

MUNICIPAL BUILDING
Middlesex, NJ 08846
January 1, 2014

The 2014 Reorganization Meeting of the Mayor and Council was held at the above place on the above date at 12:00 p.m. 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 31, 2012.

Councilmen Sean Kaplan and Stephen Greco were administered the Oath of Office by Mayor Dobies.

The following responded to roll call of the 2014 Mayor and Council:

Mayor	Ronald S. Dobies
Council Members	Kevin Dotey
	Stephen Greco
	Patricia Jenkins
	Sean Kaplan
	Bob Schueler
	Michele Tackach

Comments were made by Councilman Kaplan

Councilman Kaplan thanked his family along with former Council President DiMura for their support in allowing him to serve another term as Councilman. Also, Councilman Kaplan thanked the residents for believing in him and recognized the contributions of the many volunteers in the Borough.

Comments were made by Councilman Greco

Good afternoon and a Happy New Year to all. Thank you all for coming today. I would like to take some time thank some of the people for their support and helping me to this position.

First – my family, my wife Susan and children, without their support, I would have gone nowhere fast. I would like to thank my running mate, Dan Barlette his family, we had a vision of what we wanted to accomplish and you brought the skills to the table to allow us to walk the Borough in an efficient manner.

The Middlesex Borough Republican Organization, you know who you are, you took a chance on an unknown in the political community, in fact two unknowns and placed us on the campaign ticket.

Finally to the residents of Middlesex, your support and feedback fueled the fire inside to continue forward on the path to earn this position. I will do what you elected me to do, to do my best and do what is right for Middlesex. It will be an honor and a privilege to serve you.

It is now my job to work with the Mayor and council, to ensure we are doing our best to maximize our resources to provide for the broadest range of services to our community while curbing spending and maintaining taxes at a reasonable level. This cannot be done alone, your feedback and ideas are needed to fuel our creative fires, please do not hesitate to reach out to the Mayor and council with your thoughts.

I will promise to be responsive to your needs, to be respectful in every way and to deliver a great experience for our residents.

Thank you again! Happy New Year

Mayor Dobies' New Year's Address:

On behalf of the Governing Body I wish all our residents, their family and friends a happy, healthy and safe New Year.

I would like to thank our Fire Department, Office of Emergency Management, and all our volunteers serving on boards, committees and commissions for their dedicated service to our Borough and our residents. Our emergency team includes the Fire Department, OEM, Police Department, Rescue Squad and DPW are to be commended for their tireless service and expertise during Borough emergencies and non-emergency activities. Our administrative team composed of all our department heads and their individual sections were vital to our continued successes in 2013, while at the same time helping our residents, and are too recognized for their expertise and the handling of numerous activities. On behalf our Governing Body thanks all for the time you spent helping our residents and moving our Borough forward.

Although we had a very successful 2013 that is now history and we must turn our attention to the 2014 Borough and Community projects, and the Governing Body and Department Head goals and objectives.

The last two years we have been able to provide low costs tax increases, but 2014 will be more difficult with the many personnel and infrastructure projects as well as the business and resident concerns. With many of our resident feeling the negative effects of the economy our primary goal must be the preparation of a cost conscience budget. I fully realize that the majority of the tax money goes to the Board of Education and Middlesex County which is almost as much as our municipal tax. We all support the funding for the education of our children, but we also hope that their budget reflects the position many of our residents are in, without affecting our children's education.

The success we had last year in the de-snagging of streams and our mill and overlay road work must continue this year as a priority. Our efforts to continually protect those in flood hazard areas are a necessity. Our mill and overlay road work must continue to protect our infrastructure. The mill and overlay work is about 1/3 the cost of total road reconstruction thus allowing us to improve more roads for the same cost we would have to spend on one reconstructed road.

We awarded a contract to improve the Bound Brook lift station, but that is only the first step in our program to reduce the costly amount for treatment of water, grease, fats, etc., that is infusing into our sewer system.

We will be working with Dr. Madison and the Board of Education team to renovate and improve the Football field. Since the total cost could exceed \$2 million dollars this will be a multi-year program that we hope will be subsidized with a Middlesex County grant. Our initial work will be renovating the football field. Early in January our engineer will meet with the Board Team to go over the entire program that includes major renovation in the bleachers, lights, score board, etc.

We must take more aggressive approaches to eliminate quality of life issues caused by airborne odors. After meeting with our environmental attorney and engineer early next year I will discuss the potential legal actions with the Borough Council and most likely the company (s) involved before taking any action.

As a personal goal I will expand the lines of communication with our business and residential communities to make our action more visible and relevant to their concerns. Our residents and business community must realize communications works both ways and unless we know what your concerns are we can't help resolve them. In that vein, I will be available in my office all week for those that want to meet personally.

The Borough Clerk read the following resolution.

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

RESOLUTION #1-14

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 Aravind Aithal, Esq. of 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, 2014 to December 31, 2014 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. Aravind Aithal, Esq. of 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, 2014 through December 31, 2014 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 Kaplan moved for adoption, seconded by Councilwoman Jenkins and carried by the following roll call vote. Ayes: Dotey, Jenkins, Kaplan, Schueler and Tackach. Nos: None. Abstain: Greco.

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

The Borough Clerk read the following names for the 2014 Fire Officials:

2014 Fire Officials

Chief	Dave Bird
First Asst. Chief	James Rinker
Second Asst. Chief	Kevin Mott

Company No. 1 – Lincoln Hose

Captain	Jim Singer
Lieutenant	Mark Rutledge
Engineer 21	Tom Kurtz
Honorary Assistant	
Captain	Mark Colacci

Approved Drivers Truck 21: John Hein, Brian Mattox, Mark Rutledge, Colin McKeown, Shawn Young, Jim Singer, Tom Kurtz

Approved Drivers Truck 25: Jim Singer, John Hein, Brian Mattox, Mark Rutledge, Colin McKeown, Tom Kurtz, Shawn Young

Company No. 2 – Beechwood Heights

Captain	Darren Lubetkin
Lieutenant	Dan Delsignore
Engineer	Chris Reichert
Asst. Engineer	Eric Chomen

Approved Drivers Truck 22: Chris Reichert, Brian Chomen, Randy Rudnick, Robert Schneider, Darren Lubetkin, Dan DelSignore, Eric Chomen, Steve Tarbous, Rich Tarbous, Jason Dudley

Company No. 3 – Pierce

Captain	William Smith
Lieutenant	Ken Bartok
Engineer 23	Chad Heulitt
Asst. Engineer	Chris Dubois

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

Company No. 4 - Parker

Captain Ed Winters, Jr.
Lieutenant Andy Castaldo
Engineer 24 Bob Poltorak
Asst. Engineer Richard Reedy, Jr.

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

Approved Drivers for TK18: Jackie Giardino, Mike Lane, John Hommas, Bob Reale & Andy Klein

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

2014
Police Matrons

Constance Johnson Mary Eloe
Cynthia Chomen

School Crossing Guards

Isobel Mckeown Patricia Slaktowicz
James Green, Sr. Carol Schenck
Kenneth Larson Nicholas DiGrazia
Laurina Tolomeo Robert Guidi
Constance Johnson Madeline Havet
Howard Killian Anthony Parenti

**MAYOR'S APPOINTMENTS FOR 2014 THAT REQUIRE NO
CONFIRMATION**

PLANNING BOARD

Robert Schueler (Class III)	1-year	12/31/14
Paul Woska (Alt. I)	2-year	12/31/15
Andrew Galida	4-year	12/31/17
Ron DiMura	4-year	12/31/17
Jeff First (Mayor's Rep.)	2-year	12/31/15

RECREATION COMMISSION

Sherley Penrose	5-year	12/31/18
John Nicholson	5-year	12/31/18

BEAUTIFICATION COMMITTEE/911 COMMITTEE

Sherley Penrose	1-year	12/31/14
Pam Teitelbaum	1-year	12/31/14
Julia Rosato	1-year	12/31/14
John Yaniero	1-year	12/31/14
Nancy Avery	1-year	12/31/14

VICTOR CROWELL PARK COMMITTEE

Frank Ryan - Chairman	1-year	12/31/14
Patricia Rex	1-year	12/31/14
Richard Thomasey	1-year	12/31/14
Patti McGuire	1-year	12/31/14
Joey Bracey	1-year	12/31/14
Elizabeth Platten	1-year	12/31/14

SENIOR CITIZEN HOUSING

John Fuhrmann	1-year	12/31/14
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SHADE TREE COMMISSION

Frank Ryan	5-year	12/31/18
Betty Platten (Alt. 1)	1-year	12/31/14

CELEBRATION COMMITTEE

Fran Benitz	1-year	12/31/14
Jack Costa	1-year	12/31/14
David Bird	1-year	12/31/14
Dina Fornataro-Healey	1-year	12/31/14
Helena Gathier	1-year	12/31/14
Jim Rinker	1-year	12/31/14

**MAYOR'S APPOINTMENTS FOR 2014 THAT REQUIRE
CONFIRMATION****BOARD OF HEALTH**

Charles Corcoran	1-year	12/31/14
Tom Harrity	4-year	12/31/17
Audrey Powers (Alt. 2)	2-year	12/31/15

LIBRARY BOARD

James Benson	5-year	12/31/18
Catherine Ferris	5-year	12/31/18
Richard Paul	1-year	12/31/14

(Mayor's Representative)

SWIM POOL COMMISSION

Lee Poandl	5-year	12/31/18
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HOUSING & COMMUNITY DEVELOPMENT ADVISORY COMMITTEE

Andrea Corcoran	3-year	12/31/16
Sheila Grinell	3-year	12/31/16
Mike Jones	3-year	12/31/16
Michelle Tackach (Mayor's Representative)	1-year	12/31/14

GREENBROOK FLOOD CONTROL COMMISSION

John Sweeney	5-year	12/31/18
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BOROUGH PHYSICIAN

Dr. Zafir Shaheen	1-year	12/31/14
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LEGAL NEWSPAPERS

Courier-News	1-year	12/31/14
Star Ledger	1-year	12/31/14
Home News Tribune	1-year	12/31/14

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

**APPOINTMENTS BY COUNCIL NOT REQUIRING MAYOR
CONFIRMATION**

BOARD OF ADJUSTMENT

Guy Hoyt	4-year	12/31/17
Ron DiMura	4-year	12/31/17
Anthony Vietri	4-year	12/31/17

2014 Councilmanic Committees

- A. Administration, Legislation, Land Department of Senior Services
Michele Tackach, Patricia Jenkins and Kevin Dotey
- B. Fire, Office of Emergency Management, Board of Health and Rescue Squad
Kevin Dotey, Sean Kaplan and Michele Tackach

- C. Finance, Taxation, Real Estate, Insurance and Public Utilities
Sean Kaplan, Robert Schueler and Stephen Greco
 - D. Police, Municipal Court, Zoning, Code Enforcement and Construction
Patty Jenkins, Stephen Greco and Robert Schueler
 - E. Public Works, Recycling and Building and Grounds
Robert Schueler, Kevin Dotey and Sean Kaplan
 - F. Recreation, Recreation Fields, Swim Pool Commission and Community Celebrations
Stephen Greco, Michele Tackach and Patty Jenkins
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Mayor's Council Liaison Appointments for 2014

Board of Education	Councilman Kaplan
Board of Health	Councilman Dotey
County SWAC	Councilwoman Tackach
County Transportation	Councilwoman Tackach
Housing & Community Development	Councilwoman Tackach
OEM	Councilman Dotey
Planning Board	Councilman Schueler
Recreation Commission	Councilman Greco
Safety Board	Councilwoman Jenkins
Shade Tree Commission	Councilman Greco
Victor Crowell Park	Councilman Schueler
Swim Pool Commission	Councilman Greco
Fire	Councilman Dotey
Police	Councilwoman Jenkins
Zoning/Code Enforcement	Councilwoman Jenkins
Recreation	Councilman Greco
Public Works	Councilman Schueler

Finance

Councilman Kaplan

Administration

Councilwoman Tackach

Construction

Councilwoman Jenkins

The Borough Clerk read the following resolutions and Councilman Dotey moved for adoption, seconded by Councilwoman Tackach and carried by the following roll call vote. Ayes: Dotey, Jenkins, Kaplan, Schueler and Tackach. Nos: None. Abstain: Greco.

The Borough Clerk read the following resolution:

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

RESOLUTION #2-14

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, 2014 to December 31, 2014; 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, 2014 through December 31, 2014 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.

The Borough Clerk read the following resolution:

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

RESOLUTION #3-14

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR LABOR ATTORNEY TO MICHAEL V. CRESITELLO 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, 2014 to December 31, 2014;

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, 2014 through December 31, 2014 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.

The Borough Clerk read the following resolution:

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

RESOLUTION #4-14

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 2014

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, 2014 through December 31, 2014 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.
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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 #5-14

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR ENGINEERING SERVICES FOR THE BOROUGH TO REMINGTON & VERNICK

WHEREAS, the Governing Body of the Borough of Middlesex wishes to appoint Terence Vogt of the firm of Remington & Vernick for the Borough of Middlesex for the period from January 1, 2014 to December 31, 2014.

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. Terence Vogt of the firm of Remington & Vernick whose office is located at 3 Jocama Boulevard, Old Bridge, NJ 08857 is hereby appointed as Engineer for the Borough of Middlesex for the period from January 1, 2014 through December 31, 2014 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.
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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 #6-14

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, 2014 to December 31, 2014.

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, 2014 through December 31, 2014 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.

The Borough Clerk read the following resolution:

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

RESOLUTION #7-14

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR "BOND COUNSEL" SERVICES AS BOROUGH "BOND COUNSEL" TO WILENTZ, GOLDMAN & SPITZER, P.A.

WHEREAS, the Governing Body of the Borough of Middlesex wished to retain the service of Anthony J. Pannella of the firm Wilentz, Goldman & Spitzer, P.A. for the Borough of Middlesex for the year 2014; 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. Anthony J. Pannella of the firm Wilentz, Goldman & Spitzer, P.A. is hereby appointed as "Bond Counsel" for the Borough of Middlesex for the period from January 1, 2014 through December 31, 2014 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.

The Borough Clerk read the following resolution:

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

RESOLUTION #8-14

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 2014; 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, 2014 through December 31, 2014 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.

The Borough Clerk read the following resolution:

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

RESOLUTION #9-14

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR ENVIRONMENTAL ENGINEERING SERVICES FOR THE BOROUGH TO BPM ENGINEERING LLC

WHEREAS, the Governing Body of the Borough of Middlesex wishes to appoint the firm of BPM Engineering LLC for the Borough of Middlesex for "Environmental Engineering Services" for the period from January 1, 2014 to December 31, 2014; 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 BPM Engineering LLC whose office is located at 100 Engineering LLC, 100 Matawan Road, Suite 100, Matawan, NJ are hereby appointed for Environmental Engineering Services for the Borough of Middlesex for the period from January 1, 2014 through December 31, 2014 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.

The Borough Clerk read the following resolution:

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

RESOLUTION #10-14

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 2014; 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, 2014 through December 31, 2014 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.

The Borough Clerk read the following resolution:

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

RESOLUTION #11-14

**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 2014; 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, 2014 through December 31, 2014 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.

The Borough Clerk read the following resolution:

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

RESOLUTION #12-14

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR LEGAL
SERVICES AS REDEVELOPMENT COUNSEL TO MICHAEL V. CRESITELLO OF
THE FIRM DIFRANCESCO, BATEMAN, COLEY, YOSPIN, KUNZMAN, DAVIS &
LEHRER, P.C. FOR THE YEAR 2014**

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 Redevelopment Attorney for the Borough of Middlesex for the period from January 1, 2014 to December 31, 2014;

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 Redevelopment Attorney for the Borough of Middlesex for the period from January 1, 2014

through December 31, 2014 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.

The Borough Clerk read the following resolution:

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

RESOLUTION #13-14

**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 2014**

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 2014; 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, 2014 through December 31, 2014 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.

The Borough Clerk read the following resolution:

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

RESOLUTION #14-14

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
PROFESSIONAL SERVICES FOR BOROUGH PUBLIC DEFENDER
TO CARL A. TAYLOR III**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to appoint Carl A. Taylor III, 31 East High Street, Somerville, NJ as the Borough Public Defender for the Borough of Middlesex for the year 2014.

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. Carl A. Taylor III whose office is located at 31 East High Street, Somerville, New Jersey is hereby appointed as the Borough Public Defender for the Borough of Middlesex for the period from January 1, 2014 through December 31, 2014 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.

The Borough Clerk read the following resolution:

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

RESOLUTION #15-14

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES FOR BOROUGH CONFLICT PUBLIC DEFENDER TO MEZZACCA & KWASNIK, LLC

WHEREAS, the Governing Body of the Borough of Middlesex wishes to appoint Mezzacca & Kwasnik, LLC, 2 Lincoln Highway, Suite 511, Edison, NJ as the Borough Conflict Public Defender for the Borough of Middlesex for the year 2014.

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. Mezzacca & Kwasnik, LLC whose office is located at 2 Lincoln Highway, Suite 511, Edison, New Jersey is hereby appointed as the Borough Conflict Public Defender for the Borough of Middlesex for the period from January 1, 2014 through December 31, 2014 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.

The Borough Clerk read the following resolution:

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

RESOLUTION #16-14

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR "APPRAISAL SERVICES" TO STERLING DISANTO & ASSOCIATES, LLC

WHEREAS, the Governing Body of the Borough of Middlesex wish to retain the services of the firm of Sterling DiSanto & Associates, LLC, 145 West End Avenue, Somerville, NJ for "Appraisal Services" for the Borough of Middlesex for the year 2014; 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 Sterling DiSanto & Associates, LLC is hereby appointed for "Appraisal Services" for the Borough of Middlesex for the period from January 1, 2014 through December 31, 2014 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.

The Borough Clerk read the following resolutions:

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

CONSENT AGENDA 2014(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 not desirous of removing any resolutions 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 #17-14 – Resolution #32-14

Councilman Schueler moved for adoption, seconded by Council President Kaplan and carried by the following roll call vote. Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler 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 #17-14

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 #18-14

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 #19-14

The By-Laws as have been previously adopted are to remain in full force to govern the 2014 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 #20-14

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 2014:

January 1, 14, 28	July 15
February 11, 25	August 12
March 11, 25	September 9, 23
April 8, 22	October 14, 28
May 13, 27	November 18
June 10, 24	December 9, 23

Reorganization Meeting - January 1, 2015

Regular Meetings commence at 7:00 p.m.

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 #21-14

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
J.P. Morgan Chase

The Borough Clerk read the following resolution:

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

RESOLUTION #22-14

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.

The Borough Clerk read the following resolution:

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

RESOLUTION #23-14

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 2014.
-

The Borough Clerk read the following resolution:

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

RESOLUTION #24-14

Tonya Hubosky be and is hereby appointed Official Tax Search Officer for the Borough of Middlesex for the year 2014.

The Borough Clerk read the following resolution:

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

RESOLUTION #25-14

Kathleen Anello be and is hereby appointed Official Assessment Search Officer for the Borough of Middlesex for the year 2014.

The Borough Clerk read the following resolution:

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

RESOLUTION #26-14

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 2014.

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 #27-14

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 #28-14

**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.

The Borough Clerk read the following resolution:

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

RESOLUTION #29-14

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 2014 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 #30-14

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 2013 Budget until the 2014 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 #31-14

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 2014 Operating Budget in the amount of \$5,974 representing State Library Aid.

The Borough Clerk read the following resolution:

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

RESOLUTION #32-14

"A RESOLUTION TO PROVIDE FOR A TEMPORARY BUDGET FOR PAYMENT OF CLAIMS UNTIL THE ADOPTION OF THE 2014 BUDGET

A Temporary Budget in the amount of \$6,706,526.62 to provide for the payment of claims and salaries including debt service payments between the first day of January 2014 and the adoption of the 2014 budget to be set up as follows:

GENERAL GOVERNMENT OPERATIONS:

Mayor & Council		
	Salary & Wage	3,000
	Other Expenses	2,500
Municipal Clerk		
	Salary & Wage	38,000
	Other Expenses	5,000
Rescue Squad Rental		2,400
Printing & Advertising		10,000
Postage – All Departments		10,000
Election		-0-
Assessment of Taxes		
	Salary & Wage	8,000
	Other Expenses	1,200
Collection of Taxes		
	Salary & Wage	17,750
	Other Expenses	2,000
Financial Administration		
	Salary & Wage	50,000
	Other Expenses	3,000
Legal Services & Costs		
	Other Expenses	25,000
Engineering Services		25,000
Public Bldgs & Grounds		
	Other Expenses	20,000
Computer Data Services		
	Salary & Wages	15,000
	Other Expenses	35,000
Planning Board		4,500
Board of Adjustment		
	Salary & Wages	2,000
	Other Expenses	3,000

Shade Tree Commission		
	Salary & Wage	700
	Other Expenses	10,000
Bd of Health		
	Salary & Wage	2,300
	Other Expenses	20,000
Housing & Community Development		
	Salary & Wage	375
	Other Expenses	25
Insurances		
	Group Insurance Plan	600,000
	Workers Compensation	100,000
	Surety Bonds	-0-
	Temporary Disability	8,000
	Long Term Disability	5,000
	Other Insurances	125,000
PUBLIC SAFETY:		
Fire Department		
	Other Expenses	30,000
Police Department		
	Salary & Wage	750,000
	Other Expenses	29,000
Juvenile Conference Committee		
	Salary & Wage	560
Emergency Management		
	Other Expenses	3,000
Road Repair & Maintenance		
	Salary & Wage	100,000
	Other Expenses	25,000
Sewer Systems		
	Salary & Wage	-0-
	Other Expenses	12,000

Solid Waste Management

Salary & Wage	25,000
Other Expenses	-0-

Garbage & Trash Removal

Salary & Wage	100,000
Other Expenses	15,000

Sanitary Landfill	75,000
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Prosecutor's Office

Salary & Wage	7,000
Other Expenses	0

RECREATION & EDUCATION

Parks & Playgrounds

Salary & Wage	60,000
Other Expenses	10,000

Board of Recreation Commissioners

Salary & Wage	25,000
Other Expenses	25,000

Senior Citizen Bus Transportation

Salary & Wage	-0-
Other Expenses	2,000

Senior Coordinator

Salary & Wage	-0-
Other Expenses	2,500

Title III Clerk

Salary & Wage	8,000
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Uniform Construction Code

Salary & Wage	50,000
Other Expenses	4,000

Utilities – All Departments

Gasoline	50,000
Fuel Oil	40,000
Electricity	50,000
Telephone	15,000

Natural Gas	10,000
Street Lighting	50,000
Fire Hydrants	60,000
Water	5,000
Contingent	0
Municipal Court	
Salary & Wage	50,000
Other Expenses	6,000
Celebration Public Events	10,000
County Curbside	28,000
Animal Control	7,000
STATURTORY EXPENDITURES:	
PERS	282,341
DCRP Co Match	1,500
PFRS	644,796
Social Security	70,000
Pension – Firemen’s Widow (N.J.S.A.43:12-28.1)	5,000
TOTAL	3,896,447.00

26.25% of the 2013 General Appropriation in the budget = \$4,343,630.36

Older Americans	
Title III Salary	4,000
Sr. Transportation Salary	6,000
Stormwater Management	
Salary & Wage	286,664
Other Expenses	3,000
Maintenance of Free Public Library	150,000
Middlesex County Utility Authority	500,000
Piscataway Sewerage Authority	100,000
Middlesex County Drug Alliance	6,000

Clean Grant		0
Capital Improvement		
Municipal Debt Service		
	Bond Principal	792,000.00
	Bond Interest	286,876.26
	Green Acres Loan	34,784.87
107,828.77	Infrastructure Principal & Interest	
	MCIA Loan – Fire Truck	71,793.21
	MCIA Loan – Multi Purpose	461,132.51
	TOTAL	6,706,526.62

DEDICATED SWIMMING POOL UTILITY BUDGET

Swim Pool Utility

	Salary & Wage	20,000
	Other Expenses	50,000
	TOTAL	70,000

26.25% of the 2013 Swimming Pool Utility appropriation = \$97,860.00

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

Respectfully yours,

Kathleen Anello
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
JANUARY 14, 2014**

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 Revised Annual Meeting Notice of December 31, 2013 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	Sean Kaplan
	Kevin Dotey
	Stephen Greco
	Patricia Jenkins
	Bob Schueler
	Michele Tackach

Attorney: Jerome Solomon

PROCLAMATIONS

APPOINTMENT

Mayor Dobies appointed Council President Kaplan as the liaison to the Shade Tree Commission effective immediately.

PRESENTATIONS

NEW BUSINESS

PUBLIC HEARING

ADOPTION OF MINUTES

Councilwoman Jenkins moved the approval of the December 17, 2013 Regular and Executive Meeting Minutes and the January 1, 2014 Reorganization Meeting Minutes seconded by Council President Kaplan and carried by a unanimous vote of Council.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance – Nothing to Report
 - A. Councilman Kaplan moved the approval of the December, 2013 Finance Report seconded by Councilman Schueler and carried by a unanimous vote of Council.
 - B. Update on Stream Cleaning – Predator has completed from Rock Avenue and Seventh Street to South Lincoln Avenue and from South Lincoln to Jaeger Lumber. Councilman Kaplan moved to approve the sum of \$44,000 for the next phase of de-snagging seconded by Councilwoman Jenkins and carried by a unanimous vote of Council. Councilman Kaplan indicated that the next phase included Warrenton Road to West Second and the Boulevard Deli to the Green Bridge.
 - C. Finance Committee Meeting – January 11, 18 & 25 – The Finance Committee met last Saturday and will also meet on the 18th and 25 to discuss the budget. They will bring back recommendations to the Council at the beginning of February and will bring in Department Heads.
 - D. Beechwood Avenue Tree – Councilman Kaplan looked at a tree on Beechwood Avenue and was notified that this tree belonged to the property owner and it was the owner's responsibility.
 - E. Council President Kaplan indicated that last year cuts were made and one judge resigned. Judge Fackelman was made the presiding judge and he was not given the \$34,000 salary as the presiding judge. At this time we will be saving \$26,000 for the additional judge and are 30% up in revenue.
2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco indicated that this season the Swim Pool will be using a credit card machine for registration payments.
 - B. The new lap pool will have 6 lanes, instead of the 8. Jim Grimm will meet with the engineer and get the new drawings.
 - C. Swim Pool is looking to bond for 20 years for the Lap Pool Project.
 - D. Councilman Greco attended the Recreation Commission meeting and reported that the bleachers at Mountain View Park are now up to code and compliant.
 - E. Councilman Greco mentioned that the Commission has been advised that at the Wrestling Tournament on January 26th the Board of Education has indicated that the borough will be charged overtime for the janitors an additional 2 hours.
3. Fire/OEM/Board of Health/Rescue Squad/Flood – Nothing to Report
4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler reported that the DPW Supervisor would like to replace the employees that have left and have recommended Mr. Richard Vizi and Mr. James Resine. Mayor Dobies recommended that Councilman Schueler develop the requirements for hiring both part time and permanent part time DPW workers for driver's license, drug testing, etc. The Mayor requested the Clerk get whatever information is missing so we can have our JIF do the driver's record

Check Council President Kaplan reported that he has the driver's record for the Fire Department.

- B. Council President Kaplan moved the approval to hire Mr. Richard Vizi as a DPW Part Time Employee effective immediately and Mr. James Resine as a DPW Part Time Employee effective January 27, 2014 at \$12.00 per hour pending a successful driving abstract and drug test seconded by Councilwoman Jenkins and carried by a unanimous vote of Council.
 - C. Councilman Schueler commended Bob Teutsch for the job done with the snow event. Because of the significant amount of salt used, the DPW is considering the briner system to pretreat the roads and allow for initial salting. The total package is approximately \$27,000 and the DPW will put this in the capital budget.
 - D. Councilman Schueler attended the Board of Education Meeting and they are starting a drop off loop at Parker School. It was recommended that the Safety or Police Committee monitor this traffic situation.
5. Police/Legal/Code Enforcement/Municipal Court
- A. Councilwoman Jenkins moved the approval of the November, 2013 Police Department Report seconded by Council President Kaplan and carried by a unanimous vote of Council.
 - B. Councilwoman Jenkins moved the approval of the 2013 Zoning Report seconded by Councilman Dotey and carried by a unanimous vote of the Council.
 - C. Mayor Dobies indicated that there is a need for a second Code Enforcer. He asked Councilwoman Jenkins to work with the Finance Liaison Council President Kaplan to come up with the finances and job description similar to the one of Ms. Palumbo. Any recommendations should come back to the Governing Body.
6. Administration/Office on Aging/Legislation/License/Buildings & Grounds – Nothing to Report

REPORTS

Mayor

1. 2013 Budget Shortfall – We have been informed that one of the garden apartments did not pay their taxes which amounts to \$200,000, and now the budget will start with a 4 point deficit. They will be going into the tax sale in June.
2. Potential hiring tonight of Treasurer and Finance Clerk – The Council will discuss in executive session tonight the hiring of the Treasurer and Finance Clerk. Action may be taken after executive session.
3. Reports by Governing Body and Professionals due Wednesday before Regular Meeting – Mayor Dobies stated that he is holding the Council, Professionals and Department Heads responsible to have their items for the agenda in by the Wednesday before the meeting to allow the Borough Clerk to send the Agenda out on Thursday. The only

exception would be an emergency situation. The Mayor request that both he and the Council member have a report at each public meeting, they could contact their Department Head for something to bring up. To improve communication the Council should deal directly with the Mayor as he should know what is going on and not depend on a middleman. The Mayor will copy the liaison of each department and the Council President on items affecting their Department and they are responsible for notifying member of their committee.

The Borough Clerk read the following resolution:

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

Consent Agenda 2014(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 is desirous of removing Resolution #37-14 and Resolution #43-14 from this Consent 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 #33-14 - Resolution #36-14
Resolution #38-14 – Resolution #42-14
Resolution #44-14

Council President Kaplan made a motion for approval, seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler 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 #33-14

The Treasurer is authorized to refund \$250.00 to the American Legion Post 306, 707 Legion Place, Middlesex, New Jersey due to a duplicate payment for an amusement machine license.

The Borough Clerk read the following resolution:

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

Resolution #34-14

The Tax Collector is hereby authorized to cancel 3rd & 4th 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 #35-14

The Tax Collector is hereby authorized to cancel 3rd & 4th quarter 2013 property taxes in the amount of \$3,961.06 and refund a homestead rebate in the amount of \$590.26 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 Borough Clerk read the following resolution:

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

Resolution #36-14

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.

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
71.01/1	113 Greenbrook Rd	3 rd & 4 th qtr 2013 – 1220.45

The Borough Clerk read the following resolution:

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

Resolution #38-14

The Tax Collector is hereby authorized to refund an overpayment of 2013 property taxes due to an overpayment by the finance/mortgage company on the following properties:

<u>BLOCK/LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
6/2.02/C068B	Puszynski, John 68B Gramercy Gardens	\$ 176.60
70.01/15	Nasim, Deborah L & Carl, Gregory 2 Lauri Ln	\$ 41.92

72/3.10	Krupsky, Michael A & Lois 1131 Beechwood Ave	\$ 936.52
98/15	Hamrah, Kirk & Debra 1009 Hazelwood Ave	\$ 160.28
114/1.01	Buarne, Madeline T 113 Grant Ave	\$ 37.49
115/7	Cottrell, Karyn 226 Dorn Ave	\$ 396.03
181/12	Lawless, Dawn C 229 Giles Ave	\$ 601.04
234/11	Narain, Gagandeep & Kaur, Kiranjit 103 Fourth St	\$ 5.15
240/13	Torres, Lenny & Vilma 122 Coleman St	\$ 599.45
312/37.01/C002	Yu, Chen & Yu Ying, Lian 610 Drake Ave	\$ 480.22
328/1	Daley, Robert & Michelle 600 Clinton Ave	\$1719.03
328/7	Carroll, T & Sviderskis-Carroll, A 604 Clinton Ave	\$1755.58
334/17	Matthews, Michael K & Jodi L 396 Seneca Ave	\$ 19.65
335/5	Breslin, Hannah & James B 347 Drake Ave	\$ 113.47

The Borough Clerk read the following resolution:

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

Resolution #39-14

The Tax Collector is hereby authorized to issue a check in the amount of \$23,812.01 to redeem tax sale certificate #2010-1736 and tax sale premium in the amount of \$4,200, Block 175, Lot 12, 121 Cook Avenue. The check is to be made payable to:

FNA Jersey Lien Services
2 Liberty Place
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 #40-14

The Tax Collector is hereby authorized to issue a check in the amount of \$18,913.10 to redeem tax sale certificate #2013-1829 and a check in the amount of \$6,000 for a tax sale premium, Block 80, Lot 26, 1100 Dorn Avenue, check is to be made payable to:

Sequoia Investments
P O Box 677
Florham Park, NJ 07932

The Borough Clerk read the following resolution:

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

Resolution #41-14

The Tax Collector is hereby authorized to refund Sanitary Sewer Use Charges on the following property. The property owner paid the sewer charge in error. Their property has a septic system.

<u>BLOCK/LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
352/3	Lor-Pril Realty LLC 140 Baekeland Ave	\$ 140.16

The Borough Clerk read the following resolution:

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

Resolution #42-14

**RESOLUTION APPOINTING MICHELE TACKACH AS THE MAYOR'S REPRESENTATIVE
AND VIC CAPOLUNGI AS THE GOVERNING BODY REPRESENTATIVE TO THE
HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE FOR 2014**

WHEREAS, it is necessary for the Borough of Middlesex to appoint a representative to the Middlesex County Housing & Community Development for the year 2014; 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 Michele Tackach as his Class I representative to the Housing and Community Development Committee for 2014; 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 Michele Tackach 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 2014.
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 2014.
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 #43-14

The application for renewal of Junkyard Licenses for the year 2014 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 #44-14

The following applications for Towing Licenses for the year 2014 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.

1. Rescue Wreckers
2. Somerset Hills Towing
3. Dick Hart's Auto Body
4. Auto Enhancement & Auto Body
5. Lincoln Auto Body
6. Tierno's Automotive, Inc.
7. Mike's Towing
8. M&W Towing Service

The Borough Clerk read the following resolution:

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

Resolution #37-14

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:

BLOCK/LOT	NAME	AMOUNT	ACCOUNT #
127/8 102 Union Ave	Rick, Michael A	\$611.81	680044823

including interest to date of refund.

Council President Kaplan made a motion for approval, seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler 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 #43-14

The application for renewal of Junkyard Licenses for the year 2014 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.

Council President Kaplan made a motion for approval, seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler 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 #45-14

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.

Including the following Confirming Orders:

PO 54764	Frank, Ronald M, MD	\$ 50.00
PO 54760	Junction Park, Inc	\$ 917.59
PO 54523	Sherwin Williams Company	\$ 632.50
PO 54904	Signs and Safety Devices, LLC	\$ 65.00
PO 54907	Frank, Ronald M, MD	\$ 50.00

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

DISCUSSION ON AGENDA WORKSHOP ITEMS

PUBLIC COMMENTS

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

Betty Platten, 4 Hooker Avenue questioned (1) The Part Time DPW and the vehicles that they use; (2) Status of the Deputy Court Administrator; and (3) Eyesore of the Lincoln Boulevard Mechanic/Junkyard.

John Hoffman, 455 Lincoln Boulevard questioned (1) Status of 455 Lincoln Boulevard regarding a used car dealer or junk yard and how it functions; (2) Potential code enforcement violations and obstruction of view violations at Arthur's and Delta; (3) Status of the Environmental Commission and the Ethics Board; (4) Complaint made about Spray Tec which was heard in

South Plainfield; and (5) Moving Company at 409 Union Avenue and any unlicensed business that is located at this address.

Mayor Dobies addressed all questions from the Public.

Seeing that there was no further public participation, 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 46-14

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. Finance Office Positions
2. DPW Manager's Position

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

Council President Kaplan moved to reconvene the Regular Meeting seconded by Councilman Dotey and carried by a unanimous vote of Council.

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

Resolution 47-14

Hiring Darcy DeVecchio effective January 15, 2014 as the Finance Clerk in the Finance Office for 37½ hours a week at a salary of \$34,000.00 including all benefits permitted under the "White Collar Contract."

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

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

Resolution 48-14

Hiring Caroline Benson effective January 15, 2014 as the Treasurer/Senior Finance Clerk in the Finance Office for 37½ hours a week and increasing her base salary to include a \$5,000 increase for a total salary of \$48,019.00. This position is outside of the union and will not fall under the "White Collar Contract."

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

ADJOURNMENT

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

Respectfully yours,

Kathleen Anello
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
JANUARY 28, 2014**

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 Revised Annual Meeting Notice of December 31, 2013 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	Sean Kaplan (absent – business)
	Kevin Dotey
	Stephen Greco
	Patricia Jenkins
	Bob Schueler
	Michele Tackach (absent – ill)

Attorney: Aravind Aithal

PROCLAMATIONS

APPOINTMENT

- A. Mayor Dobies appointed Sean Johnson as Alternate II to the Shade Tree Commission.
- B. Mayor Dobies appointed Lisa Mickel and Pat Repenn to the Beautification Committee.
- C. Mayor Dobies accepted the resignation of Walter Gannone from the Zoning Board seconded by Councilman Schueler and carried by a unanimous vote of Council.
- D. Mayor Dobies appointed James B. Green Sr. as a Class II member of the Planning Board.
- E. Mayor Dobies appointed Bill Coyle to the Housing and Community Development Committee.

PRESENTATIONS

NEW BUSINESS

PUBLIC HEARING

Mayor Dobies opened the Public Hearing on the Sewer User's charges. The following individuals and business representatives attended the meeting regarding the Sewer User's charges and below are the concerns:

Ed Johnson, Jr. – 1 Greenbrook Road
Bryan Stock – 200 Blackford Avenue (NDC)
Colleen Morelli – 201 Egel Avenue
Anthony Morelli – 201 Egel Avenue
May Biondi – 601 Union Avenue (Biondi's)
Glenn Biondi – 601 Union Avenue (Biondi's)
Phil Biondi – 601 Union Avenue (Biondi's)
John Tullo – 207 Blackford Avenue (ATC Systems)
Rui Alves – Vincenzo's
Sandy Petrillo
John Pattenson – D&J Collision Center
Mark Richard – D & J Collision Center
Jeremy Hart - 90 Wood Avenue (Harts Auto Body)
Robert Ferris – Ferris Brothers
Hans Hafner – A-1 German Car Service
Frank Zatika – Absolute Auto
Thomas O'Brien
Robert Wilson – Wilson Plumbing
Bella Qiku – 651 Bound Brook Road (Carpaccio's Ristorante)
Sal Qiku – 651 Bound Brook Road (Carpaccio's Ristorante)
Richie Sowden – 107 Egel Avenue (Richie's Tire's)
Jordan Singer – Automatic Ice Maker Co.
Michael Colucci – 679 Bound Brook Road (M&W Cabinets)
Ralph Reilly – Advanced Dentistry
David Basile – Allstate Insurance
Frank Bozzomo – 409 Lincoln Boulevard (Jozana's)
Robert Ferris, Jr. – 565 Union Avenue (Ferris Brothers)
Keith Kermizian – Kermizian Carpets
Todd Genner – Water/ECD/Ace
Rick Rizzon – Rizzon Cycle
John Erickson – 209 Second Street
Debra DeVuyst – 73 Ramsey Road
Bill Moore – 165 Barbara Place
John Ellery – 701 Lincoln Boulevard (Ellery's Restaurant)
Rich Malt – Pumping Services Inc.
Bill Liuzza – Adams TV & Appliance
Joseph Vargo – Dollar Planet
Martin Scharloo – 625 Union Avenue
Theodore Kamarinopulos – Middlesex Texas Weiner
Paul Kamarinopulos – Middlesex Texas Weiner

Michael Boone – 107 & 140 Wood Avenue (Sweet Candy)
Robert O'Reilly, Jr. – Victor's Air Conditioning Co.
Robert P. O'Reilly, Sr. – Victor's Air Conditioning Co.
Joseph Boniakowski – 929 Washington Avenue, Greenbrook
Vic Capolunghi – 2 Judson Drive
Jack Mikolajczyk – 701 Beechwood Avenue
Danging Feng – 730 Union Avenue (Air Fresh Laundromat)
James West – Auto Shop of Middlesex
Ed Dorflinger – Auto Shop of Middlesex
Lawrence Hansen – Hansen Racing
John Bekus – 800 Lincoln Boulevard (J.L. Bekus and Co.)
Jenny Ezyska – 897 South Avenue
John Mravcak – 128 Wood Avenue (JEM Service)
Sunil Pamnani – 565 Bound Brook Road – (Boro Hall Pharmacy)
Skip Colaluca – 420 Mountain Avenue (Citgo)

(a) The selection of only businesses to be subjected to this sewer tax (b) The calculation of this sewer tax; (c) Real Estate Companies concerned that Businesses do not want to come to Middlesex because Businesses are not treated fairly; (d) The amount of increase certain businesses are paying for their sewer bill; (e) Eliminating the base credit that the businesses receive before paying the additional tax; (f) The status of the Piscataway Sewer contract; (g) Cost of a flow meter and flow it monitors; (h) The annual or quarterly charge on the bill; (i) Biondi's received a bill and does not have a sewer; (j) Is there a plan to get stormwater out of the sewer system; (k) Meter in Piscataway has not worked since 2006; (l) Oil, chemicals and BOD's not just coming from businesses; (m) Certain businesses use a lot of water, but recycle the water as in a car wash; (n) Status of the Infrastructure in town; (o) Where the sewage goes; (p) Breaking down quarterly the MCUA charges; (q) Requested a small committee meeting of 5 individuals and then meet with the entire council; (r) Requested a plan for the future and see how many sump pumps are tied to the sewer; (s) Requirements to have enclosures around dumpsters; and (t) Trailers on properties in industrial zones.

Attorney Aithal explained that the sewer charges are not based on Borough fees, but fees from the MCUA, which are costs that the Borough pay for flow BOD, Suspended Solids and Chlorine.

Mayor Dobies stated that Tax Collector has said that in order that the people not get penalized they can just send a letter that they are appealing and would not be subjected to the late fees.

Mayor Dobies stated that they will hold a Special Meeting on March 18, 2014 to discuss this matter further and the concerns of the residents and businesses.

ADOPTION OF MINUTES

Councilman Schueler moved to table the January 14, 2014 Regular & Executive Meeting Minutes seconded by Councilman Greco and carried by a unanimous vote of Council.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance – Nothing to Report
 - A. Councilman Schueler mentioned that the Finance Committee has reviewed the budget for the first time and we are awaiting information from some of the departments. At this time we have cut about \$105,000. Council will now be meeting with the Department Heads.

2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco indicated that this weekend there will be a wrestling tournament with 200 participants and that the credit card machine has been approved by the Swim Pool Commission.

3. Fire/OEM/Board of Health/Rescue Squad/Flood – Nothing to Report
 - A. Councilman Dotey moved to accept Jason D. Frank as a member of the Middlesex Fire Department.
 - B. Councilman Dotey also moved to accept the following individuals as qualified drivers of Engine 22: Ryan Zittel, Rich Malt and John Craig, Jr. and Truck 25: Ed Winters, Jr., Kevin Mott, Andy Casteldo, Jr., Rich Reedy, Jr., Bob Poltorak, Bob Soper, John Hommas and Nick Goldman.
 - C. Councilman Dotey submitted the December, 2013 Board of Health report for informational purposes.

4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler discussed an outline for the infrastructure, the plowing of the roads and the staff breakfast with the Acting DPW Superintendent.
 - B. Councilman Schueler also discussed that about 30 – 50 tons of road salt have been used to date. Also, Truck No. 5 is currently out of service with a large repair needed.

5. Police/Legal/Code Enforcement/Municipal Court
 - A. Councilwoman Jenkins moved the approval of the December, 2013 Police Department Report seconded by Councilman Dotey and carried by a unanimous vote of Council.

6. Administration/Office on Aging/Legislation/License/Buildings & Grounds – Councilwoman Tackach was absent

REPORTS

Mayor

1. Grants – Mayor Dobies mentioned that we are presently working on the Fire Grant and also the Recycling Grant.
2. Laptops – Council must pick them up so that they are able to use them and not use their personal computers. Mayor Dobies recommended that we put two additional laptops in the Capital Budget for both the Administrator and the Borough Clerk.
3. Borough Directory/Quarterly Newsletter – Mayor Dobies suggested that a hard piece of paper with DPW information listed be put in “Our Town” and also have the Department Heads listed with their telephone number. It would cost \$1600 per quarter to include in “Our Town” and we would save the postage.

The Borough Clerk read the following resolution:

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

Consent Agenda 2014(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 is desirous of removing Resolution #53-14 from this Consent 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 #49-14 - Resolution #52-14
Resolution #54-14 - #55-14

Councilman Schueler made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, and Schueler. 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 #49-14

The application for a 2014 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.

End Zone Lounge 425 Bound Brook Rd.	(2) Pool Table (3) Amusement Machine (1) Music Machine	\$300.00 \$450.00 \$100.00
Ellery's Grill 701 Lincoln Boulevard	(4) Amusement Machines (1) Music Machine	\$600.00 \$100.00
Ferraro's Pizzeria & Pub 275 Lincoln Boulevard	(1) Music Machine	\$100.00
American Legion 707 Legion Place	(2) Amusement Machines (1) Music Machine	\$300.00 \$100.00
Tim Kerwin's Tavern 353 Bound Brook Rd.	(5) Amusement Machines (1) Music Machine	\$750.00 \$100.00
TOTAL		\$2900.00

The Borough Clerk read the following resolution:

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

Resolution #50-14

WHEREAS, New Fields, on behalf of Bayer Crop Science, Inc. is providing a copy of the Temporary Discharge Approval Application for Groundwater Remediation Control at the Factory Lane Site in Middlesex to be submitted to the Middlesex County Utilities Authority (MCUA); and

WHEREAS, New Fields, on behalf of Bayer Crop Science, Inc. is seeking MCUA's approval to discharge the treated water generated by these activities to the MCUA treatment plant via a metered connection to the Middlesex Borough's Sanitary Sewer System in Factory Lane; and

WHEREAS, New Fields, on behalf of Bayer Crop Science, Inc. is required to have the Borough's approval on a yearly basis for temporary use of the culverts that run under Factory Lane and the Conrail Port Reading Railroad, as the Factory Lane Site has resulted in arsenic impacts to soil and groundwater.

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

1. Middlesex Borough hereby approves the execution of the Middlesex County Utilities Authority Temporary Discharge Approval Application for the Groundwater Remediation Control and approves New Fields, on behalf of Bayer CropScience, Inc., temporary use of the culverts that run under Factory Lane and the Conrail Port Reading Railroad.
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 #51-14

Approving Merari Lizzette Gaud, 1202 Broadway, Rahway, New Jersey as a Municipal Court Clerk for 37 ½ hours per week effective February 4, 2014 at \$34,000 per year pending a satisfactory physical and background check.

The Borough Clerk read the following resolution:

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

Resolution #52-14

The Tax Collector is hereby authorized to issue a check in the amount of \$8,455.75 to redeem tax sale certificate #2013-1812 and a check in the amount of \$15,800 for a tax sale premium, Block 44, Lot 19, 437 First Street, check is to be made payable to:

U S Bank Cust for BV001 Trust
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 #54-14

WHEREAS, The State of New Jersey Department of Transportation has conducted a survey to inventory all bus stops along State and US Routes in New Jersey; and

WHEREAS, based upon the engineering investigation and review by the Traffic Engineering Bureau (Regulations) the following locations have been recommended for approval:

- (1) Route NJ 28, eastbound on the southerly side at Harris Avenue – (near side) – Beginning at the westerly curb line of Harris Avenue and extending 105 feet westerly therefrom.
- (2) Route NJ 28, westbound on the northerly side at Hazelwood Avenue – (near side) – Beginning at the easterly curb line of Hazelwood Avenue and extending 105 feet easterly therefrom.

- (3) Route NJ 28, westbound on the northerly side at Marlborough Avenue – (near side) – Beginning at the prolongation of the easterly curb line of Marlborough Avenue and extending 105 feet easterly therefrom.
- (4) Route NJ 28, westbound on the northerly side at Dayton Avenue – (near side) – Beginning at the easterly curb line of Dayton Avenue and extending 105 feet easterly therefrom; and

WHEREAS, in order to legally establish the bus stops, the NJDOT must promulgate a Traffic Regulation Order, and therefore must receive a Resolution of Support from the governing body to begin this process.

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 supports the above-referenced Bus Stop locations that are recommended by the NJDOT.
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 #55-14

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE FOR
E9-1-1 SYSTEM UPGRADE**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to one E9-1-1 System Upgrade 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, KML Technology, Inc. is under State Contract No. 83903 for the year 2014; and

WHEREAS, the cost for the purchase of one E9-1-1 System Upgrade is not to exceed \$25,000.00; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of one E9-1-1 System Upgrade is ordered under State Contract No. 83903 be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed \$25,000.00 is 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 #53-14

Increasing the salary of Presiding Judge Fackelman to \$33,397.00 annually effective immediately.

