMura, First, Jenkins, Kaplan, Paff and Tackach. Nos.: None. Abstain: None.
Council President DiMura made a motion to adjourn the Regular Meeting seconded by Councilman Kaplan and carried by unanimous vote of members present.

Respectfully submitted,

Kathleen Anello, RMC

Borough Clerk