Councilman Dotey made a motion for approval, seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, and Schueler. 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 #56-14

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.

Including the following Confirming Orders:

PO 55019	Apple Fasteners, Inc	\$ 10.20
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Councilman Dotey made a motion for approval, seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, and Schueler. Nos: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Review of Land Development Ordinance recommended by the Planning Board – These ordinances will be introduced at the next Regular Meeting.
2. Borough Engineer’s Request regarding handling of proposed sewer extension – The applicants will have to submit an application so that we are aware of what they are doing and money is put into an escrow account. The Engineer and Tom Moskal will review.

PUBLIC COMMENTS

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

John Erickson, 209 Second Street discussed (1) Concern with quarterly expenses of \$1600 for directory information in "Our Town" and (2) Enforcing the By Local Policy adopted by the Council.

Betty Platten, 4 Hooker Avenue discussed (1) The directory and (2) Updating of the website.

Joe Boniakowski, discussed (1) The increased cost of doing business in this town; (2) vacant buildings in Middlesex; and (3) Site Plan approval with regard to the Zoning Officer

Bill Moore, 165 Barbara Place discussed (1) Funding for the Directory with a sponsor; and (2) Status of the Berger Building.

John Hoffman, 455 Lincoln Boulevard discussed (1) Lincoln Boulevard change of business zone from the 1980's; (2) Board of Health involvement with Jozana's and overflowing dumpsters; (3) Zoning on Grove Street and Runyon Avenue for apartments; and (4) The Zoning Officer.

Mayor Dobies addressed all questions from the Public.

Seeing that there was no further public participation, 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 57-14

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 – IT Service
2. Personnel – Court Clerk

Councilman Schueler made a motion for approval, seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, and Schueler. Nos: None. Abstain: None.

Councilman Dotey moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by a unanimous vote of Council.

ADJOURNMENT

Councilman Dotey made a motion to adjourn the Regular Meeting seconded by Councilman Schueler and carried by a unanimous vote of members present.

Respectfully yours,

Kathleen Anello
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
FEBRUARY 11, 2014**

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 Revised Annual Meeting Notice of December 31, 2013 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	Sean Kaplan
	Kevin Dotey (absent)
	Stephen Greco
	Patricia Jenkins
	Bob Schueler
	Michele Tackach

Attorney: Aravind Aithal

PROCLAMATIONS

APPOINTMENT

- A. Council President Kaplan moved the approval of Joe Waide as the Zoning Board Alternate 1 seconded by Councilman Schueler and carried by a unanimous vote of Council.

PRESENTATIONS

NEW BUSINESS

The Borough Clerk read Ordinance No. 1846-14 by title for introduction.

**BOROUGH OF MIDDLESEX
ORDINANCE NO. 1846-14**

**AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY
OF MIDDLESEX, NEW JERSEY, CHAPTER 248,**

LAND DEVELOPMENT

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 following:

§ 248-4 Definitions.

For the purposes of this chapter, the terms used herein are defined as follows:

ADMINISTRATIVE OFFICER: The Zoning Officer of the Borough of Middlesex

§ 248-6 Filing of sketch plan and preliminary or final site plan.

A. General procedures.

(1) Sketch plats and preliminary and final site plans, together with an application, shall be filed with the Planning Board Secretary of the Borough of Middlesex. At the time of filing the application, the developer shall pay all fees and submit three copies of applications, maps and other documents as required by this chapter and the Board's rules and regulations.

(2) The Administrative Officer, designated as the control person, shall review the sketch plat and preliminary or final site plan application, which are filed, with the assistance of the Board Engineer and the Board Planner to make a determination as to whether or not the application is complete. If the application is determined to be complete, the Administrative Officer shall notify the developer that the application is complete and of the date of the hearing. If the application is incomplete, the applicant shall be notified in writing of the deficiencies in said application. If the application is complete, the developer shall file the required number of copies of plans or maps within the time prescribed by the Planning Board.

§ 248-7 Preliminary and final subdivision plans.

A. Preliminary and final subdivision plans, together with an application, shall be filed with the Planning Board Secretary of the Borough of Middlesex. At the time of filing the application, the developer shall pay all fees and submit three copies of applications, maps and other documents as required by this chapter.

B. The Administrative Officer, designated as the control person, shall review the sketch plat and preliminary or final site plan application, which are filed, with the assistance of the Board Engineer and the Board Planner to make a determination as to whether or not the application is complete. If the application is determined to be complete, the Administrative Officer shall notify

the developer that the application is complete and of the date of the hearing. If the application is incomplete, the applicant shall be notified in writing of the deficiencies in said application. If the application is complete, the developer shall file the required number of copies of plans or maps within the time prescribed by the Planning Board.

§ 248-9 Submission of final plat or final site plan for major subdivisions.

A. The final plat shall be submitted to the Planning Board Secretary for final approval within three years from the date of preliminary approval. The Planning Board shall act upon the completed application for final plat within 45 days after the date of submission for final approval, and a certificate of the administrative officer as to the failure of the Planning Board to act shall be issued on request of the applicant, and it shall be sufficient in lieu of the written endorsement or other evidence of approval herein required and shall be so accepted by the county recording officer for purposes of filing subdivision plats.

§ 248-15 Details of preliminary and final site plans.

A site plan, as herein required, shall be submitted in 18 copies to the Planning Board Secretary. The preliminary and final site plans shall be drawn, show or be accompanied by the following:

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. This Ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final form of adopted ordinance by the Clerk with the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

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

The Borough Clerk read Ordinance No. 1847-14 by title for introduction.

**BOROUGH OF MIDDLESEX
ORDINANCE NO. 1847-14**

**AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE
OF NEW JERSEY AMENDING CERTAIN AREAS AND THE ZONING MAP**

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. A portion of the Zoning Map of the Borough of Middlesex, Middlesex County, New Jersey dated October 22, 2012 is hereby amended as follows:

1. Block 262 Lots 16, 39, & 42 of the Tax Map of the Borough of Middlesex shall be zoned R-60B Single & Two Family Dwelling.

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. This Ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final form of adopted ordinance by the Clerk with the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

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

PUBLIC HEARING-NONE

ADOPTION OF MINUTES

Councilman Schueler moved to table the January 14, 2014 Regular & Executive Meeting Minutes seconded by Councilman Greco and carried by a unanimous vote of Council.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance – Nothing to Report
 - A. Councilman Kaplan stated that for the last three weeks they have sat down as a Committee and reviewed the budget. Cuts have been made and they are moving forward on the budget.
2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco attended the Recreation Commission Meeting and updated Council on their report which included the upcoming programs to be held by the Recreation Department and status on Park fees.
3. Fire/OEM/Board of Health/Rescue Squad/Flood – Councilman Dotey was absent
4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler discussed the DPW report and updated Council on the snow removal report.
5. Police/Legal/Code Enforcement/Municipal Court
 - A. Councilwoman Jenkins moved the approval of the 2013 Annual Police Report seconded by Councilman Greco and carried by a unanimous vote of Council.

- B. Councilwoman Jenkins reported that the Police Chief has made three offers of employment and anticipate at least two officers to be sworn in at the March 11, 2014 Meeting. Also, the Police Department will be celebrating their 75th Anniversary and a Proclamation will be done at the March 11, 2014 Regular Meeting.
 - C. Police Chief reported that the Parker School Loop is working well.
6. Administration/Department of Senior Services/Legislation/Licensing
- A. Councilwoman Tackach updated Council on the Clerk's Department Report for month of January, 2013.
 - B. HUD Funds – Approval for Benches on Mountain Avenue – Councilwoman Tackach advised the Council of the location that the HUD Committee would like to install benches on Mountain Avenue. DPW will install these benches and be sure not to block sidewalks.

REPORTS

Mayor

1. Administrator and CFO Position Status – Committee will be interviewing two candidates for Administrator in the next week. CFO position is dependant on Administrator.
2. Borough Council Reports 2013 & 2014 – Borough Council will be reporting monthly on their respective Departments.
3. Mayor Dobies received a Grant Application for the Fire Department and is presently working on it for radios for each truck to connect to the County.
4. Councilman Schueler recognized Steve Yacik for his contribution in discussing facts about Lincoln with the children at the Lincoln Day Celebration.

The Borough Clerk read the following resolution:

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

Consent Agenda 2014(d)

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 Consent 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 #58-14 - Resolution #66-14

Councilwoman Jenkins made a motion for approval, seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Greco, Jenkins, Kaplan, Schueler 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 #58-14

WHEREAS, Beechwood Heights Fire Company No. 2 has requested to hold fund raising within the borough of Middlesex by conducting two coin tosses within the borough at the intersections of Route 28 and Greenbrook Road; and

WHEREAS, Beechwood Heights Fire Company No. 2 would like to conduct these coin tosses on June 7, 2014 (Alternate Date June 14, 2014) and October 18, 2014 (Alternate Date October 25, 2014) from 9 a.m. – 1 p.m.; and

WHEREAS, Beechwood Heights Fire Company No. 2 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:

1. The Governing Body hereby approves Beechwood Heights Fire Company No. 2 conduct coin tosses on June 7, 2014 (Alternate Date June 14, 2014), and October 18, 2014 (Alternate Date October 25, 2014) from 9 a.m. – 1 p.m. at the above locations, pending receipt of approval from the New Jersey Department of Transportation.
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 #59-14

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

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

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

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

1. The Mayor and Borough Clerk are hereby authorized to execute the renewal of the Paint Collection Program Inter-local Service Agreement with Middlesex County which will commence on January 1, 2014.
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 #60-14

The Tax Collector is hereby authorized to refund an overpayment of 1st quarter 2014 property taxes due to an overpayment on the following property:

BLOCK/LOT	NAME & ADDRESS	AMOUNT
197/39	Althausen, Kimberly 416 Cook Avenue	\$1,377.97

Check is to be made payable to: Core Title
1300 Route 73, Suite 112
Mt Laurel, NJ 08054

The Borough Clerk read the following resolution:

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

Resolution #61-14

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

WHEREAS, the County began providing partial funding for up to a 3 year period to municipalities for each appliance from which CFCs are properly recovered; and

WHEREAS, in order to continue in this program the Borough must execute an interlocal service agreement with Middlesex County covering the CFC Recovery Reimbursement Program which will commence on January 1, 2014.

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

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

The Borough Clerk read the following resolution:

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

Resolution #62-14

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 effective January 1, 2014.

The Borough Clerk read the following resolution:

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

Resolution #63-14

The Tax Collector is hereby authorized to refund 2013 taxes based on Tax Court of New Jersey judgment on the following property:

<u>BLOCK/LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
316/6	Rosenthal Realty Management LLP	\$3,121.60

The check is to be made payable to: Michael I Schneck, Trustee
301 South Livingston Avenue
Suite 105
Livingston, NJ 07039

The Borough Clerk read the following resolution:

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

Resolution #64-14

WHEREAS, the State of New Jersey, Division of Local Government Services, requires an annual resolution by Municipalities, that raise school taxes on a school year basis, and have a deferred portion of that levy at the beginning and end of a calendar year, and

WHEREAS, in a Municipality whose deferred school taxes increase from year to year, that Municipality is to set forth the reasons and facts for the increases; and

WHEREAS, the Deferred School Taxes, for the Borough of Middlesex Board of Education has increased from January 1, 2013 to December 31, 2013 by \$201,712.00

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Middlesex, County of Middlesex and State of New Jersey, that the reasons for this increase is the levy for the school year July 1, 2013 to June 30, 2014 has increased by \$400,066.00 from the previous school year levy, and

BE IT FURTHER RESOLVED that the increase in the deferred school tax amount from January 1, 2014 to December 31, 2014 is beneficial to the financial position of the Borough for 2014; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Director of the Division of Local Government Services, the Borough's Chief Finance Officer and the Borough Auditor.

The Borough Clerk read the following resolution:

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

Resolution #65-14

The Mayor and Council hereby accept Andrea Corcoran's retirement effective March 1, 2014 and agreed to reimburse her the amount of \$20,744.61 for the following benefits:

25 Unused Vacation Days	\$ 6,564.75
4 Unused Vacation Days 2013	\$ 1,050.36
50 Sick Days	\$13,129.50
Total	\$20,744.61

The Borough Clerk read the following resolution:

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

Resolution #66-14

Approving Merari Lizzette Gaud, 1202 Broadway, Rahway, New Jersey as a Municipal Court Clerk for 37 ½ hours per week effective March 24, 2014 at \$29,597.32 per year pending a satisfactory physical and background check.

The Borough Clerk read the following resolution:

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

Resolution #67-14

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.

Including the following Confirming Orders:

PO 55141	Frank, Ronald M, MD	\$ 50.00
PO 55133	Central Jersey Powder Coat & Fabrication, LLC	\$ 150.00

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

DISCUSSION ON AGENDA WORKSHOP ITEMS

PUBLIC COMMENTS

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

Betty Platten, 4 Hooker Avenue questioned the date on Resolution #58-14.

John Erickson, 209 Second Street discussed (1) The lack of snow plowing and salting on the secondary roads during the smaller snowstorms and (2) Concern of how much was budgeted for snow and how much has been spent.

John Ellery, 701 Lincoln Boulevard mentioned that the business owners have put together a Committee and would like to meet with the Borough Committee and get answers before the March 18, 2014 Meeting.

John Mravcak, 128 Wood Avenue discussed (1) Paying the sewer bill; and (2) Concerned that only a select group of people were billed.

Mayor Dobies appointed Council President Kaplan, Councilwoman Jenkins and Councilman Schueler to the Sewer Committee and advised the Business owners that they must pay their bill, and will be refunded if necessary.

Debra DeVuyst, 73 Ramsey Road requested the chair of the Sewer Committee take minutes for the Public to view.

Mayor Dobies also addressed all questions from the Public.

Seeing that there was no further public participation, 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 68-14

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 – IT Project Manager
2. DPW Manager

Council President Kaplan made a motion to amend Resolution 68-14 to include Pending Court Action seconded by Councilwoman Jenkins and carried by a unanimous vote of members present.

Council President Kaplan made a motion for approval as amended, seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Greco, Jenkins, Kaplan, Schueler and Tackach. Nos: None. Abstain: None.

Council President Kaplan moved to reconvene the Regular Meeting seconded by Councilman Schueler 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 69-14

Hiring Ryan Zittel as a salaried IT Project Manager at an annual salary of \$78,000 for 37 ½ hours per week including benefits and the responsibility of the website.

Councilwoman Tackach made a motion for approval, seconded by Councilman Greco and carried by the following roll call vote: Ayes: Greco, Kaplan, Jenkins, Schueler 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 70-14

Authorizing the Borough Attorney based on information that was received based on allegations made by the Code Enforcer/Zoning Officer, Barrie Palumbo to forward that information to the State Ethics Committee.

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

ADJOURNMENT

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

Respectfully yours,

Kathleen Anello
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
FEBRUARY 25, 2014**

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 Revised Annual Meeting Notice of December 31, 2013 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	Sean Kaplan
	Kevin Dotey
	Stephen Greco
	Patricia Jenkins
	Bob Schueler (absent)
	Michele Tackach

STUDENT COUNTERPARTS

Brittany Molnar
Sarah Kaplan
Allison Spencer
Julia LaCapria
Amanda Brador
Alyssa Peterson
Brianna Chacon

Attorney:	Aravind Aithal	
Borough Clerk	Kathleen Anello	Rebecca Reents

Mayor Dobies stated that two items will be added to the Agenda (1) The two alternates on the Planning Board (Frank Ryan and Paul Woska) will be elevated to Class IV members of the Planning Board; and (2) Mayor Dobies' discussion items will include trees and branches.

PROCLAMATIONS

The Borough Clerk read the following Proclamation:

PROCLAMATION

WHEREAS, the Benevolent and Protective Order of Elks has designated the week of February 24, 2014 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 February 24, 2014 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.

The Borough Clerk read the following Proclamation:

**PROCLAMATION
YOUTH ART MONTH – 2014**

WHEREAS, art education contributes powerful educational benefits to all elementary, middle, and secondary students including the following:

- Art education develops students' creative problem-solving and critical thinking abilities.
- Art education teaches sensitivity to beauty, order, and other expressive qualities;
- Art education gives students a deeper understanding of multi-cultural values and beliefs;
- Art education reinforces and brings to life what students learn in other subjects; and
- Art education interrelates student learning in art production, art history, art criticism, and aesthetics.

WHEREAS, our national leaders have acknowledged the necessity of including arts experiences in all students' education,

THEREFORE, BE IT RESOLVED that support be given to art teachers as they attempt to strengthen art education in their schools and communities.

NOW, THEREFORE, it is proclaimed that March be observed as YOUTH ART MONTH, and all citizens are urged to take interest in and give full support to quality school art programs for children and youth.

NOW, THEREFORE, I Ronald S. Dobies, Mayor of the Borough of Middlesex, County of Middlesex and State of New Jersey do hereby proclaim March, 2014 as YOUTH ART MONTH.

APPOINTMENT

- A. Mayor Dobies elevated Paul Woska and Frank Ryan to Class IV members of the Planning Board.
-

PRESENTATIONS-NONE

NEW BUSINESS-NONE

PUBLIC HEARING

The Borough Clerk read Ordinance No. 1846-14 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. 1846-14**

**AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY
OF MIDDLESEX, NEW JERSEY, CHAPTER 248, LAND DEVELOPMENT**

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 following:

§ 248-4 Definitions.

For the purposes of this chapter, the terms used herein are defined as follows:

ADMINISTRATIVE OFFICER: The Zoning Officer of the Borough of Middlesex

§ 248-6 Filing of sketch plan and preliminary or final site plan.

A. General procedures.

(1) Sketch plats and preliminary and final site plans, together with an application, shall be filed with the Planning Board Secretary of the Borough of Middlesex. At the time of filing the application, the developer shall pay all fees and submit three copies of applications, maps and other documents as required by this chapter and the Board's rules and regulations.

(2) The Administrative Officer, designated as the control person, shall review the sketch plat and preliminary or final site plan application, which are filed, with the assistance of the Board Engineer and the Board Planner to make a determination as to whether or not the application is complete. If the application is determined to be complete, the Administrative Officer shall notify the developer that the application is complete and of the date of the hearing. If the application is incomplete, the applicant shall be notified in writing of the deficiencies in said application. If the application is complete, the developer shall file the required number of copies of plans or maps within the time prescribed by the Planning Board.

§ 248-7 Preliminary and final subdivision plans.

A. Preliminary and final subdivision plans, together with an application, shall be filed with the Planning Board Secretary of the Borough of Middlesex. At the time of filing the application, the developer shall pay all fees and submit three copies of applications, maps and other documents as required by this chapter.

B. The Administrative Officer, designated as the control person, shall review the sketch plat and preliminary or final site plan application, which are filed, with the assistance of the Board Engineer and the Board Planner to make a determination as to whether or not the application is complete. If the application is determined to be complete, the Administrative Officer shall notify the developer that the application is complete and of the date of the hearing. If the application is incomplete, the applicant shall be notified in writing of the deficiencies in said application. If the application is complete, the developer shall file the required number of copies of plans or maps within the time prescribed by the Planning Board.

§ 248-9 Submission of final plat or final site plan for major subdivisions.

A. The final plat shall be submitted to the Planning Board Secretary for final approval within three years from the date of preliminary approval. The Planning Board shall act upon the completed application for final plat within 45 days after the date of submission for final approval, and a certificate of the administrative officer as to the failure of the Planning Board to act shall be issued on request of the applicant, and it shall be sufficient in lieu of the written endorsement or other evidence of approval herein required and shall be so accepted by the county recording officer for purposes of filing subdivision plats.

§ 248-15 Details of preliminary and final site plans.

A site plan, as herein required, shall be submitted in 18 copies to the Planning Board Secretary. The preliminary and final site plans shall be drawn, show or be accompanied by the following:

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. This Ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final form of adopted ordinance by the Clerk with the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

Mayor Dobies opened the Public Hearing on Ordinance No. 1846-14. Seeing that there was no public participation, Mayor Dobies closed the Public Hearing on Ordinance No. 1846-14.

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

The Borough Clerk read Ordinance No. 1847-14 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. 1847-14**

**AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE
OF NEW JERSEY AMENDING CERTAIN AREAS AND THE ZONING MAP**

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. A portion of the Zoning Map of the Borough of Middlesex, Middlesex County, New Jersey dated October 22, 2012 is hereby amended as follows:

1. Block 262 Lots 16, 39, & 42 of the Tax Map of the Borough of Middlesex shall be zoned R-60B Single & Two Family Dwelling.

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. This Ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final form of adopted ordinance by the Clerk with the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

Mayor Dobies opened the Public Hearing on Ordinance No. 1847-14. Seeing that there was no public participation, Mayor Dobies closed the Public Hearing on Ordinance No. 1847-14.

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

ADOPTION OF MINUTES

Councilwoman Jenkins made a motion to approve the January 28, 2014 and February 11, 2014 Regular Meeting Minutes and the February 11, 2014 Executive Meeting Minutes seconded by Councilwoman Tackach and carried by a unanimous vote of Council.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance – Nothing to Report
 - A. Update on Budget – The Finance Committee has been meeting weekly with the CFO. The Council will meet to discuss the budget on March 8th at 9AM with certain Department Heads. Mayor Dobies acknowledged Sean Kaplan and the

Finance Committee for their work on the Budget, as the made some difficult reductions.

2. Recreation/Recreation Fields/Water & Light
 - A. Swim Pool Update - Councilman Greco attended the Pool Commission Meeting and indicated that they intend to bid for the 6 lane lap pool in April, 2014.
3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Councilman Kaplan attended the Fire Meeting and it was noted that the Fire Department has plowed out hydrants. The Fire Department also went around to look at areas in need of tree trimming for the new fire truck coming in June.
4. Public Works/Parks/Sanitation/Recycling
 - A. Snow Report Update - Met with the DPW Manager and salt was received, and was used after the storm and initial plowing was done. Also, discussed the icing problems and recommendation was made to have the crews that are sent out to their plowing districts pay attention to the area of concern and have salt available to combat the icing problems they encounter.
 - B. Planning Board Report – Borough Planner was authorized to move forward with a study to determine if there is need to move forward with the transition of the current area in need of rehabilitation to a redevelopment zone. This is estimated to take approximately 4 months.
5. Police/Legal/Code Enforcement/Municipal Court
 - A. Councilwoman Jenkins moved the approval of the January, 2014 Police Department Report seconded by Councilman Dotey and carried by a unanimous vote of Council.
 - B. Councilwoman Jenkins moved the approval of the Construction Official 2013 Annual Report seconded by Councilman Dotey and carried by a unanimous vote of Council.
 - C. The two police officers are scheduled to be sworn in at the March 11, 2014 Regular Meeting. Also a proclamation will be done at this meeting for the 75th Anniversary of the Police Department.
6. Administration/Department of Senior Services/Legislation/Licensing
 - A. Councilwoman Tackach updated Council on the hiring of the part time clerical position in the Clerk's Office. This will be discussed further in Executive Session.
 - B. Councilwoman Tackach discussed the scanning to Council laptops of all the documents distributed to the Councilmembers.

REPORTS

Mayor

1. Mayor Dobies discussed the trees and branches on Cap Lane and Mountain View Park that are available to borough residents.
2. Discussion on Ordinance No. 1836-13 – An Ordinance Amending the Code of the Borough of Middlesex, County of Middlesex, New Jersey, Chapter 420, Zoning, Section 420-35 Use of Trailers for Storage or Office and Ordinance No. 1837-13 – An Ordinance Amending the Code of the Borough of Middlesex, County of Middlesex, New Jersey Chapter 420, Zoning, Section 20-23 Outside Storage Restricted – Councilwoman Jenkins made a motion to move these ordinances back to the Planning Board for their recommendation 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:

Consent Agenda 2014(e)

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 Consent 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 #71-14 - Resolution #73-14

Council President Kaplan made a motion for approval, seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, 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 #71-14

The Tax Collector is hereby authorized to cancel added/omitted assessment taxes for 1st & 2nd quarter 2014 in the amount of \$913.07 on Block 136, Lot 4.01, 319 Ashland Road. This cancellation is per the recommendation of the Tax Assessor.

The Borough Clerk read the following resolution:

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

Resolution #72-14

The Tax Collector is hereby authorized to issue a check in the amount of \$11,462.70 to redeem tax sale certificate #2013-1815 and a check in the amount of \$20,700 for a tax sale premium, Block 212, Lot 3, 100 Marlborough Avenue, check is to be made payable to:

U S Bank Cust for Actlien Holding Inc
2 Liberty Place - TLGG
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 #73-14

The following items have been approved by the Housing and Community Development Committee to be submitted to the Middlesex County Housing & Community Development for approval for the use of the 2014 Grant Funds:

Senior Coordinator Salary	\$11,075
Senior Van Driver	\$7,500
Code Enforcement	\$7,500
Nutritional Program	\$7,500
Daisy Park Basketball Court	\$5,554
Lincoln Park Refurbishing	\$7,346
TOTAL	\$46,475

*Any additional increase or decrease to our CDBG Allocations will be associated with a construction project.

The Borough Clerk read the following resolution:

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

Resolution #74-14

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 Kaplan made a motion for approval, seconded by Councilwoman Tackach and carried by the following roll call vote: Ayes: Dotey, Greco, 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 #76-14

The Treasurer is hereby authorized to cancel the following unexpended balances in 2013 Budget Appropriation as of December 31, 2013 in the total amount of \$371,000.00:

<u>Account Name</u>	<u>Account #</u>	<u>Amount</u>
Mayor & Council	20-1102-138	10,000.00
Printing & Advertising	20-1202-138	5,000.00
Finance - S/W	20-1301-011	8,000.00
Planning Board - O/E	21-1802-028	10,000.00
Construction - S/W	22-1951-011	8,000.00
Police - S/W	25-2401-011	130,000.00
Hazardous Waste- O/E	25-2542-138	5,000.00
Solid Waste - S/W	25-3051-011	25,000.00
Garbage - S/W	25-3071-011	55,000.00
Roads - S/W	26-2901-011	10,000.00
Recreation - S/W	28-3701-011	3,000.00
Parks - S/W	28-3751-011	65,000.00
Sick Pay	30-4151-011	4,000.00
Celebration Public Events	30-4200-101	

		8,000.00
Social Security	36-4722-101	25,000.00
		371,000.00

Councilman Dotey made a motion for approval, seconded by Councilwoman Tackach and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, 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.

John Ellery, 701 Lincoln Boulevard represented the business community and discussed Section 332-42 of the Sewer Ordinance regarding ad valorem taxes.

John Mrofcheck, 128 Wood Avenue discussed (1) Having the Sewer Meeting with a small group; (2) Concerned every business did not get billed; and (3) Sewer system leaks that create a bigger flow.

John Erickson, 209 Second Street commended the DPW on the cleanup from the last major snow storm and questioned the costs of all of the snow cleanups.

Former Mayor Bob Sherr, 212 Lucia Street wanted to publicly acknowledge and thank the CFO, Andrea Corcoran that is retiring for her service to the borough, as she has done a great job.

Debra DeVuyst, 73 Ramsey Road discussed (1) Interlocal Agreement with Piscataway for South Avenue and Sherman. (2) Website posting of November 26, 204 Meeting Minutes; (3) Sewer User Charges and having a fair user fee per class; (4) Rates must be charged based on water usage; and (5) Certified water billing based on a calendar year.

Mayor Dobies also addressed all questions from the Public.

Seeing that there was no further public participation, 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 75-14

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. Administrator
2. Temporary CFO Position – Possible Action to hire may be taken
3. Part Time Clerical Position – Possible Action to hire may be taken

Council President Kaplan made a motion for approval as amended, seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, and Tackach. Nos: None. Abstain: None.

Council President Kaplan moved to reconvene the Regular Meeting seconded by Dotey Schueler 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 77-14

Appointing Vincent Buono as temporary Chief Financial Officer for (2) two months at a maximum salary not to exceed \$6,666.00 commencing on March 3, 2014.

Council President Kaplan made a motion for approval, seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, 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 78-14

Hiring Carmen Modica as a administrative assistant in the Municipal Clerk's office for 28 hours per week at \$12.00 commencing on February 27, 2014.

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

ADJOURNMENT

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

Respectfully yours,

Kathleen Anello
Borough Clerk

**BOROUGH OF MIDDLESEX
SPECIAL MEETING MINUTES
March 8, 2014**

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 Courier News, the Borough Website, and posted at Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

Mayor	Ronald Dobies
Council President:	Sean Kaplan
	Kevin Dotey
	Stephen Greco
	Patricia Jenkins
	Robert Schueler
	Michele Tackach

Attorney:	Attorney Aithal	absent (not required to attend)
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Mayor Dobies opened the meeting to discuss the 2014 Department Budgets. The budgets for Police, Fire, Construction Office, Department of Public Works, Library, Board of Health and Recreation were discussed with the Department Head, the President of the Board of Health, and the attorney for the library. All other budgets were reviewed by the Finance Committee. Department of Public Works will continue the review of Parks & Playground and Capital Request at the next Regular Meeting on March 11, 2014.

The municipal budget will be introduced after final review by the Finance Committee on April 8, 2014.

PUBLIC COMMENTS

Mayor Dobies opened the public portion of the meeting for anyone wishing to speak.

John Hoffman, 455 Lincoln Blvd. – Mr. Hoffman thanked the Governing Body for all their help in going over the budget and for saving taxpayer's money.

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

ADJOURNMENT

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

Respectfully submitted,

Kathleen Anello, RMC
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
MARCH 11, 2014**

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 Revised Annual Meeting Notice of December 31, 2013 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	Sean Kaplan
	Kevin Dotey
	Stephen Greco
	Patricia Jenkins
	Bob Schueler
	Michele Tackach

Attorney:	Aravind Aithal
Redevelopment Attorney	Albert Cruz

Mayor Dobies stated that one item will be added to the Agenda – Resolution for the professional services for a redevelopment study on Lincoln Blvd.

APPOINTMENTS

The Municipal Clerk read the following resolution:

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

Resolution #79-14

WHEREAS, Scott Christofides 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 Scott Christofides be appointed to the position of Probationary Patrolman effective March 12, 2014 at an annual salary of \$49,346.00.

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. Scott Christofides is hereby appointed a Probationary Patrolman for the Borough of Middlesex effective March 12, 2014 at an annual salary of \$49,346.00.
2. This resolution shall take effect immediately.

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

The Municipal Clerk read the following resolution:

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

Resolution #80-14

WHEREAS, Paul Steffanelli 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 Paul Steffanelli be appointed to the position of Probationary Patrolman effective March 12, 2014 at an annual salary of \$49,346.00.

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. Paul Steffanelli is hereby appointed a Probationary Patrolman for the Borough of Middlesex effective March 12, 2014 at an annual salary of \$49,346.00.
2. This resolution shall take effect immediately.

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

Chief Young thanked the Council for the support that they've given him and the entire department throughout the hiring process. He thanked them for the proclamation and thanked the officers for their dedication and service and for what they do for Middlesex Borough every day.

PROCLAMATIONS

The Borough Clerk read the following Proclamation:

**MIDDLESEX BOROUGH POLICE DEPARTMENT
75TH ANNIVERSARY**

WHEREAS, on February 1, 1939 the Borough of Middlesex adopted an Ordinance to establish the Middlesex Borough Police Department and abolish the Constable form of law enforcement. The police department consisted of a Chief of Police and one Police Officer; 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; 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, for the past 75 years the dedicated members of the Middlesex Borough Police Department have and continue to play an essential role in safeguarding the rights and freedoms of the citizens of Middlesex Borough.

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 our police officers, past and present, who by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to this community and, in doing so, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

PRESENTATIONS-NONE

Mayor Dobies asked Councilman Schueler to report on the Lincoln Boulevard Redevelopment Plan.

Councilman Schueler stated that in September 2007, the Borough of Middlesex adopted an ordinance, which enacted the Lincoln Boulevard Redevelopment Plan. In December 2013, the Council passed a resolution authorizing the Planning Board to undertake a preliminary investigation to determine whether a proposed area constitutes an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law. The Planning Board passed a resolution recommending that the governing body adopt a resolution designating all or a portion of the area as an area in need of redevelopment.

The recommendation is now back to the Governing Body in order to provide financial support for the professional services in connection with the preparation of a redevelopment study for Lincoln Boulevard.

Mayor Dobies asked the Borough Clerk to read Resolution 89-14 which provides the professional planning services for the redevelopment study which is outlined below.

Resolution 89-14

WHEREAS, the Borough Planner, Paul Ricci of RicciPlanning has submitted a proposal to provide the Borough of Middlesex with professional planning services in connection with the preparation of a redevelopment study for Lincoln Blvd; and

WHEREAS, as part of these services, RicciPlanning will prepare a preliminary study investigation report to determine whether or not the properties on Lincoln Boulevard identified in the Borough Council Resolution #324-13, dated 12/17/13 constitute an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law (LRHL); and

WHEREAS, the project schedule to prepare a preliminary investigation report is anticipated to be completed with four (4) months from the execution of the contract for Phases 1-4 (the entire study area); and

WHEREAS, the cost for this project whether the Borough wishes to investigate the 197+/- parcel redevelopment study area in four independent phases, i.e., to study approximately 50 parcels at one time will be an amount not to exceed \$19,000.00 to study the entire redevelopment area in either one phase or up to four phases.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey approves the proposal to provide the Borough of Middlesex with professional planning services in connection with the preparation of a redevelopment study for Lincoln Boulevard in an amount not to exceed \$19,000.

The Senior Finance Clerk/ Treasurer hereby certifies that the funds in the amount not to exceed \$19,000 are available in Account 04-1493-00-1493-55 – 3156.64, 04-1493-00-1493-60 – 988.59, 04-1525-00-1525-60 – 1845.90, 04-1562-00-1562-60 – 1108.88, 04-1582-00-1582-54 – 5773.60, 04-1736-00-1736-72 – 4738.32, 04-1818-00-1818-85 – 1388.00

Redevelopment Attorney, Albert Cruz addressed the Governing Body stating that the cost for this project whether the Borough wishes to investigate the 197+/- parcel redevelopment study area at one time or to break up the study area up to four independent phases will cost the same amount which is \$19,000. The Governing Body agreed that they will do the study in four independent phases. Attorney Cruz recommended that we amend the resolution to remove the section in the 4th paragraph “investigate the 197+/- parcel redevelopment study at one time.” Attorney Cruz will submit an amended resolution at the next meeting for the planning board to do the study in phases.

Council President Kaplan made a motion to adopt Resolution 89-14 as amended seconded by Councilman Schueler an carried by the following roll call vote: : Ayes: Dotey, Jenkins, Kaplan, Schueler, and Tackach. No.: Greco. Abstain: None.

NEW BUSINESS

The Borough Clerk read Ordinance No. 1848-14 introduction.

ORDINANCE NO. 1848-14

An Ordinance of the Borough of Middlesex, County of Middlesex and State of New Jersey amending Chapter 129 of the Code of the Borough of Middlesex to Permit the Maintenance of Community Cats in Managed Colonies

Be it ordained by the Mayor and Council of the Borough of Middlesex as follows:

§ 129-36 Definitions.

For the purposes of this Article V, the following terms shall have the meaning set forth in this provision. When not inconsistent with the context words used in the present tense include the future, words in the plural include the singular, words in the singular include the plural and words in the male gender include the female gender.

Animal Control Officer means any person or agency appointed as mandated by N.J.S.A. 4:19-15.16(b).

COMMUNITY CAT -- any cat living outside as a result of having been born outside or abandoned.

CARE GIVER – shall mean an individual or individuals designated by the Sponsor who shall be responsible for the normal and customary care of any community cat(s) including providing food, water and veterinary care, when indicated.

TNR – shall mean a program where a Community Cat is trapped, spayed or neutered, vaccinated against rabies, identified by tattoo or ear tip that it has been spayed/neutered and vaccinated, and returned to the place where it had been trapped.

MANAGED COLONY -- two or more community cats who have undergone TNR and are being cared for by a caregiver or caregivers who provide daily food and water and necessary and reasonable veterinary care for cats and who adopt out cats who would thrive in an adoptive home and for whom such home exists.

SPONSOR -- means Paws For Peace, Inc., a non-profit corporation.

§ 129-37 Regulations.

A. Managed Colonies shall be permitted in the Borough of Middlesex pursuant to the following terms and conditions:

1. The Sponsor shall provide to the Borough an annual report not later than January 31 of each calendar year, which indicates the number and location of Managed Colonies, the number of cats in each such Managed Colony, proof of TNR compliance for all cats in such Managed Colonies, and any other information reasonably requested by the Borough, shall be included with this information.

2. Sponsor shall provide photographs of all Community Cats and cats maintained in Managed Colonies that have undergone TNR pursuant to this Ordinance.

3. Cats maintained in Managed Colonies shall not be deemed to be “off the premises of its owner” for purposes of N.J.S.A. 4:19-15.16(e).

4. Complaints received regarding a cat in a Managed Colony shall be dealt with as follows:

a. The complainant shall be informed that the Borough has enacted an Ordinance permitting the maintenance of cats in Managed Colonies.

b. The Sponsor shall be advised of the complaint and shall be required to respond within 30 days and comply with any Ordinance, statute or other regulations or laws governing the act or omission giving rise to the complaint within a reasonable time as determined in the sole discretion of the Borough.

c. If the Borough is informed that an Animal Control Officer has come into possession of a cat from a managed colony, they shall immediately notify the Sponsor of such circumstance.

This ordinance shall take effect upon final passage and publication according to law.

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

PUBLIC HEARING - NONE

ADOPTION OF MINUTES

Councilwoman Jenkins made a motion to approve the February 25, 2014 Regular Meeting Minutes and the February 25, 2014 Executive Meeting Minutes seconded by Councilwoman Tackach and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Tackach. Nos: None. Abstain: Schueler

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance –
 - A. Council President Kaplan made a motion to approve the January, 2014 Finance Report seconded by Councilman Dotey and carried by a unanimous vote of Council.
 - B. Fairview Avenue Road Reconstruction Project – Council President Kaplan noted that due to the bad weather at the end of last year the project was on hold. It is now due to begin at the end of March or beginning of April and should be complete before the holidays.
 - C. Street Repaving Program – Council President stated that we will continue with the program and will use the list provided by the DPW and Engineer from 2013. Mayor Dobies indicated they will start with the money left over from last year and continue with the extension of Voorhees and that will run into Market.

- D. Budget Update – Council President Kaplan thanked everybody for coming out on Saturday. We should finish up the budget tonight with the DPW Budget and introduce on April 8, 2014.

Mayor Dobies noted that Council President Kaplan did a wonderful job running the meeting and also thanked the finance committee on an excellent job.

- 2. Recreation/Recreation Fields/Water & Light
 - A. Swim Pool Update – The pool manager is meeting with the engineer to figure out when we are going out to bid for the new swim pool. The executive board of the pool is meeting with the auditor to discuss how they are going to finance since they might not finance it through the MCIA as they are looking to finance longer than 15 years. When they meet with the auditor they will be discussing the funds needed and the bonding process. They hope to bid the project by the end of April. The pool secretary reported that she has been receiving applications and the credit card machine is working fine.
 - B. Recreation – Youth travel 5 & 6 grade girls championship were crowned. The boys 7 & 8th grade travel team is 17-0 and is going for a perfect season this Thursday night. Saturday the 5 & 6 grade boys will be playing. Three out of four travel teams will be championship bound. Councilman Greco thanked the coaches and the community for supporting the children.
- 3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Board of Health Report – The February Board of Health Report was distributed for the council's review.
 - B. Parker Firehouse and the Rescue Squad both are requesting permission to have a coin toss. A resolution will be placed on the next meeting for approval.
- 4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler asked for a motion to allow a DPW employee to take his final class for his DPW certification course. Mayor Dobies asked that we table this request as we need more information.
- 5. Police/Legal/Code Enforcement/Municipal Court – Nothing to report.
- 6. Administration/Department of Senior Services/Legislation/Licensing – Nothing to report.

REPORTS

Mayor

- 1. Mayor Dobies stated that he had a challenge for the council. He is looking for their vision whether it is personal or their vision of a department. The Mayor intends to revisit

with the council in 6 months regarding their vision. He noted that this may be a multi-year project.

The Borough Clerk read the following resolution:

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

Consent Agenda 2014(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 Consent 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 #81-14 – Resolution #85-14

Mayor Dobies asked that we hold off on Resolution #86-14 until after executive session when we might come back after further discussion and take action on Resolution #86-14.

Councilman Dotey made a motion for approval for Resolution #81-14 – Resolution #85-14, seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler 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 #81-14

The Tax Collector is hereby authorized to release municipally held tax sale certificate #2011-1761, Block 225, Lot 3, Bound Brook Road that was redeemed on March 4, 2014, and tax sale certificate #2011-1762, Block 225, Lot 25, Sixth Street that was redeemed on March 4, 2014 to:

Paul J. Sica
Attorney at Law
711 Jersey Avenue
New Brunswick, NJ 08901

The Borough Clerk read the following resolution:

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

Resolution #82-14

The Tax Collector is hereby authorized to issue a check in the amount of \$9,026.64 to redeem tax sale certificate #2013-1816 and a check in the amount of \$1,500 for a tax sale premium, Block 225, Lot 1, 770 Bound Brook Rd, checks are to be made payable to:

FWDSL & Associates LP
5 Cold Hill Rd 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 #83-14

The Tax Collector is hereby authorized to issue a check in the amount of \$16,155.47 to redeem tax sale certificate #2011-1760, Block 225, Lot 1, 770 Bound Brook Rd, check is to be made payable to:

U S Bank Cust\Emp IV Cap One
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 #84-14

The Tax Collector is hereby authorized to refund 2013 taxes for qualified Senior Citizen, Disabled Person and Veteran deductions:

BLOCK & LOT	NAME & ADDRESS	AMOUNT
173/50	Merola, Kathy 104 Giles Avenue	\$ 250.00

The Borough Clerk read the following resolution:

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

Resolution #85-14

The Governing Body hereby agrees to waive the permit fees for Beechwood Firehouse regarding the installation of a new furnace.

The Borough Clerk read the following resolution:

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

Resolution #87-14

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.

Including the following Confirming Orders:

PO 55314	Jaeger Lumber	\$ 33.47
PV 56	Absolute Fire Protection	\$ 430.00
PO 55156	Brunswick Automotive Professionals, Inc	\$ 357.28

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

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Cablevision Ordinance – PEG Channel or Live Streaming – Councilman Greco questioned where we are with Cablevision regarding the PEG Channel. The Mayor is meeting with the Superintendent of Schools and will find out if they are still interested in the Public Education Channel. Councilman Greco recommended investigating the possibilities of live streaming for our residents.
2. Stream Cleaning Program – Council President Kaplan would like to move forward with hiring for our Stream Clean Program starting in April for 14 weeks. Mayor indicated that we cannot go on private property to remove trees across the streams. Councilman Schueler noted that if any residents have a problem with a down tree as we are

proceeding with the Stream Cleaning Program we should let them know that they can look into their homeowner's policy regarding fallen trees on their property.

PUBLIC COMMENTS

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

Betty Platten, 4 Hooker Avenue questioned the following items: (1) In the February 11, 2014 Meeting Minutes Resolution #70-14 left off the name of the employee that was being brought up on ethic charges; (2) Questioned why the fire department is moving into an unheated trailer and where are they now if they are not using Fire Headquarters. What are we doing with fire headquarters; (3) Mrs. Platten indicated that she has Cablevision and has never seen a Mayor and Council meeting. She mentioned that Verizon Fios has many Mayor and Council meetings televised. Mrs. Platten suggested instead of looking into televising with Cablevision we should look into Verizon; and (4) No resolution on the February 11, 2014 meeting for the hiring the Public Works Manager that was approved at the meeting of February 11, 2014 which she attended.

John Ellery, 701 Lincoln Boulevard – Questioned what will happen to the Redevelopment Plan already in place and if the new plan speaks to eminent domain. The Resolution that passed in December, 2013 included Resolution #324-13 which states that there would be no use of eminent domain. Mr. Ellery also asked that in the Redevelopment Plan we keep money for the sewer system.

Debra DeVuyst, 73 Ramsey Road questioned the following items: (1) She read an article about the sewers that the Mayor stated there would be a small credit for the ad valorem taxes; (2) Mrs. DeVuyst's husband sat down with the CFO and she wrote down the calculations for him and showed him how to calculate the bills. The sewer user classes are the 2013 fees and the BOD and suspended solids is the 2012 rates. (3) Did we bill everybody to date?; (4) In Class 2 (it includes bars & kitchens) did we bill the Elks and American Legion? Did we bill the churches and the library? State Statute clearly states that we can't pick and choose in each class who to bill; (5) Did we add money for the tax appeals in the budget as there may be appeals to these sewer bills; and (6) The Borough website has Councilman Greco's name with Councilman DiMura's contact information.

John Hoffman, 455 Lincoln Blvd. stated that he agrees that the road on Baekeland and South Avenues are horrendous and that the Borough should get together with the neighboring towns to fix them. (2) The Fire Department Building is the most blighted property in town and questioned why we continue to store equipment in the building if it is inhabitable. (3) Agreed with videotaping of the meetings and noted that Verizon Fios does have many town meetings televised; (4) J&G Auto still has piles of dirt going into the stream and unregistered vehicles still on the property. Both J&G and New Journey are violating local ordinances and nothing is

getting done; (4) The town brought in \$60,000 from the new Landlord Registration when are the inspections going to take place.

John Ellery, 701 Lincoln Blvd. is against this Landlord Registration Ordinance. He stated that we already have to get a Continued Lease Occupancy when originally renting the property. A policy is already in effect and we are double-inspecting.

Mayor Dobies also addressed all questions from the Public.

Seeing that there was no further public participation, 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 88-14

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. Vacant CFO Position
2. Host Community Agreement – Importico and Republic Service
3. Certified Public Works Manager Salary

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

Mayor Dobies stated that after coming back from executive session action may be taken on the Certified Public Works Manager Salary Resolution #86-14 and the hiring for that position.

Council President Kaplan moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by a unanimous vote of Council.

The Governing made a final offer of employment to Bob Teutsch to be the Certified Public Works Manager at a salary of \$86,750.00.

Mr. Teutsch requested time to consider the offer. The Governing Body agreed and Mr. Teutsch will have his answer no later than the next regular meeting of March 25, 2014.

Mayor and Council continued with the budget for the DPW which was postponed at the Budget Meeting on March 8, 2014. The Governing Body along with Acting DPW Manager, Bob Teutsch reviewed the Parks & Playground proposed budget along with the 2014 proposed Capital Items for the DPW.

Also discussed was the request from the DPW for two full-time DPW employees along with two permanent part-time DPW employees and a part-time secretary. Councilman Kaplan made a motion to allow him to talk with the auditor and come back with a recommendation for the hiring of these proposed employees seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler, and Tackach. No: None. Abstain: None

ADJOURNMENT

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

Respectfully yours,

Kathleen Anello
Borough Clerk

**BOROUGH OF MIDDLESEX
SPECIAL MEETING MINUTES
March 18, 2014**

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 Courier News, the Borough Website, and posted at Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

Mayor	Ronald Dobies
Council President:	Sean Kaplan
	Kevin Dotey (absent - out of town)
	Stephen Greco
	Patricia Jenkins
	Robert Schueler
	Michele Tackach

Attorney:	Attorney Aithal
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Mayor Dobies opened the special meeting regarding the Sewer User Fees and discussed the most recent sewer ordinances that have been adopted by Council and how they came about. With a power point presentation the Mayor reviewed the MCUA costs, a review of the classes that were used in comparison to Piscataway's ordinance, the exemptions from user's fees, the credit for the ad valorem tax, the review board, all work done on the infrastructure since 2007 and fees which are based on BOD's, suspended solids and chlorine values.

The Mayor and Council President Kaplan met with the business community last Friday. At this time the governing body is awaiting information which has been requested from Piscataway to check their ratios and see if it is pertinent to the Borough to move forward. .

PUBLIC COMMENTS

Mayor Dobies opened the public portion of the meeting for anyone wishing to speak. The following individuals had comments regarding the sewer ordinance:

John Ellery, 701 Lincoln Boulevard
Jeanine Colaluca, Boulevard Fuel
Debbie DeVuyst, 73 Ramsey Road
John Mrofcheck, 128 Wood Avenue

Jack Mikoloczyk, 701 Beechwood Avenue
Martin Shiloh, 625 Union Avenue
Michael Lombardi, 551 Bound Brook Road
Rich Malt, 309 B Street
Warren Orlando, 221 Beechwood Avenue
Rod Donovan, 1316 Bound Brook Road
Former Mayor Bob Sherr, 212 Lucia Street
Jordan Singer, Automatic Ice Maker Co.

The following items were discussed:

1. The legality of the Sewer Ordinance as only a portion of registered businesses in the Borough were issued a sewer bill (Business Association lists 723 businesses, while only 278 were billed – selective enforcement)
2. Formula to calculate these bills were based on the Piscataway Ordinance, and their budget is 7,000,000 more than Middlesex Borough;
3. Piscataway's billing includes residents, businesses, churches & schools;
4. Request to rescind both the October, 2012 ordinance and the December, 2013 ordinance and revert back to the old calculations that are fair and equitable.
5. Concern that the numbers that are being used for calculations are the estimated numbers and not what was paid
6. A precedent was set when the Borough allowed Summit Hills to pay their sewer bill in increments over a 3 years period
7. Splitting the shortfall in budget among all users, including residents.
8. Request to have everyone pay separately for sewer and garbage charges.
9. Concern of all the taxes and surcharges in the town that businesses are subjected to and recommendation for incentives to be created to have more businesses move into the town.
10. Hostile relationship between the business community and council
11. Ratio for ad valorem tax should be kept up to date –based on assessed valuation
12. Borough not crediting businesses for the amount that they are paying in the ad valorem tax.
13. Request for an explanation for the change in format of the sewer bill
14. Request to put into a capital budget funds to address the needs of our sewer system
15. Status of the flow meters
16. Ordinance attempts to bypass cap to increase revenue that can't be increased in the budget
17. Council members that voted on the ordinance do not have businesses and do not realize the tough times that the small business owner is experiencing.
18. Pot holes on South Avenue
19. The committee process that was used to bill this fee and why it was never corrected.

20. The Collections of the funds for sewer users fees will be put in an account to handle infrastructure of the sewer system – not general funds
21. Who will decide when the sewer line needs to be fixed.

Councilman Schueler made a motion to look into the ordinance to see that all bills are sent to the people that need to be billed. Also look into the ratios and user fees seconded by Councilwoman Jenkins and carried by the following vote of Council: Yes: Kaplan, Jenkins, Schueler and Tachach. No: Greco

Councilman Schueler amended the previous motion that would have the Ordinance go back to a Committee for 30 days and then the Committee would report back to Council and include resolving the administrative aspect seconded by Councilwoman Jenkins and carried by the following vote of Council: Yes: Kaplan, Jenkins, Schueler and Tackach. No: Greco.

Councilman Greco made a motion to rescind the Sewer Tax Ordinance until such time as it is amended. There was not a second to this motion and the motion died.

Councilman Greco made a second motion to rescind the Sewer Tax Ordinance and review it and revert back to the 2010 Ordinance. There was not a second and this motion died.

Seeing that there was no further public comment on this matter, Mayor Dobies closed the Public Hearing on the Sewer User's Fees and appointed Council President Kaplan, Councilman Schueler and Councilman Greco to a Committee to review this ordinance and bring back to Council in 30 days.

ADJOURNMENT

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

Respectfully submitted,

Kathleen Anello, RMC
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
MARCH 25, 2014**

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 Revised Annual Meeting Notice of December 31, 2013 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	Sean Kaplan
	Kevin Dotey
	Stephen Greco
	Patricia Jenkins
	Bob Schueler
	Michele Tackach (absent)

Attorney: Aravind Aithal

Mayor Dobies stated that two item will be added to the Agenda – Discussion on the Bleachers for the Softball Field and also the resignation of the Fire Sub Code Official.

PROCLAMATIONS-NONE

APPOINTMENT-NONE

PRESENTATIONS-NONE

NEW BUSINESS-NONE

PUBLIC HEARING

The Deputy Clerk read Ordinance No. 1848-14 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1848-14

An Ordinance of the Borough of Middlesex, County of Middlesex and State of New Jersey amending Chapter 129 of the Code of the Borough of Middlesex to Permit the Maintenance of Community Cats in Managed Colonies

Be it ordained by the Mayor and Council of the Borough of Middlesex as follows:

§ 129-36 Definitions.

For the purposes of this Article V, the following terms shall have the meaning set forth in this provision. When not inconsistent with the context words used in the present tense include the future, words in the plural include the singular, words in the singular include the plural and words in the male gender include the female gender.

Animal Control Officer means any person or agency appointed as mandated by N.J.S.A. 4:19-15.16(b).

COMMUNITY CAT -- any cat living outside as a result of having been born outside or abandoned.

CARE GIVER – shall mean an individual or individuals designated by the Sponsor who shall be responsible for the normal and customary care of any community cat(s) including providing food, water and veterinary care, when indicated.

TNR – shall mean a program where a Community Cat is trapped, spayed or neutered, vaccinated against rabies, identified by tattoo or ear tip that it has been spayed/neutered and vaccinated, and returned to the place where it had been trapped.

MANAGED COLONY -- two or more community cats who have undergone TNR and are being cared for by a caregiver or caregivers who provide daily food and water and necessary and reasonable veterinary care for cats and who adopt out cats who would thrive in an adoptive home and for whom such home exists.

SPONSOR -- means Paws For Peace, Inc., a non-profit corporation.

§ 129-37 Regulations.

A. Managed Colonies shall be permitted in the Borough of Middlesex pursuant to the following terms and conditions:

1. The Sponsor shall provide to the Borough an annual report not later than January 31 of each calendar year, which indicates the number and location of Managed Colonies, the number of cats in each such Managed Colony, proof of TNR compliance for all cats in such Managed Colonies, and any other information reasonably requested by the Borough, shall be included with this information.

2. Sponsor shall provide photographs of all Community Cats and cats maintained in Managed Colonies that have undergone TNR pursuant to this Ordinance.

3. Cats maintained in Managed Colonies shall not be deemed to be “off the premises of its owner” for purposes of N.J.S.A. 4:19-15.16(e).

4. Complaints received regarding a cat in a Managed Colony shall be dealt with as follows:

a. The complainant shall be informed that the Borough has enacted an Ordinance permitting the maintenance of cats in Managed Colonies.

b. The Sponsor shall be advised of the complaint and shall be required to respond within 30 days and comply with any Ordinance, statute or other regulations or laws governing the act or omission giving rise to the complaint within a reasonable time as determined in the sole discretion of the Borough.

c. If the Borough is informed that an Animal Control Officer has come into possession of a cat from a managed colony, they shall immediately notify the Sponsor of such circumstance.

This ordinance shall take effect upon final passage and publication according to law.

Mayor Dobies opened the Public Hearing on Ordinance No. 1848-14.

John Madden, 103 Rock Lane discussed the ordinance and thinks it needs some information added about a maximum on the amount of managed colonies in the borough, a minimum feeding stations to not attract wildlife and signs need to be posted that the "Colony is in a TNR Program". Mr. Madden indicated that according to the State Department of Health one concern is that colonies should not be established where at risk wildlife populations could be threatened or poise a nuisance to the public. Mr. Madden also spoke with Dr. Campbell, an expert with cats, and he mentioned that in Atlantic City there is a managed cat colony that is very successful because they do routine things with feeding stations and make sure when cats need vaccinations the retrapp process will take place. He also requested that the ordinance say something that when trapped, the ear tips will be marked.

Debbie DeVuyst, 73 Ramsey Road questioned if the cats are required to get rabies shots and how do you know that the cat has a shot. Do we have a document that said what the sponsor is going to do for the cats. What happens if a child gets bit by a cat, and there is no mechanism to quarantine, a small child may be put to risk and forced to get rabies shots. In reading the Board of Health Meeting Minutes she also indicated that the county does not want anything to do with this program.

Amy Burke, 533 Giles Avenue indicated that the purpose of TNR of establishing managed colonies is to reduce the population of homeless cats in the borough. She has never heard of a TNR program that does not vaccinate cats against rabies. TNR requires monitoring the vaccination of the cats, and spaying and neutering of the cats. They want the cat population to decline, and they do not want to create more colonies. She has never heard of someone being attacked by a community cat. Now if a cat is a nuisance, animal control might come and trap and kill the cat. The best way to control overpopulation of cats is to trap, neuter, vaccinate and watch the population go down.

Seeing that there was no further public comments, Mayor Dobies closed the hearing on Ordinance No. 1848-14.

Mayor Dobies mentioned that the County Board of Health has requests and there are additional comments about issues not included in the ordinance. The Mayor stated that if passed tonight

we will have to amend at a later date to clarify items such as if someone from the borough will be responsible to manage the colonies, the duties of this person, who will sign violations and go to court, and the responsibilities of the caregiver.

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

Mayor Dobies stated that normally he would veto this ordinance, but since the vote was unanimous it would only be a useless move.

ADOPTION OF MINUTES

Councilman Greco made a motion to approve the March 8, 2014 Budget Meeting and the March 11, 2014 Regular and Executive Meeting Minutes seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, and Schueler. Nos.: None. Abstain: None.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance –
 - A. Budget Update – Council President Kaplan stated that the 2014 Budget will be introduced on April 8. Recommendations were made to Council to go back to their department heads for additional cuts and the Finance Committee is awaiting results. The budget is still a work in progress and the goal is to reduce it to 6 points. Mayor Dobies stated that his recommendation is to not hire any people not in the budget at this time. Also, he would like to bring the budget down to 6 points which would be a \$200,000 reduction. Mayor Dobies is recommending that we should look into any trust accounts, both Recreation and Recycling, to come up with additional funds to balance the budget. Mayor Dobies stated that Council President Kaplan and the Finance Department have done an excellent job on this budget.
 - B. Sewer Committee Update – The Sewer Committee has met and worked on questions that were given from the business community. Councilman Kaplan explained how the discrepancy occurred in the amount of businesses that were billed and also the classification of each of the businesses. As of today, and after numerous hours the Committee has reclassified 250 of these businesses so far and designated the type of business. Councilman Kaplan recommended that our borough engineer review this information to make sure the classifications are correct and fitting for our business owners for a fee not to exceed \$9,000 so that we are billing fairly and they can come back with user fees and recommendations. Also, he would like the engineer to look at the infrastructure and where the money is going. Mayor Dobies recommended to add this

resolution to the meeting this evening, as the governing body has promised the business community a response within 30 days.

2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco mentioned that at the Easter Egg Hunt the Shade Tree Commission will be giving away free seedlings to all residents.
 - B. Councilman Greco mentioned that he has been battling pneumonia and not to be disrespectful will have to leave the meeting if necessary.
3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Councilman Dotey moved the appointment of Eric Powlison and David Breen as members of the Middlesex Fire Department seconded by Council President Kaplan and carried by a unanimous vote of Council.
 - B. Council President Kaplan indicated that there was a hazmat call on Sunday about a leak at the gas station on the corner of Route 28 and Warrenton Road. County Hazmat was notified and Council President will handle the required reports and copy Councilman Dotey and Chief Bird.
4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler mentioned that in order to replace the bleachers at the girl's softball field the permit requires architectural drawings signed by an architect. Council approved a resolution be put on the next meeting authorizing the DPW Manager to enlist the assistance of the borough engineer/architect to complete the permit process and move forward with the replacement of the bleachers. The DPW Manager will get costs for this service.
5. Police/Legal/Code Enforcement/Municipal Court – Nothing to report.
6. Administration/Department of Senior Services/Legislation/Licensing – Councilwoman Tackach was absent.

REPORTS

Mayor

1. Mayor Dobies discussed transparency and the importance of the publication of a complete agenda of the reports, action and resolutions that is proposed to discuss or act on. He indicated that unless the activity is an emergency the governing body should refrain from any activity not published on the agenda. The Mayor also reiterated that the Mayor and Standing Committee reports and any other official action should be given to the Borough Clerk no later than Wednesday evening, in order to allow both he and the Council President to review the agenda before it is published to the website. Unless an emergency, any items coming after that time should be put off until the next meeting. All Mayor and Standing Committee reports should also be given to the Clerk. The

Discussion Agenda Workshop Items should be discussed before they come up at the next meeting for action, and the Council should limit the introduction of a resolution followed by a vote that has not been discussed at a prior meeting unless it is an emergency.

2. Grants – Mayor Dobies has received several grants and will review them with the appropriate department heads. We also have received the Safe Routes to School Program and alternate plans for roads. The Mayor would like the engineer to get estimates for this work.

The Deputy Clerk read the following resolution:

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

Consent Agenda 2014(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 is not desirous of removing any resolutions from this Consent 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 #90-14 – Resolution #98-14
Resolution #101-14

Councilman Kaplan made a motion for approval seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, and Schueler. 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 #90-14

WHEREAS, an emergent condition has arisen with respect to providing temporary appropriations sufficient to cover commitments made during the period of January 1, 2014 to the date of adoption of the annual budget and no adequate provision has been made in the 2014 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 2014 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$12,518,134.67 for the Current Fund Budget, \$258,000.00 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.

Appropriations	Account No	Salaries & Wages	Other Expenses
Current Fund			
General Government			
Mayor & Council	20-1101	6,000	12,000
Municipal Clerk	20-1231	70,000	3,000
Printing & Advertising	20-1202		3,000
Postage	20-1222		7,000
Finance Administration	20-1301	40,000	7,000
Elections	20-1242		5,500
Computer Services	20-1401	42,000	46,000
Revenue Administration	20-1451	32,000	5,500
Assessment of Taxes	20-1501	15,000	1,000
Legal	20-1551		50,000
Engineering	20-1652		20,000
Planning Board	21-1802		13,000
Zoning Board	21-1852	2,725	6,000
Ins. Liability	23-2102		141,356.00
Ins. Workers Comp	23-2152		38,200.00
Ins.Group	23-2202		942,447
Ins. Surety Bonds	23-2112		
Ins. Temp. Disability	23-2122		15,000
Ins. Long Term Disability	23-2132		10,000
Public Safety			
Police	25-2401	1,380,000	75,000
Juvenile	25-2411	950	0
Emergency Management	25-2521		7,000
Fire	25-2652		65,000
Fire Hydrants	25-2572		95,000
Prosecutor	25-2752	11,000	
Uniform Fire Prevention	25-2531	0	0
Public Works			
Streets & Roads	26-2901	151,000	55,000
Shade Tree	26-3001	1,100	27,000

Solid Waste	25-3051	43,000	
Garbage	25-3071	400,000	30,000
Bldg & Grounds	25-3101	0	40,000
Rental Rescue Squad	25-3082		3,000
Sewers	31-4551	26,000	11,000
Stormwater Regulations	41-7160		1,500
Maint.Communications	25-3092		
Health & Human Services			
Board of Health	27-3301	3,400	25,000
Animal Control	27-3453		15,000
Parks & Receptions			
Recreation	28-3701	35,000	0
Celebration of Public Events	30-4200		20,000
Parks & Playgrounds	28-3751	105,000	15,000
Sr. Citizen Bus	28-3721		1,000
Sr. Nutrition	28-3791	10,000	
Title III	28-3781	14,000	
Medical Transportation	28-3761	4,000	
Sr. Coordinator	28-3731	25,000	2,000
Utility Expenses			
Electricity	31-4302		75,000
Street Lighting	31-4352		78,000
Telephone	31-4402		30,000
Water	31-4452		17,000
Natural Gas	31-4462		10,000
Fuel Oil (Diesel)	31-4472		27,000
Gasoline	31-4602		13,000
Other Operating			
Housing & Community Devel	30-4161		
Environmental	30-4171		
Tax Map Maintenance	30-4182		
Landfill	32-4652		190,000
Construction	22-1951	60,000	2,000
Municipal Court	43-4901	55,000	4,000
Library	29-3902		200,000
Utility Authority	25-3122		450,000
Piscataway Sewer	25-3112		117,000
Beautification	30-4203		

Curbside Recycling	36-4766		50,000
Unemployment	36-4767		0
Statutory Expenses			
PERS	36-4722		
PFRS	36-4752		
Social Security	36-4722		130,000
DCRP Co. Match	36-4732		6,000
Debt Service			
Bond Principal	45-9202		
Bond Interest	45-9302		
BAN Interest	45-9302		
Ban Paydown	45-6202		
Green Acres Loan	45-9402		
Hazardous Loan & Interest	45-9412		
Infrastructure Loan	45-9413		
MCIA Loan	45-9414		
Capital Imprv Fund	44-9010		48,000
State & Federal Grants			
Drug Alliance	41-7032		7,000
Older American	41-7092	5,000	
Body Armor	41-7042		3,354.13
DWI	41-7011		3,575.92
Municipal Court DWI	41-7022		
Clean Communities	41-7002		
TOTAL CURRENT FUND		2,537,175	3,274,433.05
Swim Pool Utility			
Operating Appropriations	01-7001	120,000	68,000
TOTAL SWIM POOL		120,000	68,000

The Deputy Clerk read the following resolution:

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

Resolution #91-14

A proposal has been received by Middlesex Borough from David A. Sliker, Certified Recycling Professional Coordinator to provide the following services and assistance for both general recycling requirements as well as compliance issues as they may pertain to non-residential generators within the boundaries of the Borough of Middlesex in an amount not to exceed \$2,300.00:

- (a) Review of all non-residential generators within the community. A notification list of the largest potential generators and ones that are typically laggards will be compiled. From the notification list all non-residential generators will be notified of both their reporting and source separation responsibilities. Up to fifty of the notified non-residential generators will receive a site visit for educational purposes and or compliance issues.
- (b) Notify and site visit all multifamily complexes that have dumpster collection and 24 or more units of both their reporting and source separation responsibilities.
- (c) Provide some assistance with public announcements, advertisements and or educational programs as they pertain to recycling.
- (d) Explain to the construction office staff the responsibilities of individuals or businesses that apply for a permit and what their requirements are for reporting construction/demolition waste.
- (e) Review current borough ordinance for compliance with the Middlesex County Solid Waste Plan.
- (f) Assist in creating the NJDEP tonnage grant application resolution and the tax id Statement.
- (g) Submit the grant application resolution, tax id statement and municipal recycling tonnage report to the NJDEP and make himself available for the NJDEP 30 day desk review.

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

1. The Governing Body hereby approves the proposal from David A. Sliker, Certified Recycling Professional Coordinator to provide the above services within the boundaries of the Borough of Middlesex in an amount not to exceed \$2,300.00.
2. This resolution shall take effect immediately.

NOW FURTHER BE IT RESOLVED, that funds in the amount of \$2,300 are available in Account No. 03-4000-00-4026-90.

The Deputy Clerk read the following resolution:

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

Resolution #92-14

TONNAGE GRANT APPLICATION RESOLUTION

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for the **2013 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of Middlesex Borough to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that the Borough of Middlesex hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates David Sliker to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

The Deputy Clerk read the following resolution:

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

Resolution #93-14

WHEREAS, Parker Engine & Hose Co. No. 4 has requested to hold fund raising within the borough of Middlesex by conducting a coin toss within the borough at the intersection of Route 28 and South Lincoln Avenue; and

WHEREAS, Parker Engine & Hose Co. No. 4 would like to conduct this coin toss on April 19th from 9 a.m. – 6 p.m.; and

WHEREAS, Parker Engine & Hose Co. No. 4 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:

1. The Governing Body hereby approves Parker Engine & Hose Co. No. 4 conduct a coin toss on April 19th from 9 a.m. – 6 p.m. at the intersection of Route 28 and South Lincoln Avenue, pending receipt of approval from the New Jersey Department of Transportation.
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 #94-14

RESOLUTION CALLING ON THE LEGISLATURE TO MAKE PERMANENT THE 2% CAP ON INTEREST ARBITRATION AWARDS

WHEREAS, on December 21, 2010, Governor Christie signed into law reforms to the Arbitration process that took effect January 1, 2011; and

WHEREAS, the reforms capped arbitration awards on economic factors to no more than 2%, provided for random selection of arbitrators, expedited the determination of awards, required the arbitrator to provide a written report detailing the weight accorded to each of the required considerations and expedited the appeal process; and

WHEREAS, these reforms marked a dramatic change to the arbitration process and have helped municipalities to control the never-ending rise in public safety personnel costs; and

WHEREAS, a key element of the reforms, capping arbitration awards on economic factors to no more than 2% of the property tax levy will expire on April 1, 2014; and

WHEREAS, while municipalities are statutorily limited to raise their property tax levy by no more than 2%, with very limited exceptions, failure to extend the 2% cap on interest arbitration awards will force municipalities throughout the State to further reduce or even eliminate crucial services,

personnel, and long-overdue infrastructure improvement projects in order to fund an arbitration award; and

WHEREAS, the 2% Interest Arbitration cap has controlled one of the largest municipal expense, public safety salaries, not only through arbitration awards but through contract negotiations; and

WHEREAS, absent further action by the Legislature, any contract that expires on or after April 1, 2014, will be subject to all new procedures and requirements, EXCEPT the 2% awards cap; and

WHEREAS, without those limits, arbitrators will be able to impose awards that do not account for the 2% limit on the property tax levy, which would immediately threaten funding for all other municipal services; and

WHEREAS, without the 2% cap on Interest Arbitration Awards but with the 2% cap on property tax levy local budget makers could be forced to reduce other essential municipal services to fund an arbitration award;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Middlesex strongly urges the Legislature to permanently extend the 2% cap on interest arbitration awards prior to the April 1, 2014 sunset; and

BE IT FURTHER RESOLVED, that a that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Assembly Speaker Vincent Prieto, the legislators of the Borough of Middlesex State Legislative representatives, Governor Chris Christie, and the New Jersey State League of Municipalities.

The Deputy Clerk read the following resolution:

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

Resolution #95-14

WHEREAS, Middlesex Borough Rescue Squad has requested to hold fund raising within the borough of Middlesex by conducting coin tosses within the borough at the intersections of Union Avenue and Greenbrook Road, Union Avenue and Shepherd Avenue, Union Avenue and Harris Avenue and Mountain Avenue and Bound Brook Road; and

WHEREAS, Middlesex Borough Rescue Squad would like to conduct these coin tosses on April 5 & 6, May 3 & 4, June 7 & 8, July 5 & 6, August 2 & 3, September 6 & 7 and October 4 & 5 from 9 a.m. – 6 p.m.; and

WHEREAS, Middlesex Borough 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:

1. The Governing Body hereby approves Middlesex Borough Rescue Squad to conduct coin tosses on April 5 & 6, May 3 & 4, June 7 & 8, July 5 & 6, August 2 & 3, September 6 & 7 and October 4 & 5 from 9 a.m. – 6 p.m. at the above locations, pending receipt of approval from the New Jersey Department of Transportation.
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 #96-14

WHEREAS, on December 17, 2013, the Borough of Middlesex (the “Borough”) adopted Resolution #324-13; and

WHEREAS, Resolution #324-13 is hereby restated and amended to provide that the preliminary investigation described in Resolution #324-13 shall occur in four (4) phases consisting of approximately fifty (50) parcels each as proposed by Paul Ricci of Ricci Planning in his proposal, dated February 26, 2014; and

WHEREAS, Resolution #324-13 as restated and amended follows:

WHEREAS, on September 18, 2007, the Borough adopted Ordinance No. 1723-07, which enacted the Lincoln Boulevard Redevelopment Plan (the “Plan”), dated June 27, 2007, encompassing the westerly portion of Lincoln Boulevard from the Borough of Bound Brook border to two-hundred feet (200’) east of its intersection with Mountain Boulevard and the south portion of Mountain Boulevard from its intersection with Lincoln Boulevard to William Street; and

WHEREAS, the properties designated under the Plan were all designated as an area in need of rehabilitation; and

WHEREAS, it has been over six (6) years since the adoption of the Plan, during which time there have been significant changes in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.* (the “Redevelopment Law”) and case law interpreting same;

WHEREAS, during this time little development has occurred under the Plan;

WHEREAS, the Redevelopment Law sets forth the procedures for the Borough to declare an area in need of redevelopment, along with the development and effectuation of a redevelopment plan; and

WHEREAS, pursuant to the required redevelopment procedures, specifically set forth in N.J.S.A. 40A:12A-6, no area of a municipality shall be determined a redevelopment area unless the governing body of the municipality shall, by resolution, authorize the Planning Board to undertake a preliminary investigation to determine whether a proposed area is a redevelopment area meeting the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, New Jersey Legislature adopted, and the Governor signed P.L. 2013, Chapter 159, which amended the Redevelopment Law, including the procedural requirements of N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6; and

WHEREAS, pursuant to P.L. 2013, Chapter 159, “[t]he resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a ‘Non-Condensation Redevelopment Area’) or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a ‘Condensation Redevelopment Area’); and

WHEREAS, the Borough Council finds it to be in the best interest of the Borough and its residents to authorize the Borough’s Planning Board to undertake such preliminary investigation of the Properties identified on Schedule A attached hereto and made a part hereof, and as shown on the Map attached hereto and made a part hereof as Schedule B, as a Non-Condensation Redevelopment Area, in four (4) phases consisting of fifty (50) parcels each as proposed by Paul Ricci of Ricci Planning in his proposal, dated February 26, 2014.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Middlesex, in the County of Middlesex, and State of New Jersey, that the Planning Board is hereby authorized to undertake a preliminary investigation, utilizing Paul Ricci of Ricci Planning, pursuant to the notice, hearing and other requirements of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.*, as amended, in order to recommend to the Borough Council whether the area comprising the properties identified on Schedule A attached hereto and made a part hereof, and as shown on the Map attached hereto and made a part hereof as Schedule B, is an area in need of redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5, in four (4) phases consisting of fifty (50) parcels each as proposed by Paul Ricci of Ricci Planning in his proposal, dated February 26, 2014.

BE IT FURTHER RESOLVED that, pursuant to New Jersey P.L.2013, Chapter 159, the redevelopment area determination shall authorize the Borough to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain, also know as a “Non-Condensation Redevelopment Area.”

BE IT FURTHER RESOLVED that a certified copy of this Resolution is to be forwarded to the Planning Board of the Borough of Middlesex.

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law.

The Deputy Clerk read the following resolution:

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

Resolution #97-14

Rescinding Resolution #77-14 appointing Vince Buono as temporary Chief Financial Officer effective March 3, 2014.

The Deputy Clerk read the following resolution:

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

Resolution #98-14

Appointing the Tax Collector, Tonya Hubosky, as the Temporary CFO in the amount of \$500.00 per month for two months effective March 25, 2014.

The Deputy Clerk read the following resolution:

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

Resolution #101-14

WHEREAS, the Borough Engineers, Remington & Vernick is authorized to review and make recommendations for amendments and/or clarifications on the sewer ordinance, ratios and user classifications; and

WHEREAS, such scope of work is not to exceed \$9,000.

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. Remington & Vernick is hereby authorized to review and make recommendations for amendments and/or clarifications on the sewer ordinance, ratios and user classifications for a fee not to exceed \$9,000.
2. This resolution shall take effect immediately.

NOW FURTHER BE IT RESOLVED that funds in the amount of \$9,000 are available in Account No. 04-1611-00-1611-52.

The Deputy Clerk read the following resolution:

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

Resolution #99-14

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.

Including the following Confirming Orders:

PO 55305	Gramco Word Processing, Inc	\$ 104.50
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Council President Kaplan made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, and Schueler. Nos: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS-NONE

PUBLIC COMMENTS

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

Amy Bigge, 5 Marshall Place thanked the Mayor and Council for all their work on Ordinance No. 1848-14. She understands that changes may need to be made and would like to see things go smoothly with the program. She also thanked the residents in town that spearheaded this ordinance, the caregivers that take care of the cats and the organization that assisted in this process.

John Ellery, 701 Lincoln Boulevard indicated that there are approximately 575 – 600 businesses in the borough with regard to the billing of the sewer user fee. Mr. Ellery also mentioned that the Committee is available to meet and work to resolve this situation and recommended that the borough committee look into the ratios and also look into not only the businesses, but also the residents. Mr. Ellery also requested that the Borough remind the Departments Heads about the “Buy Local” resolution that they adopted at their January 1, 2014 Reorganization Meeting.

Debra DeVuyst, 73 Ramsey Road discussed that in the February 26, 2013 meeting minutes the borough was aware of the broken pipes in the Piscataway meter area and she is waiting to hear

what they are proposing to do. Also, she mentioned that if an e-mail is sent it is considered a meeting.

John Erickson, 209 Second Street discussed committee/commission appointments made by the Mayor.

Mayor Dobies addressed all questions from the Public.

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

The Deputy Clerk read the following resolution:

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

Resolution #100-14

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. Host Community Agreement – Importico and Republic Service
2. Certified Public Works Manager

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

Council President Kaplan moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by a unanimous vote of Council.

ADJOURNMENT

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

Respectfully yours,

Linda Chismar, RMC
Deputy Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
APRIL 8, 2014**

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 Revised Annual Meeting Notice of December 31, 2013 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	Sean Kaplan
	Kevin Dotey
	Stephen Greco
	Patricia Jenkins
	Bob Schueler
	Michele Tackach

Attorney: Aravind Aithal

PROCLAMATIONS-NONE

APPOINTMENT

The Municipal Clerk read the following resolution:

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

Resolution #102-14

WHEREAS, James Morley 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 James Morley be appointed to the position of Probationary Patrolman effective April 9, 2014 at an annual salary of \$49,346.00.

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. James Morley is hereby appointed a Probationary Patrolman for the Borough of Middlesex effective April 9, 2014 at an annual salary of \$49,346.00.
2. This resolution shall take effect immediately.

Councilwoman Tackach made a motion for adoption seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler, and Tackach. No.: None. Abstain: None.

Chief Young welcomed Patrolman Morley and his family to the Middlesex Borough Police Department. Chief Young thanked the Council for the support that they've given him and the entire department throughout the hiring process.

PRESENTATIONS-NONE

NEW BUSINESS

The Borough Clerk read Ordinance No. 1849-14 for introduction:

**BOROUGH OF MIDDLESEX
COUNTY OF MIDDLESEX, NEW JERSEY**

**CALENDAR YEAR 2014
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the two succeeding years; and,

WHEREAS, the Mayor and Borough Council of the Borough of Middlesex, in the County of Middlesex, New Jersey, finds it advisable and necessary to increase its CY 2013 budget by up to 3.5 % over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Borough Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$167,032.07 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary.

WHEREAS, the Mayor and Borough Council hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to the final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Middlesex, in the County of Middlesex, New Jersey, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2013 budget year, the final appropriations of the Borough of Middlesex shall, in accordance with this ordinance and N.J.S.A. 40 A: 4-45.14, be increased by 3.5 %, amounting to \$389,741.49 and that the CY 2013 municipal budget for the Borough of Middlesex be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years: and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Councilman President Kaplan made a motion for introduction, seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler, and Tackach. No.: None. Abstain: None.

OLD BUSINESS

The Borough Clerk noted that Ordinance #1848-14 **AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX AND STATE OF NEW JERSEY MANDING CHAPTER 129 OF THE CODE OF THE BOROUGH OF MIDDLESEX TO PERMIT THE MAINTENANCE OF COMMUNITY CATS IN MANAGED COLONIES** – adopted by the council on March 25, 2014 was vetoed by the Mayor on March 28, 2014.

The Borough Attorney advised the Governing Body that in the case of a mayoral veto, the veto comes back to the council who then has an opportunity to accept or comment on the veto or make a motion to override the veto and if they choose to override a roll call vote will be taken.

Councilman Kaplan made a motion to override the mayor's veto of Ordinance #1848-14 seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Tackach and Schueler. No: None. Abstain: None.

Mayor Dobies expressed that he denied the veto not because he is against cat colonies but because we should have a complete ordinance before we move ahead. He is pleased with the write-up he received from the attorney and is looking forward to the next meeting for the introduction of the amendments to that ordinance.

Councilman Kaplan stated that after the veto was taken the attorney, the committee for the Board of Health, Paws for Peace and himself sat down and made the adjustments to the ordinance.

ADOPTION OF MINUTES

Councilman Greco made a motion to approve the March 18, 2014 Special Meeting Minutes and the March 25, 2014 Regular and Executive Meeting Minutes seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan Schueler and Tackach. No: None. Abstain: None.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance –
 - A. Council President stated that he spoke to the auditor and we will be introducing the budget on April 22, 2014 when the auditor will be available for any questions from the Governing Body.

2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco stated that he attended the Little League Opening Day noting that John Ellery was recognized as a supporter of Little League and that it was a great experience overall.

3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Councilman Dotey stated that the Borough Clerk scanned over a copy of the March Board of Health Report and reminded everybody that the Fireman's Carnival is April 21st through April 26th.

4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler discussed the situation about the bleachers and the need for the approvals from the Construction Official. DPW may need to amend to comply with an ADA ramp. They are questioning whether the bleachers will still fit and be in compliance with ADA requirements. This must be reviewed before installation. Both DPW and Engineers are reviewing.

- B. Councilman Schueler discussed the potential savings in the building and grounds budget by not having them wax floors every month and since there is no contract we can change our policy in mid-year to every other month
- 5. Police/Legal/Code Enforcement/Municipal Court
 - A. Councilwoman Jenkins made a motion to approve the Police Report for February, 2014 seconded by Councilman Schueler and carried by a unanimous vote of council.
 - 6. Administration/Department of Senior Services/Legislation/Licensing – Nothing to Report.
-

The Borough Clerk read the following resolution:

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

Consent Agenda 2014(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 is desirous of removing resolutions #108-14, #110-14, and #111-14 from this Consent 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 #103-14 – Resolution #107
Resolution #109-14

Council President Kaplan made a motion for approval seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler, and Tackach. No.: None. Abstain: None.

The Borough Clerk read the following Resolution:

RESOLUTION #103-14

RESOLUTION TO UTILIZE A THREE-YEAR AVERAGE TO CALCULATE THE RESERVE FOR UNCOLLECTED TAXES

WHEREAS, N.J.S.A. 40A:4-41 provides that the Governing Body may authorize to determine the reserve for uncollected taxes by using the average of the percentage of taxes levied that were received in cash by the last day of each of the three preceding fiscal years.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Middlesex hereby directs the Chief Financial Officer to utilize the three-year average of the Reserve for Uncollected Taxes for 2014.

The Borough Clerk read the following resolution:

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

Resolution #104-14

Accepting the resignation of Ellen Jurado from the Recreation Department effective May 31, 2014.

The Borough Clerk read the following resolution:

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

Resolution #105-14

Accepting the resignation of Mark Ciarlariello as the Fire Subcode HHS Inspector in the Construction Department effective April 7, 2014.

The Borough Clerk read the following resolution:

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

Resolution #106-14

The Tax Collector is hereby authorized to refund 1st quarter 2014 property taxes on the following property. The finance/mortgage company overpaid.

BLOCK/LOT	NAME & ADDRESS	AMOUNT
209/28	Cabrera, Carol	\$1,564.71

The check is to be made payable to: Pan, Ye
c/o Graziano, Piasecki & Whitelaw LLC
239 US 22 East, Suite 303
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 #107-14

Appointing Bob Teutsch as the Certified Public Works Manager for 40 hours per week at an annual salary of \$90,000 effective immediately. (This position includes roads, parks, sewers and garbage.)

The Borough Clerk read the following resolution:

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

Resolution #108-14

Hiring Jim Ayotte as the temporary Fire HHS Inspector and William Boyle as the temporary Fire Subcode Official for \$508.00 per month each not to exceed 90 days. .

Councilman Schueler made a motion for approval seconded by Council President Kaplan and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler, and Tackach. No.: 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 #109-14

Approving Remington & Vernick to work with the Certified Public Works Manager and the Construction Official and prepare and sign the foundations drawings for the Girls' Softball Bleachers at Mountain View Park in an amount not to exceed \$1,000.

The Treasurer/Senior Finance Clerk hereby certifies that funds in the amount of \$1,000 are 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 #110-14

Approving the beer tent at Mountain View Park on August 16, 2014 from 12 PM to 8 PM for the Fire Department wet down.

Council President Kaplan noted that the outside company providing the beer tent will supply the security and noted that the time on the resolution should be from 12 pm to 8 pm.

Councilman Schueler made a motion to approve the resolution as amended to include the time change from 12 p.m. – 8 p.m. seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler, and Tackach. No.: 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 #111-14

WHEREAS, bids were received March 20, 2014 for Blue Acres Demolition of State Properties;

WHEREAS, there were four bids received which are listed below:

Caravella Contractors, Inc. 40 Deforest Avenue East Hanover, NJ 07936	\$157,525.00
Wild Heart Bulk Landscape Supplies LLC 845 US Highway 206 Hillsborough, NJ 08844	\$140,000.00
KDP Developers, Inc. 220 Goodsprings Road Stewartsville, NJ 08886	\$348,800.00
Aurora Environmental, Inc. 1102 Union Avenue Union Beach, NJ 07735	\$395,982.00

WHEREAS, Partner Engineering and Science Inc. in concurrence with the Borough Attorney recommends to award the bid to Wild Heart Bulk Landscape Supplies LLC in the amount of \$140,000.00; and

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 Partner Engineering and the Borough Attorney, the governing body hereby awards the bid for the Blue Acres Demolition of State Properties to Wild Heart Bulk Landscape Supplies LLC in the amount of \$140,000.00.

NOW FURTHER BE IT RESOLVED, that the Temporary Chief Financial Officer hereby certifies that funds in the amount of \$140,000.00 are available in account 04-1808-00-1808-60.

Clarification was made that the demolition is for the 7 buyouts through the FEMA grant and Blue Acre Grant. The demolition is being covered by the grant with no cost to the Borough.

Councilman Schueler made a motion for approval seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler, and Tackach. No.: 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 #112-14

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.

Including the following Confirming Orders:

PO 55360	Rescue Wreckers, LLC	\$ 125.00
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Councilman Schueler made a motion for approval, seconded by Council President Kaplan and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler, and Tackach. No: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS-NONE

1. Purchase of Ryan Properties (between Second & Third Street) using Open Space Funding - Mayor Dobies stated that once the County buys the property they will turn it over to us and we could possibly use the area for a practice soccer field.

Borough Attorney updated the Council stating that Wilentz is representing both parties. They proposed a contract with the Ryan Estate to purchase property agreeing to do due diligence which would include environmental and at no cost to the Borough. After the environmental is done they would come to the closing table and transfer the right to purchase to Middlesex Borough with the cost being borne by the County. Closing is anticipated early summer.

2. Rocks At Victor Crowell Park – Council President Kaplan stated that two rocks were removed from the pile at VC Park and were returned. The Borough Attorney would like to meet with the Mayor, Council President Kaplan and T&M to discuss the Rocks that were placed at VC Park and see if we can get this resolved without going into litigation. Borough Attorney noted that the position T&M has taken at this point is that the former engineer is deceased and they have no paper trail. Council President Kaplan noted that

we have minutes stating that their former engineer told us we could put the rocks at VC Park.

3. Update on 223 Mountain Avenue Fines – Council President Kaplan spoke with our Code Enforcer and she stated that we are going to get reimbursed for the fence, fines, and work that has been done over the years.

PUBLIC COMMENTS

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

John Erickson, 209 Second Street questioned what the benefit to the taxpayer to use a three-year tax average and if we didn't use the three-year tax average what difference would be. Mr. Erickson also feels that the Borough should be hesitant about investing money for a soccer field along Second and Third Street even though we are getting Open Space Funding due to flooding in that area.

Mayor Dobies mentioned that the wood done by Cap Lane and Mountainview Park is free to the public.

John Madden, 103 Rock Lane wanted to know if there are any plans to restore the pocket park on Cap Lane. He also noted that there are 2 abandoned houses on Seventh Street and would like to see a short time frame when residents are out of the houses and they are demolished.

Amy Burke, 533 Giles Avenue wanted to take the opportunity to thank the Council for supporting Paws for Peace and for the Mayor for standing firm on his concerns so that we have a stronger ordinance now. She noted that they don't want to create more cats in Middlesex. This ordinance will help provide that more cats are neutered and vaccinated

Connie Stanzione, 30 Whitney Drive addressed the Governing Body on a few items (1) Ms. Stanzione had a concern on what was being done with the PARSA buildings and when will it be demolished. She stated that there is inappropriate activity going on there. She also stated that the kids were climbing on top of the Parks Department roof; (2) People are still playing soccer on the new tennis and basketball courts and she has called the police. She is concerned because these are new courts; and (3) There are kids in the community are driving on the grass at Mountainview Park making eights and tire marks where they play horseshoes.

Mayor Dobies did mention that we are in the process of purchasing video cameras on the restrooms and the fields.

Steven Ember, 511 Grandview Street concurred with Amy Burke and thanked Council for finding a peaceful way of dealing with community cats. He is proud to live in a town that is heading in that direction. One of the key points we can achieve with this ordinance is through education in the schools and the community to spay and neuter their own animals.

Mayor Dobies addressed all questions from the Public.

Seeing that there was no further public participation, 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 #113-14

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. Host Community Agreement – Importico and Republic Service
2. CFO
3. Administrator
4. Piscataway Sewer Charges

Councilman Dotey made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler and Tackach No: None. Abstain: None.

Council President Kaplan moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by a unanimous vote of Council.

ADJOURNMENT

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

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
APRIL 22, 2014**

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 Revised Annual Meeting Notice of December 31, 2013 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	Sean Kaplan (absent – ill)
	Kevin Dotey
	Stephen Greco
	Patricia Jenkins
	Bob Schueler
	Michele Tackach

Attorney: Aravind Aithal

PROCLAMATIONS

The Borough Clerk proclaimed April 25, 2014 as Arbor Day in Middlesex Borough:

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 25, 2014, 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

FURTHER, I urge all citizens to plant trees to gladden hearts and promote the well being of present and future generations.

The Borough Clerk proclaimed April, 2014 as Sexual Assault Awareness Month:

PROCLAMATION

WHEREAS, Sexual Assault Awareness Month and the observance of "Denim Day" are intended to draw attention to the fact that sexual violence is widespread and has public health implications for every community member of Middlesex County including lifelong mental health impact; and

WHEREAS, sexual assault, sexual abuse, and sexual harassment impact our community as seen by statistics indicating 1 in 4 girls and 1 in 6 boys are sexually assaulted before age 18; and

WHEREAS, we must work together to educate our community about what can be done to prevent sexual assault and how to support survivors; and

WHEREAS, staff and volunteers of anti-violence and prevention programs in Middlesex County including the Middlesex County Center for Empowerment and Sexual Violence Prevention Coalition encourage every person to speak out when witnessing acts of violence, however small, and to challenge the social constructs that continue to perpetuate a culture of violence; and

WHEREAS, the New Jersey Sex Crimes Officers Association and the Middlesex County Sex Crimes Liaison Officers in connection with the Middlesex County Prosecutors Office are dedicated to ensuring the effective investigation and prosecution of sex crimes in our community through interagency collaboration and training; and

WHEREAS, with leadership, dedication, and encouragement, there is compelling evidence that we can be successful in reducing sexual violence in Middlesex County through prevention education focused on increasing gender equity and bystander intervention, increased awareness, and holding perpetrators who commit acts of violence responsible for their actions; and

WHEREAS, throughout the month of April, Middlesex County strongly supports the efforts of national, state, and local partners, and of every citizen to actively engage in public and private efforts, including conversations about what sexual violence is, how to prevent it, how to help survivors connect with services, and how every segment of our society can work together to better address sexual violence.

NOW, THEREFORE, I, Ronald S. Dobies, Mayor of the Borough of Middlesex, along with the members of the governing body do hereby proclaim April, 2014 as:

SEXUAL ASSAULT AWARENESS MONTH

And that we join anti-sexual violence advocates and support service programs in the belief that all community members must be part of the solution to end sexual violence and encourage the observation of Denim Day on Friday, April 25, 2014.

APPOINTMENT-NONE

PRESENTATIONS-NONE

PUBLIC HEARING

The Borough Clerk read Ordinance No. 1849-14 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

**BOROUGH OF MIDDLESEX
COUNTY OF MIDDLESEX, NEW JERSEY
ORDINANCE NO. 1849-14
CALENDAR YEAR 2014
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and

the 3.5% percentage rate as an exception to its final appropriations in either of the two succeeding years; and,

WHEREAS, the Mayor and Borough Council of the Borough of Middlesex, in the County of Middlesex, New Jersey, finds it advisable and necessary to increase its CY 2013 budget by up to 3.5 % over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Borough Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$167,032.07 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary.

WHEREAS, the Mayor and Borough Council hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to the final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Middlesex, in the County of Middlesex, New Jersey, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2013 budget year, the final appropriations of the Borough of Middlesex shall, in accordance with this ordinance and N.J.S.A. 40 A: 4-45.14, be increased by 3.5 %, amounting to \$389,741.49 and that the CY 2013 municipal budget for the Borough of Middlesex be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years: and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mayor Dobies opened the public hearing on Ordinance No. 1849-14. Seeing that there was no public participation, Mayor Dobies closed the hearing on Ordinance No. 1849-14.

Councilman Schueler made a motion for adoption, seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Schueler, and Tackach. No.: None. Abstain: None.

NEW BUSINESS

Councilman Schueler made a motion to table Ordinance No. 1850-14 – An Ordinance of the Borough of Middlesex, County of Middlesex, and State of New Jersey amending Chapter 129 of the Code of the Borough of Middlesex to permit the Maintenance of Community Cats in Managed Colonies seconded by Councilman Dotey and carried by a unanimous vote of Council.

ADOPTION OF MINUTES

Councilman Schueler made a motion to approve the April 8, 2014 Regular and Executive Meeting Minutes seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Schueler and Tackach. Nos: None. Abstain: None.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance –
 - A. Middlesex Flooding Flyer – A seminar will be hosted by Middlesex Girl Scout Sydney Kukoda on April 26, 2014 at 12:30 PM at the Middlesex High School regarding protecting your house against flooding.

2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco reported that two sessions will be held for the “stranger danger” program on April 30, 2014 at the Recreation Center from 5 – 6 PM and 6:30 -7:30 PM. There is a \$5.00 charge.

 - B. Councilman Greco mentioned that 15 teams and 64 kids have registered for softball and 63 kids have registered for the basketball clinic.

 - C. The swim pool has received over 200 applications and 10% have used the new credit card system.

 - D. Councilman Greco also reported that the Swim Pool Commission is going out to bond for 1,300,000 for their swim pool project.

 - E. Councilman Greco also commended the Police Department for their quick response to a call regarding his father in law.

 - F. The Recreation Commission is rewriting the policy regarding background checks and at this time they are redoing the background checks every 3 years.

3. Fire/OEM/Board of Health/Rescue Squad/Flood-Nothing to report

4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler mentioned that Mayor Dobies should receive the plans for the bleachers tomorrow for Jim Ayotte to review. At the least Councilman

Schueler feels that the visitor's bleachers should be completed as soon as possible.

- B. Garbage truck is back from repairs made to the transmission.
 - C. The DPW, Recreation Director and Councilman Schueler will be having a meeting tomorrow regarding permit requirements regarding clean up at borough parks.
5. Police/Legal/Code Enforcement/Municipal Court
- A. Councilwoman Jenkins reported that the Every Fifteen Minutes program has been set up at Mountain View Park for April 24th and 25th. The accident scene will be on Thursday at 1:30PM and the memorial service on Friday. The governing body is invited to attend the program either one or both days.
6. Administration/Department of Senior Services/Legislation/Licensing – Nothing to report.

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 2014(I)

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 #119-14 and Resolution #125-14 from this Consent 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 #115-14 - Resolution #118-14
Resolution #120-14 – Resolution #124-14
Resolution #126-14

Councilman Dotey made a motion for approval seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Schueler 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 #115-14

The Tax Collector is hereby authorized to issue a check in the amount of \$5,275.78 to redeem tax sale certificate #2013-1823 and a check in the amount of \$1,300 for a tax sale premium, Block 314, Lot 35, Voorhees Avenue, checks are to be made payable to:

FWDSL & Associates LP
5 Cold Hill Rd 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 #116-14

The governing body hereby accepts the resignation of James Recine from the DPW effective April 18, 2014.

The Borough Clerk read the following resolution:

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

Resolution #117-14

The Tax Collector is hereby authorized to issue a check in the amount of \$18,045.34 to redeem tax sale certificate #2013-1822 and a check in the amount of \$20,700 for a tax sale premium, Block 314, Lot 33, 10 Madison Avenue, check is to be made payable to:

U S Bank Cust/Actlien Holding Inc
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 #118-14

Appointing Linda Gonzalez as a Police Matron at \$15.00 per hour effective immediately. Ms. Gonzalez has met all the requirements for this position.

The Borough Clerk read the following resolution:

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

Resolution #119-14

WHEREAS, the governing body hereby appoints Chris Hart as a Part Time Chief Financial Officer at a salary of \$30,000 per year; and

WHEREAS, Mr. Hart has agreed to work at the Borough three days a week between the hours of 7:30 a.m. – 9:30 a.m. and from 12:00 noon – 2:00 p.m. and will be available via email, text, phone when not in the building; and

WHEREAS, Mr. Hart has agreed that he will attend upon request certain Regular Meetings; and

WHEREAS, Mr. Hart has agreed to review our finances and make recommendations to the Mayor and Council, review the borough's Fixed Asset Inventory and make compliant as required by law and reported in our audit; and review our finance software package; and

WHEREAS, Mr. Hart will be responsible to remain compliant with his certification as Chief Financial Officer which is a requirement under NJSA 40A:9-140.2. and assume the cost associated with CEU's and renewal of his CFO Certification.

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 appoints Chris Hart as a Part Time Chief Financial Officer for the Borough of Middlesex effective immediately at a yearly salary of \$30,000 with the above stipulations.
2. This resolution shall take effect immediately.

Councilman Schueler made a motion for approval seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Schueler 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 #120-14

The governing body hereby hires Mark Stitt, 553 Lorraine Avenue, Middlesex, New Jersey as a part time DPW employee effective April 23, 2014 at \$12.00 per hour for 28 hours per week pending a satisfactory physical and background check.

The Borough Clerk read the following resolution:

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

Resolution #121-14

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

WHEREAS, the Governing Body of the Borough of Middlesex wishes to appoint Lisa Fittipaldi 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, 2014 to December 31, 2014;

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. Lisa Fittipaldi 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, 2014 through December 31, 2014 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.

The Borough Clerk read the following resolution:

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

Resolution #122-14

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR LEGAL SERVICES AS SPECIAL ENVIRONMENTAL COUNSEL TO STEVEN KUNZMAN OF THE FIRM DIFRANCESCO, BATEMAN, COLEY, YOSPIN, KUNZMAN, DAVIS & LEHRER, P.C. FOR THE YEAR 2014

WHEREAS, the Governing Body of the Borough of Middlesex wishes to appoint Steven Kunzman 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 Steven Kunzman 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, 2014 through December 31, 2014 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.

The Borough Clerk read the following resolution:

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

Resolution #123-14

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR LEGAL SERVICES AS REDEVELOPMENT COUNSEL TO ALBERT CRUZ OF THE FIRM DIFRANCESCO, BATEMAN, COLEY, YOSPIN, KUNZMAN, DAVIS & LEHRER, P.C. FOR THE YEAR 2014

WHEREAS, the Governing Body of the Borough of Middlesex wishes to appoint Albert Cruz 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 Redevelopment Attorney for the Borough of Middlesex for the period from January 1, 2014 to December 31, 2014;

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. Albert Cruz 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 Redevelopment Attorney for the Borough of Middlesex for the period from January 1, 2014 through December 31, 2014 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.

The Borough Clerk read the following resolution:

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

Resolution #124-14

The Treasurer hereby authorizes payment to Accurate Sewer & Drain, LLC in the amount of \$5,000 for the Emergency Repairs to the forced sewer main on Louis Ave.

The Treasurer certifies funds in the amount of \$5,000 are available in the Recycling Trust Account 03-4000-00-4026-90 to cover these emergency repairs.

The Borough Clerk read the following resolution:

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

Resolution #125-14

The Governing Body hereby waives all Construction Permits and the Street Opening Permit for the emergency sewer repairs that were done in front of 57 - 61 Louis Avenue.

Councilman Schueler made a motion for approval seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Schueler 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 #126-14

WHEREAS, the residents of 222 Fairview Avenue have requested to have a block party on Fairview Avenue between Mohawk Avenue & Delaware Avenue on May 30, 2014 between the hours of 11 a.m. and 11 p.m.; and

WHEREAS, all the designated officials have 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 222 Fairview Avenue, to conduct a block party on Fairview Avenue between Mohawk Avenue & Delaware Avenue on May 30, 2014 between the hours of 11 am. and 11 p.m.
2. This resolution shall take effect immediately.

Councilman Schueler made a motion to table resolution #127-14 until after the Executive Session in order to discuss further seconded by Councilman Greco 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 #128-14

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.

Including the following Confirming Orders:

PO 55460	Frank, Ronald M, MD	\$ 50.00
PO 55464	Custom Lock Security	\$ 21.00
PO 55513	Custom Lock Security	\$ 137.50

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

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Transparency – Distribution of Borough Correspondence and Communication – Council President Kaplan will discuss this matter at the May 13, 2014 Regular Meeting.
-

PUBLIC COMMENTS

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

Jack Mikolczyk, 701 Beechwood Avenue questioned if background checks are being done by the Recreation Department. Mayor Dobies directed Councilman Greco to get back if background checks have not been done. Mr. Mikolczyk also mentioned that it is a mistake not to have a full time CFO.

John Erickson, 209 Second Street questioned why the budget was not introduced at this meeting.

Frank Ryan, 303 Maple Street discussed the nuisance ordinance that was tweaked so we can complain about Spray Tech. On Saturday and Sunday the smell was horrendous and Mr. Ryan contacted the Police and was given different stories about what needed to be done to report a complaint, and ultimately was told at the Police Station that they no longer are taking complaints about Spray Tec.

Attorney Aithal indicated that in a recent court decision the ordinance was challenged and it has been pre-empted by State Statute. Mr. Aithal indicated that he has not yet communicated to the Chief of Police that this ordinance cannot be enforced locally.

John Ellery, 701 Lincoln Boulevard indicated that he would like to sit down and resolve the sewer issue, as it is past 30 days and they have not heard anything. Mayor Dobies indicated that we have authorized the engineer to review this information and also now have the correct number of businesses, and the correct categorization for these businesses. Another meeting will be set up when the Council President returns.

Debra DeVuyst, 73 Ramsey Road indicated that there is not anticipated revenue for the sewers in the budget and no effort has been made to correct it. She feels that this will be a fraudulent budget.

John Ellery, 701 Lincoln Boulevard requested a meeting with the Zoning and Construction Official to discuss getting more businesses into town.

Mayor Dobies addressed all questions from the Public.

Seeing that there was no further public participation, 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 #129-14

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. Host Community Agreement – Importico and Republic Service
2. Hiring of an Administrator
3. Settlement Agreement with Thomas Griffin and the Borough of Middlesex
4. Salary Administration

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

Councilman Dotey moved to reconvene the Regular Meeting seconded by Councilman Schueler 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 #127-14

The Borough hereby rescinds Resolution #283-13 and accepts the terms of an Agreement between Thomas Griffin and the Borough as a substitute to the resolution that was enacted on October 22, 2013. Thomas Griffin will retire effective April 1, 2014. While the PFRS considers his retirement application Thomas Griffin will be on unpaid administrative leave without any contractual benefits or police powers.

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

ADJOURNMENT

Councilman Schueler made a motion to adjourn the Regular Meeting seconded by Councilman Greco and carried by a unanimous vote of members present.

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
MAY 13, 2014**

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 Revised Annual Meeting Notice of December 31, 2013 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	Sean Kaplan
	Kevin Dotey
	Stephen Greco
	Patricia Jenkins
	Bob Schueler
	Michele Tackach

Attorney: Aravind Aithal

Mayor Dobies added the following items to the Agenda for the meeting tonight: (1) Permit fees for flooding, (2) Logs along Bound Brook; and (3) Acceptance of a commission resignation.

PROCLAMATIONS

The Borough Clerk proclaimed May 11, 2014 – May 17, 2014 as Police Week in Middlesex Borough:

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 11 through May 17, 2014, 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 11, 2014 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.

The Borough Clerk proclaimed May, 2014 as Older American's Month:

PROCLAMATION

WHEREAS, May, 2014 has been designated National Older Americans Month; and

WHEREAS, the Director of the Office on Aging has designated "Safe Today, Healthy Tomorrow" as the theme for Older Americans Month; and

WHEREAS, Middlesex Borough recognizes the value and contributions of our older citizens.

NOW THEREFORE, I, RONALD S. DOBIES, Mayor of the Borough of Middlesex, hereby proclaim May, 2014 to be Older Americans Month and urge citizens of this community to honor and celebrate this special event.

APPOINTMENT

Mayor Dobies accepted the resignation of Elizabeth Platten from the Shade Tree Commission due to family obligations.

PRESENTATIONS-NONE

PUBLIC HEARING-NONE

NEW BUSINESS

The Borough Clerk read the following resolution:

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

Resolution #130-14

**BOROUGH OF MIDDLESEX
MIDDLESEX COUNTY, NEW JERSEY
BUDGET INTRODUCTION**

Municipal Budget of the Borough of Middlesex, County of Middlesex for the Year 2014.

BE IT RESOLVED, that the following statement of revenues and appropriations shall constitute the Municipal Budget for the year 2014;

BE IT FURTHER RESOLVED that said Budget be published in the Courier News, New Jersey in the issue of May 22, 2014.

The governing body of the Borough of Middlesex does hereby approve the following as the Budget for the year 2014:

General Appropriations:

Appropriations Within "CAPS"	\$11,884,622.03
Municipal Purposes	
Appropriations Excluded from "CAPS"	4,453,470.72
Municipal Purposes	
Reserve for Uncollected Taxes – Based on	
Estimated 98+ Percent of Taxes Collections	<u>876,435.00</u>
 Total General Appropriations	 17,214,527.75
 Less: Anticipated Revenues Other Than Current	
Property Taxes	<u>5,352,573.81</u>
 Difference: Amount to be Raised by Taxes	
For Support of Municipal Budget:	
a) Local Tax for Municipal Purposes Including	
Reserve for Uncollected Taxes	<u>\$11,394,628.30</u>
 b) Municipal Library Tax	 <u>\$ 467,325.64</u>

Swimming Pool Utility Operating Fund

Total Swimming Pool Revenues \$ 389,390.00

Total Swimming Appropriations \$ 389,390.00

Notice is hereby given that the Budget and Tax Resolution was approved by the Mayor and Borough Council of the Borough of Middlesex, County of Middlesex, on May 13, 2014.

A hearing on the Budget and Tax Resolution will be held at the Municipal Building on June 10, 2014 at 7:00 o'clock P.M. at which time and place objections to said Budget and Tax Resolution for the year 2014 may be presented by taxpayers or other interested persons.

Council President Kaplan indicated that during the budget process the committee worked hard to address all concerns and thanked everybody that worked on the budget. The introduced budget has a 6.7 point increase, which is approximately a \$62.00 increase on a home assessed at \$90,000. At this time we do not know the impact the state budget will have on our budget, and we are waiting for information from the Governor's Office.

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

The Borough Clerk read Ordinance No. 1850-14 for introduction.

ORDINANCE NO. 1850-14

An Ordinance of the Borough of Middlesex, County of Middlesex and State of New Jersey amending Chapter 129 of the Code of the Borough of Middlesex to Permit the Maintenance of Community Cats in Managed Colonies

Be it ordained by the Mayor and Council of the Borough of Middlesex as follows:

§ 129-36 Definitions.

For the purposes of this Article V, the following terms shall have the meaning set forth in this provision. When not inconsistent with the context words used in the present tense include the future, words in the plural include the singular, words in the singular include the plural and words in the male gender include the female gender.

Animal Control Officer means any person or agency appointed as mandated by N.J.S.A. 4:19-15.16(b).

COMMUNITY CAT -- any cat living outside as a result of having been born outside or abandoned.

CARE GIVER – shall mean an individual or individuals designated by the Sponsor who shall be responsible for the normal and customary care of any community cat(s) including providing food, water and veterinary care, when indicated.

TNR – shall mean a program where a Community Cat is trapped, spayed or neutered, and returned to the place where it had been trapped.

MANAGED COLONY -- one or more community cat(s) having undergone TNR and being cared for by a Care Giver(s) who provide daily food and water and necessary and reasonable veterinary care for cats and who adopt out cats who would thrive in an adoptive home and for whom such home exists.

SPONSOR -- means Paws For Peace, Inc., a non-profit corporation.
§ 129-37 Regulations.

A. Managed Colonies shall be permitted in the Borough of Middlesex pursuant to the following terms and conditions:

1. The Sponsor shall provide to the Borough an annual report not later than January 31 of each calendar year, which indicates the number and location of Managed Colonies, the number of cats in each such Managed Colony, proof of TNR compliance for all cats in such Managed Colonies, a certification from sponsor that all cats were vaccinated for rabies prior to release into such Managed Colonies and any other information reasonably requested by the Borough, shall be included with this information.

2. No cat shall be permitted to be transported from any other location except that nothing herein shall prohibit any cat from being relocated from one Managed Colony to another Managed Colony as defined herein.

3. Sponsor shall provide photographs of all Community Cats and cats maintained in Managed Colonies that have undergone TNR pursuant to this Ordinance.

4. Cats maintained in Managed Colonies shall not be deemed to be “off the premises of its owner” for purposes of N.J.S.A. 4:19-15.16(e).

5. Not more than 60 days after the adoption of this Ordinance, Sponsor shall provide all information required under Section 129-37A(1) hereunder. Unless established prior to adoption of this Ordinance, Managed Colony(ies) shall not be permitted within 50 feet of any school building.

6. Only Care Givers approved by Sponsor may feed or provide hydration to community cats.

7. Any complaints alleging a violation of this Section 129-37 shall be adjudicated as follows:

- a. The complainant shall be informed that the Borough has enacted an Ordinance permitting the maintenance of cats in Managed Colonies.

- b. The Sponsor shall be advised of the complaint and shall be required to respond within 30 days and comply with any Ordinance, statute or other regulations or laws governing the act or omission giving rise to the complaint within 60 days or such reasonable time thereafter as determined in the sole discretion of the Borough.
- c. If the Borough is informed that an Animal Control Officer has come into possession of a cat from a managed colony, they shall immediately notify the Sponsor of such circumstance.

B. The Borough Administrator or her/his designee shall enforce the provisions of this Ordinance.

Ordinance No. 1848-14 shall be rescinded in its entirety and this ordinance shall take effect upon final passage and publication according to law.

Councilwoman Jenkins made a motion for the introduction of Ordinance No. 1850-14 seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler and Tackach. Nos.: None. Abstain: None.

ADOPTION OF MINUTES

Councilman Schueler made a motion to approve the April 22, 2014 Regular and Executive Meeting Minutes seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Schueler and Tackach. Nos: None. Abstain: Kaplan.

REPORTS – STANDING COMMITTEES:

- 1. Finance/Taxation/Real Estate/Construction Official/Insurance –
 - A. Councilman Kaplan moved the approval of the February, March & April, 2014 Finance Report seconded by Councilman Schueler and carried by a unanimous vote of Council.
- 2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco read the April 14, 2014 letter from Frank Terracciano of the Swim Pool Commission which was addressed to Middlesex Borough: “The Swim Pool Commission after further review of our financial with the Borough Auditor and Financial Committee, have decided to bond for \$1.1 million with the total cost of the project being \$1.3 million.”
 - B. Councilman Greco mentioned that as of this date there are approximately 700 registered members for the Middlesex Community Pool.
 - C. Councilman Greco mentioned that Sergeant Mastrogiovanni is adding another two dates to the “Stranger Danger” program for children from 12 – 16 year’s old.
 - D. Councilman Greco also reported that background checks are up to date for the recreation department for 2014. For softball they have made one change where

they are e-mailing confirmation to the Recreation Director. The policy will be updated.

3. Fire/OEM/Board of Health/Rescue Squad/Flood-Nothing to report
4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler mentioned that in late April he met with the DPW Manager, Recreation Director, Councilman Greco and the Assistant Recreation Director about amending the ordinance for Mountain View Park to include in the permit fee the cost for the Park's Department overtime. This cost will be based on the size of the group, with a minimum of a 2 hour call out. If the size of the group exceeds 200 people, there is a potential of more than 2 DPW employees needed for overtime. At this time the amendment is in the planning stage.
 - B. Councilman Schueler mentioned that the DPW did a great job working on the flood, with all of the additional pickups that were needed.
 - C. Councilman Schueler met with Frank Ryan of the Victor Crowell Park Committee and discussed what improvements the committee is looking to make. The Borough Engineer has the plans for Victor Crowell Park improvements and will speak with the Victor Crowell Park Committee. Council President Kaplan met with our previous engineer to discuss the rocks located at the dam area. Our previous engineer was able to reach out in the field and get a landscaper that will remove the rocks at no cost and without any litigation.
5. Police/Legal/Code Enforcement/Municipal Court
 - A. Councilwoman Jenkins moved the approval of the March, 2014 Police Report seconded by Councilman Schueler and carried by a unanimous vote of Council.
6. Administration/Department of Senior Services/Legislation/Licensing – Nothing to report.

REPORTS

Mayor

1. Spray-Tek – Spray-Tek now has an emergency number for the residents to call about odor complaints, but the procedure is still to call your complaint into the Police Department and describe the odor. The Police Department will direct your complaint to the county health department. Spray Tek should provide us with a monthly rundown of what is reported.
2. Host Community Agreement – Attorney Aithal will draft an agreement with Republic for the Host Community Agreement. They are paying .70 cents for 2014 and have agreed to pay .75 cents per ton for the next 3 years.
3. Buyouts – At this time we are close to removing the asbestos from the homes which are bought out.

4. Mayor Dobies reminded residents that if strangers are knocking on your doors, make sure that they have proper identification.
5. Mayor Dobies received a request from residents that experienced flooding from Seventh and Sixth Street have their permit fees waived. Council President Kaplan requested that the Mayor check with the Construction Official on this matter.
6. Council President Kaplan will look into the 11 – 12 logs that have to be chipped and how this will be handled.

The Borough Clerk read the following resolution:

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

Consent Agenda 2014(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 not desirous of removing any resolutions from this Consent 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 #131-14 - Resolution #136-14

Councilman Schueler made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler 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 #131-14

WHEREAS, A. Bailey Plumbing & Heating was issued a Street opening permit on 2/3/12; and

WHEREAS, A. Bailey Plumbing & Heating paid \$550.00 with the Borough of Middlesex to ensure proper repair and maintenance of the sidewalk

WHEREAS, said sidewalk at 28 Wilson St was never touched all sewer work was done in the yard only.

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 A. Bailey Plumbing & Heating, 919 Highway 33, Suite 28, Freehold NJ 07728, for refund of Street Opening Permit No. 2012-003.

The Borough Clerk read the following resolution:

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

Resolution #132-14

WHEREAS, Tunison Home Improvement was issued a street opening permit on 04/19/12; and

WHEREAS, Tunison Home Improvement deposited \$2500.00 with the Borough of Middlesex to ensure proper repair and maintenance of the roadway; and

WHEREAS, said roadway at 300-302 Runyon Avenue was inspected by the Dept. of Public Works and 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 \$1875.00 in favor of Tunison Home Improvement, 719 Bound Brook Road, Dunellen, NJ 08812, for refund of Street Opening Permit No. 2012-004.

The Borough Clerk read the following resolution:

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

Resolution #133-14

The Tax Collector is hereby authorized to refund 2014 property taxes on the following property. The finance/mortgage company overpaid.

BLOCK/LOT	NAME & ADDRESS	AMOUNT
209/105	Banner, Bruce A Lilliam 521 Wellington St	\$1,043.14

The Borough Clerk read the following resolution:

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

Resolution #134-14

WHEREAS, the residents of 222 Fairview Avenue have requested to have a block party on Fairview Avenue between Mohawk Avenue & Delaware Avenue on May 31, 2014, with a rain date of June 1, 2014 between the hours of 11 a.m. and 11 p.m.; and

WHEREAS, all the designated officials have 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 222 Fairview Avenue, to conduct a block party on Fairview Avenue between Mohawk Avenue & Delaware Avenue on May 31, 2014, with a rain date of June 1, 2014 between the hours of 11 am. 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 #135-14

WHEREAS, the residents of 342 of Fairview Avenue have requested to have a block party on Osceola Avenue between Fairview Avenue & Clinton Avenue on May 24, 2014 between the hours of 12 p.m. and 10 p.m.; and

WHEREAS, all the designated officials have 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 342 Fairview Avenue, to conduct a block party on Osceola Avenue between Fairview Avenue & Clinton Avenue on May 24, 2013 between the hours of 12 p.m. and 10 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 #136-14

Authorizing the Mayor and Borough Clerk to execute the Host Community Agreement between the Borough of Middlesex and Importico, Inc. effective May 1, 2014.

The Borough Clerk read the following resolution:

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

Resolution #137-14

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 Kaplan made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler, and Tackach. Nos: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Twice a Week Garbage Pickup – This will begin the first Monday in June and end the last Friday before Labor Day Weekend.
2. Summer Office Hours – The Administrative Committee will work on adding a Policy that Mayor Dobies proposed be included into the Personnel Policy. The summer hours for this year will begin on May 30th and end the last Friday before Labor Day Weekend.
3. Transparency – Distribution of Borough Correspondence and Communication – Council President Kaplan requested that all mail received by the Mayor, with the exception of confidential mail, be opened by the Borough Clerk and immediately copied to the Council to avoid any delays. Mayor Dobies was opposed to the opening of his mail, but was informed by the Borough Attorney that if a policy was established by the Council this could be done. It was suggested that this be sent to the Administrative Committee to review.
4. Demolition of 5 Glen Gary Road – The contractor would like to get paid as soon as this job is completed. Council suggested that they reach out to the finance company that holds the reverse mortgage to see if they would put out the money.
5. Rocks at Victor Crowell Park – This was discussed above.

PUBLIC COMMENTS

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

Pete Wozniak, 1200 Sheridan Avenue discussed (1) the appropriations outside of cap being up 10.4%, (2) the reserve for uncollected taxes that went up 7.6%, (3) requested to get the collection percentage for last year; (4) concern that Middlesex Borough has the 8th highest tax rate in the County; and (5) suggested that a cross examination of the school budget be done by the governing body.

Betty Platten, 4 Hooker Avenue discussed (1) if Spray Tek knows what is going into the air, (2) pile of logs on Cap Lane, (3) block party on Fairview Avenue; and (4) amount of money collected from Importico in their Host Community Agreement.

John Erickson, 209 Second Street concerned about the lack of notification about the flooding to the residents at the last storm and if all the technology that we have is being used. Also he is concerned of the trees that are in the brook and would like the Mayor and Council to act on them.

Tony Collins, 14 Center Place questioned how we hired a CFO when the budget states that we would not be hiring anyone.

Frank Ryan, 303 Maple Street discussed (1) Garbage being put at curb in plastic bags; (2) The horrendous odor from Spray Tek and request to notify Governor; (3) Picking up of bulk from tenants moving out; (4) The status of the rocks at Victor Crowell Park; (5) Questioned the sense of having a Victor Crowell Park Committee and why some of these rocks can't be used on Ashland Road to make a border along the street.

John Ellery, 701 Lincoln Boulevard discussed (1) status on the sewer issue; (2) what is happening with this year's sewer bills; and (3) condition of Baekeland Avenue road.

John Hoffman, 455 Lincoln Boulevard discussed what is being done with the host community money that is received and the pot holes on South Avenue.

Mayor Dobies addressed all questions from the Public.

Seeing that there was no further public participation, 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 #138-14

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 an Administrator

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

Councilman Greco moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by a unanimous vote of Council.

ADJOURNMENT

Councilman Schueler made a motion to adjourn the Regular Meeting seconded by Councilman Greco and carried by a unanimous vote of members present.

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
MAY 27, 2014**

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 Revised Annual Meeting Notice of December 31, 2013 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	Sean Kaplan
	Kevin Dotey
	Stephen Greco
	Patricia Jenkins
	Bob Schueler
	Michele Tackach

Attorney: Aravind Aithal

Mayor Dobies added the following items to the Agenda for the meeting tonight: (1) Resolution for backup Repeater for the Fire Department, (2) Temporary hiring of a substitute plumbing inspector; and (3) Discussion on Fairview Avenue.

Mayor Dobies apologized for not maintaining order at the May 13, 2014 Public Meeting. The rules and regulations are that (1) every person will be allowed three questions and can come back as many times as they want to speak; and (2) the meeting must remain orderly.

PROCLAMATIONS-NONE

APPOINTMENT-NONE

PRESENTATIONS-NONE

PUBLIC HEARING

The Borough Clerk read Ordinance No. 1850-14 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1850-14

**An Ordinance of the Borough of Middlesex, County of Middlesex and State of New Jersey
amending Chapter 129 of the Code of the Borough of Middlesex to Permit the
Maintenance of Community Cats in Managed Colonies**

Be it ordained by the Mayor and Council of the Borough of Middlesex as follows:

§ 129-36 Definitions.

For the purposes of this Article V, the following terms shall have the meaning set forth in this provision. When not inconsistent with the context words used in the present tense include the future, words in the plural include the singular, words in the singular include the plural and words in the male gender include the female gender.

Animal Control Officer means any person or agency appointed as mandated by N.J.S.A. 4:19-15.16(b).

COMMUNITY CAT -- any cat living outside as a result of having been born outside or abandoned.

CARE GIVER – shall mean an individual or individuals designated by the Sponsor who shall be responsible for the normal and customary care of any community cat(s) including providing food, water and veterinary care, when indicated.

TNR – shall mean a program where a Community Cat is trapped, spayed or neutered, and returned to the place where it had been trapped.

MANAGED COLONY -- one or more community cat(s) having undergone TNR and being cared for by a Care Giver(s) who provide daily food and water and necessary and reasonable veterinary care for cats and who adopt out cats who would thrive in an adoptive home and for whom such home exists.

SPONSOR -- means Paws For Peace, Inc., a non-profit corporation.
§ 129-37 Regulations.

A. Managed Colonies shall be permitted in the Borough of Middlesex pursuant to the following terms and conditions:

1. The Sponsor shall provide to the Borough an annual report not later than January 31 of each calendar year, which indicates the number and location of Managed Colonies, the number of cats in each such Managed Colony, proof of TNR compliance for all cats in such Managed Colonies, a certification from sponsor that all cats were vaccinated for rabies prior to release into such Managed Colonies and any other information reasonably requested by the Borough, shall be included with this information.
2. No cat shall be permitted to be transported from any other location except that nothing herein shall prohibit any cat from being relocated from one Managed Colony to another Managed Colony as defined herein.

3. Sponsor shall provide photographs of all Community Cats and cats maintained in Managed Colonies that have undergone TNR pursuant to this Ordinance.

4. Cats maintained in Managed Colonies shall not be deemed to be “off the premises of its owner” for purposes of N.J.S.A. 4:19-15.16(e).

5. Not more than 60 days after the adoption of this Ordinance, Sponsor shall provide all information required under Section 129-37A(1) hereunder. Unless established prior to adoption of this Ordinance, Managed Colony(ies) shall not be permitted within 50 feet of any school building.

6. Only Care Givers approved by Sponsor may feed or provide hydration to community cats.

7. Any complaints alleging a violation of this Section 129-37 shall be adjudicated as follows:

- a. The complainant shall be informed that the Borough has enacted an Ordinance permitting the maintenance of cats in Managed Colonies.
- b. The Sponsor shall be advised of the complaint and shall be required to respond within 30 days and comply with any Ordinance, statute or other regulations or laws governing the act or omission giving rise to the complaint within 60 days or such reasonable time thereafter as determined in the sole discretion of the Borough.
- c. If the Borough is informed that an Animal Control Officer has come into possession of a cat from a managed colony, they shall immediately notify the Sponsor of such circumstance.

B. The Borough Administrator or her/his designee shall enforce the provisions of this Ordinance.

Ordinance No. 1848-14 shall be rescinded in its entirety and this ordinance shall take effect upon final passage and publication according to law.

Mayor Dobies opened the public hearing on Ordinance No. 1850-14. Seeing that there was no public participation, Mayor Dobies closed the Public Hearing on Ordinance No. 1850-14.

Councilman Schueler made a motion for the adoption of Ordinance No. 1850-14 seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler and Tackach. Nos.: None. Abstain: None.

NEW BUSINESS-NONE

ADOPTION OF MINUTES

Councilwoman Jenkins made a motion to approve the May 13, 2014 Regular and Executive Meeting Minutes seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler and Tackach. Nos: None. Abstain: None.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance –
 - A. Councilman Kaplan mentioned that the Welcome Home Committee has met and they are making headway. They participated in the Memorial Day Parade and the committee will also be participating with the borough emergency services on June 1, 2014 at 7 PM for the return of the Veterans Memorial Bus.
 - B. Swim Pool Bond Ordinance – Council President Kaplan met with Swim Pool Commission members and Jim Grimm to discuss the time frame for the processing of the Swim Pool Bond Ordinance. The Bond Attorney will work with the auditor and CFO to make sure money is available and to move forward with this ordinance. A Special Meeting may be held to introduce this bond ordinance.

2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco attended the Memorial Day Parade and stated that it was nice to see the community come together to celebrate the veterans.

3. Fire/OEM/Board of Health/Rescue Squad/Flood-Nothing to report
 - A. Councilman Dotey moved the approval of James F. Singer IV as a Junior Fire Fighter with the Middlesex Fire Department seconded by Councilman Kaplan and carried by a unanimous vote.
 - B. The Board of Fire Officers have approved Sean Young as an Assistant Engineer for Engine 21.
 - C. The Fire Trucks have gone for final inspection and will be delivered by the second week in June.

4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler mentioned that the Planning Board has a major subdivision before the board that has a design aspect that incorporates a drainage system that has a perforated pipe that minimizes flow and sits in a gravel bed. The engineer indicated it is a very effective way to prevent excess flow to the storm sewer. The piping will be along the common property line of the subdivision and in the easement of the property and the borough could be required to take ownership of the system and be responsible for the maintenance and repair of the land. Councilman Schueler will bring this matter to the Construction Official and was advised by the Borough Attorney that the Planning Board Attorney make a condition of the approval that the easement is for municipal purposes.
 - B. Councilman Schueler received a call from a resident concerning the demonstration at the corner of Marlborough Ave and Rte. 28. This appears to be a political agenda and the use of a Hitler like reference appears somewhat objectionable. The Police have indicated that this is free speech and the Borough Attorney will look into the issue of traffic stopping and the objectionable material.

5. Police/Legal/Code Enforcement/Municipal Court
 - A. Councilwoman Jenkins moved the approval of the April, 2014 Police Report seconded by Councilman Dotey and carried by a unanimous vote of Council.
 - B. Councilwoman Jenkins moved the approval of the March, 2014 Construction Report seconded by Mr. Greco and carried by a unanimous vote of Council.
6. Administration/Department of Senior Services/Legislation/Licensing
 - A. Councilwoman Tackach indicated that the Administrative Committee has reviewed the policy for summer hours prepared by Mayor Dobies. The Committee has approved this policy and a resolution to incorporate this policy into the Personnel Policy will be put on the June 10, 2014 Regular Meeting.

REPORTS

Mayor

1. Residents Request for Logs from Fallen Trees – Council reviewed this request and there is a liability issue with residents coming to get these logs. Councilman Kaplan requested council's decision on whether to rent a tub grinder at \$4100 without any labor included for these logs to be grinded or have Predator remove and grind the trees for \$1500/per day for approximately 6 – 7 days. Councilman Kaplan made a motion to have Predator grind these logs seconded by Councilman Greco and carried by a unanimous vote of Council.
2. Proposed Escrow Fee Increases for Non-Residential Land Use Application – Council approved this ordinance be introduced at the June 10, 2014 Regular Meeting.
3. Fairview Avenue – Mayor Dobies indicated that the bids came in low and we still have \$100,000 left from this grant. The two options would be to pave the two remaining blocks of Fairview Avenue or to pave the adjoining side streets. Mayor will advise the engineer to proceed with the paving of the two remaining blocks on Fairview Avenue.

The Borough Clerk read the following resolution:

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

Consent Agenda 2014(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 Consent 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 #139-14 - Resolution #143-14

Councilman Kaplan made a motion for approval seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler 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 #139-14

The Tax Collector is hereby authorized to refund 2014 property taxes on the following property. The finance/mortgage company overpaid.

BLOCK/LOT	NAME & ADDRESS	AMOUNT
231/35	Palermo, Adrienne Stacey 170 First St	\$1,547.14

Check is to be made payable to: Cortes and Hay, Inc.
110 Main Street
PO Box 454
Flemington, NJ 08822

The Borough Clerk read the following resolution:

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

Resolution #140-14

The Treasurer hereby authorizes the cancellation of all outstanding Current Fund checks, totaling \$ 10,851.19, prior to January 1, 2013. The Treasurer also authorizes the cancellation of all outstanding Miscellaneous Reconciling Items, totaling \$ 1,156.30, prior to January 1, 2013.

9/5/2007	24514 \$ 22.77	4/23/2008	26081 \$ 25.00
6/16/2009	28524 \$ 26.88	12/29/2009	29649 \$ 1858.13
1/26/2010	29753 \$ 50.00	4/16/2010	30234 \$ 15.12
10/13/2010	31139 \$ 25.43	8/17/2011	32849 \$ 6,250.00
10/26/2011	33162 \$ 155.86	2/15/2012	33765 \$ 72.00

4/25/2012	34114	\$ 1,000.00	5/23/2012	34240	\$ 350.00
5/23/2012	34251	\$ 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 #141-14

The Treasurer hereby authorizes the cancellation of all outstanding Payroll checks, totaling \$7,602.28, prior to January 1, 2013.

7/17/2008	590	\$ 700.00	5/19/2011	1237	\$ 650.00
6/14/2012	296	\$ 156.50	7/18/2008	21962	\$ 222.78
8/29/2008	22302	\$ 346.10	9/12/2008	22363	\$ 179.09
5/22/2009	23593	\$ 379.98	8/25/2009	849	\$ 279.35
8/28/2009	24289	\$ 541.60	12/4/2009	24776	\$ 794.30
1/15/2010	24976	\$ 1.73	4/23/2010	25347	\$ 15.96
4/23/2010	25348	\$ 16.21	8/27/2010	26050	\$ 389.62
9/10/2010	26080	\$ 206.80	12/3/2010	26454	\$ 27.98
5/6/2011	26926	\$ 123.14	5/6/2011	26964	\$ 615.12
7/29/2011	27382	\$ 191.49	11/4/2011	10089	\$ 294.14
6/1/2012	10768	\$ 156.50	7/13/2012	11007	\$ 136.72
7/27/2012	11097	\$ 464.75	9/7/2012	11313	\$ 675.68
10/19/2012	11429	\$ 36.74			

The Borough Clerk read the following resolution:

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

Resolution #142-14

WHEREAS, the Council of Middlesex Borough ("Council") has approved the submission of a grant application to the New Jersey Department of Transportation for the Middlesex Sidewalk Improvement Project, and

WHEREAS, that grant application seeks funding for a total project cost of approximately \$465,125.00 from the New Jersey Department of Transportation to construct new sidewalks, curbing, signage and handicap ramps within the surrounding area of Hazelwood Elementary School, Parker Elementary School, Watchung Elementary School and Von E. Mauger Middle School; and

WHEREAS, many of the aforementioned sidewalk areas have either no sidewalk or sidewalks which are in poor condition; and

WHEREAS, the improvement of the sidewalks in the areas surrounding these four schools will help pedestrians safely walk and bike to and from school; and

WHEREAS, the Council's grant application must include a resolution of support from the Middlesex Borough Council and such resolution must be submitted to the State Department of Transportation on or before June 30, 2014; and

WHEREAS, it is in the best interest of the residents of the Borough of Middlesex to have the sidewalks, curbing, signage and handicap ramps within the surrounding area of the four aforementioned schools to be constructed and improved to help pedestrians safely walk and bike to and from school.

NOW, THEREFORE, BE IT RESOLVED that the Middlesex Borough Council hereby strongly supports the grant application for Middlesex Borough with the New Jersey Department of Transportation for the Middlesex Sidewalk Improvement Project; and

BE IT FURTHER RESOLVED that Middlesex Borough is authorized to forward a copy of this resolution to the Middlesex Board of Education and to take all other actions necessary to show support for the grant application for the Middlesex Sidewalk Improvement Project.

The Borough Clerk read the following resolution:

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

Resolution #143-14

**RESOLUTION AUTHORIZING A SELF-EXAMINATION OF THE
2014 MUNICIPAL BUDGET OF THE MAYOR AND COUNCIL OF
THE BOROUGH OF MIDDLESEX**

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

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

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Middlesex has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2014 budget year.

NOW THEREFORE BE IT RESOLVED, by the governing body of the Borough of Middlesex that in accordance with N.J.A.C. 5:3-7.6a & 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 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 estimated 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 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.

The Borough Clerk read the following resolution:

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

Resolution #146-14

The Mayor and Council hereby hire Mike Rossi (Certificate No. 8205) as a substitute Plumbing Inspector in the borough of Middlesex at \$44.12 per hour effective immediately.

Councilman Schueler made a motion for approval, seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler, 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 #147-14

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF BACKUP REPEATER
FOR FIRE DEPARTMENT & POLICE DEPARTMENT**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase a new backup repeater for the Fire Department & the Police Department, plus additional equipment 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 State Contract No. 83909 for the year 2014; and

WHEREAS, the cost for the purchase of a new backup repeater, plus additional equipment is not to exceed \$21,002.20; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of a new backup repeater, plus additional equipment for the Fire Department & the Police Department is ordered under State Contract No. 83909 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount not to exceed \$21,002.20 are available in Account No. 04-1797-00-1797-86.

Councilman Kaplan made a motion for approval, seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler, 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 #144-14

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 Schueler made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler, and Tackach. Nos: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Fishing Derby – Mayor Dobies appointed Council President Kaplan, Councilwoman Jenkins and Councilman Greco to organize a fishing derby this year. The cost for this derby is approximately \$100.00. Council unanimously approved holding this event.
-

PUBLIC COMMENTS

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

Margaret Borkowski, 57 George Avenue thanked the Mayor for presenting the Welcome Home Committee and announcing their June event. She was happy that the Committee was graciously welcomed into the American Legion parade. The Committee is holding their meetings on the first Tuesday of the month at the American Legion.

Mayor Dobies addressed all questions from the Public.

Seeing that there was no further public participation, 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 #145-14

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. Part Time Employee Salaries & Benefits

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

Councilman Greco moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by a unanimous vote of Council.

ADJOURNMENT

Councilman Dotey made a motion to adjourn the Regular Meeting seconded by Councilman Greco and carried by a unanimous vote of members present.

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
JUNE 10, 2014**

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 Revised Annual Meeting Notice of December 31, 2013 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	Sean Kaplan
	Kevin Dotey
	Stephen Greco
	Patricia Jenkins
	Bob Schueler
	Michele Tackach (absent)

Attorney: Aravind Aithal

Mayor Dobies added the following items to the Agenda for the meeting tonight: (1) Administrator's Position; (2) Administrator's Salary in Executive Session; and (3) 100th Anniversary Surplus Funds.

PROCLAMATIONS-NONE

APPOINTMENT

The Borough Clerk read the following resolution:

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

Resolution #148-14

WHEREAS, Richard Szymczak Jr. 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 Richard Szymczak Jr. be appointed to the position of Probationary Patrolman effective June 11, 2014 at an annual salary of \$49,346.00.

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. Richard Szymczak Jr. is hereby appointed a Probationary Patrolman for the Borough of Middlesex effective June 11, 2014 at an annual salary of \$49,346.00.
2. This resolution shall take effect immediately.

Chief Young welcomed Patrolman Szymczak and his family to the Middlesex Borough Police Department. Chief Young thanked the Council for the support that they've given him and the entire department throughout the hiring process.

Councilwoman Jenkins made a motion for approval seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, and Schueler. No: None. Abstain: None.

PRESENTATIONS-NONE

PUBLIC HEARING

Mayor Dobies opened the Public Hearing on the 2014 Budget.

Robert Sherr, 212 Lucia Street – Former Mayor Sherr questioned (1) Whether the sewer user tax has been worked out and if it is accounted for in the budget, (2) How much was budgeted for uncollected taxes, and (3) What is the amount of surplus in the budget.

Mayor Dobies stated that he met with the Engineer and Attorney and a letter will be going out to the businesses regarding the sewer user charges. Some will go back to the old way and some will be new.

Auditor Andy Hodulik noted that we had uncollected taxes of \$876,000. The surplus in the budget and the balance as of December 2013 was \$1.5 million and \$996,000 was utilized.

Council President Kaplan thanked the Finance Committee and Auditor for all the hard work done on the budget.

Mayor Dobies stated that we are in the ball park we want to be realizing that a lot of our resident are hurting. The increase is \$62.00 on an average house assessed.

See no further participation 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 #157-14

BOROUGH OF MIDDLESEX
COUNTY OF MIDDLESEX

RESOLUTION TO ADOPT 2014 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) \$ 11,394,628.30 (Item 2 below) for municipal purposes
(e) \$ 467,325.64 (Item 5 below) Minimum Library Tax

Recorded Vote
(Insert last name)

	((
	(Abstained	(
	((
Ayes	(Nays	(
	((
	(Absent	(
	((

Current Fund:

SUMMARY OF REVENUES

1. General Revenues	
Surplus Anticipated	\$ 996,000.00
Miscellaneous Revenues Anticipated	3,466,573.81
Receipts from Delinquent Taxes	890,000.00
2. Amount to be Raised by Taxation for Municipal Purposes (Item 6[a], Sheet 11)	11,394,628.30
5. Amount to be raised by taxation minimum library levy	467,325.64
	<hr/>
Total Revenues	<u>\$ 17,214,527.75</u>

SUMMARY OF APPROPRIATIONS

5. General Appropriations:

Within "CAPS"

(a&b) Operations Including Contingent 10,738,296.03

(e) Deferred Charges and Statutory Expenditures - Municipal 1,146,326.00

Excluded from "CAPS"

(a) Operations - Total Operations Excluded from "CAPS" 2,499,055.13

(c) Capital Improvements 65,000.00

(d) Municipal Debt Service 1,754,415.59

(e) Deferred Charges - Municipal 135,000.00

(m) Reserve for Uncollected Taxes 876,435.00

Total Appropriations \$ 17,214,527.75

Swimming Pool Utility Fund:

Total Revenues \$ 389,390.00

Total Appropriations \$ 389,390.00

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 10th day of June, 2014. 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 2014 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Auditor Andy Hodulik stated that this is a unique year because it is the first year doing self-examination on our budget. Overall including the library tax the tax levy is increasing 2.6% over the previous year which is \$12 over \$301,000 in tax increments compared to 2013.

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

NEW BUSINESS

The Borough Clerk read Ordinance No. 1851-14 for introduction.

ORDINANCE NO. 1851-14

**AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX,
AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, CHAPTER 248, LAND
DEVELOPMENT, SECTION 248-10, FILING FEES**

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

SECTION 1. Section 248-10 is hereby repealed in its entirety and replaced as follows:

An application to the Planning Board or Zoning Board of Adjustment for any application for development as defined herein shall be accompanied by a filing fee which shall be used to defray the administrative cost of processing the application as follows:

Type of Application	Escrow Amount
Minor Subdivision - Lot Line Adjustment	\$1,000.00
Minor Subdivision	\$3,000.00
Major Subdivision	\$2,000.00 + \$100.00 per lot
Final Major Subdivision	50% of preliminary escrow
Variance with Subdivision	\$3,000.00
Minor Site Plan	\$2,000.00
Major Site Plan	\$3,000.00
Variance with Site Plan	\$3,000.00
Interpretation Application (40:55D-68 & 40:55D-70a, b)	\$ 300.00
Variance Application to Board of Adjustment	\$1,000.00
Special Meetings/Appeals	N/A
Variance Application - Residential Accessory Building	\$ 250.00
Site Plan Review & Requirements for New Jersey Department of Environmental Protection Permits or County Environmental Protection Permits	\$2,000.00 + \$100.00 per lot

SECTION 2. The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged invalid and shall not be deemed to effect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION 4. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 5. The Clerk shall cause a copy of the final form of ordinance as adopted by the Council to be filed with the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

SECTION 6. This Ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final form of adopted ordinance by the Clerk with the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

Council President Kaplan made a motion for introduction seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, and Schueler. No: None. Abstain: None.

The Borough Clerk read Ordinance No. 1852-14 for introduction.

ORDINANCE NO. 1852-14

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO EXISTING MIDDLESEX COMMUNITY POOL, WADING POOL AND RELATED FACILITIES, AND CONSTRUCTION OF NEW COMPETITION POOL, BY AND IN THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$1,300,000 THEREFOR FROM THE POOL UTILITY OF THE BOROUGH AND AUTHORIZING THE ISSUANCE OF \$1,235,000 BONDS OR NOTES TO FINANCE THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Pool Utility of the Borough of Middlesex, in the County of Middlesex, State of New Jersey (the "Borough") as general improvements. For the said improvements stated in Section 3, there is hereby appropriated the principal amount of

\$1,300,000 from the Pool Utility of the Borough, said sum being inclusive of the sum of \$65,000 as the aggregate amount of down payments for said improvements or purposes as required by the Local Bond Law, N.J.S.A. §40A:2-1 et seq. (the "Local Bond Law"). The aggregate down payments are now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Borough Pool Utility for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the part of said \$1,300,000 appropriation not provided for by application hereunder of said down payments, negotiable bonds of the Pool Utility of the Borough are hereby authorized to be issued in the principal amount of \$1,235,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Pool Utility of the Borough in a principal amount not exceeding \$1,235,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued, include but are not limited to, various improvements to the existing community pool, wading pool and related facilities, and the construction of a new competition pool.

(b) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto and all in accordance with the plans and specifications therefor on file in the Office of the Clerk of the Borough and available for public inspection and hereby approved.

(c) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$1,235,000.

(d) The estimated cost of said improvement or purpose is \$1,300,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor, being the aggregate amount of the \$65,000 in down payments available for said purposes

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Middlesex make a contribution or grant in aid to the Borough for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Middlesex. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Middlesex shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid. In addition, the amount of the bonds or notes authorized by Section 2 hereof shall also be reduced by any amount of available cash the Borough pool utility shall determine to contribute, and shall be appropriated by the Borough, prior to the issuance of any such bonds or notes, to the improvements and purposes authorized hereby.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such time as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date. 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 of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with 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 purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon 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 bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Pool Utility of the Borough is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs will be on file in the Office of the Clerk and will be available for public inspection.

SECTION 7. 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 and are improvements or purposes which the Pool Utility of the Borough may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 15 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Pool Utility of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$1,235,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$200,000 for items of expense listed in and permitted under N.J.S.A. § 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. Unless paid from other sources, 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. Unless paid from other sources, 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 property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Borough for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Borough other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$1,235,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Borough covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after final adoption, and approved by the Mayor, as provided by the Local Bond Law.

Councilman Kaplan made a motion for introduction seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, and Kaplan. No: None. Abstain: Schueler.

ADOPTION OF MINUTES

Councilman Dotey made a motion to approve the May 27, 2014 Regular and Executive Meeting Minutes seconded by Council President Kaplan and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, and Schueler. No: None. Abstain: None.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance –
 - A. Council President Kaplan attended the Recreation Commission meeting on Monday night stating that he spoke with the Recreation Commission regarding their budget. He noted that only \$15,300 was taken out of their budget. The money to pay for referees, umpires, and scorekeepers should be paid through the Recreation Trust which will make them more self-sufficient so the taxpayers don't have to fund the programs. The Finance Committee will get together with the auditor for further review.
 - B. Councilman Kaplan mentioned that the Welcome Home Committee along with the borough emergency services greeted a group of veterans on June 1, 2014 at 7 PM for the return of the Veterans Memorial Bus. Council President Kaplan and the Mayor greeted the veterans as they came off the bus and it was a very emotional event as the veterans were not aware of the welcoming home event.

2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco thanked Council President Kaplan for attending the monthly meeting of the Recreation Department.

3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Councilman Dotey stated that both new fire trucks are here in Middlesex and we will be taken delivery shortly.

4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler asked if the council would approve planting asclepiad tuberosa seeds/flowers given to us by a resident of the Borough. Council did approve. Councilman Schueler will contact the Victor Crowell Park Committee for scope and location of the plantings.
 - B. Councilman Schueler will be scheduling a meeting to discuss DPW garbage ordinance with DPW Committee to establish rules and to make the pickup of garbage more efficient and cost effective by eliminating recyclables from the garbage stream and to define and educate the public as to what is garbage and what is recyclable and to look at potential enforcement ideas.
 - C. Councilman Schueler requested from the Finance Committee the timeline for the authorization to hire DPW workers both full and part-time so we can make sure we have the staff needed for the upcoming summer months with twice-a-week garbage pickup given staff vacation and other unforeseen time off.

5. Police/Legal/Code Enforcement/Municipal Court
 - A. Councilwoman Jenkins acknowledged the new Police Officer hired tonight.

6. Administration/Department of Senior Services/Legislation/Licensing
 - A. Councilwoman Jenkins reported on behalf of Councilwoman Tackach's Administration Committee report that in regards to the transparency issue relating to the opening of the Mayor's mail. The Administration Committee agreed that it is the Mayor's responsibility to open his own mail.

REPORTS

Mayor

1. Administrator – Mayor Dobies stated that we need to move forward on hiring an Administrator. Council gave the Borough Clerk permission to advertise for the position. Council will discuss the salary 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 2014(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 not desirous of removing any resolutions from this Consent 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 #149-14 - Resolution #154-14

Council President Kaplan made a motion for approval seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, and Schueler. No: 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 #149-14

The Governing Body hereby approves adding “Section 8.2a Summer Hours for Borough Hall and Recreation Center” to the Personnel Policy.

The Borough Clerk read the following resolution:

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

Resolution #150-14

The Treasurer hereby approves the refund of \$500.00 to Zhang Hua Massage, 1313 Bound Brook Road, Middlesex, New Jersey for their 2014 Massage Therapy License, as they have sold their business prior to completion of the renewal process.

The Borough Clerk read the following resolution:

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

Resolution #151-14

WHEREAS, The State of New Jersey Department of Transportation has conducted a survey to inventory all bus stops along State and US Routes in New Jersey; and

WHEREAS, based upon the engineering investigation and review by the Traffic Engineering Bureau (Regulations) the following locations have been recommended for approval:

- (1) Route NJ 28, eastbound on the southerly side at Hallock Avenue – (far side) – Beginning at the easterly curb line of Hallock Avenue and extending 100 feet easterly therefrom.
- (2) Route NJ 28, westbound on the northerly side at North Lincoln Avenue – (far side) – Beginning at the westerly curb line of North Lincoln Avenue and extending 100 feet westerly therefrom.
- (3) Route NJ 28, westbound on the northerly side at Cindy Court – (far side) – Beginning at the prolongation of the westerly curb line of Cindy Court and extending 100 feet westerly therefrom.

WHEREAS, in order to legally establish the bus stops, the NJDOT must promulgate a Traffic Regulation Order, and therefore must receive a Resolution of Support from the governing body to begin this process; and

WHEREAS, the Police Chief and Supervisor of Public Works have reviewed the inventory of all bus stops along Route 28.

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 supports the above-referenced Bus Stop locations that are recommended by the NJDOT.
 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 #152-14

The Tax Collector is hereby authorized to refund 2013 taxes based on Tax Court of New Jersey judgment on the following property:

<u>BLOCK/LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
178/4.01	Sevco Associates LLC 550 Union Avenue	\$1,404.72

The check is to be made payable to: Bruce J Stavitsky, Esq
Stavitsky & Associates LLC
350 Passaic Avenue
Fairfield, NJ 07004

The Borough Clerk read the following resolution:

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

Resolution #153-14

A RESOLUTION AUTHORIZING REIMBURSEMENT OF MEDICARE PREMIUMS FOR CERTAIN ELIGIBLE PENSIONERS UNDER CHAPTER III, PUBLIC LAW 1973, NJ 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 for the period January through June, 2014, as follows:

James L Benson	\$629.40	Patricia A Benson	\$629.40
445 Harris Ave		445 Harris Ave	
Middlesex, NJ 08846		Middlesex, NJ 08846	
Archie J Blood Jr	\$578.40	Anthony Cole	\$578.40
54 Lincoln Blvd		246 Oak Dr	

Barnegat, NJ 08005

Middlesex, NJ 08846

Susan Cole \$578.40
246 Oak Dr
Middlesex, NJ 08846

Dorothy Coren \$663.00
20 Mead Pl
Middlesex, NJ 08846

Anthony DiBartolomio \$578.40
4714 Southern Trail
Myrtle Beach, SC 29579

John Giuliano \$578.40
339 Second St
Middlesex, NJ 08846

Thomas Lynch \$419.60
359 Market St
Middlesex, NJ 08846

Charlie Nash \$578.40
213 Melrose Ave
Middlesex, NJ 08846

Diane Nash \$578.40
213 Melrose Ave
Middlesex, NJ 08846

Jerome Nowak \$578.40
1886 East Fir Ave, Apt 104
Fresno, CA 93720

Arthur Roberts \$578.40
305 Harris Ave
Middlesex, NJ 08846

Lorraine Smith \$578.40
5602 Gold Ct
New Bern, NC 28560-9747

Earl S Thompson \$624.00
6525 41 Ave North
St Petersburg, FL 33709-4907

Karen Thompson \$624.00
6525 41 Ave North
St Petersburg, FL 33709-4907

Rita Wahler \$599.40
16 Fitzsimmons Ave
Middlesex, NJ 08846

The Borough Clerk read the following resolution:

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

Resolution #154-14

Authorizing Predator to grind grounded trees in the fields along 3rd, 4th, 5th, and 6th Streets for 7 days at \$1500.00 per day.

The Treasurer hereby certifies funds in the amount of \$10,500 are available in Account No. 04-1832-00-1832-91.

The Borough Clerk read the following resolution:

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

Resolution #155-14

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 Dotey made a motion for approval, seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, and Schueler. No: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Fireworks – Council agreed to have the Fireworks on Saturday, July 19, 2014.
2. Proposed Ordinance Amendment on Public Hearing Notices in Land use Applications – Mayor Dobies reviewed the recommendation made by the Planning Board that it would be a benefit to the residents of the Borough to require notice of all land use applications that go before the planning and Zoning Boards. Borough Clerk will put an ordinance on for the next meeting for introduction.
3. Special Meeting of the Mayor and Council on June 12, 2014 - A special meeting will be held to consider an action the Planning Board may take on Wednesday, June 11, 2014 regarding the Phase I Preliminary Investigation Study for the Lincoln Blvd. Area to meet the criteria for a Non-Condemnation Redevelopment Area.
4. 100th Anniversary Surplus Funds – Mayor Dobies stated there is \$3,000 from last year's funds and he would like the council to consider at the next meeting how to use these funds. Some of the recommendations the Mayor had were (1) Use for wet down- Police, (2) the Welcome Home Committee – cost for flags, etc., and (3) Awards given out by the Mayor – Outstanding Citizens, Certificates of Achievement and Appreciation. Council should before the next meeting give him some ideas.

PUBLIC COMMENTS

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

John Ellery, 701 Lincoln Blvd. – Asked that before the Governing Body makes any decision regarding the Sewer User Charges that both committees meet before any action is taken. Mr. Ellery stated that he is trying to save the taxpayers and business community money before it gets into the hand of the lawyers. Mr. Ellery also questioned when the Planning Board will get together with the business community on the trailer ordinance.

John Hoffman, 455 Lincoln Blvd. – Made the following statements:

(1) The garbage & recycling request to move forward with the amendment to the ordinance t by Councilman Schueler is a pressing issue. He noted that Middlesex County Recycling sends out a flyer which states what to recycle which is in their Recycling Schedule.

(2) We should get off the summer time twice-a-week garbage schedule because we are sending around DPW trucks and workers and there is hardly any garbage to pick up on the second day.

(3) Mr. Hoffman gave a heads up on the patching on South Avenue roadway.

(4) Agreed with the cutting of the Recreation Department budget. He was glad something was done because the taxpayers pay enough in taxes for other people's kids. They should be using the trust.

(5) 503 Lincoln Blvd. – There must be an illegal rental unit there with a curb load of garbage including 15 bags and furniture. There was a countertop out there for over a year. Also across from Cahoots is carpet and garbage.

(6) Bus Stop by 151 Raritan Avenue & Rt. 28 has glass blown out of the bus shelter.

(7) Questioned whether J&G has a used car dealership. Stating either way this is problem as they have all unregistered vehicles beyond the fence. Mayor noted that they have 7 violations. Mr. Hoffman stated they should get a per day violation and then they play games and try and come before the boards. They got denied at the zoning board and are now before the planning board.

Amy Bigge, 5 Marshall Place – Stated that the MCIA has somebody who will come out to the schools to teach the kids about recycling noting that this would be a good learning experience.

Mayor Dobies addressed all questions from the Public.

Seeing that there was no further public participation, 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 #156-14

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. Part Time Employee Salaries & Benefits
2. 2014 Non-Union Salary Increases
3. Administrator's Salary

Council President Kaplan made a motion for approval seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, and Schueler. No: None. Abstain: None.

Councilman Greco moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by a unanimous vote of Council.

ADJOURNMENT

Councilman Dotey made a motion to adjourn the Regular Meeting seconded by Councilman Greco and carried by a unanimous vote of members present.

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk

**BOROUGH OF MIDDLESEX
SPECIAL MEETING MINUTES
JUNE 12, 2014**

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 of May 30, 2014 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	Sean Kaplan
	Kevin Dotey (absent)
	Stephen Greco
	Patricia Jenkins (absent)
	Bob Schueler
	Michele Tackach (absent)

Attorney:	Aravind Aithal
	William Robertson, Esq.

Borough Planner	Paul Ricci
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Attorney Aithal noted that tonight at tonight's meeting is our conflict attorney. The Redevelopment – Phase I contemplates at least one property that is owned by a former client of his firm and though they are not currently doing any work for this developer, Attorney Aithal felt it would be prudent to recuse himself from advising the board. Attorney William Robertson is here tonight as the Borough's conflict attorney.

Mayor Dobies opened the meeting stating that the Planning Board unanimously voted last night to recommend that the Borough Council of the Borough of Middlesex find that the Study Area be designated an area in need of non-condemnation redevelopment meeting criteria (a), (b), (c), (d), and (h) of the Redevelopment Law.

The Mayor than asked the Borough Planner give a brief presentation.

Mr. Ricci stated that the Council requested that the Planning Board study portions of Lincoln Boulevard and portions of the Mountain Avenue area to determine if it qualifies as an area in need of redevelopment. The Borough has chosen to undertake the study in a manner where redevelopment would only occur if property owners choose to partake. The condemnation of

property is not permitted as a matter of law. Any participation in the Redevelopment Planning by property owners will be by their own accord.

The area currently being studied is located within a rehabilitation area and is governed by the existing Lincoln Boulevard Redevelopment Plan or the Borough's traditional zoning ordinance and map. The Phase 1 Area is approximately 26.6 acres in area and contains 32 properties.

Councilman Kaplan asked how the Borough would enter into a Pilot Program. Attorney Robertson stated that we would need to do a separate resolution at another meeting. Mayor indicated that this would be done a future meeting and our Redevelopment Attorney would come before the Governing Body for a presentation.

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

John Mravcak, 128 Wood Avenue stated that he was glad to see that this did not include eminent domain and that it is a voluntary redevelopment. Mr. Mravcak stated that if this happens that the zoning official/code enforcer and the inspectors need to follow the redevelopment plan and that we streamline the process so it doesn't take 3-6 months and felt we should make the Construction Official full-time.

Mayor Dobies noted that this could be done in phases or altogether. Councilman Schueler recommended that all three phases be done at the same time.. Mayor Dobies stated that the next step is for the Planner to work with the Borough Council to prepare a Redevelopment Plan for the Study Area.

Seeing that there was no further public participation, 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 #158-14

RESOLUTION OF THE COUNCIL OF THE BOROUGH OF MIDDLESEX DESIGNATING THAT THE PROPERTIES IDENTIFIED AS BLOCK 122, LOTS 2, 3, 4.01; BLOCK 125, LOTS 1, 3, 5, 8, 9.01, 11.01; BLOCK 126, LOT 4.02; BLOCK 127, LOT 22; BLOCK 128, LOTS 1, 2; BLOCK 129, LOTS 3.01, 3.02, 4, 5; BLOCK 132, LOTS 1, 1.01; BLOCK 140, LOTS 1, 2, 3, 5, 6; BLOCK 348, LOTS 1.01, 3; BLOCK 129, LOTS 1, 2; BLOCK 349, LOTS 1, 2, 3, 3.01, BE DESIGNATED AS AN AREA IN NEED OF NON-CONDEMNATION REDEVELOPMENT.

WHEREAS, the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law") authorizes municipalities to determine

whether certain parcels of land located with the municipality constitute areas in need of non-condemnation redevelopment; and

WHEREAS, to determine whether the Lincoln Boulevard - Phase 1 Area constitutes an area in need of redevelopment, the Borough Council (the "Council") of the Borough of Middlesex (the "Borough"), by way of Resolution Nos. 324-13 and 96-14, authorized and directed the Borough of Middlesex Planning Board (the "Planning Board") to conduct a preliminary investigation pursuant to the Redevelopment Law to determine whether the property identified as Block 122, Lots 2, 3, 4.01; Block 125, Lots 1, 3, 5, 8, 9.01, 11.01; Block 126, Lot 4.02; Block 127, Lot 22; Block 128, Lots 1, 2; Block 129, Lots 3.01, 3.02, 4, 5; Block 132, Lots 1, 1.01; Block 140, Lots 1, 2, 3, 5, 6; Block 348, Lots 1.01, 3; Block 129, Lots 1, 2; Block 349, Lots 1, 2, 3, 3.01, as shown on the Tax Map of the Borough (the "Study Area"), constitutes an "area in need of non-condemnation redevelopment" in accordance with the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, on April 9, 2014, the Planning Board authorized Paul N. Ricci, P.P., Lic. No. L1005570 (the "Planning Consultant") to conduct an investigation to determine whether the Study Area, or any portion thereof, constitutes an area in need of non-condemnation redevelopment in accordance with the Redevelopment Law, and to prepare a preliminary investigation report of the Study Area (the "Study"); and

WHEREAS, the Planning Consultant prepared the Study, titled "Redevelopment Study and Preliminary Investigation Report Lincoln Boulevard – Phase 1", dated May 19, 2014, which details the findings and recommendations relevant to whether the Study Area should be designated as an area in need of non-condemnation redevelopment, as well as a map of the Study Area; and

WHEREAS, the Redevelopment Law requires the Planning Board to conduct a public hearing prior to making its determination whether the Study Area should be designated as an area in need of non-condemnation redevelopment, at which hearing the Planning Board shall hear all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area; and

WHEREAS, the Redevelopment Law further requires the Planning Board, prior to conducting such public hearing, to publish notice of the hearing in a newspaper of general circulation in the municipality once each week for two consecutive weeks, with the last publication made not less than ten (10) days prior to such public hearing; and

WHEREAS, the Redevelopment Law further requires such notice to be mailed at least ten days prior to such public hearing to the last owner(s) of the relevant property(ies) and interested parties according to the Borough's assessment records; and

WHEREAS, the Planning Board caused the aforementioned notices to be published in the Borough official newspaper, and provided notice to the affected property owners and interested parties in accordance with the Redevelopment Law; and

WHEREAS, on June 11, 2014, at the time and date of the noticed public hearing, the Planning Consultant, being sworn and qualified as an expert in professional planning, made a presentation of the Study to the Planning Board; and

WHEREAS, in addition to the presentation of the Planning Consultant, at the public hearing the Planning Board heard testimony and evidence from members of the public, who also were given an opportunity to cross-examine the Planning Consultant and address questions to the Planning Board concerning the potential designation of the Study Area as an area in need of non-condemnation redevelopment; and

WHEREAS, the Planning Consultant concluded that the Study Area satisfies the criteria (a), (b), (c), (d) and (h) of the Redevelopment Law, N.J.S.A. 40:A:12A-5, and that the Study Area as an area in need of non-condemnation redevelopment; and

WHEREAS, the Planning Board did not receive any written comments or objections to the Study prior to or during the public hearing on June 11, 2014; and

WHEREAS, at the conclusion of the public hearing, the Planning Board found that the Planning Consultant's conclusions in the Study and his testimony provide substantial evidence to support the findings that the Study Area satisfies criteria (a), (b), (c), (d) and (h) of the Redevelopment Law, N.J.S.A. 40:A:12A-5, that the public questions and comments did not erode the Planning Consultant's testimony or conclusions, and that the collective designation of the Study Area as an area in need of non-condemnation redevelopment is necessary for the effective redevelopment of the Study Area; and

WHEREAS, by a vote of 8 to 0, the Planning Board unanimously voted to recommend that the Borough Council of the Borough of Middlesex find that the Study Area be designated a an area in need of non-condemnation redevelopment meeting criteria (a), (b), (c), (d) and (h) of the Redevelopment Law, N.J.S.A. 40:A:12A-5; and

WHEREAS, on June 11, 2014, the Planning Board adopted a Resolution memorializing the decision made on June 11, 2014; and

WHEREAS, the Planning Board submitted the memorializing Resolution, along with a copy of the Study and all exhibits presented at the June 11, 2014 public hearing to the Borough Clerk for distribution to the Mayor and Council for consideration thereof; and

WHEREAS, after review and consideration of the Planning Board's recommendation, including all documents submitted therewith, the Borough Council agrees with the conclusion of the Planning Board that the Study Area meets the aforementioned criteria for a non-condemnation redevelopment area designation, and the Borough Council finds that such conclusion is supported by substantial evidence; and

WHEREAS, the Borough Council further agrees with the recommendation of the Planning Board that the Study Area, collectively, be designated as an area in need of non-condemnation redevelopment pursuant to the Redevelopment Law, and

WHEREAS, the Borough Council now desires to designate the Study Area, collectively, as an area in need of non-condemnation redevelopment for the effective redevelopment of the Study Area, pursuant to N.J.S.A. 40A:12A-6; and

WHEREAS, the Borough Council further desires to authorize and direct the Planning Consultant work with the Borough Council to prepare a redevelopment plan for the Study Area and present same to the entire Borough Council pursuant to N.J.S.A. 40A:12A-7f.

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

1. The aforementioned recitals, including the Study and exhibits presented at the June 11, 2014 public hearing before the Planning Board are incorporated herein as though fully set forth at length.
2. The Borough Council hereby designates the Study Area as an area in need of non-condemnation redevelopment pursuant to N.J.S.A. 40A:12A-6, satisfying criteria (a), (b), (c), (d) and (h) of the Redevelopment Law, N.J.S.A. 40:A:12A-5.
3. The Planning Consultant work with the Borough Council to prepare a redevelopment plan for the Study Area (to be hereinafter referred to as the

Redevelopment Area), and present same to the entire Borough Council pursuant to N.J.S.A, 40A:12A-7f.

4. The Clerk of the Borough shall forward a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs for review and approval by regular and certified mail (return receipt requested).

5. The Borough Clerk shall, within ten (10) days after the Council determination, serve upon all record owners of property located within the Study Area or Redevelopment Area, those whose names are listed on the Tax Assessor's records as interested parties, and upon each person who filed a written objection to the Study to the address listed on the written submission.

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law.

Councilman Schueler made a motion for approval seconded by Council President Kaplan and carried by the following roll call vote: Ayes: Greco, Kaplan, and Schueler. No: None. Abstain: None.

ADJOURNMENT

Councilman Schueler made a motion to adjourn the Regular Meeting seconded by Councilman Greco and carried by a unanimous vote of members present.

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
JUNE 24, 2014**

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 Revised Annual Meeting Notice of December 31, 2013 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	Sean Kaplan (absent)
	Kevin Dotey
	Stephen Greco
	Patricia Jenkins (absent)
	Bob Schueler
	Michele Tackach

Attorney: Aravind Aithal

Mayor Dobies added the following items to the Agenda for the meeting tonight: (1) Fireworks; (2) Demolition of 5 Glen Gary Road; and (3) Softball bleachers at Middlesex High School.

PROCLAMATIONS

The Borough Clerk proclaimed the week of June 22 – June 28, 2014 as “National Mosquito Control Awareness Week”.

**NATIONAL MOSQUITO CONTROL AWARENESS WEEK
JUNE 22 – JUNE 28, 2014**

The week of **June 22 – June 28, 2014** is declared as “**National Mosquito Control Awareness Week**” to educate the general public about the significance of mosquitoes in their daily lives and the important service provided by mosquito control workers.

In observance of the event, Middlesex County Mosquito Commission is urging residents to take a proactive approach to controlling mosquitoes in the community and guarding against bites during this week and throughout the year.

Tips to make your yard safer and more pleasant this summer:

PREVENT:

- Eliminate or manage all sources of standing water to discourage mosquito breeding.
- Make sure doors and windows have tight-fitting screens. Repair or replace screens that have tears or holes
- Cut down weeds, trim and maintain shrubs and grass to reduce adult mosquitoes harboring in vegetation.

PROTECT:

- Stay inside at dawn, dusk and early evening when mosquitoes are most active.
- If you must be outdoors during these times, wear long-sleeved shirts and long pants.
- Apply insect repellent containing EPA-registered active ingredients such as DEET, Picaridin, IR3535, and Oil of lemon eucalyptus (PMD). Always apply according to label instructions.

REPORT:

- Contact the Mosquito Commission (732-549-0665) if there is a significant mosquito problem or need additional information.

APPOINTMENT-None

PRESENTATIONS

Sydney Kukoda, a Middlesex High School Student gave a presentation on “Flooding in Middlesex” to the Mayor and Council which was done in order to achieve her Girl Scout Gold Award. Ms. Kukoda referenced the last floods that affected the Borough and informed the public of important steps that should be taken before a flood, during a flood and after a flood. Ms. Kukoda also provided the borough with the brochure that she created on “Flooding in Middlesex” which included important contact information in the event of a flood. Copies of these brochures are available at Borough Hall.

PUBLIC HEARING

The Borough Clerk read Ordinance No. 1851-14 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1851-14

**AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX,
AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, CHAPTER 248, LAND
DEVELOPMENT, SECTION 248-10, FILING FEES**

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

SECTION 1. Section 248-10 is hereby repealed in its entirety and replaced as follows:

An application to the Planning Board or Zoning Board of Adjustment for any application for development as defined herein shall be accompanied by a filing fee which shall be used to defray the administrative cost of processing the application as follows:

Type of Application	Escrow Amount
Minor Subdivision - Lot Line Adjustment	\$1,000.00
Minor Subdivision	\$3,000.00
Major Subdivision	\$2,000.00 + \$100.00 per lot
Final Major Subdivision	50% of preliminary escrow
Variance with Subdivision	\$3,000.00
Minor Site Plan	\$2,000.00
Major Site Plan	\$3,000.00
Variance with Site Plan	\$3,000.00
Interpretation Application (40:55D-68 & 40:55D-70a, b)	\$ 300.00
Variance Application to Board of Adjustment	\$1,000.00
Special Meetings/Appeals	N/A
Variance Application - Residential Accessory Building	\$ 250.00
Site Plan Review & Requirements for New Jersey Department of Environmental Protection Permits or County Environmental Protection Permits	\$2,000.00 + \$100.00 per lot

SECTION 2. The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged invalid and shall not be deemed to effect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION 4. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 5. The Clerk shall cause a copy of the final form of ordinance as adopted by the Council to be filed with the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

SECTION 6. This Ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final form of adopted ordinance by the Clerk with the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

Mayor Dobies opened the public hearing on Ordinance No. 1851-14. Seeing that there was no public participation, Mayor Dobies closed the public hearing on Ordinance No. 1851-14.

Councilman Schueler made a motion for adoption seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Schueler and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read Ordinance No. 1852-14 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1852-14

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO EXISTING MIDDLESEX COMMUNITY POOL, WADING POOL AND RELATED FACILITIES, AND CONSTRUCTION OF NEW COMPETITION POOL, BY AND IN THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$1,300,000 THEREFOR FROM THE POOL UTILITY OF THE BOROUGH AND AUTHORIZING THE ISSUANCE OF \$1,235,000 BONDS OR NOTES TO FINANCE THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Pool Utility of the Borough of Middlesex, in the County of Middlesex, State of New Jersey (the "Borough") as general improvements. For the said improvements stated in Section 3, there is hereby appropriated the principal amount of \$1,300,000 from the Pool Utility of the Borough, said sum being inclusive of the sum of \$65,000 as the aggregate amount of down payments for said improvements or purposes as required by the Local Bond Law, N.J.S.A. §40A:2-1 *et seq.* (the "Local Bond Law"). The aggregate down payments are now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Borough Pool Utility for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the part of said \$1,300,000 appropriation not provided for by

application hereunder of said down payments, negotiable bonds of the Pool Utility of the Borough are hereby authorized to be issued in the principal amount of \$1,235,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Pool Utility of the Borough in a principal amount not exceeding \$1,235,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued, include but are not limited to, various improvements to the existing community pool, wading pool and related facilities, and the construction of a new competition pool.

(b) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto and all in accordance with the plans and specifications therefor on file in the Office of the Clerk of the Borough and available for public inspection and hereby approved.

(c) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$1,235,000.

(d) The estimated cost of said improvement or purpose is \$1,300,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor, being the aggregate amount of the \$65,000 in down payments available for said purposes

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Middlesex make a contribution or grant in aid to the Borough for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Middlesex. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Middlesex shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid. In addition, the amount of the bonds or notes authorized by Section 2 hereof shall also be reduced by any amount of available cash the Borough pool utility shall determine to contribute, and shall be appropriated by the Borough, prior to the issuance of any such bonds or notes, to the improvements and purposes authorized hereby.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such time as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date. 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 of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with 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 purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon 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 bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Pool Utility of the Borough is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs will be on file in the Office of the Clerk and will be available for public inspection.

SECTION 7. 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 and are improvements or purposes which the Pool Utility of the Borough may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 15 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Pool Utility of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$1,235,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$200,000 for items of expense listed in and permitted under N.J.S.A. § 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. Unless paid from other sources, 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. Unless paid from other sources, 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 property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's

official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an “abusive arbitrage device” under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the “Code”). The proceeds of any bonds or notes authorized herein used to reimburse the Borough for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of “replacement proceeds”, including “sinking funds”, “pledged funds” or funds subject to a “negative pledge” (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Borough other than amounts deposited into a “bona fide debt service fund” (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$1,235,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is “placed in service” (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Borough covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after final adoption, and approved by the Mayor, as provided by the Local Bond Law.

Mayor Dobies opened the public hearing on Ordinance No. 1852-14.

John Erickson, 209 Second Street stated that he is glad the pool project is moving along and questioned if the bonding of this ordinance would affect the borough bonding in the future.

Mayor Dobies addressed all questions directed by the public.

Seeing that there was no further public participation, Mayor Dobies closed the public hearing on Ordinance No. 1852-14.

Councilman Schueler stated that although his wife is a non-paid member of the Swim Pool Commission, Attorney Aithal indicated that he could vote on the final adoption.

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

NEW BUSINESS

The Borough Clerk ready Ordinance No. 1853-14 for introduction.

ORDINANCE NO. 1853-14

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 248, LAND DEVELOPMENT

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 following:

§ 248-5 Hearings.

B. Public notice of a hearing on an application for development shall be given for all applications for development requiring variances as well as for site plan review, minor subdivisions or final subdivision approval whether variances are requested or not; and further provided that public notice shall be given in the event that relief is requested pursuant to N.J.S.A. 40:55D-60 or N.J.S.A. 40:55D-76 as part of an application for development otherwise excepted herein from public notice. For purposes of this section, the term "application for development" shall be defined as including applications pursuant to N.J.S.A. 40:55D-70a and N.J.S.A. 40:55D-70b, and notice of applications pursuant to N.J.S.A. 40:55D-70a and N.J.S.A. 40:55D-70b shall be given in accordance with this section. Public notice shall be provided according to the procedures set forth in N.J.S.A. 40:55D-12.

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. This Ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final form of adopted ordinance by the Clerk with the Middlesex County Planning

Councilman Dotey made a motion for introduction seconded by Councilwoman Tackach and carried by the following roll call vote: Ayes: Dotey, Greco, Schueler and Tackach. Nos.: None. Abstain: None.

ADOPTION OF MINUTES

Councilman Schueler made a motion to approve the June 10, 2014 Regular Meeting Minutes and Executive Meeting Minutes and the June 12, 2014 Special Meeting Minutes seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Schueler and Tackach. Nos: None. Abstain: None.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance – Council President Kaplan was absent
2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco mentioned that the Commission has now amended Ordinance No. 1597-04 Regulations and Fees for use of Mountainview Park and it will be introduced at the July 15, 2014 Regular Meeting,
3. Fire/OEM/Board of Health/Rescue Squad/Flood-Nothing to report
 - A. Councilman Dotey moved to accept the resignation of Kevin Van Nostrand from the Lincoln Hose Company and Middlesex Fire Department seconded by Councilman Greco and carried by a unanimous vote of Council.
4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler discussed with Vice Chairman of the Victor Crowell Park committee as to the flowers to be planted in Victor Crowell Park as to the scope and location of the flowers. Councilman Schueler is waiting for their response as well as for input on the memorial bench in the park.
 - B. The DPW is hiring 2 full time employees and 3 new permanent part time employees. Kyle Brady's name has been added to Resolution No. 165-14.
 - C. Councilman Schueler is working with the committee members to discuss both the current and proposed garbage ordinance. He is in the process of reaching out to the County and with Ron Fasanello to get information on improving our recycling participation and education.
5. Police/Legal/Code Enforcement/Construction/Municipal Court – Councilwoman Jenkins was absent.
6. Administration/Department of Senior Services/Legislation/Licensing – Nothing to report

REPORTS

Mayor

1. The Fireworks have been scheduled for July 19, 2014. The council approved \$20,000 be spent on the fireworks. The purchasing agent will go out for quotes.
2. 5 Glen Gary – Mayor Dobies needs to get quotes from 2 businesses before he could move ahead. Mayor Dobies mentioned to the residents that he would like this demolition done by July. The purchasing agent will get prices and move ahead.
3. High School Softball Bleacher – Mayor Dobies spoke about the replacement of the bleachers at the Softball Field and met today with the Superintendent. The Mayor will discuss further with the Superintendent and follow up with Council.

The Borough Clerk read the following resolution:

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

Consent Agenda 2014(Q)

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 Resolutions #159-14, Resolution #164-14 and Resolution #165-14 from this Consent 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 #160-14 - Resolution #163-14
Resolution #166-14 – Resolution #173-14

Councilman Dotey made a motion for approval seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Schueler 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 #160-14

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE FOR
300 GALLON FIREGUARD TANK & REMOVAL/DISPOSAL OF EXISTING TANK**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase a 300 Gallon Fireguard Tank & removal/disposal of existing tank 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, Whitemarsh Corporation is under State Contract No. 75548 for the year 2014; and

WHEREAS, the cost for the purchase of a 300 Gallon Fireguard Tank is \$16,789.55 and the cost of the removal/disposal of existing tank is \$2,875.00; and

WHEREAS, this award is contingent upon approval from the New Jersey Department of Environmental Protection.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of a 300 Gallon Fireguard Tank & removal/disposal of existing tank is ordered under State Contract No. 75548 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount \$19,664.55 is 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 #161-14

The application for renewal of Liquor Licenses for the year 2014-2015 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:

Shri Radha Krishna Inc. t/a Endzone Lounge 425 Bound Brook Road	1211-33-001-003
Rikjo Liquors, Inc. t/a Middlesex Liquor Store 708 Union Avenue	1211-44-005-002
OK Liquors, t/a Cub Liquors, Inc. 242 Lincoln Boulevard	1211-32-011-004
Vilaverdense t/a Vincenzo's Restaurant 665 Bound Brook Road	1211-33-012-004
Middlesex Lodge 2301 BPO Elks 545 Bound Brook Road	1211-31-014-001
Pearldhyan, Inc. 657 Lincoln Boulevard	1211-44-006-003
Ellery's Grill, Inc. 701 Lincoln Boulevard	1211-32-004-002
Faron Realty Management, LLC t/a Ferraro's Pizza & Pub 275 Lincoln Boulevard	1211-33-002-007

Carpaccio Ristorante Inc. 651 Bound Brook Road	1211-33-010-002
Cahoots, Inc. 624 Lincoln Boulevard	1211-33-003-003
John W. Lupu Memorial Post 306 The American Legion 707 Legion Place	1211-31-013-001
Timothy Kerwin's Inc. 353 Bound Brook Road	1211-33-009-002

The Borough Clerk read the following resolution:

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

Resolution #162-14

The Tax Collector is hereby authorized to issue a check in the amount of \$928.12 to redeem tax sale certificate #2012-1799 and a check in the amount of \$400 for a tax sale premium, Block 256, Lot 12, 312 Bound Brook Road, checks are to be made payable to:

FWDSL & Associates LP
5 Cold Hill Rd 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 #163-14

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF
RADIO COMMUNICATION EQUIPMENT**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase radio communication equipment 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, Tactical Public Safety is under State Contract No. 83932 for the year 2014; and

WHEREAS, the cost for the purchase of radio communication equipment is 8,840.10; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of radio communication equipment is ordered under State Contract No. 83932 be and is hereby approved.

The Treasurer hereby certifies that funds in the amount of \$8,840.10 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 #166-14

Authorizing Mayor Dobies to execute a letter in conjunction with the Safe Routes to Schools project for the Parker, Watchung, Hazelwood and Von E. Mauger School to share ownership and maintenance responsibility for the useful life of the project after completion of construction per the borough ordinance.

The Borough Clerk read the following resolution:

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

Resolution #167-14

The borough is authorized to utilize the 2013 100th Anniversary Surplus Funds for any miscellaneous celebrations, events or awards.

The Borough Clerk read the following resolution:

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

Resolution #168-14

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF
RADIO COMMUNICATION EQUIPMENT INSTALLATION FOR NEW FIRE ENGINE AND
TRUCK**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase radio communication equipment installation for the new fire engine and truck 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 State Contract No. 83909 for the year 2014; and

WHEREAS, the cost for the purchase the installation is not to exceed \$8,000.00; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of radio communication equipment installation in the new fire engine and truck is ordered under State Contract No. 83909 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount of \$8,000.00 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 #169-14

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 1213 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, EnviroTrac Ltd. 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. EnviroTrac Ltd. 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 #170-14

WHEREAS, the residents of Wilson Street have requested to have a block party on Wilson Street between Washington Avenue and Locust Street on June 29, 2014 between the hours of 12 p.m. and 5 p.m.; and

WHEREAS, all the designated officials have 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 Wilson Street to conduct a block party on the on Wilson Street between Washington Avenue and Locust Street on September 1, 2013 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 #171-14

**RESOLUTION RELEASING THE PERFORMANCE BOND COVERING
2013 MILL & OVERLAY PROJECT**

WHEREAS, TopLine Construction Corp., 22 Fifth Street, Somerville, NJ 08846 has requested a release of the performance bond upon acceptance of the Maintenance Bond; and

WHEREAS, Remington & Vernick Engineers has reviewed all documents and is recommending release of the Performance Bond;

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 \$278,395.18.

The Borough Clerk read the following resolution:

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

Resolution #172-14

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 310, Lot 22, Block 312, Lot 10, Block 312, Lot 28, and Block 317, Lot 7 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 #173-14

Authorizing the Mayor and Borough Clerk to execute the Addendum to the 1994 Cooperation Agreements to include a provision required in the Transportation, Housing and Urban Development and Related Agencies Appropriations Act of 2014.

The Borough Clerk read the following resolution:

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

Resolution #159-14

The Borough of Middlesex is hereby authorized to enter into a lease agreement with Ford Motor Credit Company, One American Road – MD7500, Dearborn, MI 48126 for the lease of (5) marked 2014 Chevrolet Caprice police vehicles and (1) unmarked 2014 Chevrolet Caprice Chief vehicle. The vehicles are being acquired from Mall Chevrolet, 75 Haddonfield Road, Cherry Hill, NJ 08002 per Cranford Co-op #47-CPCPS, Item #7.

The total amount funded will be \$218,725 (at 5.75% APR and a payment factor of 0.352133) which is to be paid in (3) annual installments of \$77,020.29 beginning in 2014. The breakdown is listed below:

2014 Marked Chevrolet Caprice	\$ 28,577.00
Emergency Equipment Package	<u>\$ 8,500.00</u>
Sub-Total	\$ 37,077.00
2014 Unmarked Chevrolet Caprice	\$ 28,565.00
Emergency Equipment Package	<u>\$ 4,350.00</u>
Sub-Total	\$ 32,915.00
Multiplied by (5) vehicles	\$185,385.00
Unmarked Chief vehicle	\$ 32,915.00
Documentation Fee	<u>\$ 425.00</u>
Grand Total	\$218,725.00

The Treasurer hereby certifies that the funds are available in account number 01-2010-25-2402-149 in the amount of \$77,020.29.

Councilman Dotey made a motion for approval seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Schueler 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 #164-14

The governing body hereby hires the two individuals listed below as full time employees for the Department of Public Works at \$14.04 per hour for 40 hours per week, effective June 30, 2014, pending a satisfactory background and physical.

Ronald Safar, Jr.
812B First Street
Dunellen, NJ 08812

Jorge Navarro
6-A Middlesex Village
Middlesex, NJ 08846

Councilman Schueler made a motion for approval, seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Schueler. 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 #165-14

The governing body hereby hires the three individuals listed below as permanent part time employees for the Department of Public Works at \$12.00 per hour for 28 hours per week, effective June 30, 2014, pending a satisfactory background and physical.

Keith Babbs
731 Drake Avenue
Middlesex, NJ 08846

Kyle Brady
366 Union Avenue
Middlesex, NJ 08846

John Schieferstein, Jr.
13 East Franklin Street
Bound Brook, NJ 08805

Councilman Schueler made a motion for approval, seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Schueler. 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 #174-14

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 Dotey made a motion for approval, seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Schueler, and Tackach. Nos: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Private Property Maintenance Landscaping Ordinance - Mayor Dobies stated that this year there are 15 liens on vacant properties in the borough. The Borough Attorney will provide a recommended ordinance at the July 15, 2014 Meeting.
2. Engineering Proposal for Design, Inspection and Construction Administration Services for the 2014 NJDOT Municipal Aid Program Grant – Marlborough Avenue – A resolution will be put on the July 15, 2014 Regular Meeting for approval.

PUBLIC COMMENTS

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

John Ellery, 701 Lincoln Boulevard questioned Resolution #169-14 Approving the execution of the Temporary Discharge Application for groundwater to be pumped into the sanitary sewer at the Neighborhood Garage Site located at 1213 Bound Brook Road and questioned if this would be metered.

Ed Johnson, 216 Hazelwood Avenue questioned the status of the expired Piscataway Sewer Charges Agreement with Piscataway.

Mayor Dobies addressed all questions from the Public.

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

ADJOURNMENT

Councilman Schueler made a motion to adjourn the Regular Meeting seconded by Councilman Greco and carried by a unanimous vote of members present.

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
JULY 15, 2014**

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 Revised Annual Meeting Notice of December 31, 2013 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	Sean Kaplan
	Kevin Dotey
	Stephen Greco
	Patricia Jenkins
	Bob Schueler
	Michele Tackach

Attorney: Aravind Aithal

Mayor Dobies added the following items to the Agenda for the meeting tonight: (1) Fireworks; (2) Demolition of 5 Glen Gary Road; and (3) Softball bleachers at Middlesex High School.

PROCLAMATIONS-NONE

APPOINTMENT

Councilman Kaplan moved to accept the resignation of Audrey Powers from the Board of Health seconded by Councilman Schueler and carried by unanimous vote of Council.

Councilman Kaplan moved to accept the resignation of John Nicholson from the Recreation Commission seconded by Councilman Schueler and carried by a unanimous vote of Council.

Councilman Schueler moved the appointment of Rich Tarbous to the Recreation Commission seconded by Councilman Kaplan and carried by a unanimous vote of Council.

Councilman Schueler moved to accept the resignation of Bob Ferris from the Shade Tree Commission seconded by Councilman Kaplan and carried by a unanimous vote of Council.

PRESENTATIONS-NONE

PUBLIC HEARING

The Borough Clerk read Ordinance No. 1853-14 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1853-14

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 248, LAND DEVELOPMENT

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 following:

§ 248-5 Hearings.

B. Public notice of a hearing on an application for development shall be given for all applications for development requiring variances as well as for site plan review, minor subdivisions or final subdivision approval whether variances are requested or not; and further provided that public notice shall be given in the event that relief is requested pursuant to N.J.S.A. 40:55D-60 or N.J.S.A. 40:55D-76 as part of an application for development otherwise excepted herein from public notice. For purposes of this section, the term “application for development” shall be defined as including applications pursuant to N.J.S.A. 40:55D-70a and N.J.S.A. 40:55D-70b, and notice of applications pursuant to N.J.S.A. 40:55D-70a and N.J.S.A. 40:55D-70b shall be given in accordance with this section. Public notice shall be provided according to the procedures set forth in N.J.S.A. 40:55D-12.

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. This Ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final form of adopted ordinance by the Clerk with the Middlesex County Planning.

Mayor Dobies opened the public hearing on Ordinance No. 1853-14. Seeing that there was no public participation, Mayor Dobies closed the public hearing on Ordinance No. 1853-14.

Councilman Schueler noted that the Planning Board was also in favor of this ordinance and stated that this ordinance would give a public notice of a hearing on an application for development shall be given for all applications for development requiring variances.

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

NEW BUSINESS

The Borough Clerk ready Ordinance No. 1854-14 for introduction.

ORDINANCE NO. 1854-14

AN ORDINANCE TO AMEND CHAPTER 301 PARKS AND RECREATION AREAS, SECTION 301-14 REGULATIONS AND FEES FOR USE OF THE PARK, SECTION 301-14(C), 301-14(D) AND 301-14(E) IN THE CODE OF THE BOROUGH OF MIDDLESEX

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

Chapter 301-14C. The following fee schedule shall apply to use of Mountain View Park for Middlesex Borough nonsponsored recreational or governing body sanctioned recreational activities:

- (1) Residents:
 - (a) Teams 18 years old and under: \$10/per 2-hour block
 - (b) Teams 18 years old and over: \$20/per 2-hour block
 - (c) Seasonal pass five or more dates (must present dates requested and insurance certificate): \$100. Seasons are March – May, June – August, September – November of each year.
*Resident teams are equivalent to 51% or more Borough residents.
- (2) Nonresidents
 - (a) Teams 18 years old and under: \$20/per 2-hour block
 - (b) Teams 18 years old and over: \$40/per 2-hour block
 - (c) Seasonal pass five or more dates (must present dates requested and insurance certificate): \$200. Seasons are March – May, June – August, September – November of each year.
 - (d)
- (3) Light permit for high school fields for baseball teams or softball teams: \$15 per day
- (4) Courts for basketball teams and tennis teams \$5 per 2-hour block.
- (5) Flying field – seasonal permits only:
 - (a) Resident: \$15
 - (b) Nonresident: \$30

D. Permits are always required for use of the picnic areas for groups of 10 or more people. Permits must be made 15 business days in advance.

E. The following fee schedule shall apply for the usage of picnic areas:

- (1) Residents

- (a) Groups of 10 to 25: \$20
 - (b) Group of 26 to 50: \$40. Park Maintenance Fee \$90
 - (c) Group of 51 to 100: \$80. Park Maintenance Fee \$180
 - (d) Group of 101 to 200: \$100. Park Maintenance Fee \$180
 - (e) Group of 201 to 300 plus: \$200. Park Maintenance Fee to be determined.
- (2) Nonresidents:
- (a) Group of up to 25: \$40
 - (b) Group of 26 to 50: \$80. Park Maintenance Fee \$90
 - (c) Group of 51 to 100: \$160. Park Maintenance Fee \$180
 - (d) Group of 101 to 200: \$200. Park Maintenance Fee \$180
 - (e) Group of 201 to 300 plus: \$400. Park Maintenance Fee to be determined.

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

1. The Governing Body does hereby amend Chapter 301, Section 301-14(C), 301-14(D) and 301-14(E) as stated above.
2. This Ordinance shall take effect immediately upon final passage and publication according to law.

Councilman Schueler made a motion for introduction seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler and Tackach. Nos.: None. Abstain: None.

ADOPTION OF MINUTES

Councilman Schueler made a motion to approve the June 24, 2014 Regular Meeting Minutes seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Schueler and Tackach. No: None. Abstain: Jenkins, Kaplan.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance
 - A. Council President Kaplan stated that there are 31 applications for Borough Administrator. The Committee will be interviewing three candidates on Thursday,

July 24, 2014. Councilwoman Jenkins asked if the three names could be emailed to her. Any questions should be forwarded to the Mayor or Council President before the interview on July 24, 2014.

2. Recreation/Recreation Fields/Water & Light

- A. Recreation - Councilman Greco noted that there are 118 kids signed up for Summer Camp. Movie Night was a success with 150 residents coming out. The next movie night is August 8, 2014. The Fall Festival is scheduled for October 11th.
- B. Swim Pool – Councilman Greco read a letter from the Pool Commission requesting the Borough remove the fence, gate and posts from curb to curb at the end of Market Street noting that this would create a safe entrance and exit of construction equipment and vehicles for the project. Demolition will start the first week of school and the project is scheduled to be complete by April 30, 2015. Councilman Greco noted that Market Street gate is closed while the pool is open and the other three streets are open. Council President Kaplan stated that this is a safety hazard as kids are throwing their bikes over the gate. Mayor stated that last year the residents of Market Street were here at a meeting requesting the gates be closed because of safety issues and the council agreed to close the gates. Mayor Dobies is standing by his directive to keep the gates closed.

Councilman Greco made a motion to open the gates on Market Street during pool session seconded by Council President Kaplan and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Schueler. No: Jenkins, Tackach. Abstain: None.

3. Fire/OEM/Board of Health/Rescue Squad/Flood

- A. Councilman Dotey stated that the two new fire trucks will be in service by the end of next week.

4. Public Works/Parks/Sanitation/Recycling

- A. Garbage Ordinance - Councilman Schueler noted that the garbage ordinance that was worked on by Councilwoman Jenkins was handed out tonight and asked for feedback before the next meeting. Councilman Schueler also suggested that at the fall festival we could start an education program by handing out information regarding what is recycling and what is garbage.
- B. Councilman Schueler had a request from Mr. Teutsch, the DPW Public Works Manager to bring on another part-time employee to replace an injured employee who is out on worker's comp.
- C. Councilman Schueler made a motion to have permission from the Council to have the Victor Crowell Park Committee get quotes for moving rocks out of the park and to dispose of them and also to scope out the work to possibly use the rocks for a retention wall on Ashland Road to prevent the further erosion of the bank. Councilwoman Jenkins questioned what happened with T&M being

responsible for the removal. Councilman Schueler stated that we are getting the cost for removal and afterwards go back to T&M with these costs for them to make payment. Council President Kaplan seconded the motion and the motion was approved by a unanimous vote of Council

5. Police/Legal/Code Enforcement/Construction/Municipal Court
 - A. Councilwoman Jenkins moved the approval of the May, 2014 Police Department Monthly Report seconded by Councilman Kaplan and carried by a unanimous vote of Council.
6. Administration/Department of Senior Services/Legislation/Licensing – Nothing to report

REPORTS

Mayor

1. Fire HHS Inspector & Fire Sub-Code Official – Council agreed to extend the time period for 60 days for the acting Fire HHS Inspector & Fire Sub-Code Official. The Borough Clerk will put out an advertisement in the League of Municipalities website to fill the position.
2. Acceptance of the Borough Landfill into the FUSRAP Program – Mayor Dobies stated that the Borough received notice that we are now part of the FUSRAP Program. This program will help fund the remedial investigation of the landfill.
3. Glen Gary Road – Mayor Dobies stated that a contractor took over the responsibility on the maintenance/demolition of the property. Attorney Aithal stated that the company took over the property on July 9, 2014. The property could take weeks to demolish as this is HUD property and subject to a reverse mortgage. He recommends giving the company seven (7) days or set a date in 7 days to get the property demolished. The attorney is looking for guidance. The Mayor recommended by the end of the month and no later than our next meeting on August 12th for demolition to be complete.
4. Softball Bleachers – Our DPW has started working on the new pads for the baseball and softball bleachers. Two of the four pads were dug out and framed and the concrete will follow.
5. Fireworks – Reminder that on Saturday, July 19th the annual fireworks display will take place at dusk.

The Borough Clerk read the following resolution:

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

Consent Agenda 2014(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 desirous of removing Resolutions #181-14, Resolution #187-14 and Resolution #190-14 from this Consent 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 #175-14 - Resolution #180-14
Resolution #182-14 – Resolution #186-14
Resolution #188-14 – Resolution #189-14
Resolution #191-114, Resolution #194-14
Resolution #195-14, Resolution #196-14

Councilman Dotey made a motion for approval seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler 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 #175-14

The Tax Collector is hereby authorized to transfer \$1,945.15 from block 24, lot 11 to block 335, lot 29 and to cancel interest charges in the amount of \$84.78. In the email file received February 5, 2014 from CoreLogic, they mistakenly coded the payment to the wrong block and lot.

The Borough Clerk read the following resolution:

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

Resolution #176-14

The governing body accepts the resignation of Delmar Rouse from the Department of Public Works effective July 3, 2014.

The Borough Clerk read the following resolution:

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

Resolution #177-14

WHEREAS, the Borough of Middlesex (“Borough”) has been in the process of closure of a landfill on property known as the Middlesex Borough Landfill (“Landfill”) located between Mountain Avenue and the Bound Brook, which Middlesex operated from approximately 1945 to 1974; and

WHEREAS, the remediation of the Landfill includes remediation of substances for which the United States government is responsible, and for which United States Army Corps of Engineers (“USACE”) and the Department of Energy are conducting investigation and remediation; and,

WHEREAS, the timing for the completion of the remediation and closure of the Landfill by the Borough cannot be completed until the USACE has completed their work at the Landfill; and,

WHEREAS, it is the intention of the Borough to redevelop the subject property with recreation facilities such as playing fields, and jogging or walking paths after the Landfill is closed and the closure is approved by the NJDEP; and,

WHEREAS, the Borough believes there is a realistic opportunity that the site will be redeveloped as proposed within three years after the completion of the site remediation; and,

WHEREAS, this resolution is required by the NJDEP as a condition for providing grant money under the Hazardous Discharge Site Remediation Fund (“HDSRF”); and,

WHEREAS, the Mayor and Council of the Borough of Middlesex are seeking grant funds on behalf of the Borough towards the costs that have been incurred and are to be incurred for site investigation and remediation under the HDSRF program, and finds that same is in the best interests of the Borough;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex on this 15th day of July, 2014 hereby memorializes by this Resolution and hereby authorizes the Mayor to execute and submit the HDSRF application to the NJDEP.

The Borough Clerk read the following resolution:

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

Resolution #178-14

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

WHEREAS, On June 30, 2014 Chief Young recommended Police Officer Sean Flanagan 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 Sean Flanagan be and is hereby advanced in grade to Patrolman Class “F” effective July 10, 2014 at an annual salary \$57,841.

The Borough Clerk read the following resolution:

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

Resolution #179-14

The Tax Collector is hereby authorized to issue a check in the amount of \$23,651.20 to redeem tax sale certificate #2012-1783 and a check in the amount of \$13,500 for a tax sale premium, Block 14, Lot 5, 417 Bound Brook Road, check is to be made payable to:

U S Bank cust for Phoenix Funding Inc
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 #180-14

The Tax Collector is hereby authorized to refund an overpayment of a tax sale premium on Block 14, Lot 5, TTL #2012-1783 in the amount of \$13,500. The mortgage company included the premium amount in the total redemption amount.

Carrington
Lereta LLC
1123 Park View Drive
Covina, CA 91724

The Borough Clerk read the following resolution:

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

Resolution #182-14

The governing body hereby amends the Borough of Middlesex “Personnel Policy” to include the following to Section 27 – Outside Employment:

Section 27.3 N.J.S.A. 40A:9-22.5(C) No local government officers or employees shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others.

The Borough Clerk read the following resolution:

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

Resolution #183-14

The Tax Collector is hereby authorized to issue a check in the amount of \$21,207.23 to redeem tax sale certificate #2013-1824, Block 317, Lot 14.01, Cronk Place, checks are to be made payable to:

FWDSL & Associates LP
5 Cold Hill Rd 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 #184-14

The governing body hereby hires Brandon Ortiz, 3 Ruth Place, and Vinny Dispenziere, 121 Second Street, Middlesex, NJ as permanent part time employees for the Department of Public Works at \$12.00 per hour for 28 hours per week, effective July 21, 2014, pending a satisfactory background and physical.

The Borough Clerk read the following resolution:

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

Resolution #185-14

Approving Patricia Romano, 425 2nd Street, Middlesex New Jersey as a substitute driver for the Office of Aging at \$12.00 per hour pending a satisfactory driving abstract.

The Borough Clerk read the following resolution:

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

Resolution #186-14

Authorizing the Mayor to execute the Host Community Contract with Republic for the years 2015 – 2017.

The Borough Clerk read the following resolution:

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

Resolution #188-14

Authorizing the Mayor and Borough Clerk to execute a Right of Entry to the Army Corps of Engineers for the Middlesex Municipal Landfill FUSRAP Site, Block 318 Lot 1 and Block 318 Lot 47 for the purposes of performing surveys and investigations, collecting samples and making test borings and remediating radiological, chemical, and metal contamination of soils, groundwater, and structures including, but not limited to, the right to store, move and remove equipment and supplies; excavate and dispose of contaminated soil and water and backfill with suitable soil certified in accordance with applicable regulatory standards, and restore the property to its previous condition; construct, operate, maintain, repair, replace, and remove groundwater extraction, treatment and injection systems and monitoring wells; and perform such other work as may be necessary and incident to implementation of FUSRAP for a period not to exceed thirty-six (36) months and beginning on the date of execution of the executed document.

The Borough Clerk read the following resolution:

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

Resolution #189-14

The Tax Collector is hereby authorized to issue a check in the amount of \$4,847.75 to redeem tax sale certificate #2012-1781 on Block 6, Lot 2.02 / C012A, 12A Gramercy Gardens. 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 #191-14

The CFO declares the following fix asset items as surplus:

- (1) 10 - 100 ft lengths of 4 inch supply hose.
 - (2) 2 - 4 inch to 5 inch adapters
-

The Borough Clerk read the following resolution:

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

Resolution #194-14

The Governing Body hereby accepts the resignation of a newly hired DPW permanent part-time employee, Keith Babb's.

The Borough Clerk read the following resolution:

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

Resolution #195-14

The Governing Body hereby accepts the resignation of the part-time Chief Financial Officer, Chris Hart.

The Borough Clerk read the following resolution:

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

Resolution #196-14

WHEREAS, the residents of Clinton Avenue have requested to have a block party on Clinton Avenue between Seneca Avenue and East Greenlawn Street on August 16, 2014 between the hours of 11 a.m. and 11 p.m.; and

WHEREAS, all the designated officials have 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 Clinton Avenue to conduct a block party on the on Clinton Avenue between Seneca Avenue and East Greenlawn Street on August 16, 2014 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 #181-14

The governing body hereby approves the discharge of fireworks at Mountain View Park on July 19, 2014.

Councilwoman Jenkins made a motion for approval, seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler, and Tackach. No: 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 #187-14

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE FOR
(2) LATITUDE 15 5000 SERIES LAPTOPS**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase (2) Latitude 15 5000 series laptops 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 Marketing LP Software is under State Contract No. 70256 for the year 2014; and

WHEREAS, the cost for the purchase of (2) Latitude 15 5000 series laptops is \$2,712.42; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of (2) Latitude 15 5000 series laptops is ordered under State Contract No. 70256 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount \$720.52 is available in Account No. 04-1818-00-1818-54 and \$1,991.90 is available in Account No. 04-1818-00-1818-90.

Councilman Schueler made a motion for approval, seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler, and Tackach. No: 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 #190-14

WHEREAS, pursuant to the provisions of Chapter 37 of the Laws of 1993 of the State of New Jersey, as amended and supplemented, N.J.S.A. 40:12-15.1 et seq. (the “Open Space Act”), the County submitted and placed upon the ballot at the November 7, 1995 election, a proposition to be approved by the voters of the County, which proposition asked whether the County should establish a system of public recreation, including parks, open space and playgrounds, and annually levy the rate of one cent (\$.01) per one hundred dollars (\$100) of equalized assessed value on all property within the County for the purposes of raising moneys to acquire and improve lands or water areas for conservation as open space or farmland and annually appropriate revenue for such purpose (the “1995 Proposition”); and

WHEREAS, the majority of voters in the County voted in favor of and approved such 1995 Proposition; and

WHEREAS, the County developed The Middlesex County Open Space and Recreation Master Plan, which plan revised and amended a previous master plan and such master plan, as revised and amended (the “Master Plan”), and which Master Plan has been accepted by the County pursuant to a resolution adopted by the Board of Chosen Freeholders of the County on March 6, 2003; and

WHEREAS, the Master Plan establishes the parameters and the process for the acquisition of lands within the County to be used for open space, farmland preservation and historical preservation to assure that sufficient open space and recreational improvements will be available for the existing and future needs of the residents of the County; and

WHEREAS, the County is desirous of acquiring additional properties within the County for the purposes of implementing the Master Plan; and

WHEREAS, as a result of procedures undertaken by the County to adhere to the provisions of the Open Space Act, the County may use proceeds of bonds issued by the Middlesex County Improvement Authority (“MCIA”) or moneys deposited in the Trust Fund to acquire parcels within the County for open space purposes in accordance with the provisions of the Open Space Act and the Master Plan; and

WHEREAS, the Ryan Property has been identified for acquisition in the County’s Master Plan; and

WHEREAS, the County has authorized the acquisition of the Ryan Property in accordance with the provisions of the Master Plan and Open Space Act; and

WHEREAS, the County engaged the Middlesex County Improvement Authority (“MCIA”) to act as its agent to perform due diligence on the Ryan Property; and

WHEREAS, the County is desirous of assisting the Borough in acquiring a fee simple interest in vacant property located at Rock Lane, Middlesex, New Jersey (Tax Block 229, Lots

15 – 24) consisting of approximately 20,000 square feet and owned by Kathleen Motte, Executrix of the Estate of Walter C. Ryan, deceased (hereinafter “Ryan Property”) in order to prevent development of the property and to permit the property to be used for open space; and

WHEREAS, in order to implant the acquisition, the parties have agreed to a Participation Agreement and Conservation Restriction Agreement and the County has entered into an Agreement of Purchase with Kathleen Motte, Executor of the Estate of Walter C. Ryan, deceased, which agreement is assignable to the Borough; and

WHEREAS, the Board of Chosen Freeholders of the County, by resolution which was or shall be adopted to approve this Agreement and the execution and delivery thereof to the other parties hereto; and

WHEREAS, the Borough of Middlesex, by Resolution duly adopted on July 15, 2014 approved this Agreement and the execution and delivery thereof to the other parties hereto; and

WHEREAS, Borough Counsel has reviewed the Participation Agreement and Conservation Restriction Agreement and Agreement of Purchase and recommends that the Borough approve the agreements;

THUS, THEREFORE, be it resolved by the Borough Council of the Borough of Middlesex as follows:

1. The Council approves the Participation Agreement and Conservation Restriction Agreement and authorizes the Mayor to execute same on behalf of the Borough in substantially the form amended hereto.
2. The Council authorizes the Mayor to accept the Assignment of the Agreement of Purchase of the Ryan Property.
3. This resolution shall take effect immediately.

Councilman Schueler made a motion for approval, seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler, and Tackach. No: 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 #192-14

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 Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler, and Tackach. No: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Amendment to Code Book – Chapter 18, Municipal, Section 18-7 Clerk – An amendment is needed under Chapter 18 to change section 18-7 removing the section where it state “A person shall be a resident of the Borough of Middlesex shall be appointed by the Mayor and Council to serve as Clerk of the Municipal Court.”
2. Hiring of Temporary Employees for Stream Cleaning – Council agreed to hire 10 temporary employees for 15 weeks at \$12.00/hour for stream cleaning. The clerk will advertise on our website and the borough sign.
3. One third of the wood has been removed by Predator along Rock, Cap Lane, and other areas along the bank at no charge to Middlesex Borough.
4. Mayor asked that we have Tonya Hubosky our Tax Collector and Purchasing Agent act as the Acting Chief Financial Officer in the amount of \$500.00 per month until we hire somebody in that position.

PUBLIC COMMENTS

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

Ed Johnson, 216 Hazelwood Avenue (1) questioned Council President Kaplan on the status of the expired Piscataway Sewer Charges Agreement with Piscataway. Mayor Dobies stated that this cannot be discussed in public session due to the legality of the situation, (2) complimented the DPW on the good job they did picking up branches very quickly after the storms, and (3) Attorney Johnson believes the council should take further consideration into letting the purchasing agent handle the quotes for the removal of the rocks.

John Ellery, 701 Lincoln Boulevard stated the Business Association suggested that when we are hiring a new administrator we should get a dual position Administrator/CFO. A person with good credentials looking for \$125,000-\$150,000 is money well spent to accomplish what is needed in this town. Mr. Ellery also stated that it has been 7 months and still no answer on the sewer charges.

Mayor Dobies addressed all questions from the public.

Seeing that there was no further public participation, 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 #193-14

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. CFO – Employment
2. Findings of Ethic Complaint #LFB-13-016(2)

Councilman Kaplan made a motion for approval, seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler, and Tackach. No: None. Abstain: None.

ADJOURNMENT

Councilman Schueler made a motion to adjourn the Regular Meeting seconded by Councilman Greco and carried by a unanimous vote of council.

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
AUGUST 12, 2014**

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 Revised Annual Meeting Notice of December 31, 2013 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	Sean Kaplan	
	Kevin Dotey	
	Stephen Greco	
	Patricia Jenkins	Absent
	Bob Schueler	
	Michele Tackach	

Attorney: Aravind Aithal

Mayor Dobies added the following items to the Agenda for the meeting tonight: Resolution #214-14 Appointing a Fire Sub-code and Fire HHS Inspector, Resolution #216-14 Appointing Acting Construction Official, and Resolution #217-14 Appointing a Resale Certificate Inspector. Mayor Dobies also added to the Executive Session discussion on terms and conditions regarding an acting sub-code official. Action may be taken on all these items tonight.

Mayor Dobies also removed Resolution #205-14 awarding the bid for the upgrades to the Middlesex Community Pool. The pool manager asked that it be sent back to the pool commission for further review.

PROCLAMATIONS-NONE

APPOINTMENTS

RESOLUTION #197-14

WHEREAS, Emmanuel Malasig 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 Emmanuel Malasig be appointed to the position of Probationary Patrolman effective August 13, 2014 at an annual salary of \$49,346.00.

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. Emmanuel Malasig is hereby appointed a Probationary Patrolman for the Borough of Middlesex effective August 13, 2014 at an annual salary of \$49,346.00.
2. This resolution shall take effect immediately.

Chief Young welcomed Patrolman Malasig and his family to the Middlesex Borough Police Department. Chief Young thanked the Council for the support that they've given him and the entire department throughout the hiring process.

Mayor Dobies accepted the resignation of Bob Ferris from the Shade Tree Commission.

PRESENTATIONS - NONE

PUBLIC HEARING

The Borough Clerk read Ordinance No. 1854-14 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1854-14

AN ORDINANCE TO AMEND CHAPTER 301 PARKS AND RECREATION AREAS, SECTION 301-14 REGULATIONS AND FEES FOR USE OF THE PARK, SECTION 301-14(C), 301-14(D) AND 301-14(E) IN THE CODE OF THE BOROUGH OF MIDDLESEX

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

Chapter 301-14C. The following fee schedule shall apply to use of Mountain View Park for Middlesex Borough nonsponsored recreational or governing body sanctioned recreational activities:

- (1) Residents:
 - (a) Teams 18 years old and under: \$10/per 2-hour block
 - (b) Teams 18 years old and over: \$20/per 2-hour block
 - (c) Seasonal pass five or more dates (must present dates requested and insurance certificate): \$100. Seasons are March – May, June – August, September – November of each year.
*Resident teams are equivalent to 51% or more Borough residents.

- (2) Nonresidents

- (a) Teams 18 years old and under: \$20/per 2-hour block
 - (b) Teams 18 years old and over: \$40/per 2-hour block
 - (c) Seasonal pass five or more dates (must present dates requested and insurance certificate): \$200. Seasons are March – May, June – August, September – November of each year.
 - (d)
 - (3) Light permit for high school fields for baseball teams or softball teams: \$15 per day
 - (4) Courts for basketball teams and tennis teams \$5 per 2-hour block.
 - (5) Flying field – seasonal permits only:
 - (a) Resident: \$15
 - (b) Nonresident: \$30
- D. Permits are always required for use of the picnic areas for groups of 10 or more people. Permits must be made 15 business days in advance.
- E. The following fee schedule shall apply for the usage of picnic areas:
- (1) Residents
 - (a) Groups of 10 to 25: \$20
 - (b) Group of 26 to 50: \$40. Park Maintenance Fee \$90
 - (c) Group of 51 to 100: \$80. Park Maintenance Fee \$180
 - (d) Group of 101 to 200: \$100. Park Maintenance Fee \$180
 - (e) Group of 201 to 300 plus: \$200. Park Maintenance Fee to be determined.
 - (2) Nonresidents:
 - (a) Group of up to 25: \$40
 - (b) Group of 26 to 50: \$80. Park Maintenance Fee \$90
 - (c) Group of 51 to 100: \$160. Park Maintenance Fee \$180
 - (d) Group of 101 to 200: \$200. Park Maintenance Fee \$180
 - (e) Group of 201 to 300 plus: \$400. Park Maintenance Fee to be determined.

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

1. The Governing Body does hereby amend Chapter 301, Section 301-14(C), 301-14(D) and 301-14(E) as stated above.
2. This Ordinance shall take effect immediately upon final passage and publication according to law.

Mayor Dobies opened the Public Hearing on Ordinance No. 1854-14. Seeing that there was no public participation, Mayor Dobies closed the Public Hearing on Ordinance No. 1854-14.

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

NEW BUSINESS

The Borough Clerk ready Ordinance No. 1855-14 for introduction.

ORDINANCE NO. 1855-14

A LOAN ORDINANCE OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LOAN AND SECURITY AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY FOR THE UNDERTAKING OF VARIOUS 2014 CAPITAL IMPROVEMENTS AND THE ACQUISITION AND INSTALLATION, AS APPLICABLE, OF VARIOUS EQUIPMENT WITH AN ESTIMATED COST OF \$1,000,000, THE COST OF SUCH IMPROVEMENTS AND EQUIPMENT TO BE FINANCED THROUGH THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2014 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY

WHEREAS, the Middlesex County Improvement Authority (the "Authority") is authorized to issue its bonds pursuant to the provisions of the County Improvement Authorities Law, chapter 183 of the Laws of New Jersey of 1960, as amended and supplemented (N.J.S.A. 40:37A-44 et seq.) (the "County Improvement Authorities Law"), and other applicable provisions of law; and

WHEREAS, the Authority has determined to issue its revenue bonds for the purpose of financing the various capital improvements to be undertaken by and the acquisition, installation and, as applicable, subsequent leasing of certain capital equipment, including but not limited to police and passenger vehicles, to various governmental entities within the County of Middlesex, State of New Jersey (the "County"), including the County and the Authority (the "2014 Program"); and

WHEREAS, the Borough of Middlesex, in the County of Middlesex, State of New Jersey (the "Municipality") has determined to participate in the 2014 Program and to finance various capital improvements and acquire and install certain capital equipment through the Authority; and

WHEREAS, there has been prepared and submitted to the Municipality the form of the Loan and Security Agreement (the "Loan Agreement"), to be entered into by and between the Authority and the Municipality, which Loan Agreement has been approved by the Authority and which is attached hereto as Exhibit A, providing for the financing of various capital improvements and the acquisition and installation of certain capital equipment through the Authority, which improvements and items of equipment are described in Exhibit B attached hereto and incorporated by this reference herein. All terms used herein and not otherwise defined shall have the same meanings ascribed to such terms under the Loan Agreement.

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE GOVERNING BODY OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. (a) The various capital improvements and the acquisition and installation, as applicable, of certain items of equipment by the Municipality described in Exhibit B attached to this loan ordinance and by this reference made a part hereof are hereby authorized as general capital improvements or purposes to be undertaken by the Municipality. For financing such improvements, purposes or loan, there is hereby appropriated the not to exceed sum of \$1,015,000.

(b) For the financing of the general capital improvements, purposes or loan and to provide monies to fund the not to exceed \$1,015,000 appropriation, a loan from the Authority to the Municipality is hereby authorized in a not to exceed amount of \$1,015,000

pursuant to the County Improvement Authorities Law and the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law").

(c) The general capital improvements hereby authorized and the purposes for which the above-described loan is authorized are the various capital improvements to be undertaken and the acquisition and installation, as applicable, of certain items of equipment by the Municipality described in Exhibit B attached hereto.

(d) The estimated maximum amount of the loan for the various capital improvements and the acquisition and installation, as applicable, of certain items of equipment by the Municipality described in Exhibit B attached hereto is \$1,015,000.

(e) The estimated cost of said general capital improvements or purposes is \$1,000,000, with a not to exceed amount of \$1,015,000, which not to exceed amount includes all costs of issuance and items of expense listed in and permitted under section 20 of the Local Bond Law.

Section 2. Pursuant to the County Improvement Authorities Law and N.J.S.A. 40:23-1 et seq., the Municipality is hereby authorized and directed to enter into and perform the Loan Agreement, which Loan Agreement provides for various capital improvements to be undertaken and the acquisition and installation, as applicable, of certain items of equipment by

the Municipality to be financed with the proceeds of County-Guaranteed Capital Equipment and Improvement Revenue Bonds, Series 2014 (the "Bonds") to be issued by the Authority under a resolution to be adopted by the Authority entitled, "Resolution of the Middlesex County Improvement Authority Authorizing the Issuance of County-Guaranteed Capital Equipment and Improvement Revenue Bonds" (the "General Bond Resolution"). The Loan Agreement, in the form submitted herewith in Exhibit A (a copy of which is on file in the office of the Clerk of the Municipality), is hereby approved with such changes, amendments or modifications as may be approved by counsel or bond counsel to the Municipality and bond counsel to the Authority and the County.

Section 3. The full faith and credit of the Municipality are hereby pledged to the punctual payment of the obligations set forth in the Loan Agreement authorized by this ordinance, including without limitation, (i) all Basic Loan Payments and Loan Payments obligations of the Municipality under the Loan Agreement, including Authority Administrative Expenses and Additional Loan Payments, (ii) all amounts due and owing to the County as a result of payments made by the County on behalf of the Municipality under the Loan Agreement pursuant to the County Guarantee, including County Guarantee Costs, and (iii) all direct and indirect costs of the Authority and the County related to the enforcement of the Loan Agreement and the County Guarantee ((i), (ii) and (iii) collectively, the "Loan Payment Obligation"). The Loan Payment Obligation under the Loan Agreement shall be a direct, unlimited and general obligation of the Municipality, not subject to annual appropriation by the Municipality pursuant to the County Improvement Authorities Law, and unless paid from other sources, the Municipality shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Municipality for the payment of the Loan Payment Obligation thereunder without limitation as to rate or amount.

An Authorized Municipal Representative (as defined in the Loan Agreement) is hereby authorized and directed to execute the Loan Agreement on behalf of the Municipality in the form as attached hereto in Exhibit A, along with any of the aforesaid necessary changes, and the Clerk of the Municipality is hereby authorized to attest to such signature and affix the seal of the Municipality thereto and the Loan Agreement is authorized to be delivered to the Authority. All representatives, officials and employees of the Municipality are hereby authorized and directed to enforce and to implement provisions of the Loan Agreement.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The maximum Loan Payment Obligation for which the Municipality shall be obligated hereunder, which, *inter alia*, will be used for the payment of principal of and interest on the Bonds of the Authority, shall not exceed the sum necessary to (a) undertake the various capital improvements and the acquisition and installation, as applicable, of certain items of equipment by the Municipality and described in Exhibit B, (b) pay interest on the Authority's Bonds allocated to the Municipality's various capital improvements and items of equipment, and (c) pay the Municipality's share of the costs of issuance, Authority Administrative Expenses,

Additional Loan Payments, County Guarantee Costs and all other amounts required to be paid by the Municipality under the Loan Agreement, as and if applicable.

(b) The Bonds shall mature no later than ten (10) years from the date of issue.

(c) The Loan Payment Obligation authorized herein shall remain effective until all the Authority's Bonds shall have been paid in full in accordance with their terms and/or when all obligations of the Municipality under the Loan Agreement have been satisfied, notwithstanding the occurrence of any other event.

(d) The various capital improvements and items of equipment described in Exhibit B attached hereto are hereby approved to be undertaken and financed through the Authority in accordance with the terms of the Loan Agreement, with such changes, amendments or modifications as may be approved by counsel or bond counsel to the Authority.

(e) The average period of usefulness of the various capital improvements and items of equipment described in Exhibit B attached hereto within the limitations of the Local Bond Law, according to the reasonable useful life thereof computed from the dated date of the loan authorized by this loan ordinance, shall not exceed ten (10) years.

(f) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Municipality and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Municipality as defined in the Local Bond Law is increased by the authorization of the loan provided for in this loan ordinance by \$1,015,000 and the said loan authorized by this loan ordinance will be within all debt limitations prescribed by the Local Bond Law.

(g) An aggregate amount not exceeding \$200,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the various capital improvements and items of equipment described in Exhibit B attached hereto.

Section 5. To the extent the Municipality is an "Obligated Person" (as defined under the Rule (as hereinafter defined)), the Municipality hereby agrees to comply with the requirements of Rule 15c2-12 (the "Rule") promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended and supplemented, including the secondary market disclosure requirements contained therein, and agrees to covenant to such compliance in the Loan Agreement. The Mayor, Clerk, Chief Financial Officer or any other Authorized Municipal Representative are each hereby authorized and directed to execute and deliver a Continuing Disclosure Agreement, approve and "deem final" the Preliminary and Final Official Statements of the Authority to the extent the information contained therein relates to the Municipality and to execute and deliver all certificates, documents and agreements to the Authority in connection therewith and to file budgetary, financial and

operating data of the Municipality on an annual basis and notices of certain enumerated events as required to comply with and in accordance with the provisions of the Rule.

Section 6. The Mayor, Clerk, Chief Financial Officer of the Municipality or other Authorized Municipal Representative are each hereby authorized and directed to execute and deliver any and all certificates, documents and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the execution and delivery of the Loan Agreement, the undertaking of the various capital improvements and the acquisition and installation, as applicable, of certain items of equipment by the Municipality and all related transactions contemplated by this ordinance.

Section 7. Upon the payment of all amounts referenced in Section 4(c) herein, the full faith and credit pledge of the Municipality as to its Loan Payment Obligation authorized herein shall cease to exist.

Section 8. The capital budget of the Municipality is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs is on file with the Clerk of the Municipality and is available for public inspection.

Section 9. The provisions of this ordinance are severable. To the extent any clause, phrase, sentence, paragraph or provision of this ordinance shall be declared invalid, illegal or unconstitutional, the remaining provisions shall continue to be in full force and effect.

Section 10. The Municipality reasonably expects to reimburse any expenditures toward the costs of the various capital improvements and items of equipment described in Exhibit B attached to this loan ordinance and paid prior to the entering into of the loan authorized by this loan ordinance with the proceeds of such loan. This Section 10 is intended to be and hereby is a declaration of the Municipality's official intent to reimburse any expenditures toward the costs of the various capital improvements and items of equipment described in Exhibit B attached to this loan ordinance to be incurred and paid prior to entering into of the loan authorized herein all in accordance with the Internal Revenue Code of 1986, as amended (the "Code") and any regulations promulgated thereunder.

Section 11. The Clerk of the Municipality is hereby authorized and directed to cause the publication of the text of this ordinance in full after introduction and final adoption in accordance with applicable law and to arrange for the public hearing thereon and final adoption thereof.

Section 12. This ordinance shall take effect twenty (20) days after final adoption and publication in accordance with applicable law.

EXHIBIT B

Middlesex County Improvement Authority
2014 Capital Equipment and Improvement Financing Program

Project List

Middlesex Borough

<u>Project</u>	<u>Quant.</u>	<u>Est. Cost</u>	<u>Useful Life</u>
<u>FIVE YEAR PROJECTS</u>			
<u>Loan</u>			
Walk Behind Mowers	2	\$12,000.00	5 Years
Seeder	1	\$11,000.00	5 Years
Double Trailer-Mowers	1	\$6,000.00	5 Years
Trailer for New Field Machine	1	\$5,000.00	5 Years
New Snow Blowers	1	\$1,500.00	5 Years
Mason Dump Truck	1	\$47,000.00	5 Years
Salt Spreader	1	\$8,000.00	5 Years
Brine Making System	1	\$29,000.00	5 Years
Generator for Small Pump Stations	1	\$75,000.00	5 Years
Sanitation Truck Lease Program	1	\$64,500.00	5 Years
Police Handguns & Holsters Replacement	1	\$20,000.00	5 Years
Police Shotguns	1	\$9,500.00	5 Years
Police CAD/RMS Systems	1	\$178,500.00	5 Years
Fire Turnout Gear	1	\$42,000.00	5 Years
Fire Power Breezer Cooling Fan Rehab	1	\$4,190.00	5 Years
Computer Data Services - Camera System	1	\$95,000.00	5 Years
Administration - Stream Cleaning	1	\$25,000.00	5 Years
Library - HVAC System Replacement	1	\$100,000.00	5 Years
Rescue Squad A/C Unit	1	<u>\$30,135.00</u>	5 Years
Subtotal		\$763,325.00	
<u>Lease</u>			
Pick-up Truck Replacement for OEM	1	\$80,000.00	5 Years
Senior Service Bus Purchase	1	<u>\$45,000.00</u>	5 Years
Subtotal		\$125,000.00	
Five Year Projects Subtotal:		\$888,325.00	
<u>TEN YEAR PROJECTS</u>			
None	0	<u>\$0.00</u>	10 Years
Ten Year Projects Subtotal:		\$0.00	
<u>FIFTEEN YEAR PROJECTS</u>			
None	0	<u>\$0.00</u>	15 Years
Fifteen Year Projects Subtotal:		\$0.00	

TWENTY YEAR PROJECTS

None 0 \$0.00 20 Years
Twenty Year Projects Subtotal: \$0.00

Loan Total:	\$763,325.00
Lease Total:	\$125,000.00
Total Borrowing:	\$888,325.00

Council President Kaplan made a motion for introduction seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Schueler and Tackach. Nos.: None. Abstain: None.

The Borough Clerk ready Ordinance No. 1856-14 for introduction.

ORDINANCE NO. 1856-14

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX AND STATE OF NEW JERSEY AMENDING CHAPTER 18, COURT MUNICIPAL, SECTION 18-7 CLERK OF THE CODE OF THE BOROUGH OF MIDDLESEX

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

Section 18-7 Clerk is amended to read as follows:

18-7. Court Administrator

The Court Administrator shall be appointed by the Mayor and Council to serve the Municipal Court at such salary as may be provided by ordinance pertaining to salaries.

Council President Kaplan made a motion for introduction seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Schueler and Tackach. Nos.: None. Abstain: None.

The Borough Clerk ready Ordinance No. 1857-14 for introduction.

ORDINANCE NUMBER 1857-14

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO MARLBOROUGH AVENUE, BY AND IN THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$332,000 THEREFOR (INCLUDING A \$300,000 GRANT FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION AND A \$1,600 CASH DOWN PAYMENT FROM AVAILABLE BOROUGH FUNDS); AND AUTHORIZING

**THE ISSUANCE OF \$30,400 BONDS OR NOTES TO FINANCE
THE COST THEREOF**

**BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE
BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY** (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Borough of Middlesex, in the County of Middlesex, State of New Jersey (the "Borough") as general improvements. For the said improvements stated in Section 3, there is hereby appropriated the principal amount of \$332,000 from the Borough, said sum being inclusive of (i) the sum of \$1,600 as the amount of down payment for said improvements or purposes as required by the Local Bond Law, N.J.S.A. §40A:2-1 et seq. (the "Local Bond Law"), and (ii) the sum of \$300,000, representing an awarded grant from the New Jersey Department of Transportation (the "Grant"). The down payment is now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the part of said \$332,000 appropriation not provided for by application hereunder of said down payment and Grant, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$30,400 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$30,400 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued, include but are not limited to, various improvements to Marlborough Avenue within the Borough.

(b) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto and all in accordance with the plans and specifications therefor on file in the Office of the Clerk of the Borough and available for public inspection and hereby approved.

(c) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$30,400.

(d) The estimated cost of said improvement or purpose is \$332,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor, being the aggregate amount of the \$1,600 in down payment available for said purposes and the Grant.

SECTION 4. In the event the United States of America, the State of New Jersey (other than the Grant), and/or the County of Middlesex make a contribution or grant in aid to the

Borough for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Middlesex. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Middlesex shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such time as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date. 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 of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with 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 purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon 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 bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs will be on file in the Office of the Clerk and will be available for public inspection.

SECTION 7. 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 and are improvements or purposes which the Borough may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 10 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Pool Utility of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$30,400 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$60,000 for items of expense listed in and permitted under N.J.S.A. § 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. Unless paid from other sources, 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. Unless paid from other sources, 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 property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Borough for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Borough other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$30,400. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Borough covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after final adoption, and approved by the Mayor, as provided by the Local Bond Law.

Council President Kaplan made a motion for introduction seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Schueler and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read Ordinance No. 1858-14 for introduction.

ORDINANCE NUMBER 1858-14

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LEASE AND AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY RELATING TO THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2014 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY

WHEREAS, the Middlesex County Improvement Authority (the "Authority") is authorized to issue its bonds pursuant to the provisions of the County Improvement Authorities Law, chapter 183 of the Laws of New Jersey of 1960, as amended and supplemented (N.J.S.A. 40:37A-44 et seq.) (the "County Improvement Authorities Law"), and other applicable provisions of law; and

WHEREAS, the Authority has determined to issue its revenue bonds for the purpose of financing the various capital improvements to be undertaken by and the acquisition, installation and, as applicable, subsequent leasing of certain capital equipment, including but not limited to police and passenger vehicles, to various municipalities located in the County of Middlesex in the State of New Jersey (the "County") including the County and the Authority (the "2014 Program"); and

WHEREAS, the Borough of Middlesex in the County of Middlesex, State of New Jersey (the "Municipality") has determined to participate in the 2014 Program and to lease certain police and/or passenger vehicles from the Authority; and

WHEREAS, there has been prepared and submitted to the Municipality the form of the Lease and Agreement (the "Lease"), to be entered into by and between the Authority and the Municipality, which Lease has been approved by the Authority and which is attached hereto as Exhibit A, providing for the acquisition and leasing of certain police and/or passenger vehicles from the Authority, which police and/or passenger vehicles are described in Exhibit B attached hereto and incorporated by reference herein. All terms used herein and not otherwise defined shall have the same meanings ascribed to such terms under the Lease.

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE GOVERNING BODY OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

Section 1. Pursuant to section 78 of the County Improvement Authorities Law, N.J.S.A. 40:48-1 et seq., the Municipality is hereby authorized and directed to enter into and perform the Lease, which Lease provides for the leasing of certain police and/or passenger vehicles acquired with the proceeds of County-Guaranteed Capital Equipment and Improvement Revenue Bonds, Series 2014 (the "Bonds") to be issued by the Authority under a resolution of the Authority to be adopted by the Authority entitled, "Resolution of the Middlesex County Improvement Authority Authorizing the Issuance of County-Guaranteed Capital Equipment and Improvement Revenue Bonds" (the "General Bond Resolution"). The Lease, in the form submitted herewith in Exhibit A (a copy of which is on file in the office of the Clerk of the Municipality), is hereby approved with such changes, amendments or modifications as may be approved by counsel or bond counsel to the Municipality and bond counsel to the Authority and the County.

Section 2. The full faith and credit of the Municipality are hereby pledged to the punctual payment of the obligations set forth in the Lease authorized by this ordinance, including without limitation, (i) all Basic Rent and Rent obligations of the Municipality under the Lease, including Authority Administrative Expenses and Additional Rent, (ii) all amounts due and owing to the County as a result of payments made by the County on behalf of the Municipality under the Lease pursuant to the County Guarantee, including County Guarantee Costs and (iii) all direct and indirect costs of the Authority and the County related to the enforcement of the Lease and the County Guarantee ((i), (ii) and (iii) collectively, the "Lease Payment Obligation"). The Lease Payment Obligation under the Lease shall be a direct, unlimited and general obligation of the Municipality, not subject to annual appropriation by the Municipality pursuant to the County Improvement Authorities Law, and unless paid from other sources, the Municipality shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Municipality for the payment of the Lease Payment Obligation thereunder without limitation as to rate or amount.

The Mayor or other Authorized Municipal Representative (as defined in the Lease) is hereby authorized and directed to execute the Lease on behalf of the Municipality in the form as attached hereto in Exhibit A and the Clerk of the Municipality is hereby authorized and directed to attest to such signature and affix the seal of the Municipality thereto and the Lease is authorized to be delivered to the Authority. All representatives, officials and employees of the Municipality are hereby authorized and directed to enforce and to implement provisions of the Lease.

Section 3. The following additional matters are hereby determined, declared, recited and stated:

(1) The maximum Lease Payment Obligation for which the Municipality shall be obligated hereunder, which, *inter alia*, will be used for the payment of principal of and interest on the Bonds of the Authority shall not exceed the sum necessary to (a) acquire the Municipality's police and/or passenger vehicles described in Exhibit B attached hereto which will be subject to the Lease, (b) pay interest on the Authority's Bonds allocated to the Municipality and used to acquire the Municipality's police and/or passenger vehicles, and (c) pay the Municipality's share of the costs of issuance, Authority Administrative Expenses, Additional Rent, County Guarantee

Costs and all other amounts required to be paid by the Municipality under the Lease.

(2) The Bonds shall mature within five (5) years from the date of issue.

(3) The Lease Payment Obligation authorized herein shall remain effective until all the Authority's Bonds shall have been paid in full in accordance with their terms and/or when all obligations of the Municipality under the Lease have been satisfied, notwithstanding the occurrence of any other event, including but not limited to the termination of the Lease with respect to some or all of the police and/or passenger vehicles leased thereunder.

(4) The police and/or passenger vehicles described in Exhibit B are hereby approved to be leased from the Authority in accordance with the terms of the Lease, with such changes, amendments or modifications as may be approved by counsel or bond counsel to the Authority.

Section 4. To the extent the Municipality is an "Obligated Person" (as defined under the Rule (as hereinafter defined)), the Municipality hereby agrees to comply with the requirements of Rule 15c2-12 (the "Rule") promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended and supplemented, including the secondary market disclosure requirements contained therein, and agrees to covenant to such compliance in the Lease. The Mayor, Clerk, Chief Financial Officer or other Authorized Municipal Representative are each hereby authorized and directed to execute and deliver a Continuing Disclosure Agreement, approve and "deem final" the Official Statement of the Authority and the preliminary form thereof to the extent the information contained therein relates to the Municipality and to execute and deliver all certificates, documents and agreements to the Authority in connection therewith and to file budgetary, financial and operating data of the Municipality on an annual basis and notices of certain enumerated events as required to comply with and in accordance with the provisions of the Rule.

Section 5. The Mayor, Clerk, Chief Financial Officer or Authorized Municipal Representative are each hereby authorized and directed to execute and deliver any and all certificates, documents and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the execution and delivery of the Lease, the leasing of the police and/or passenger vehicles which is to be the subject of the Lease and all related transactions contemplated by this ordinance.

Section 6. Upon the payment of all amounts referenced in Section 3(3) herein, the full faith and credit pledge of the Municipality as to its Lease Payment Obligations authorized herein shall cease to exist.

Section 7. The provisions of this ordinance are severable. To the extent any clause, phrase, sentence, paragraph or provision of this ordinance shall be declared invalid, illegal or unconstitutional, the remaining provisions shall continue to be in full force and effect.

Section 8. This ordinance shall take effect twenty (20) days after final adoption and publication in accordance with applicable law.

EXHIBIT B

Middlesex County Improvement Authority

2014 Capital Equipment and Improvement Financing Program

Project List
Middlesex Borough

<u>Project</u>	<u>Quant.</u>	<u>Est. Cost</u>	<u>Useful Life</u>
<u>FIVE YEAR PROJECTS</u>			
<u>Loan</u>			
Walk Behind Mowers	2	\$12,000.00	5 Years
Seeder	1	\$11,000.00	5 Years
Double Trailer-Mowers	1	\$6,000.00	5 Years
Trailer for New Field Machine	1	\$5,000.00	5 Years
New Snow Blowers	1	\$1,500.00	5 Years
Mason Dump Truck	1	\$47,000.00	5 Years
Salt Spreader	1	\$8,000.00	5 Years
Brine Making System	1	\$29,000.00	5 Years
Generator for Small Pump Stations	1	\$75,000.00	5 Years
Sanitation Truck Lease Program	1	\$64,500.00	5 Years
Police Handguns & Holsters Replacement	1	\$20,000.00	5 Years
Police Shotguns	1	\$9,500.00	5 Years
Police CAD/RMS Systems	1	\$178,500.00	5 Years
Fire Turnout Gear	1	\$42,000.00	5 Years
Fire Power Breezer Cooling Fan Rehab	1	\$4,190.00	5 Years
Computer Data Services - Camera System	1	\$95,000.00	5 Years
Administration - Stream Cleaning	1	\$25,000.00	5 Years
Library - HVAC System Replacement	1	\$100,000.00	5 Years
Rescue Squad A/C Unit	1	<u>\$30,135.00</u>	5 Years
Subtotal		\$763,325.00	
<u>Lease</u>			
Pick-up Truck Replacement for OEM	1	\$80,000.00	5 Years
Senior Service Bus Purchase	1	<u>\$45,000.00</u>	5 Years
Subtotal		\$125,000.00	
Five Year Projects Subtotal:		\$888,325.00	
<u>TEN YEAR PROJECTS</u>			
None	0	<u>\$0.00</u>	10 Years
Ten Year Projects Subtotal:		\$0.00	
<u>FIFTEEN YEAR PROJECTS</u>			
None	0	<u>\$0.00</u>	15 Years
Fifteen Year Projects Subtotal:		\$0.00	
<u>TWENTY YEAR PROJECTS</u>			
None	0	<u>\$0.00</u>	20 Years
Twenty Year Projects Subtotal:		\$0.00	

Loan Total:	\$763,325.00
Lease Total:	<u>\$125,000.00</u>
Total Borrowing:	\$888,325.00

Council President Kaplan made a motion for introduction seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Schueler and Tackach. Nos.: None. Abstain: None.

ADOPTION OF MINUTES

Council President Kaplan made a motion to approve the July 15, 2014 Regular and Executive Meeting Minutes seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Schueler and Tackach. No: None. Abstain: None.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance
 - A. Council President Kaplan made note that our Construction Official/Building Sub-Code Official resigned to take a full time job in Bound Brook. Council President Kaplan stated that we have reached out to surrounding towns to help temporarily and the committee will review resumes to fill the vacant positions.

2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco had a request from the Swim Pool Commission for temporary one side parking on Market Street during swim pool construction.

3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Councilman Dotey moved to accept the resignation of Greg Macher from the Middlesex Fire Department seconded by Council President Kaplan and carried by a unanimous vote of Council.

 - B. Councilman Dotey had a request from the Fire Department to have the two new fire trucks attend a convention in Wildwood. Councilman Dotey stated that the company that sold us the trucks will provide two CDL to drive the trucks, insurance to cover the vehicles, service on both trucks, inventory prior and after the trucks leave for Wildwood, and letter of insurance coverage. Councilman Kaplan made a motion to approve the 2 new fire trucks attend the convention seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Greco, Dotey, Kaplan, Schueler and Tackach. No: None. Abstain: None

 - C. Councilman Dotey updated the members on the council regarding the AM Radio Station stating that Ryan Zittel our IT Project Mgr. is working on trying to get the station repaired as this is a federal requirement to have an emergency system to alert the public.

4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler reported that the two pads for the baseball field have been poured. DPW started work on the bleachers for girls' softball.
 - B. The DPW is hiring three temporary stream cleaning employees tonight to continue with cleanup along the brooks.
 - C. Bound Brook Pump Station project is moving along and we should save money as these new pumps are highly efficient.
 - D. Councilman Schueler requested that the council approve having the DPW help setup and cleanup for the Fall Festival on October 10th and the evening of October 11th after the event and for cleanup and teardown after the Fire Department wet down on Saturday, August 16th. The cleanup would require 3 or 4 employees for 2 or 3 hours for the Fire Dept. Wet down because we have a permit in the park on the next day.
 - D. Councilman Schueler is reviewing the garbage ordinance and has concerns with keeping the Hazardous Waste in the ordinance (especially broken glass). Councilman Schueler stated it might be more effective to put it out in a separate container and get more info to the public through education.
 5. Police/Legal/Code Enforcement/Construction/Municipal Court – Councilwoman Jenkins was absent.
 6. Administration/Department of Senior Services/Legislation/Licensing – Nothing to Report
-

The Borough Clerk read the following resolution:

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

Consent Agenda 2014(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 desirous of removing Resolutions #198-14, Resolution #203-14, Resolution #205-14 and Resolution #210-14 from this Consent 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 #199-14 – Resolution #202-14
Resolution #204-14
Resolution #206-14 - Resolution #209-14

Resolution #211-14

Councilman Greco made a motion for approval seconded by Council President Kaplan and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Schueler 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 #199-14

WHEREAS, The State of New Jersey Department of Transportation has conducted a survey to inventory all bus stops along State and US Routes in New Jersey; and

WHEREAS, based upon the engineering investigation and review by the Traffic Engineering Bureau (Regulations) the following locations have been recommended for approval:

- (1) Route NJ 28, eastbound on the southerly side at Fourth Street – (near side) – Beginning at the westerly curb line of Fourth Street and extending 105 feet westerly therefrom.
- (2) Route NJ 28, eastbound on the southerly side at First Street – (near side) – Beginning at the westerly curb line of First Street and extending 105 feet westerly therefrom.
- (3) Route NJ 28, eastbound on the southerly side at South Lincoln Avenue – (near side) – Beginning at the westerly curb line of South Lincoln Avenue and extending 105 feet westerly therefrom.
- (4) Route NJ 28, westbound on the northerly side at Second Street – (near side) – Beginning at the easterly curb line of Second Street and extending 105 feet easterly therefrom.

WHEREAS, in order to legally establish the bus stops, the NJDOT must promulgate a Traffic Regulation Order, and therefore must receive a Resolution of Support from the governing body to begin this process; and

WHEREAS, the Police Chief and Supervisor of Public Works have reviewed the inventory of all bus stops along Route 28.

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 supports the above-referenced Bus Stop locations that are recommended by the NJDOT.

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 #200-14

The Mayor and Council hereby accept Patrolman Keith Orts' retirement effective August 1, 2014 and agreed to reimburse him the amount of \$34,339.76 for the following benefits.

29 Unused Vacation Days	\$11,189.36
480 Hours Compensation Time	\$23,150.40
TOTAL	\$34,339.76

The Borough Clerk read the following resolution:

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

Resolution #201-14

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

WHEREAS, On July 24, 2014 Chief Young recommended Police Officer George Pilesky 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 George Pilesky be and is hereby advanced in grade to Patrolman Class "F" effective August 15, 2014 at an annual salary \$57,841.

The Borough Clerk read the following resolution:

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

Resolution #202-14

The governing body hereby hires Kenneth Pukas, Jr., 432 Lorraine Avenue, Middlesex, NJ as permanent part time employee for the Department of Public Works at \$12.00 per hour for 28 hours per week, effective August 18, 2014, pending a satisfactory background and physical.

The Borough Clerk read the following resolution:

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

Resolution #204-14

WHEREAS, Prestige Environmental, Inc., on behalf of Pumping Services, Inc. is providing a copy of the Temporary Discharge Approval Application for Groundwater Remediation Control at Pumping Services Inc. in Middlesex to be submitted to the Middlesex County Utilities Authority (MCUA); and

WHEREAS, Prestige Environmental, Inc., on behalf of Pumping Services, Inc. is seeking MCUA's approval to discharge the treated water generated by these activities to the MCUA treatment plant via the Middlesex Borough's wastewater collection system; and

WHEREAS, Prestige Environmental, Inc., on behalf of Pumping Services, Inc. is required to renew this Temporary Discharge Approval Application for Groundwater Remediation Control and have the Borough's approval on a yearly basis; and

WHEREAS, the Borough is requiring that Prestige Environmental, Inc., on behalf of Pumping Services, Inc. be required to submit a copy of their monthly discharge monitoring report, along with a copy of all previous reports that were issued under this permit to the attention of the Middlesex Borough's Finance Office.

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

1. Middlesex Borough hereby approves the execution of the Middlesex County Utilities Authority Temporary Discharge Approval Application for the Groundwater Remediation Control and approves Prestige Environmental, Inc., on behalf of Pumping Services, Inc., to discharge the treated water generated by these activities to the MCUA treatment plant via the Middlesex Borough's wastewater collection system pending the requirements above.
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 #206-14

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 #207-14

The Tax Collector is hereby authorized to amend 4th quarter 2014 taxes on block 52, Lot 23, 307 Second Street The homeowner has been declared a 100% disabled veteran by the Division of Veterans Affairs effective June 5, 2014 (the date of purchase). This is a two-family house. The homeowner is allowed a 100% disability benefit on the portion of the home that he resides. The 4th quarter of 2014 will be reduced from \$1,899.11 to \$22.36. There was an overpayment on the 3rd quarter that has been partially transferred to the 4th quarter.

The Borough Clerk read the following resolution:

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

Resolution #208-14

The Tax Collector is hereby authorized to refund 2nd quarter 2014 taxes in the amount of \$1,493.61, refund 3rd quarter 2014 taxes in the amount of \$1,618.03, cancel 4th quarter 2014 taxes in the amount of \$1,618.03 and cancel 1st & 2nd quarter 2015 taxes in the amount of \$3,145.60 on block 78, lot 5, 17 Louis Avenue. The homeowner has been declared a 100% disabled veteran by the Division of Veterans Affairs effective April 3, 2014.

The Borough Clerk read the following resolution:

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

Resolution #209-14

The Tax Collector is hereby authorized to amend 3rd & 4th quarter 2014 taxes based on a Middlesex County Board of Taxation judgment on the following property:

<u>BLOCK/LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
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108/15	Nielsen, June & Koerner, Kurt A 363 Union Avenue	\$2,807.80 old 3 rd \$1,600.49 new \$2,807.80 old 4 th \$1,600.48 new
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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 #211-14

The Governing Body hereby hires the following DPW temporary employees for stream cleaning effective August 18, 2014 for 28 hours per week at \$12.00 per hour for approximately 15 weeks.

Richard C. Worth
317 Walnut Street
Middlesex, NJ 08846

Preston Forster
521 Cook Avenue
Middlesex, NJ 08846

Nicholas John Coble
424 Cook Avenue
Middlesex, NJ 08846

The Borough Clerk read the following resolution:

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

Resolution #198-14

The governing body accepts the resignation of Jim Ayotte as Middlesex Borough Construction Official, Building, Fire and Resale Inspector effective August 7, 2014.

Council President Kaplan pulled this off the consent agenda to advise the council members who might not have been aware that Jim Ayotte left to go work in Bound Brook full time.

Council President Kaplan made a motion for approval seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Schueler 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 #203-14

The governing body hereby agrees to waive all permit fees to all aspects of the pool project as it is for a public purpose at the Middlesex Community Pool.

Councilman Schueler made a motion to amend the resolution to include wordage "to all aspects of the pool project as it is for a public purpose" seconded by Councilman Greco and carried as amended by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Schueler 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 #210-14

The Purchasing Agent is recommending that the Borough switch the Group Life and AD&D policy from Prudential to UNUM. The Borough currently provides a \$10,000 policy on each employee. The cost is .260 per \$1,000. Prudential's cost is .3140 per \$1,000. UNUM is our provider from short and long-term disability. They would administer the Group Life and AD&D in conjunction with our existing disability policy.

Council President Kaplan reiterated the purchasing agents request as the Borough would be saving money on the employee life insurance policy and recommended moving forward on this resolution.

Councilman Greco made a motion for approval, seconded by Council President Kaplan and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Schueler, and Tackach. No: 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 #214-14

Anthony Alfano is hereby appointed as the Fire Sub-Code and Fire HHS Inspector for 6 hours per week @ \$35.00/hr. commencing on August 15, 2014

Council President Kaplan made a motion for approval seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Schueler 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 #216-14

Anthony Alfano is hereby appointed as the Acting Construction Official for 10 hours per week and as Acting Building Inspector for 1 hour per week @ \$35.00/hr. commencing on August 15, 2014.

Councilman Schueler made a motion for approval seconded by Council President Kaplan and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Schueler 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 #217-14

James Rinker is hereby appointed as the Resale Certificate Inspector for 4 hours per week @ \$26.00/hr. commencing on August 13, 2014. As the Resale Certificate Inspector Mr. Rinker will handle the following items:

1. Rails and guard on steps of three (3) risers or 30 inches.
2. Well Water and/or septic system report from the Health Department.
3. Water heater grounded (jump bonded) & discharge tube not to reduced and with six (6) inches of the floor.
4. Dryer vent pipe must be solid aluminum vent pipe – not flex pipe.
5. Anti-tilt device required on stove.
6. House numbers shall be visible from street.
7. Egress doors shall be readily open able from inside the dwelling without the use of a key or special knowledge or effort.
8. the Middlesex Resident Information Form for new owners and/or tenants must be brought to the Construction Office before certificate will be issued.

Councilman Dotey made a motion for approval seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Schueler 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 #212-14

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 President Kaplan made a motion for approval, seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Schueler, 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.

Joanne Estrella, 300 Market Street stated that the addition of a new lap pool is 51 feet from her property. She stated that in a normal rainfall they have water up to their ankles and there is no drainage. She spoke with the DEP and there needs to be permits from them. Some other issues Mrs. Estrella had was that (1) Market Street was just repaved and now we are going to be put heavy equipment on the road, (2) The gate being opened causes cars to park on their lawns and if no parking they need to turn around to get out (safety issues), and (3) Why do they have to use Market Street for construction of the pool as one side of the street parking will cause issues.

Mayor Dobies asked that Council President Kaplan form a committee to address some of the concerns of the resident on Market Street and include members of the swim pool and police chief and to get in touch with Superintendent Linda Madison of Middlesex High School.

Judy Lynch, 359 Market Street stated that the gate being open is a safety issue for pedestrians. Vehicles come flying into Market and kids use this for easy access.

Jayne Caruso, 351 Market Street stated that her daughter almost got hit years ago. She wants an answer to why the gate was taken down after last year it was decided it is a safety issue. People swear at her and threaten to do bodily harm. She has three grown children and each has their own car. They work 6 days a week and have multiple jobs. They have to get in and out in the middle of the day. She is disabled and has to get out when she needs to. Why was the vote overturned?

Council President Kaplan asked that Councilman Greco and Councilman Schueler reach out to the Chief and find out if there are any incidents or accidents on the other side streets – Pearl, Milton, and Emma.

Joe Mazze, 355 Market Street stated that leaving the gate open is a safety issue and puts everyone at risk. In addition to having parking by his house, Mr. Mazze had a picture of underwear being left in front of his house. Mr. Mazze also questioned when the town will address the drainage issues at the end of Market. Mr. Mazze requested that the town install permanent fence and the gate on Market Street be removed.

Pete Wozniak, 1200 Sheridan Avenue stated that he read in the last minutes that the Army Corp of Engineers will be revisiting the landfill and asked if we received a copy of the site remediation report from the last time they were here. Mayor asked that the Borough Clerk get a copy to him.

Nelson Estrella, 300 Market Place thanked the council for putting together a meeting. He felt that they haven't made provisions for parking and that the high school parking lot is filled on Saturdays and now with a new lap pool going in where will we put these people. He questioned who was paying for the pool and feels that the town is jumping into the project with blinders on.

John Ellery, 701 Lincoln Blvd. handed out a letter with some key concerns regarding the sewer ordinance and wants a response within seven days in writing.

- (1) What is the status of the engineering firms' review of the ordinance?
- (2) Has the engineering company generated any report regarding this matter?
- (3) What are the engineering firms' proposed amendments to this ordinance?
- (4) How much has the engineering company been paid for the review and recommendations?
- (5) Why are the Council and mayor, having the knowledge that this is an illegal ordinance, not willing to sit down with the business community and resolve this issue? This has been going on since January 7, 2014, at total of eight months, with a total of 14 council meetings, and nothing has been accomplished, let alone resolved, except wasting time and taxpayer's money?

Mayor Dobies addressed all questions from the Public. Seeing that there was no further public participation, 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 #213-14

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. Salary/Administration

2. Administrator
3. DPW Grievance
4. Contract Negotiations – 150 Lincoln Boulevard Urban Renewal, LLC – Redevelopment Agreement and Agreement for Payment in Lieu of Taxes

Council President Kaplan made a motion for approval seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Schueler, and Tackach. No: None. Abstain: None.

Councilman Greco moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by the following roll call vote.

ROLL CALL

Mayor	Ronald Dobies	Left the Meeting
Council President	Sean Kaplan	
	Kevin Dotey	
	Stephen Greco	
	Patricia Jenkins	Absent
	Bob Schueler	
	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 #215-14

Rob Klein is hereby appointed as Acting Building Sub-Code Official/Building Inspector for 12 hours per week (2 evenings during the week 4 hours per night and four hours on Saturday) @ \$33.00/hr. for approximately one month commencing on August 14, 2014.

Councilman Schueler made a motion for approval seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Schueler and Tackach. Nos.: None. Abstain: None.

ADJOURNMENT

Councilman Schueler made a motion to adjourn the Regular Meeting seconded by Councilman Greco and carried by a unanimous vote of members present.

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
SEPTEMBER 9, 2014**

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 Revised Annual Meeting Notice of December 31, 2013 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	Sean Kaplan
	Kevin Dotey (absent)
	Stephen Greco
	Patricia Jenkins
	Bob Schueler
	Michele Tackach

Attorney: Aravind Aithal

Mayor Dobies added the following items to the Agenda for the meeting tonight: Donation of Property behind Beechwood Fire House and Prohibited Left Turns at certain times on Vail and Valentine. Mayor Dobies also added to the Executive Session discussion on the DPW, Police and White Collar Union Negotiations.

PROCLAMATIONS

The Borough Clerk read the following Proclamation:

PROCLAMATION

WHEREAS, Joseph W. DeScenza has been a resident of Middlesex Borough for the past 46 years, after marrying the former Emily Zuccarelli; and

WHEREAS, Joseph W. DeScenza has served the Borough of Middlesex on the Zoning Board of Adjustments, Beautification Committee, planner for the first few Middlesex Hometown Days and also as a member of the Middlesex Jaycees; and

WHEREAS, Joseph W. DeScenza joined the Elks in 1974 and has served various positions including Trustee, Leading Knight, Exalted Ruler (1998-1999) and Secretary of the Lodge since 2000; and

WHEREAS, Joseph W. DeScenza was appointed to the Board of Directors of the Somerset Children's Center in Bridgewater and has served as Chairman, Vice Chairman and currently Treasurer; and

WHEREAS, Joseph W. DeScenza was elected as Vice President of the NJ State Elks Association for the West Central District in 2004 and in 2009 was appointed by the Grand Lodge as the District Deputy Grand Exalted Ruler for the West Central District of New Jersey; and

WHEREAS, Joseph W. DeScenza was elected by the Lodge to Honorary Life Membership in 1997; and

WHEREAS, of paramount importance to Joseph W. DeScenza in working with the Elks has been his dedication to help special needs children and veterans.

NOW THEREFORE, I, Ronald S. Dobies, Mayor of Middlesex Borough, State of New Jersey, along with the Middlesex Borough Council and on behalf of the citizens of Middlesex, wish to thank and honor Joseph W. DeScenza for all of his contributions to our community by presenting to him this proclamation that I now hereby set my hand and the Seal of the Borough of Middlesex to in witness whereof on this 9th day of September, 2014.

Mayor Dobies stated that he will present this Proclamation at the Elks Dinner recognizing Mr. DeScenza as the Elk's Citizen of the Year.

APPOINTMENTS

Mayor Dobies appointed Sean Johnson to the Shade Tree Commission as a regular member.

Mayor Dobies appointed Dan Gilroy as his representative to the Library Board of Trustees.

PRESENTATIONS - NONE

PUBLIC HEARING

The Borough Clerk read Ordinance No. 1855-14 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1855-14

A LOAN ORDINANCE OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LOAN AND SECURITY AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY FOR THE UNDERTAKING OF VARIOUS 2014 CAPITAL IMPROVEMENTS AND THE ACQUISITION AND INSTALLATION, AS APPLICABLE, OF VARIOUS EQUIPMENT WITH AN ESTIMATED COST OF \$1,000,000, THE COST OF SUCH IMPROVEMENTS AND EQUIPMENT TO BE FINANCED THROUGH THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2014 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY

WHEREAS, the Middlesex County Improvement Authority (the "Authority") is authorized to issue its bonds pursuant to the provisions of the County Improvement Authorities Law, chapter 183 of the Laws of New Jersey of 1960, as amended and supplemented (N.J.S.A. 40:37A-44 et seq.) (the "County Improvement Authorities Law"), and other applicable provisions of law; and

WHEREAS, the Authority has determined to issue its revenue bonds for the purpose of financing the various capital improvements to be undertaken by and the acquisition, installation and, as applicable, subsequent leasing of certain capital equipment, including but not limited to police and passenger vehicles, to various governmental entities within the County of Middlesex, State of New Jersey (the "County"), including the County and the Authority (the "2014 Program"); and

WHEREAS, the Borough of Middlesex, in the County of Middlesex, State of New Jersey (the "Municipality") has determined to participate in the 2014 Program and to finance various capital improvements and acquire and install certain capital equipment through the Authority; and

WHEREAS, there has been prepared and submitted to the Municipality the form of the Loan and Security Agreement (the "Loan Agreement"), to be entered into by and between the Authority and the Municipality, which Loan Agreement has been approved by the Authority and which is attached hereto as Exhibit A, providing for the financing of various capital improvements and the acquisition and installation of certain capital equipment through the Authority, which improvements and items of equipment are described in Exhibit B attached hereto and incorporated by this reference herein. All terms used herein and not otherwise defined shall have the same meanings ascribed to such terms under the Loan Agreement.

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE GOVERNING BODY OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. (a) The various capital improvements and the acquisition and installation, as applicable, of certain items of equipment by the Municipality described in Exhibit B attached to this loan ordinance and by this reference made a part hereof are hereby authorized as general capital improvements or purposes to be undertaken by the Municipality. For financing such improvements, purposes or loan, there is hereby appropriated the not to exceed sum of \$1,015,000.

(b) For the financing of the general capital improvements, purposes or loan and to provide monies to fund the not to exceed \$1,015,000 appropriation, a loan from the Authority to the Municipality is hereby authorized in a not to exceed amount of \$1,015,000

pursuant to the County Improvement Authorities Law and the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law").

(c) The general capital improvements hereby authorized and the purposes for which the above-described loan is authorized are the various capital improvements to be undertaken and the acquisition and installation, as applicable, of certain items of equipment by the Municipality described in Exhibit B attached hereto.

(d) The estimated maximum amount of the loan for the various capital improvements and the acquisition and installation, as applicable, of certain items of equipment by the Municipality described in Exhibit B attached hereto is \$1,015,000.

(e) The estimated cost of said general capital improvements or purposes is \$1,000,000, with a not to exceed amount of \$1,015,000, which not to exceed amount includes all costs of issuance and items of expense listed in and permitted under section 20 of the Local Bond Law.

Section 2. Pursuant to the County Improvement Authorities Law and N.J.S.A. 40:23-1 et seq., the Municipality is hereby authorized and directed to enter into and perform the Loan Agreement, which Loan Agreement provides for various capital improvements to be undertaken and the acquisition and installation, as applicable, of certain items of equipment by the Municipality to be financed with the proceeds of County-Guaranteed Capital Equipment and Improvement Revenue Bonds, Series 2014 (the "Bonds") to be issued by the Authority under a resolution to be adopted by the Authority entitled, "Resolution of the Middlesex County Improvement Authority Authorizing the Issuance of County-Guaranteed Capital Equipment and Improvement Revenue Bonds" (the "General Bond Resolution"). The Loan Agreement, in the form submitted herewith in Exhibit A (a copy of which is on file in the office of the Clerk of the Municipality), is hereby approved with such changes, amendments or modifications as may be approved by counsel or bond counsel to the Municipality and bond counsel to the Authority and the County.

Section 3. The full faith and credit of the Municipality are hereby pledged to the punctual payment of the obligations set forth in the Loan Agreement authorized by this ordinance, including without limitation, (i) all Basic Loan Payments and Loan Payments obligations of the Municipality under the Loan Agreement, including Authority Administrative

Expenses and Additional Loan Payments, (ii) all amounts due and owing to the County as a result of payments made by the County on behalf of the Municipality under the Loan Agreement pursuant to the County Guarantee, including County Guarantee Costs, and (iii) all direct and indirect costs of the Authority and the County related to the enforcement of the Loan Agreement and the County Guarantee ((i), (ii) and (iii) collectively, the "Loan Payment Obligation"). The Loan Payment Obligation under the Loan Agreement shall be a direct, unlimited and general obligation of the Municipality, not subject to annual appropriation by the Municipality pursuant to the County Improvement Authorities Law, and unless paid from other sources, the Municipality shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Municipality for the payment of the Loan Payment Obligation thereunder without limitation as to rate or amount.

An Authorized Municipal Representative (as defined in the Loan Agreement) is hereby authorized and directed to execute the Loan Agreement on behalf of the Municipality in the form as attached hereto in Exhibit A, along with any of the aforesaid necessary changes, and the Clerk of the Municipality is hereby authorized to attest to such signature and affix the seal of the Municipality thereto and the Loan Agreement is authorized to be delivered to the Authority. All representatives, officials and employees of the Municipality are hereby authorized and directed to enforce and to implement provisions of the Loan Agreement.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The maximum Loan Payment Obligation for which the Municipality shall be obligated hereunder, which, *inter alia*, will be used for the payment of principal of and interest on the Bonds of the Authority, shall not exceed the sum necessary to (a) undertake the various capital improvements and the acquisition and installation, as applicable, of certain items of equipment by the Municipality and described in Exhibit B, (b) pay interest on the Authority's Bonds allocated to the Municipality's various capital improvements and items of equipment, and (c) pay the Municipality's share of the costs of issuance, Authority Administrative Expenses, Additional Loan Payments, County Guarantee Costs and all other amounts required to be paid by the Municipality under the Loan Agreement, as and if applicable.

(b) The Bonds shall mature no later than ten (10) years from the date of issue.

(c) The Loan Payment Obligation authorized herein shall remain effective until all the Authority's Bonds shall have been paid in full in accordance with their terms and/or when all obligations of the Municipality under the Loan Agreement have been satisfied, notwithstanding the occurrence of any other event.

(d) The various capital improvements and items of equipment described in Exhibit B attached hereto are hereby approved to be undertaken and financed through the Authority in accordance with the terms of the Loan Agreement, with such changes, amendments or modifications as may be approved by counsel or bond counsel to the Authority.

(e) The average period of usefulness of the various capital improvements and items of equipment described in Exhibit B attached hereto within the limitations of the Local Bond Law, according to the reasonable useful life thereof computed from the dated date of the loan authorized by this loan ordinance, shall not exceed ten (10) years.

(f) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Municipality and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Municipality as defined in the Local Bond Law is increased by the authorization of the loan provided for in this loan ordinance by \$1,015,000 and the said loan authorized by this loan ordinance will be within all debt limitations prescribed by the Local Bond Law.

(g) An aggregate amount not exceeding \$200,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the various capital improvements and items of equipment described in Exhibit B attached hereto.

Section 5. To the extent the Municipality is an "Obligated Person" (as defined under the Rule (as hereinafter defined)), the Municipality hereby agrees to comply with the requirements of Rule 15c2-12 (the "Rule") promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended and supplemented, including the secondary market disclosure requirements contained therein, and agrees to covenant to such compliance in the Loan Agreement. The Mayor, Clerk, Chief Financial Officer or any other Authorized Municipal Representative are each hereby authorized and directed to execute and deliver a Continuing Disclosure Agreement, approve and "deem final" the Preliminary and Final Official Statements of the Authority to the extent the information contained therein relates to the Municipality and to execute and deliver all certificates, documents and agreements to the Authority in connection therewith and to file budgetary, financial and operating data of the Municipality on an annual basis and notices of certain enumerated events as required to comply with and in accordance with the provisions of the Rule.

Section 6. The Mayor, Clerk, Chief Financial Officer of the Municipality or other Authorized Municipal Representative are each hereby authorized and directed to execute and deliver any and all certificates, documents and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the execution and delivery of the Loan Agreement, the undertaking of the various capital improvements and the acquisition and installation, as applicable, of certain items of equipment by the Municipality and all related transactions contemplated by this ordinance.

Section 7. Upon the payment of all amounts referenced in Section 4(c) herein, the full faith and credit pledge of the Municipality as to its Loan Payment Obligation authorized herein shall cease to exist.

Section 8. The capital budget of the Municipality is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The

resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs is on file with the Clerk of the Municipality and is available for public inspection.

Section 9. The provisions of this ordinance are severable. To the extent any clause, phrase, sentence, paragraph or provision of this ordinance shall be declared invalid, illegal or unconstitutional, the remaining provisions shall continue to be in full force and effect.

Section 10. The Municipality reasonably expects to reimburse any expenditures toward the costs of the various capital improvements and items of equipment described in Exhibit B attached to this loan ordinance and paid prior to the entering into of the loan authorized by this loan ordinance with the proceeds of such loan. This Section 10 is intended to be and hereby is a declaration of the Municipality's official intent to reimburse any expenditures toward the costs of the various capital improvements and items of equipment described in Exhibit B attached to this loan ordinance to be incurred and paid prior to entering into of the loan authorized herein all in accordance with the Internal Revenue Code of 1986, as amended (the "Code") and any regulations promulgated thereunder.

Section 11. The Clerk of the Municipality is hereby authorized and directed to cause the publication of the text of this ordinance in full after introduction and final adoption in accordance with applicable law and to arrange for the public hearing thereon and final adoption thereof.

Section 12. This ordinance shall take effect twenty (20) days after final adoption and publication in accordance with applicable law.

Mayor Dobies opened the Public Hearing on Ordinance No. 1855-14. Seeing that there was no public participation, Mayor Dobies closed the public hearing on Ordinance No. 1855-14.

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

The Borough Clerk read Ordinance No. 1856-14 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1856-14

**AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLEEX AND
STATE OF NEW JERSEY AMENDING CHAPTER 18, COURT MUNICIPAL, SECTION 18-7
CLERK OF THE CODE OF THE BOROUGH OF MIDDLESEX**

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

Section 18-7 Clerk is amended to read as follows:

18-7. Court Administrator

The Court Administrator shall be appointed by the Mayor and Council to serve the Municipal Court at such salary as may be provided by ordinance pertaining to salaries.

Mayor Dobies opened the Public Hearing on Ordinance No. 1856-14. Seeing that there was no public participation, Mayor Dobies closed the public hearing on Ordinance No. 1856-14.

Council President Kaplan made a motion for introduction seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Greco, Jenkins, Kaplan, Schueler and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read Ordinance No. 1857-14 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NUMBER 1857-14

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO MARLBOROUGH AVENUE, BY AND IN THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$332,000 THEREFOR (INCLUDING A \$300,000 GRANT FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION AND A \$1,600 CASH DOWN PAYMENT FROM AVAILABLE BOROUGH FUNDS); AND AUTHORIZING THE ISSUANCE OF \$30,400 BONDS OR NOTES TO FINANCE THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Borough of Middlesex, in the County of Middlesex, State of New Jersey (the "Borough") as general improvements. For the said improvements stated in Section 3, there is hereby appropriated the principal amount of \$332,000 from the Borough, said sum being inclusive of (i) the sum of \$1,600 as the amount of down payment for said improvements or purposes as required by the Local Bond Law, N.J.S.A. §40A:2-1 et seq. (the "Local Bond Law"), and (ii) the sum of \$300,000, representing an awarded grant from the New Jersey Department of Transportation (the "Grant"). The down payment is now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the part of said \$332,000 appropriation not provided for by application hereunder of said down payment and Grant, negotiable bonds of the Borough are

hereby authorized to be issued in the principal amount of \$30,400 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$30,400 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued, include but are not limited to, various improvements to Marlborough Avenue within the Borough.

(b) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto and all in accordance with the plans and specifications therefor on file in the Office of the Clerk of the Borough and available for public inspection and hereby approved.

(c) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$30,400.

(d) The estimated cost of said improvement or purpose is \$332,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor, being the aggregate amount of the \$1,600 in down payment available for said purposes and the Grant.

SECTION 4. In the event the United States of America, the State of New Jersey (other than the Grant), and/or the County of Middlesex make a contribution or grant in aid to the Borough for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Middlesex. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Middlesex shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such time as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date. 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 of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with 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 purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon 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 bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs will be on file in the Office of the Clerk and will be available for public inspection.

SECTION 7. 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 and are improvements or purposes which the Borough may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 10 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Pool Utility of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$30,400 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$60,000 for items of expense listed in and permitted under N.J.S.A. § 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. Unless paid from other sources, 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. Unless paid from other sources, 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 property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Borough for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Borough other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$30,400. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Borough covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after final adoption, and approved by the Mayor, as provided by the Local Bond Law.

Mayor Dobies opened the Public Hearing on Ordinance No. 1857-14. Seeing that there was no public participation, Mayor Dobies closed the public hearing on Ordinance No. 1857-14.

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

The Borough Clerk read Ordinance No. 1858-14 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NUMBER 1858-14

**AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, IN THE
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,**

**APPROVING AND AUTHORIZING THE ENTERING INTO,
EXECUTION AND DELIVERY OF A LEASE AND AGREEMENT
WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
RELATING TO THE ISSUANCE OF COUNTY-GUARANTEED
CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE
BONDS, SERIES 2014 OF THE MIDDLESEX COUNTY
IMPROVEMENT AUTHORITY**

WHEREAS, the Middlesex County Improvement Authority (the "Authority") is authorized to issue its bonds pursuant to the provisions of the County Improvement Authorities Law, chapter 183 of the Laws of New Jersey of 1960, as amended and supplemented (N.J.S.A. 40:37A-44 et seq.) (the "County Improvement Authorities Law"), and other applicable provisions of law; and

WHEREAS, the Authority has determined to issue its revenue bonds for the purpose of financing the various capital improvements to be undertaken by and the acquisition, installation and, as applicable, subsequent leasing of certain capital equipment, including but not limited to police and passenger vehicles, to various municipalities located in the County of Middlesex in the State of New Jersey (the "County") including the County and the Authority (the "2014 Program"); and

WHEREAS, the Borough of Middlesex in the County of Middlesex, State of New Jersey (the "Municipality") has determined to participate in the 2014 Program and to lease certain police and/or passenger vehicles from the Authority; and

WHEREAS, there has been prepared and submitted to the Municipality the form of the Lease and Agreement (the "Lease"), to be entered into by and between the Authority and the Municipality, which Lease has been approved by the Authority and which is attached hereto as Exhibit A, providing for the acquisition and leasing of certain police and/or passenger vehicles from the Authority, which police and/or passenger vehicles are described in Exhibit B attached hereto and incorporated by reference herein. All terms used herein and not otherwise defined shall have the same meanings ascribed to such terms under the Lease.

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE GOVERNING BODY OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

Section 1. Pursuant to section 78 of the County Improvement Authorities Law, N.J.S.A. 40:48-1 et seq., the Municipality is hereby authorized and directed to enter into and perform the Lease, which Lease provides for the leasing of certain police and/or passenger vehicles acquired with the proceeds of County-Guaranteed Capital Equipment and Improvement Revenue Bonds, Series 2014 (the "Bonds") to be issued by the Authority under a resolution of the Authority to be adopted by the Authority entitled, "Resolution of the Middlesex County Improvement Authority Authorizing the Issuance of County-Guaranteed Capital Equipment and Improvement Revenue Bonds" (the "General Bond Resolution"). The Lease, in the form submitted herewith in Exhibit A (a copy of which is on file in the office of the Clerk of the Municipality), is hereby approved with such changes, amendments or modifications as may be approved by counsel or bond counsel to the Municipality and bond counsel to the Authority and the County.

Section 2. The full faith and credit of the Municipality are hereby pledged to the punctual payment of the obligations set forth in the Lease authorized by this ordinance, including without limitation, (i) all Basic Rent and Rent obligations of the Municipality under the Lease, including Authority Administrative Expenses and Additional Rent, (ii) all amounts due and owing to the County as a result of payments made by the County on behalf of the Municipality under the Lease pursuant to the County Guarantee, including County Guarantee Costs and (iii) all direct and indirect costs of the Authority and the County related to the enforcement of the Lease and the County Guarantee ((i), (ii) and (iii) collectively, the "Lease Payment Obligation"). The Lease Payment Obligation under the Lease shall be a direct, unlimited and general obligation of the Municipality, not subject to annual appropriation by the Municipality pursuant to the County Improvement Authorities Law, and unless paid from other sources, the Municipality shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Municipality for the payment of the Lease Payment Obligation thereunder without limitation as to rate or amount.

The Mayor or other Authorized Municipal Representative (as defined in the Lease) is hereby authorized and directed to execute the Lease on behalf of the Municipality in the form as attached hereto in Exhibit A and the Clerk of the Municipality is hereby authorized and directed to attest to such signature and affix the seal of the Municipality thereto and the Lease is authorized to be delivered to the Authority. All representatives, officials and employees of the Municipality are hereby authorized and directed to enforce and to implement provisions of the Lease.

Section 3. The following additional matters are hereby determined, declared, recited and stated:

(1) The maximum Lease Payment Obligation for which the Municipality shall be obligated hereunder, which, *inter alia*, will be used for the payment of principal of and interest on the Bonds of the Authority shall not exceed the sum necessary to (a) acquire the Municipality's police and/or passenger vehicles described in Exhibit B attached hereto which will be subject to the Lease, (b) pay interest on the Authority's Bonds allocated to the Municipality and used to acquire the Municipality's police and/or passenger vehicles, and (c) pay the Municipality's share of the costs of issuance, Authority Administrative Expenses, Additional Rent, County Guarantee Costs and all other amounts required to be paid by the Municipality under the Lease.

(2) The Bonds shall mature within five (5) years from the date of issue.

(3) The Lease Payment Obligation authorized herein shall remain effective until all the Authority's Bonds shall have been paid in full in accordance with their terms and/or when all obligations of the Municipality under the Lease have been satisfied, notwithstanding the occurrence of any other event, including but not limited to the termination of the Lease with respect to some or all of the police and/or passenger vehicles leased thereunder.

(4) The police and/or passenger vehicles described in Exhibit B are hereby approved to be leased from the Authority in accordance with the terms of the Lease, with such changes, amendments or modifications as may be approved by counsel or bond counsel to the Authority.

Section 4. To the extent the Municipality is an "Obligated Person" (as defined under the Rule (as hereinafter defined)), the Municipality hereby agrees to comply with the requirements of Rule 15c2-12 (the "Rule") promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended and supplemented, including the

secondary market disclosure requirements contained therein, and agrees to covenant to such compliance in the Lease. The Mayor, Clerk, Chief Financial Officer or other Authorized Municipal Representative are each hereby authorized and directed to execute and deliver a Continuing Disclosure Agreement, approve and "deem final" the Official Statement of the Authority and the preliminary form thereof to the extent the information contained therein relates to the Municipality and to execute and deliver all certificates, documents and agreements to the Authority in connection therewith and to file budgetary, financial and operating data of the Municipality on an annual basis and notices of certain enumerated events as required to comply with and in accordance with the provisions of the Rule.

Section 5. The Mayor, Clerk, Chief Financial Officer or Authorized Municipal Representative are each hereby authorized and directed to execute and deliver any and all certificates, documents and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the execution and delivery of the Lease, the leasing of the police and/or passenger vehicles which is to be the subject of the Lease and all related transactions contemplated by this ordinance.

Section 6. Upon the payment of all amounts referenced in Section 3(3) herein, the full faith and credit pledge of the Municipality as to its Lease Payment Obligations authorized herein shall cease to exist.

Section 7. The provisions of this ordinance are severable. To the extent any clause, phrase, sentence, paragraph or provision of this ordinance shall be declared invalid, illegal or unconstitutional, the remaining provisions shall continue to be in full force and effect.

Section 8. This ordinance shall take effect twenty (20) days after final adoption and publication in accordance with applicable law.

Mayor Dobies opened the Public Hearing on Ordinance No. 1858-14. Seeing that there was no public participation, Mayor Dobies closed the public hearing on Ordinance No. 1858-14.

Council President Kaplan made a motion for introduction seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Greco, Jenkins, Kaplan, Schueler and Tackach. Nos.: None. Abstain: None.

NEW BUSINESS

The Borough Clerk ready Ordinance No. 1859-14 for introduction.

ORDINANCE NO. 1859-14

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, RESCINDING ORDINANCE NO. 1851-14 AND AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, CHAPTER 248, LAND DEVELOPMENT, SECTION 248-10, FILING FEES

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

SECTION 1. Section 248-10 is hereby amended and Escrow Amounts replaced as follows:

An application to the Planning Board or Zoning Board of Adjustment for any application for development as defined herein shall be accompanied by a filing fee which shall be used to defray the administrative cost of processing the application as follows:

Type of Application	Escrow Amount
Minor Subdivision - Lot Line Adjustment	\$1,000.00
Minor Subdivision	\$3,000.00
Major Subdivision	\$2,000.00 + \$100.00 per lot
Final Major Subdivision	50% of preliminary escrow
Variance with Subdivision	\$3,000.00
Minor Site Plan	\$2,000.00
Major Site Plan	\$3,000.00
Variance with Site Plan	\$3,000.00
Interpretation Application (40:55D-68 & 40:55D-70a, b)	\$ 300.00
Variance Application to Board of Adjustment	\$1,000.00
Special Meetings/Appeals	N/A
Variance Application - Residential Accessory Building	\$ 250.00
Site Plan Review & Requirements for New Jersey Department of Environmental Protection Permits or County Environmental Protection Permits	\$2,000.00 + \$100.00 per lot

SECTION 2. The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged invalid and shall not be deemed to effect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION 4. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 5. The Clerk shall cause a copy of the final form of ordinance as adopted by the Council to be filed with the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

SECTION 6. This Ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final form of adopted ordinance by the Clerk with the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

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

The Borough Clerk ready Ordinance No. 1860-14 for introduction.

ORDINANCE NO. 1860-14

**AN ORDINANCE AUTHORIZING A TAX AGREEMENT
BETWEEN THE BOROUGH OF MIDDLESEX AND
150 LINCOLN BOULEVARD URBAN RENEWAL, LLC,
FOR PROPERTY LOCATED AT LOT 1.01 IN BLOCK 348**

WHEREAS, Lot 1.01, Block 348 in the Borough of Middlesex has been designated an Area in Need of Redevelopment under N.J.S.A. 40A:12-5 et seq.; and

WHEREAS, a predecessor to 150 Lincoln Boulevard Urban Renewal, LLC (“150 Lincoln”) obtained preliminary and final site plan approval from the Borough of Middlesex Planning Board to construct 146 market rate residential rental units; and

WHEREAS, in connection with said site plan approval, the predecessor to 150 Lincoln agreed to pay the sum of \$100,000.00 to the Borough of Middlesex in lieu of constructing affordable housing units; and

WHEREAS, 150 Lincoln has applied to the Borough Council of the Borough of Middlesex (the “Borough”) for tax exemption and abatement for improvements to be made to Lot 1.01, Block 348, pursuant to the New Jersey Long-Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq.; and

WHEREAS, the Borough Council has reviewed the application of 150 Lincoln for tax exemption and abatement for new construction of residential housing units on Lot 1.01, Block 348, which application conforms to the requirements set forth in N.J.S.A. 40A:20-8; and

WHEREAS, the Borough Council has determined that it would be in the best interests of the residents of the Borough to enter into a tax agreement with 150 Lincoln pursuant to N.J.S.A. 40A:20-9, to provide for a tax exemption and abatement of local real property taxes relating to the new construction of residential structures on Lot 101, Block 348;

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

1. The Borough Council hereby accepts the application of 150 Lincoln for tax exemption and abatement.

2. The Borough Council is hereby authorized to negotiate and enter into a tax agreement on Lot 1.01, Block 348, setting forth the terms by which 150 Lincoln shall pay to the Borough an annual amount in lieu of full property tax payments as authorized by N.J.S.A. 40A:20-10.

3. The tax agreement to be negotiated shall include the agreement of 150 Lincoln to pay the sum of \$100,000.00 in lieu of constructing affordable units.

4. The tax agreement to be executed by 150 Lincoln and the Borough shall be approved by Resolution of the Borough Council.

5. In the event that any provision of this Ordinance or the application thereof to any person or circumstance is declared invalid by a court of competent jurisdiction, such declaration of invalidity shall not affect any other provision or application of this Ordinance which may be given effect and, to realize this intent, the provisions and applications of this Ordinance are declared to be severable.

Council President Kaplan made a motion for introduction seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Greco, Jenkins, Kaplan, Schueler and Tackach. Nos.: None. Abstain: None.

ADOPTION OF MINUTES

Councilman Schueler made a motion to approve the August 7 & August 19, 2014 Special Executive Meeting Minutes and the August 12, 2014 Regular Meeting Minutes & Executive Session Minutes seconded by Council President Kaplan and carried by the following roll call vote: Ayes: Greco, Jenkins, Kaplan, Schueler and Tackach. No: None. Abstain: None.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance
 - A. Council President Kaplan mentioned that the Borough bond rating has been upgraded from A- to A.
 - B. Council President Kaplan stated that the Engineer has completed work on the 2012 sewer charges and it was forwarded to the Tax Collector to complete.
 - C. The Finance Committee has met with the Director of the Office on Aging and discussed the 24 passenger senior bus and a Lease Program that could be utilized to help purchase this bus. A resolution to enter into this co-op will be done at the next meeting.

 2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco discussed the request from the Swim Pool Commission to increase the membership for the 2015 swim pool season by \$15.00.

 3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Councilman Kaplan moved the approval of Nicholas Lally and Diamante Stewart as Active Members of the Middlesex Fire Department seconded by Councilman Schueler and carried by a unanimous vote of Council.
 - B. Councilman Kaplan moved to accept the resignation of Joe Buro as a Junior Member of the Middlesex Fire Department seconded by Councilman Schueler and carried by a unanimous vote of Council.
 - C. Councilman Kaplan moved to accept Jeff Decker as a Qualified Driver of Engine 25 and Colin McKeown as a Qualified Driver of Engine 21 seconded by Councilman Schueler and carried by a unanimous vote of Council.
 - D. Councilman Kaplan moved to accept the following Qualified Drivers of Engine 22: Darren Lubetkin, Dan DeSignore, Steven Tarbous, Eric Chomen, Brian Chomen, Randy Rudnick, Bob Schneider, Rich Malt, John Craig, Jason Dudley, Kevin Crynock and Jim Rinker seconded by Councilwoman Jenkins and carried by a unanimous vote of Council.

 4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler reported that he was approached by the Victor Crowell Park Committee about the roof at the pavilion in the Park that needed repairs. At this time we are presently getting quotes to move forward on the repairs.
 - B. The Township of Piscataway has agreed to remove the rocks at Victor Crowell for no charge.

 5. Police/Legal/Code Enforcement/Construction/Municipal Court
 - A. Councilwoman Jenkins moved the approval of the July, 2014 Police Report seconded by Councilman Greco and carried by a unanimous vote of Council.

 6. Administration/Department of Senior Services/Legislation/Licensing – Nothing to Report
-

REPORTS

Mayor

1. Mayor Dobies received a letter from Attorney Robert Johnson regarding the donation of 11 acres of vacant land most of which is in a flood area. The area in question which goes along Highway 28 to rear of the gas station and Beechwood Fire House as well as to the rear of the properties along Prospect Place.
2. Mayor Dobies received a request from the Police Department, which was approved by the NJDOT, to prohibit left turns during certain hours when school is in session on Valentine Street at Route 28 and on Vail Street at Route 28. An ordinance will be put on the September 23, 2014 Regular Meeting.
3. Mayor Dobies will discuss DPW, White Collar and Police Union Contract Negotiations at the Executive Session.
4. Property Maintenance - Mayor Dobies deleted this from his discussion as he is working with our Code Enforcer and she is making the changes to property maintenance and will present it to the Council in a form of an ordinance at the next meeting.
5. Construction Official & Building Inspector – Mayor Dobies is reviewing the temporary employees and will discuss with the Finance Chair. The Mayor will make a recommendation at the September 23, 2014 Regular Meeting

The Borough Clerk read the following resolution:

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

Consent Agenda 2014(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 desirous of removing Resolution #223-14 from this Consent 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 #218-14 – Resolution #222-14
Resolution #224-14 - #229-14

Council President Kaplan made a motion for approval seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Greco, Jenkins, Kaplan, Schueler 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 #218-14

WHEREAS, Jeffrey Buccellato was issued a street opening permit on 9/5/13; 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 213 Fairview 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 \$1875.00 in favor of Jeffrey Buccellato, 313 Beechwood Ave, Middlesex, NJ 08846, for refund of Street Opening Permit No. 2013-006.

The Borough Clerk read the following resolution:

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

Resolution #219-14

At the request of the Construction Department, the governing body hereby rescinds Resolution No. 206-14, as the wrong refund was sent in error.

The Borough Clerk read the following resolution:

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

Resolution #220-14

WHEREAS, the residents of Glen Gary Road have requested to have a block party on Glen Gary Road between Appian Avenue and Dorn Avenue on September 20, 2014 between the hours of 1 p.m. and 11 p.m.; and

WHEREAS, all the designated officials have 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 Glen Gary Road to conduct a block party on Glen Gary Road between Appian Avenue and Dorn Avenue on September 20, 2014 between the hours of 1 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 #221-14

WHEREAS, the residents of Wilson Street have requested to have a block party on Wilson Street between Washington Avenue and Locust Street on September 28, 2014 between the hours of 1 p.m. and 5 p.m.; and

WHEREAS, all the designated officials have 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 Wilson Street to conduct a block party on Wilson Street between Washington Avenue and Locust Street on September 28, 2014 between the hours of 1 p.m. and 5 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 #222-14

The Tax Collector is hereby authorized to amend 2014 3rd quarter taxes to \$478.13 & 4th quarter taxes to \$478.12 on Block 262, Lot 42.01, 115-117 Grove Avenue. The structure has been demolished and the new assessment should be for land only.

The Borough Clerk read the following resolution:

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

Resolution #224-14

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:

BLOCK/LOT	NAME	AMOUNT	ACCOUNT #
318/50	Cedar Rose Associates 333 Cedar Avenue	\$ 3.09	7760142557
318/50	Cedar Rose Associates 333 Cedar Avenue	\$7,224.80	7760142589

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 #225-14

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:

BLOCK/LOT	NAME	AMOUNT	ACCOUNT #
126/7.01	Leonid Krutoyarsky 99 Lincoln Blvd	\$1,570.98	680047123

Check is to be mailed to: 11 Hoffman Ct
Old Bridge, NJ 08857

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 #226-14

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:

BLOCK/LOT	NAME	AMOUNT	ACCOUNT #
267/3	Clearwire Communications 730 South Avenue	\$ 583.00	7760142590

Check is to be made payable to: Clearwire Communication
Attn: Ms. Susan Lopez
M/S: KSOPHM0310-3A460
6480 Sprint Parkway
Overland Park, KS 66251

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 #227-14

The Tax Collector is hereby authorized to refund 2014 property taxes on the following property. The finance/mortgage company overpaid.

BLOCK/LOT	NAME & ADDRESS	AMOUNT
43/52	D'Ambrosia, Carol 317 First St	\$1,802.19

Check is to be made payable to: CoreLogic
Attn: Refunds
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 #228-14

WHEREAS, Z Brothers was awarded the contract for 2013 NJ DOT Road Improvements, Fariview Avenue on December 17, 2013 in the amount of \$155,415.09; and

WHEREAS, Change Order #1, is for \$96,395.93 for modifications and adjustments to the contract for various items and which bring the total contract amount for this project to \$251,811.02; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following change order is hereby approved.

Original Contract Sum:	\$155,415.09
Change Order #1	\$ 96,395.93
NEW CONTRACT SUM:	\$251,811.02

NOW FURTHER BE IT RESOLVED that the Treasurer hereby certifies that the funds in the amount of \$251,811.02 are available in Account No. 04-1842-00-1842-84.

The Borough Clerk read the following resolution:

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

Resolution #229-14

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE FOR
(3) L3 V-ONE ALL IN ONE COMPUTER SYSTEM**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase (3) L3 V-One All In One Computer Systems for the new police vehicles 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, L-3 Com Mobile vision, Inc is under State Contract No. A81311 for the year 2014; and

WHEREAS, the cost for the purchase of (3) L-3 V-One All In One Computer Systems is \$17,780.67; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of (3) L-3 V-One All In One Computer Systems are ordered under State Contract No. A81311 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount \$17,780.67 is available in Account No. 04-1609-00-1609-61.

The Borough Clerk read the following resolution:

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

Resolution #230-14

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 President Kaplan made a motion for approval, seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Greco, Jenkins, Kaplan, Schueler, 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.

Joanne Estrella, 300 Market Street stated that she went to the swim pool meeting and did not get any answers and requested that the concerns listed below be addressed or she will file for an injunction. Her concern included the following: (1) If the proper permit was filed for the pool since it is in a flood plain; (2) Why she was not notified of this pool construction since her property is 51 feet away; (3) What provisions are being made for the telephone and electrical lines above the site where the swim pool is being constructed; (4) If the project exceeds the cost projected, where will the additional funds come from; (5) The drainage of the pool and how it will cause flooding of water into the streets; and (6) The location of the pool and why it was not put behind the original pool.

John Erickson, 209 Second Street expressed his concern (1) For the swim pool increase and requested that the Council not increase the rates of the senior citizens; (2) That the Swim Pool Commission is holding a meeting on September 11, 2014 and handling business; and (3) That although he is glad the rocks will be removed from Victor Crowell Park he would like to see T&M be accountable for the landscaping of the area once the rocks are removed.

John Mravcak, 128 Wood Avenue questioned (1) Sewer charges for 2012; (2) The engineering firm that handled the sewer charges and what we paid the firm; and (3) Requested an explanation of how he is being charged.

Rich Malt, 309 D Street questioned the following items: (1) Are businesses working out of the home being charged an additional sewer charge, or is it part of their residential use? (2) Requested that the borough should charge a connection charge to the contractors that tear down the duplexes and rebuilt, as other towns charge in excess of \$7,000; (3) Requested that the town form a committee of businesses and residents so expenses are broken out in the sewer charges; and (4) Put funds towards the sewers and come up with a long range plan to fix the system.

Mayor Dobies mentioned that Tonya Hubosky is working on the 2012 sewer charges, and he intends to send these out with a cover letter by the end of the month.

John Ellery, 701 Lincoln Boulevard requested that a committee be formed to amend the 2012 sewer ordinance to make it fair and equitable for businesses and residents.

Sheila Fuhrmann, Director of the Department of Senior Services thanked the Finance Committee for meeting to discuss the senior bus and bring this emergency matter before the Council this evening. Ms. Fuhrmann also thanked the DPW Supervisor, mechanic and all drivers for all their assistance with this emergency.

Mayor Dobies addressed all questions from the Public. Seeing that there was no further public participation, 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 #223-14

WHEREAS, bids were received August 5, 2014 for Upgrades to the Middlesex Community Pool;

WHEREAS, there were five bids received the three lowest are listed below

Vincent Pools Inc	\$ 776,200.00 base
1823 Deep Run Rd	\$ 36,800.00 alt 1A
Pipersville, PA 18947	\$ 147,900.00 alt 1B
	\$ 215,200.00 alt 2
	\$1,176,100.00 Total

Jamali Developers LLC	\$ 715,000.00 base
238 Fresh Ponds Rd, Ste 100	\$ 15,960.00 alt 1A
Monroe Township, NJ 08831	\$ 86,500.00 alt 1B
	\$ 239,000.00 alt 2
	\$1,056,460.00 Total

Ray Palmer Associates, Inc	\$ 867,900.00 base
95 King Street	\$ 26,200.00 alt 1A
Dover, NJ 07801	\$ 103,800.00 alt 1B
	\$ 154,000.00 alt 2
	\$1,151,900.00 Total

WHEREAS, the Middlesex Swim Pool Commission in concurrence with the Borough Attorney recommends to award the bid to Jamali Developers LLC in the amount of \$1,056,460.00; and

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 Middlesex Swim Pool Commission and the Borough Attorney, the governing body hereby awards the bid for the Upgrades to the Middlesex Community Pool to Jamali Developers LLC in the amount of \$1,056,460.00.

NOW FURTHER BE IT RESOLVED, that the Treasurer hereby certifies that funds in the amount of \$1,056,460.00 are available in Account No. 06-1510-03-1852-60.

Councilman President Kaplan made a motion for approval, seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Greco, Jenkins, Kaplan, Schueler, 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 #231-14

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. Salary – Department Heads & Confidential Employee
2. DPW Grievance

Council President Kaplan made a motion for approval seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Greco, Jenkins, Kaplan, Schueler, and Tackach. No: None. Abstain: None.

Councilman Greco moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by the following roll call vote.

ROLL CALL

Mayor	Ronald Dobies	
Council President	Sean Kaplan	
	Kevin Dotey	Absent
	Stephen Greco	
	Patricia Jenkins	Absent
	Bob Schueler	
	Michele Tackach	Absent
Attorney:	Aravind Aithal	

ADJOURNMENT

Councilman Schueler made a motion to adjourn the Regular Meeting seconded by Councilman Greco and carried by a unanimous vote of members present.

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
SEPTEMBER 23, 2014**

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 Revised Annual Meeting Notice of December 31, 2013 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	Sean Kaplan (absent – work)
	Kevin Dotey
	Stephen Greco
	Patricia Jenkins
	Bob Schueler
	Michele Tackach

Attorney:	Aravind Aithal
	Albert Cruz

PROCLAMATIONS

The Borough Clerk read the following Proclamation:

DOMESTIC VIOLENCE 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 2014 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 23rd Day Of September, 2014.

APPOINTMENTS-NONE

PRESENTATIONS - NONE

PUBLIC HEARING

The Borough Clerk read Ordinance No. 1859-14 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1859-14

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, RESCINDING ORDINANCE NO. 1851-14 AND AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, CHAPTER 248, LAND DEVELOPMENT, SECTION 248-10, FILING FEES

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

SECTION 1. Section 248-10 is hereby amended and Escrow Amounts replaced as follows:

An application to the Planning Board or Zoning Board of Adjustment for any application for development as defined herein shall be accompanied by a filing fee which shall be used to defray the administrative cost of processing the application as follows:

Type of Application	Escrow Amount
Minor Subdivision - Lot Line Adjustment	\$1,000.00
Minor Subdivision	\$3,000.00
Major Subdivision	\$2,000.00 + \$100.00 per lot
Final Major Subdivision	50% of preliminary escrow
Variance with Subdivision	\$3,000.00

Minor Site Plan	\$2,000.00
Major Site Plan	\$3,000.00
Variance with Site Plan	\$3,000.00
Interpretation Application (40:55D-68 & 40:55D-70a, b)	\$ 300.00
Variance Application to Board of Adjustment	\$1,000.00
Special Meetings/Appeals	N/A
Variance Application - Residential Accessory Building	\$ 250.00
Site Plan Review & Requirements for New Jersey Department of Environmental Protection Permits or County Environmental Protection Permits	\$2,000.00 + \$100.00 per lot

SECTION 2. The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged invalid and shall not be deemed to effect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION 4. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 5. The Clerk shall cause a copy of the final form of ordinance as adopted by the Council to be filed with the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

SECTION 6. This Ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final form of adopted ordinance by the Clerk with the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

Mayor Dobies opened the Public Hearing on Ordinance No. 1859-14. Seeing that there was no public participation, Mayor Dobies closed the public hearing on Ordinance No. 1859-14.

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

Borough Attorney Aravind Aithal stated for the record that he would be recusing himself from the discussion on Ordinance No. 1860-14, as the firm he works for has done prior business with 150 Lincoln Blvd. in the past.

The Borough Clerk read Ordinance No. 1860-14 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1860-14

**AN ORDINANCE AUTHORIZING A TAX AGREEMENT
BETWEEN THE BOROUGH OF MIDDLESEX AND
150 LINCOLN BOULEVARD URBAN RENEWAL, LLC,
FOR PROPERTY LOCATED AT LOT 1.01 IN BLOCK 348**

WHEREAS, Lot 1.01, Block 348 in the Borough of Middlesex has been designated an Area in Need of Redevelopment under N.J.S.A. 40A:12-5 et seq.; and

WHEREAS, a predecessor to 150 Lincoln Boulevard Urban Renewal, LLC (“150 Lincoln”) obtained preliminary and final site plan approval from the Borough of Middlesex Planning Board to construct 146 market rate residential rental units; and

WHEREAS, in connection with said site plan approval, the predecessor to 150 Lincoln agreed to pay the sum of \$100,000.00 to the Borough of Middlesex in lieu of constructing affordable housing units; and

WHEREAS, 150 Lincoln has applied to the Borough Council of the Borough of Middlesex (the “Borough”) for tax exemption and abatement for improvements to be made to Lot 1.01, Block 348, pursuant to the New Jersey Long-Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq.; and

WHEREAS, the Borough Council has reviewed the application of 150 Lincoln for tax exemption and abatement for new construction of residential housing units on Lot 1.01, Block 348, which application conforms to the requirements set forth in N.J.S.A. 40A:20-8; and

WHEREAS, the Borough Council has determined that it would be in the best interests of the residents of the Borough to enter into a tax agreement with 150 Lincoln pursuant to N.J.S.A. 40A:20-9, to provide for a tax exemption and abatement of local real property taxes relating to the new construction of residential structures on Lot 101, Block 348;

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

1. The Borough Council hereby accepts the application of 150 Lincoln for tax exemption and abatement.

2. The Borough Council is hereby authorized to negotiate and enter into a tax agreement on Lot 1.01, Block 348, setting forth the terms by which 150 Lincoln shall pay to the Borough an annual amount in lieu of full property tax payments as authorized by N.J.S.A. 40A:20-10.

3. The tax agreement to be negotiated shall include the agreement of 150 Lincoln to pay the sum of \$100,000.00 in lieu of constructing affordable units.

4. The tax agreement to be executed by 150 Lincoln and the Borough shall be approved by Resolution of the Borough Council.

5. In the event that any provision of this Ordinance or the application thereof to any person or circumstance is declared invalid by a court of competent jurisdiction, such declaration of invalidity shall not affect any other provision or application of this Ordinance which may be given effect and, to realize this intent, the provisions and applications of this Ordinance are declared to be severable.

Mayor Dobies opened the Public Hearing on Ordinance No. 1860-14.

Rich Malt, 309 D Street questioned if the Borough will be charging this developer any fee for the overburdening tax implications with the school system and sewer issues. Attorney Cruz indicated that the sewer fees and sewer connection fees are separate and not addressed by the agreement. He indicated that if everyone in town pays the sewer fees, this developer will also be required to pay these fees.

John Erickson, 209 Second Street questioned what payment in lieu of taxes meant.

Mayor Dobies indicated that the \$100,000 represents the payment for affordable housing that can be taken in a cash payment.

Attorney Cruz indicated that the payment in lieu of taxes provides for larger taxes paid to the municipality, the county gets 5% and the school gets a negotiated amount. This is beneficial to the developer because he pays a lesser amount of taxes, but the municipality gets a higher percentage, which increases the borough revenues.

Attorney Cruz mentioned that Item 4 of the ordinance indicates a tax agreement to be approved by the Governing Body. There is a resolution approving the agreement on the meeting, but Attorney Cruz requested that this be tabled, since we do not have a signed agreement by the developer that the governing body has reviewed.

Seeing that there was no further public participation, Mayor Dobies closed the public hearing on Ordinance No. 1860-14.

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

NEW BUSINESS

The Borough Clerk ready Ordinance No. 1861-14 for introduction.

ORDINANCE NO. 1861-14

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 407, ARTICLE XI, SECTION 407-33 VEHICLES AND TRAFFIC

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. . Section 407-33 is hereby repealed in its entirety and replaced as follows:

407-33 Turn Prohibitions

(1) No left turn from the Middlesex Shopping Center exits along Route 28 in Middlesex Borough, said highway being known as Bound Brook road and Union Avenue, shall be made except at the traffic light exit.

(2) No left turn on Valentine Street at Route NJ 28 Northbound on Valentine Street to Westbound on Route NJ 28 from 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m. Monday to Friday when school is in session

(3) No Left turn on Vail Street at Route NJ 28 Northbound on Vail Street to Westbound on Route NJ 28 from 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m. Monday to Friday when school is in session.

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. The ordinance shall take effect immediately upon final adoption and publication in accordance with the laws of the State of New Jersey.

Councilman Schueler made a motion for introduction seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Greco, Dotey, Jenkins, Schueler and Tackach. Nos.: None. Abstain: None.

The Borough Clerk ready Ordinance No. 1862-14 for introduction.

ORDINANCE NO. 1862-14

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 318, PROPERTY, ABANDONED, ARTICLE I REGISTRATION OF ABANDONED PROPERTIES, SECTION 318-7 FEES

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 following:

**ARTICLE I: Registration of Abandoned Properties
318-7 Fees**

The fee for registering an abandoned property shall be \$500 paid annually or when any registration information changes.

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 Schueler made a motion for introduction seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Greco, Dotey, Jenkins, Schueler and Tackach. Nos.: None. Abstain: None.

The Borough Clerk ready Ordinance No. 1863-14 for introduction.

ORDINANCE NO. 1863-14

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING THE CODES OF THE BOROUGH OF MIDDLESEX, CHAPTER 320, LANDLORD REGISTRATION, SECTION 320-1 REGISTRATION AND LICENSE APPLICATION

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 following:

320-1 Registration and License Application

- C. Upon the filing of a completed registration form, payment of the prescribed fee, and, if deemed necessary in the judgment of the Zoning Officer or his/her designee, a satisfactory inspection, the owner shall be entitled to the issuance of a license commencing on the date of issuance and expiring on February 1st. All rental units must nevertheless be registered, inspected and licensed in accordance with this Ordinance. No rental unit shall hereafter be rented unless the rental unit is registered and licensed in accordance with this Ordinance. A registration form shall be required for each rental unit, and a license shall be issued to the owner for each rental unit, even if more than one (1) rental unit is contained within the property.

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 Schueler made a motion for introduction seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Greco, Dotey, Jenkins, Schueler and Tackach. Nos.: None. Abstain: None.

ADOPTION OF MINUTES

Councilman Greco made a motion to approve the September 9, 2014 Regular Meeting Minutes & Executive Session Minutes seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Schueler and Tackach. No: None. Abstain: None.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance
 - A. Councilman Schueler reported on behalf of Council President Kaplan that the Finance Committee wanted to thank Mayor Wahler for his cooperation for removing the rocks at Victor Crowell Park at no cost to the borough or the taxpayers.
 - B. Councilman Schueler reported that Council President Kaplan has recommended freezing all budgets so we can maintain the progress we have started with controlling expenses. All expenses need to be approved by liaison up to current levels that need to be approved by finance committee. A motion was made by Councilman Schueler to freeze the budget seconded by Councilwoman Jenkins and carried by a unanimous vote of Council.
 - C. Council President Kaplan and Councilman Schueler met with a member of the business association to try and start some preliminary discussions and get their input for potential changes to the sewer ordinance. Council President Kaplan requested that Councilman Schueler attend this meeting as he will not be here this week as he is traveling on business. Some good input was obtained from this meeting, and in the near future the finance committee will meet and report back to the council, so we can move forward.
2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco reported that the 6th annual Family Fall Festival will be held at Mountain View Park on October 11th from 3pm – 6pm.
 - B. Swim Pool Project – Councilman Greco reported that a preconstruction meeting was held on September 17th that was attended by Mayor Dobies and Council President Kaplan. Mayor Dobies has agreed to open the gates on Market Street for the project. The Freehold Soil Conservation letter has been posted, but permits were not ready by the meeting. Mayor Dobies met with residents on Saturday and discussed the project. The project is expected to take 10 weeks.
3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Discussion on Amending Chapter 234 of the Borough Code to Prohibit Outdoor Smoking on Borough Property – Mayor Dobies circulated this ordinance to all council members. It was suggested that a designated area be established to smoke. Councilman Dotey will return this ordinance to the Board of Health with the governing body's suggestions.
4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler reported that the DPW Stream cleaning finished up by Warrenville on Bonnegut Brook. Predator is also removing the larger pieces.
 - B. Councilman Schueler reported that additional improvements were made to the Pump station with the fuel tank installed and filled. The roof work will be starting next.

- C. The gate is taken down at Market Street to allow for pool project construction to move forward.
5. Police/Legal/Code Enforcement/Construction/Municipal Court –Nothing to Report
6. Administration/Department of Senior Services/Legislation/Licensing – Nothing to Report
-

REPORTS

Mayor - Nothing to Report

The Borough Clerk read the following resolution:

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

Consent Agenda 2014(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 desirous of removing Resolution #239-14 from this Consent 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 #232-14 – Resolution #238-14

Councilman Schueler made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Schueler 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 #232-14

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 2014-2015 in the amount of \$17,965.00.
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 #233-14

Accepting the Mission Statement/Bylaws of the Middlesex Borough Municipal Alliance Committee which was adopted by the governing body by Ordinance No. 1187 dated March 13, 1990.

The Borough Clerk read the following resolution:

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

Resolution #234-14

Refunding \$50.00 to Mr. Kenneth Levonaitis, 149 Preakness Circle, Branchburg, New Jersey for the duplicate payment of a Landlord Registration.

The Borough Clerk read the following resolution:

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

Resolution #235-14

The Governing Body hereby declares the following equipment received from the Fire Chief as surplus:

1. 1993 Ford 250 Pickup Truck, Vin. 1F
2. THF26H4PNB19497
3. (1) Camper Trailer
4. (69) 50 Feet lengths of 1 3/4 hose
5. (2) 100 Feet Lengths of 1 3/4 hose

6. (3) 100 Feet Lengths of 1" inch hose
7. (1) 25 feet length of 5" hose
8. (5) 50 feet lengths of 3 inch hose
9. (1) 25 feet length of 3" inch hose
10. 6 Air Bottles 2216
11. 1 Roof Ladder

The Borough Clerk read the following resolution:

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

Resolution #236-14

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 2013 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 #237-14

RESOLUTION AUTHORIZING THE BOROUGH OF MIDDLESEX TO ENTER INTO A COOPERATIVE PRICING AGREEMENT WITH THE COUNTY OF WARREN FOR A PERIOD OF FIVE YEARS FROM APPROVAL DATE (SEPTEMBER 23, 2014)

WHEREAS, the Borough of Middlesex desires to enter into a Cooperative Pricing Agreement with the County of Warren for a period of five years from approval date; and

WHEREAS, the Borough of Middlesex herein after referred to as “Participating Contracting Unit” with the County of Warren herein referred to as “Lead Agency” for the conducting of certain functions relating to the purchase work, materials and supplies for their respective jurisdiction; and

WHEREAS, pursuant to the provisions of N.J.S.A. 40A: 11-11(5) the Borough of Middlesex is hereby authorized to enter into a Cooperative Pricing Agreement with the County of Warren; and

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

1. Tonya Hubosky, the Qualified Purchasing Agent of the Borough of Middlesex, hereby authorizes the execution of an Agreement with the County of Warren Cooperative with the County of Warren acting as Lead Agency pursuant to N.J.S.A. 40A:11-11(5). Said Agreement is to become a member of the County of Warren Cooperative for a five year period.
2. The Borough of Middlesex Clerk is hereby directed to submit a copy of this adopted Resolution, along with an executed Agreement, to the County of Warren as the Lead Agency.
3. This Resolution shall take effect immediately upon final passage according to law.

The Borough Clerk read the following resolution:

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

Resolution #238-14

WHEREAS, the Borough of Middlesex is hereby authorized to purchase a 2014 Ford F-550 Glaval Entourage, 28 passengers or 24 + 2 wheelchair position bus under the Warren County Co-op Bid #WC-1334. The financing breakdown is listed below:

Nominal Annual Rate: 2.500%					
Event	Date	Amount	Number		
1 Loan	10/15/2014	91,182.00	1		
2 Payment	11/15/2014	55,000.00	1		
3 Payment	11/15/2015	37,285.00	1		
	Date	Payment	Interest	Principal	Balance
Loan	10/15/2014				91,182.00
1	11/15/2014	55,000.00	193.61	54,806.39	36,375.61
2	11/15/2015	37,285.00	909.39	36,375.61	0.00
Grand Totals		92,285.00	1103.00	91,182.00	

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of a 2014 Ford F-550 Glaval Entourage is ordered under Warren County Co-op Bid #WC-1334 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount \$10,000.00 is available in Account No. 04-1832-00-1832-80 and \$45,000.00 is available in Account No. 04-1855-00-1855-80. The remaining \$37,285.00 will be appropriated in the 2015 Capital Budget.

The Borough Clerk read the following resolution:

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

Resolution #239-14

WHEREAS, On September 23, 2014, the Council of the Borough of Middlesex adopted Ordinance No. 1860-14 AN ORDINANCE AUTHORIZING A TAX AGREEMENT BETWEEN THE BOROUGH OF MIDDLESEX AND 150 LINCOLN BOULEVARD URBAN RENEWAL, LLC, FOR PROPERTY LOCATED AT LOT 1.01 IN BLOCK 348; and

WHEREAS, on or about July 24, 2014, that the developer 150 Lincoln Boulevard Urban Renewal, LLC filed a letter application for a PILOT; and

WHEREAS, the developer 150 Lincoln Boulevard Urban Renewal, LLC negotiated a PILOT Agreement in the form attached.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Middlesex, County of Middlesex, State of New Jersey that the Mayor and Borough Clerk are here authorized to sign the PILOT Agreement.

NOW FURTHER BE IT RESOLVED that the Borough Clerk is directed and authorized to send Ordinance No. 1860-14, Letter Application, and PILOT Agreement to the Department of Community Affairs for review and filing.

Councilman Schueler made a motion to table Resolution #239-14 seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Schueler, 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 #240-14

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 Schueler made a motion for approval, seconded by Councilwoman Tackach and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Schueler, and Tackach. Nos: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Remington & Vernick Engineer's Proposal for Design, Inspection and Construction Administration Services for Marlborough Avenue – Mayor Dobies recommended that we proceed with the approval for engineering services for the Marlborough Avenue reconstruction through the 2014 NJDOT Municipal Aid Program Grant. A resolution will be done at the October 14, 2014 Regular Meeting.

PUBLIC COMMENTS

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

Tom Harrity, 107 Ramsey Road, is concerned that the American Cancer Society obtained a grant to allow signage to municipalities that have an ordinance that allows for "no smoking in public parks" and they would provide us with signs that there would be no smoking. The Board of Health discussed that there was no designated area to smoke. Mr. Harrity asked council to consider how we will get these signs without a designated smoking area.

John Erickson, 209 Second Street questioned (2) How much money has been spent on the cleanup of Warrenton Road and if it will be done every year; (2) The status of the project to

date; (3) If the swim pool had a budget before they start raising the pool fees; and (4) The "road construction" information that was listed on the borough website and who was coordinating this information.

John Madden, 103 Rock Lane questioned (1) If information regarding brownfield's contamination was received for 150 Lincoln Boulevard; (2) The status of the permits; (3) The plans for 7th Street and if any trees would be planted to help with the seepage; and (4) When the Niziol house will be demolished?

Richard Malt, 309 D Street thanked Councilman Kaplan and Councilman Schueler for meeting with him and the Business Association and hopes that they can meet again. Also, Mr. Malt thanked the Mayor and Council for the additional police presence around the borough neighborhoods.

Mayor Dobies addressed all questions from the Public. Seeing that there was no further public participation, 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 #241-14

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. Salary – Department Heads & Confidential Employee
2. Hiring of Construction Official & Building Sub-Code Official

Council President Kaplan made a motion for approval seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Greco, Jenkins, Kaplan, Schueler, and Tackach. No: None. Abstain: None.

Councilman Greco moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by the following roll call vote.

ROLL CALL

Mayor	Ronald Dobies	
Council President	Sean Kaplan	Absent
	Kevin Dotey	
	Stephen Greco	
	Patricia Jenkins	
	Bob Schueler	
	Michele Tackach	

Attorney: Aravind Aithal

ADJOURNMENT

Councilman Schueler made a motion to adjourn the Regular Meeting seconded by Councilman Greco and carried by a unanimous vote of members present.

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
OCTOBER 14, 2014**

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 Revised Annual Meeting Notice of December 31, 2013 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	Sean Kaplan
	Kevin Dotey
	Stephen Greco
	Patricia Jenkins
	Bob Schueler
	Michele Tackach
Attorney:	Jeremy Solomon
	Albert Cruz

PROCLAMATIONS-NONE

APPOINTMENTS

Councilman Schueler moved the resignation of Nancy Purcell-Holmes from the Board of Health seconded by Councilman Greco and carried by a unanimous vote of Council.

Council President Kaplan moved the appointment of Barbara Benson from the Board of Health for a term expiring December 31, 2104 seconded by Councilman Schueler and carried by a unanimous vote of Council. Mayor Dobies administered the Oath of Office to Barbara Benson.

PRESENTATIONS - NONE

PUBLIC HEARING

The Borough Clerk read Ordinance No. 1859-14 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1859-14

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, RESCINDING ORDINANCE NO. 1851-14 AND AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, CHAPTER 248, LAND DEVELOPMENT, SECTION 248-10, FILING FEES

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

SECTION 1. Section 248-10 is hereby amended and Escrow Amounts replaced as follows:

An application to the Planning Board or Zoning Board of Adjustment for any application for development as defined herein shall be accompanied by a filing fee which shall be used to defray the administrative cost of processing the application as follows:

Type of Application	Escrow Amount
Minor Subdivision - Lot Line Adjustment	\$1,000.00
Minor Subdivision	\$3,000.00
Major Subdivision	\$2,000.00 + \$100.00 per lot
Final Major Subdivision	50% of preliminary escrow
Variance with Subdivision	\$3,000.00
Minor Site Plan	\$2,000.00
Major Site Plan	\$3,000.00
Variance with Site Plan	\$3,000.00
Interpretation Application (40:55D-68 & 40:55D-70a, b)	\$ 300.00
Variance Application to Board of Adjustment	\$1,000.00
Special Meetings/Appeals	N/A
Variance Application - Residential Accessory Building	\$ 250.00
Site Plan Review & Requirements for New Jersey Department of Environmental Protection Permits or County Environmental Protection Permits	\$2,000.00 + \$100.00 per lot

SECTION 2. The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged invalid and shall not be deemed to effect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION 4. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 5. The Clerk shall cause a copy of the final form of ordinance as adopted by the Council to be filed with the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

SECTION 6. This Ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final form of adopted ordinance by the Clerk with the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

Mayor Dobies opened the Public Hearing on Ordinance No. 1859-14. Seeing that there was no public participation, Mayor Dobies closed the public hearing on Ordinance No. 1859-14.

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

The Borough Clerk read Ordinance No. 1860-14 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1860-14

AN ORDINANCE AUTHORIZING A TAX AGREEMENT BETWEEN THE BOROUGH OF MIDDLESEX AND 150 LINCOLN BOULEVARD URBAN RENEWAL, LLC, FOR PROPERTY LOCATED AT LOT 1.01 IN BLOCK 348

WHEREAS, Lot 1.01, Block 348 in the Borough of Middlesex has been designated an Area in Need of Redevelopment under N.J.S.A. 40A:12-5 et seq.; and

WHEREAS, a predecessor to 150 Lincoln Boulevard Urban Renewal, LLC (“150 Lincoln”) obtained preliminary and final site plan approval from the Borough of Middlesex Planning Board to construct 146 market rate residential rental units; and

WHEREAS, in connection with said site plan approval, the predecessor to 150 Lincoln agreed to pay the sum of \$100,000.00 to the Borough of Middlesex in lieu of constructing affordable housing units; and

WHEREAS, 150 Lincoln has applied to the Borough Council of the Borough of Middlesex (the "Borough") for tax exemption and abatement for improvements to be made to Lot 1.01, Block 348, pursuant to the New Jersey Long-Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq.; and

WHEREAS, the Borough Council has reviewed the application of 150 Lincoln for tax exemption and abatement for new construction of residential housing units on Lot 1.01, Block 348, which application conforms to the requirements set forth in N.J.S.A. 40A:20-8; and

WHEREAS, the Borough Council has determined that it would be in the best interests of the residents of the Borough to enter into a tax agreement with 150 Lincoln pursuant to N.J.S.A. 40A:20-9, to provide for a tax exemption and abatement of local real property taxes relating to the new construction of residential structures on Lot 101, Block 348;

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

1. The Borough Council hereby accepts the application of 150 Lincoln for tax exemption and abatement.

2. The Borough Council is hereby authorized to negotiate and enter into a tax agreement on Lot 1.01, Block 348, setting forth the terms by which 150 Lincoln shall pay to the Borough an annual amount in lieu of full property tax payments as authorized by N.J.S.A. 40A:20-10.

3. The tax agreement to be negotiated shall include the agreement of 150 Lincoln to pay the sum of \$100,000.00 in lieu of constructing affordable units.

4. The tax agreement to be executed by 150 Lincoln and the Borough shall be approved by Resolution of the Borough Council.

5. In the event that any provision of this Ordinance or the application thereof to any person or circumstance is declared invalid by a court of competent jurisdiction, such declaration of invalidity shall not affect any other provision or application of this Ordinance which may be given effect and, to realize this intent, the provisions and applications of this Ordinance are declared to be severable.

Mayor Dobies opened the Public Hearing on Ordinance No. 1860-14.

John Hoffman, 455 Lincoln Boulevard wants to know why this is in the best interest of the residents to enter into a tax agreement with 150 Lincoln Boulevard and what are the tax

exemption and abatement of local real property taxes relating to the new construction of residential structures.

Mayor Dobies indicated that this provides \$100,000 in lieu of construction of affordable housing and the borough will be receiving more funds and the county will receive less. Attorney Cruz mentioned that one provision of the pilot agreement indicates that an annual audit will be performed and the 12% payment will be made annually on the revenue the developer receives.

Attorney Cruz indicated that this is the same ordinance brought before us at the last meeting, but because of publication another public hearing needed to be held. This authorizes payment in lieu of taxes which is beneficial to the developer because he pays a lesser amount of taxes, but the municipality gets a higher percentage, which increases the borough revenues.

Seeing that there was no further public participation, Mayor Dobies closed the public hearing on Ordinance No. 1860-14.

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

Attorney Cruz requested that Resolution #239-14 & Resolution #253-14 be removed from the consent agenda which authorizes the execution of the Payment in Lieu of Taxes Agreement and the areas in need of non-condemnation redevelopment. Councilman Schueler made a motion to remove Resolution #239-14 & Resolution #253-14 from the Consent Agenda seconded by Councilwoman Jenkins and carried by a unanimous vote of Council.

At the recommendation of Attorney Cruz, Mayor Dobies opened up the meeting to discussion on Resolution #239-14. Seeing no public comment, Mayor Dobies closed the public portion on Resolution #239-14.

The Borough Clerk read the following resolution:

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

Resolution #239-14

WHEREAS, On September 23, 2014, the Council of the Borough of Middlesex adopted Ordinance No. 1860-14 AN ORDINANCE AUTHORIZING A TAX AGREEMENT BETWEEN THE BOROUGH OF MIDDLESEX AND 150 LINCOLN BOULEVARD URBAN RENEWAL, LLC, FOR PROPERTY LOCATED AT LOT 1.01 IN BLOCK 348; and

WHEREAS, on or about July 24, 2014, that the developer 150 Lincoln Boulevard Urban Renewal, LLC filed a letter application for a PILOT; and

WHEREAS, the developer 150 Lincoln Boulevard Urban Renewal, LLC negotiated a PILOT Agreement in the form attached.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Middlesex, County of Middlesex, State of New Jersey that the Mayor and Borough Clerk are here authorized to sign the PILOT Agreement.

NOW FURTHER BE IT RESOLVED that the Borough Clerk is directed and authorized to send Ordinance No. 1860-14, Letter Application, and PILOT Agreement to the Department of Community Affairs for review and filing.

Councilman Schueler made a motion for adoption of Resolution #239-14 seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler, and Tackach. Nos: None. Abstain: None.

At the recommendation of Attorney Cruz, Mayor Dobies opened up the meeting to discussion on Resolution #253-14.

John Ellery, 701 Lincoln Boulevard questioned if Phase II will be adopted with the same rules as Phase I, which was already adopted. Also, he was concerned if eminent domain is in this plan and if the plan could be ever changed to include eminent domain.

Attorney Cruz indicated that what is occurring is that the property is designated as a property in need of redevelopment based on the redevelopment criteria. The next step is to determine what kind of zoning ordinance will be adopted. Today eminent domain is not included in this plan, but another council could change this, but they would have to justify this and follow a process to move to eminent domain.

Jack Mikoloczky, 701 Beechwood Avenue requested that a lot of residents are confused and recommended that the resolution be tabled.

John Madden, 103 Rock Lane questioned if there are any tax liens on the non-condemnation properties and who made the decision to go from rehabilitation to redevelopment.

Attorney Cruz indicated that foreclosure and condemnation are two different procedures. Mayor Dobies stated that going from rehabilitation to redevelopment allows the borough to help developers in the pilot programs, and at least two more pilot programs should be coming into the borough.

Councilman Schueler mentioned that there was a presentation and discussion of Phase II at the Planning Board Meeting. The Planning Board has recommended that the Council move forward with the resolution, so that we can move forward with the redevelopment plan.

Seeing no further public comment, Mayor Dobies closed the public portion on Resolution #253-14.

The Borough Clerk read the following resolution:

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

Resolution #253-14

**BOROUGH OF MIDDLESEX
MIDDLESEX COUNTY, NEW JERSEY**

RESOLUTION OF THE COUNCIL OF THE BOROUGH OF MIDDLESEX DESIGNATING THAT THE PROPERTIES IDENTIFIED AS BLOCK 285, LOTS 1, 5, 33, 34, 35, 37 AND 39; BLOCK 286, LOT 1; BLOCK 287, LOTS 1.01, 2.01 AND 57; BLOCK 289, LOTS 1 AND 60; BLOCK 291, LOTS 2, 3.01, 5 AND 60; BLOCK 295, LOTS 31, 34, 37, 41, 43, 44, 47, 51, 55 AND 61.01; BLOCK 313, LOTS 1, 4.01, 8, 10, 23, 27 AND 27.01; BLOCK 314, LOTS 1, 3, 5, 9, 11, 14.01, 18, 20, 23, 25, 27, 29, 29.01, 31 AND 63; BLOCK 315, LOT 1; BLOCK 316, LOTS 1, 2, 6, 9.01 AND 10; BLOCK 317, LOTS 3, 7 AND 14.01; BLOCK 318, LOTS 1, 1.01, 4.01, 7, 10, 11, 13, 16, 19, 38.01, 43, 44, 48 AND 50; BLOCK 319, LOTS 1, 6, 13, 14, 18, 19, 23, 24, 26, 28, 30, 36, 37, 38, 39, 45 AND 47; BLOCK 333.02, LOTS 7 AND 8; BLOCK 339, LOTS 1, 7.01, 7.02, 13.01 AND 13.02; BLOCK 343, LOTS 14, 14.01 AND 15; AND BLOCK 371.01, LOT 5.01, BE DESIGNATED AS AN AREA IN NEED OF NON-CONDEMNATION REDEVELOPMENT.

WHEREAS, the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law") authorizes municipalities to determine whether certain parcels of land located within the municipality constitute areas in need of non-condemnation redevelopment; and

WHEREAS, to determine whether the Lincoln Boulevard - Phase 2 Area constitutes an area in need of redevelopment, the Borough Council (the "Council") of the Borough of Middlesex (the "Borough"), by way of Resolution Nos. 324-13 and 96-14, authorized and directed the Borough of Middlesex Planning Board (the "Planning Board") to conduct a preliminary investigation pursuant to the Redevelopment Law to determine whether the property identified as Block 285, Lots 1, 5, 33, 34, 35, 37 and 39; Block 286, Lot 1; Block 287, Lots 1.01, 2.01 and 57; Block 289, Lots 1 and 60; Block 291, Lots 2, 3.01, 5 and 60; Block 295, Lots 31, 34, 37, 41, 43, 44, 47, 51, 55 and 61.01; Block 313, Lots 1, 4.01, 8, 10, 23, 27 and 27.01; Block 314, Lots 1, 3, 5, 9, 11, 14.01, 18, 20, 23, 25, 27, 29, 29.01, 31 and 63; Block 315, Lot 1; Block 316, Lots 1, 2, 6, 9.01 and 10; Block 317, Lots 3, 7 and 14.01; Block 318, Lots 1, 1.01, 4.01, 7, 10, 11, 13, 16, 19, 38.01, 43, 44, 48 and 50; Block 319, Lots 1, 6, 13, 14, 18, 19, 23, 24, 26, 28, 30, 36, 37, 38, 39, 45 and 47; Block 333.02, Lots 7 and 8; Block 339, Lots 1, 7.01, 7.02, 13.01 and 13.02; Block 343, Lots 14, 14.01 and 15; and Block 371.01, Lot 5.01, as shown on the Tax Map of the Borough (the "Phase 2 Study Area"), constitutes an "area in need of non-condemnation redevelopment" in accordance with the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, on April 9, 2014, the Planning Board authorized Paul N. Ricci, P.P., Lic. No. L1005570 (the "Planning Consultant") to conduct an investigation to determine whether the Phase 2 Study Area, or any portion thereof, constitutes an area in need of non-condemnation redevelopment in accordance with the Redevelopment Law, and to prepare a preliminary investigation report of the Study Area (the "Phase 2 Study"); and

WHEREAS, the Planning Consultant prepared the Study, titled "Redevelopment Study and Preliminary Investigation Report Lincoln Boulevard – Phase 2", dated August 7, 2014, which details the findings and recommendations relevant to whether the Phase 2 Study Area should be designated as an area in need of non-condemnation redevelopment, as well as a map of the Phase 2 Study Area; and

WHEREAS, the Redevelopment Law requires the Planning Board to conduct a public hearing prior to making its determination whether the Study Area should be designated as an area in need of non-condemnation redevelopment, at which hearing the Planning Board shall hear all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area; and

WHEREAS, the Redevelopment Law further requires the Planning Board, prior to conducting such public hearing, to publish notice of the hearing in a newspaper of general circulation in the municipality once each week for two consecutive weeks, with the last publication made not less than ten (10) days prior to such public hearing; and

WHEREAS, the Redevelopment Law further requires such notice to be mailed at least ten days prior to such public hearing to the last owner(s) of the relevant property(ies) and interested parties according to the Borough's assessment records; and

WHEREAS, the Planning Board caused the aforementioned notices to be published in the Borough official newspaper, and provided notice to the affected property owners and interested parties in accordance with the Redevelopment Law; and

WHEREAS, on September 10, 2014, at the time and date of the noticed public hearing, the Planning Consultant, being sworn and qualified as an expert in professional planning, made a presentation of the Phase 2 Study to the Planning Board; and

WHEREAS, in addition to the presentation of the Planning Consultant, at the public hearing the Planning Board heard testimony and evidence from members of the public, who also were given an opportunity to cross-examine the Planning Consultant and address questions to the Planning Board concerning the potential designation of the Phase 2 Study Area as an area in need of non-condemnation redevelopment; and

WHEREAS, the Planning Consultant concluded that the Study Area satisfies the criteria (a), (c), (d) and (h) of the Redevelopment Law, N.J.S.A. 40A:12A-5, and that the Study Area is an area in need of non-condemnation redevelopment; and

WHEREAS, the Planning Board did not receive any written comments or objections to the Phase 2 Study prior to or during the public hearing on September 10, 2014; and

WHEREAS, at the conclusion of the public hearing, the Planning Board found that the Planning Consultant's conclusions in the Phase 2 Study and his testimony provide substantial evidence to support the findings that the Study Area satisfies criteria (a), (c), (d) and (h) of the Redevelopment Law, N.J.S.A. 40A:12A-5, that the public questions and comments did not erode the Planning Consultant's testimony or conclusions, and that the collective designation of the Phase 2 Study Area as an area in need of non-condemnation redevelopment is necessary for the effective redevelopment of the Study Area; and

WHEREAS, by a vote of 8 to 0, the Planning Board unanimously voted to recommend that the Borough Council of the Borough of Middlesex find that the Phase 2 Study Area be designated a an area in need of non-condemnation redevelopment meeting criteria (a), (c), (d) and (h) of the Redevelopment Law, N.J.S.A. 40A:12A-5; and

WHEREAS, on October 8, 2014, the Planning Board adopted a Resolution memorializing the decision made on September 10, 2014; and

WHEREAS, the Planning Board submitted the memorializing Resolution, along with a copy of the Phase 2 Study and all exhibits presented at the September 10, 2014 public hearing to the Borough Clerk for distribution to the Mayor and Council for consideration thereof; and

WHEREAS, after review and consideration of the Planning Board's recommendation, including all documents submitted therewith, the Borough Council agrees with the conclusion of the Planning Board that the Phase 2 Study Area meets the aforementioned criteria for a non-condemnation redevelopment area designation, and the Borough Council finds that such conclusion is supported by substantial evidence; and

WHEREAS, the Borough Council further agrees with the recommendation of the Planning Board that the Phase 2 Study Area, collectively, be designated as an area in need of non-condemnation redevelopment pursuant to the Redevelopment Law, and

WHEREAS, the Borough Council now desires to designate the Phase 2 Study Area, collectively, as an area in need of non-condemnation redevelopment for the effective redevelopment of the Phase 2 Study Area, pursuant to N.J.S.A. 40A:12A-6; and

WHEREAS, the Borough Council further desires to authorize and direct the Planning Consultant work with the Borough Council to prepare a redevelopment plan for the Phase 2 Study Area and present same to the entire Borough Council pursuant to N.J.S.A. 40A:12A-7f.

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

1. The aforementioned recitals, including the Phase 2 Study and exhibits presented at the September 10, 2014 public hearing before the Planning Board are incorporated herein as though fully set forth at length.

2. The Borough Council hereby designates the Phase 2 Study Area as an area in need of non-condemnation redevelopment pursuant to N.J.S.A. 40A:12A-6, satisfying criteria (a), (c), (d) and (h) of the Redevelopment Law, N.J.S.A. 40A:12A-5.

3. The Planning Consultant work with the Borough Council to prepare a redevelopment plan for the Phase 2 Study Area (to be hereinafter referred to as the Redevelopment Area), and present same to the entire Borough Council pursuant to N.J.S.A. 40A:12A-7f.

4. The Clerk of the Borough shall forward a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs for review and approval by regular and certified mail (return receipt requested).

5. The Borough Clerk shall, within ten (10) days after the Council determination, serve upon all record owners of property located within the Phase 2 Study Area or Redevelopment Area, those whose names are listed on the Tax Assessor's records as interested parties, and upon each person who filed a written objection to the Study to the address listed on the written submission.

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law.

Councilman Schueler made a motion for adoption of Resolution #253-14 seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Jenkins, Kaplan, Schueler, and Tackach. Nos: Greco. Abstain: None.

The Borough Clerk read Ordinance No. 1861-14 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1861-14

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 407, ARTICLE XI, SECTION 407-33 VEHICLES AND TRAFFIC

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. . Section 407-33 is hereby repealed in its entirety and replaced as follows:

407-33 Turn Prohibitions

- (1) No left turn from the Middlesex Shopping Center exits along Route 28 in Middlesex Borough, said highway being known as Bound Brook road and Union Avenue, shall be made except at the traffic light exit.
- (2) No left turn on Valentine Street at Route NJ 28 Northbound on Valentine Street to Westbound on Route NJ 28 from 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m. Monday to Friday when school is in session
- (3) No Left turn on Vail Street at Route NJ 28 Northbound on Vail Street to Westbound on Route NJ 28 from 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m. Monday to Friday when school is in session.

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. The ordinance shall take effect immediately upon final adoption and publication in accordance with the laws of the State of New Jersey.

Mayor Dobies opened the hearing on Ordinance No. 1861-14. Seeing that there was no public participation, Mayor Dobies closed the public hearing on Ordinance No. 1861-14.

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

The Borough Clerk read Ordinance No. 1862-14 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1862-14

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 318, PROPERTY, ABANDONED, ARTICLE I REGISTRATION OF ABANDONED PROPERTIES, SECTION 318-7 FEES

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 following:

ARTICLE I: Registration of Abandoned Properties 318-7 Fees

The fee for registering an abandoned property shall be \$500 paid annually or when any registration information changes.

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. 1862-14. Seeing that there was no public participation, Mayor Dobies closed the public hearing on Ordinance No. 1862-14.

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

The Borough Clerk read Ordinance No. 1863-14 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1863-14
AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING THE CODES OF THE BOROUGH OF MIDDLESEX, CHAPTER 320, LANDLORD REGISTRATION, SECTION 320-1 REGISTRATION AND LICENSE APPLICATION

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 following:

320-1 Registration and License Application

- C. Upon the filing of a completed registration form, payment of the prescribed fee, and, if deemed necessary in the judgment of the Zoning Officer or his/her designee, a satisfactory inspection, the owner shall be entitled to the issuance of a license commencing on the date of issuance and expiring on February 1st. All rental units must nevertheless be registered, inspected and licensed in accordance with this Ordinance. No rental unit shall hereafter be rented unless the rental unit is registered and licensed in accordance with this Ordinance. A registration form shall be required for each rental unit, and a license shall be issued to the owner for each rental unit, even if more than one (1) rental unit is contained within the property.

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. 1863-14.

John Hoffman, 455 Lincoln Boulevard indicated that he is concerned with the wording of the ordinance because it is up to the inspector if there is an inspection or not.

Seeing that there was no further public participation, Mayor Dobies closed the public hearing on Ordinance No. 1863-14.

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

NEW BUSINESS

The Borough Clerk read Ordinance No. 1864-14 for introduction.

ORDINANCE NO. 1864-14

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING THE CODES OF THE BOROUGH OF MIDDLESEX CHAPTER 420-54, GB, GENERAL BUSINESS 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 420-54 is hereby amended as follows to include Section 420-54.A.(1)(j):

420-54 General Business District.

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

- (1) Retail shopping facilities and service establishments where commodities are sold or services provided primarily for a local market, such as:

(j) Establishments where massage is offered only when in conjunction with other licensed medical or licensed beautification services

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 Kaplan made a motion for introduction seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Greco, Dotey, Jenkins, Kaplan, Schueler and Tackach. Nos.: None. Abstain: None.

ADOPTION OF MINUTES

Councilman Schueler made a motion to approve the September 23, 2014 Regular Meeting Minutes & Executive Session Minutes seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Schueler and Tackach. No: None. Abstain: Kaplan.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance
 - A. Update on Freezing the Budget – Council President Kaplan indicated that the Finance Committee has been reviewing purchase orders and has lowered some fees, reduced blanket purchase orders and put a freeze on overtime.
 - B. Council President Kaplan had a productive meeting with Rich Malt and will be meeting next week with the business association.
2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco reported that the 6th annual Family Fall Festival was held on Sunday, October 12th and a nice time was had by all.
 - B. Swim Pool Project – Councilman Greco reported that demolition continues at the pool and they are waiting on the permits.
3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Councilman Dotey reported that the rabies clinic is scheduled for November 1, 2014 at the DPW Garage.
 - B. Councilman Dotey stated that last week the fire department recognized fire prevention week.
4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler reported an update on the stream cleaning by the DPW in the Warrenville Road area and flood lanes off Cap Lane, including the fall outs, all three brooks and the dead ends of 7th, 6th and 4th and are now working on areas by West 2nd.

- B. Councilman Schueler discussed the road repair by Madison and Route 28. The lot between 2nd and 3rd has been cleared to make it a maintainable lot. Also, the DPW has planted a new Christmas Tree out in front of the Administrative Building. DPW has maintained the area adjoining the PARSA property, retrofitted manhole covers and catch basins. Approximately 500 of the basins have been cleaned (1/3 of all of them). Also, the DPW is working on the remaining street signs, which have been mandated by the State.
 - C. Councilman Schueler mentioned that the Briner and the snow removal equipment has been ordered, which was included in the capital budget, in preparation for the winter season. We have received one order of ice melt and another is on order. We are at capacity for road salt with money in budget for one more load of 30 tons.
 - D. Councilman Schueler indicated that we received 2 quotes for the repair of the roof for the boat house. The engineer is expecting 2 – 3 more.
 - E. Councilman Schueler mentioned that the Planning Board discussed the proposal of allowing trailers in the industrial and high industrial zone. This will be a recommendation from the board as to the issue of if it goes against the master plan.
 - F. Councilman Schueler mentioned that the Planning Board sent Resolution 2014-02 which is a recommendation to the Council certifying that certain properties be designation as an area in need of non-condemnation redevelopment.
 - G. This evening we introduced an ordinance to limit the permitting of massage parlors, so that it only allows massage parlors that have a licensed medical or licensed beautification service included.
5. Police/Legal/Code Enforcement/Construction/Municipal Court
- A. Councilwoman Jenkins made a motion to approve the August, 2014 Police Report seconded by Councilman Schueler and carried by a unanimous vote of Council.
6. Administration/Department of Senior Services/Legislation/Licensing – Nothing to Report

REPORTS

Mayor

1. Donation of Land – 140 Union Avenue – Mayor Dobies received a letter regarding the donation of property east of Beechwood Heights Fire Department. The Mayor forwarded a letter to council recommending denying this request based on what has been done on this property and also the loss of \$3,400 in tax dollars. Also, if we were to acquire this property an environmental assessment would need to be done. Mayor Dobies directed

the Borough Clerk to send a letter to this property owner that the borough is not interested in this donation.

The Borough Clerk read the following resolution:

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

Consent Agenda 2014(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 desirous of removing Resolution #239-14, Resolution #242-14 and Resolution #253-14 from this Consent 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 #243-14 – Resolution #252-14

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

Council President Kaplan asked that Resolution #242-14 be tabled and placed in Executive Session for further discussion, seconded by Councilman Schueler and carried by a unanimous vote of council. Action may be taken after the Executive Session.

The Borough Clerk read the following resolution:

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

Resolution #243-14

The Tax Collector is hereby authorized to refund 2014 property taxes in the amount of \$1,203.90 and to cancel 1st & 2nd quarter 2015 property taxes in the amount of \$601.95 on Block 14, Lot 40, Fairfield Avenue. This property was combined with Block 14, Lot 37.01, 124 Fairfield Avenue and is based on a 2014 Assessor correction.

The Borough Clerk read the following resolution:

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

Resolution #244-14

WHEREAS, Allied Construction Group, Inc. was awarded the contract for the Bound Brook Pump Station Improvements on July 23, 2013 in the amount of \$184,400.00; and

WHEREAS, Change Order #1, is for \$21,373.52 for modifications and adjustments to the contract for various items and which bring the total contract amount for this project to \$205,773.52; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following change order is hereby approved.

Original Contract Sum:	\$184,400.00
Change Order #1	\$ 21,373.52
NEW CONTRACT SUM:	\$205,773.52

NOW FURTHER BE IT RESOLVED that the Treasurer hereby certifies that the funds in the amount of \$205,773.52 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 #245-14

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE FOR
(2) LAPTOP AC ADAPTERS**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase (2) Laptop AC Adapters 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 Marketing LP Software is under State Contract No. 70256 for the year 2014; and

WHEREAS, the cost for the purchase of (2) Laptop AC Adapters is \$123.88; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of (2) Laptop AC Adapters is ordered under State Contract No. 70256 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount \$123.88 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 #246-14

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

WHEREAS, On October 1, 2014 Chief Young recommended Police Officer James Dolinski 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 James Dolinski be and is hereby advanced in grade to Patrolman Class "B" effective October 24, 2014 at an annual salary \$90,292.

The Borough Clerk read the following resolution:

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

Resolution #247-14

WHEREAS, Remington, Vernick & Vena Engineers, Inc. has provided a proposal dated June 5, 2014 for the Design, Inspection and Construction Administration Services for Marlborough Avenue; and

WHEREAS, Remington, Vernick & Vena Engineers, Inc. is prepared to proceed for a fee of \$32,000 in accordance with their 2014 contractual professional services.

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 by Remington, Vernick & Vena Engineers, Inc. for the proposal dated June 5, 2014 for the Design, Inspection and Construction Administration Services for Marlborough Avenue in the amount of \$32,000.
2. This resolution shall take effect immediately.

NOW, FURTHER BE IT RESOLVED, that the Treasurer hereby certifies that funds in the amount of \$32,000.00 is available in Account No. 04-1857-00-1857-52.

The Borough Clerk read the following resolution:

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

Resolution #248-14

Rob Klein is hereby appointed as Building Sub-Code Official/Building Inspector for 12 hours per week (2 evenings during the week 4 hours per night and four hours on Saturday) @ \$33.00/hr. commencing on October 15, 2014, pending a satisfactory background check.

The Borough Clerk read the following resolution:

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

Resolution #249-14

Anthony Alfano is hereby appointed as the Construction Official for 10 hours per week and as Building Inspector for 2 hour per week @ \$35.00/hr. commencing on October 15, 2014, pending a satisfactory background check.

The Borough Clerk read the following resolution:

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

Resolution #250-14

**A RESOLUTION CONSENTING
TO THE PROPOSED WATER QUALITY MANAGEMENT (WQM) PLAN AMENDMENT
ENTITLED: FUTURE WASTEWATER SERVICE AREA (FWSA) MAP FOR
MIDDLESEX COUNTY, NEW JERSEY**

WHEREAS, the Middlesex County Board of Chosen Freeholders desire to provide for the orderly development of wastewater facilities within Middlesex County; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, a proposed WQM plan amendment noticed in the New Jersey Register on October 20, 2014 for the Future Wastewater Service Area (FWSA) map has been prepared by the Middlesex County Office of Planning;

NOW, THEREFORE, BE IT RESOLVED on this 14th day of October, 2014, by the Governing Body of the Borough of Middlesex that:

1. The Borough of Middlesex hereby consents to the amendment entitled Future Wastewater Service Area (FWSA) Map, and publicly noticed on October 20, 2014, prepared by the Middlesex County Office of Planning, for the purpose of its incorporation into the applicable WQM plan(s).
2. This consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.4 and to the Middlesex County Office of Planning, Division of Comprehensive Planning and the Environment.

The Borough Clerk read the following resolution:

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

Resolution #251-14

**RESOLUTION AUTHORIZING STATE CONTRACT
PURCHASE OF SPARE/REPLACEMENT BATTERIES FOR
POLICE & OEM PORTABLE RADIOS**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase spare/replacement batteries for Police and OEM portable radios 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 State Contract No. 83909 for the year 2014; and

WHEREAS, the cost for the purchase of spare/replacement batteries is \$2,592.00; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of spare/replacement batteries for Police and OEM portable radios is ordered under State Contract No. 83909 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount of \$2,592.00 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 #252-14

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT
WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE SOUTH
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-2015-Middlesex Borough-00569 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 #254-14

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 Schueler made a motion for approval, seconded by Councilwoman Tackach and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler, and Tackach. Nos: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Best Practices Inventory – Mayor Dobies worked with the Temporary CFO and discussed the Best Practices Inventory and indicated that the borough has met their required obligations.
2. Group Picture – A photographer will take a picture of council at the November 18, 2014 Regular Meeting.
3. Procedure for Media Inquiries – Any press should be referred to Mayor Dobies to handle, as he is the authorized borough representative.

PUBLIC COMMENTS

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

John Madden, 103 Rock Lane discussed (1) The results of water testing done at the Landfill; (2) When the Niziol house will be raised.; (3) If Middlesex County Board of Health provided resources to the borough relating to the Ebola epidemic and if we are prepared from a health standpoint; and (4) Requested if a County representative should address council or the Board of Health regarding Ebola.

Tom Harrity, 107 Ramsey Road indicated that the State Department of Health supplied information that will be put on the borough website regarding Ebola and the Enterovirus D68. The schools have also sent out information to the parents.

John Ellery representing the business community thanked Mayor Dobies, DPW Supervisor Bob Teutsch and the DPW for assisting the Business Community in the renovations of the high school snack bar and bathrooms.

John Hoffman, 455 Lincoln Boulevard discussed (1) Drilling that was going on Voorhees Avenue and Mountain Avenue; (2) Traffic safety measures being taken at the schools; (3) Request to have Police look into residents trying to avoid traffic light in the Parker School area; (4) Request to address pedestrian safety on Lincoln Boulevard; and (5) The developer's attorney for 150 Lincoln Boulevard.

A representative of U.S. PIRG attended the meeting and requested Council sponsor legislation to empower small donors and support a constitutional amendment to overturn Citizens United. Mayor Dobies indicated that if council was favorable, a resolution would be put on the October 28, 2014 Meeting.

Mayor Dobies addressed all other questions from the Public. Seeing that there was no further public participation, 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 #255-14

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. Negotiations – DPW, Police, White Collar
2. CFO – Review of certain candidates

Council President Kaplan made a motion for approval seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler, and Tackach. No: None. Abstain: None.

Councilman Greco moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by the following roll call vote.

ROLL CALL

Mayor	Ronald Dobies
Council President	Sean Kaplan
	Kevin Dotey
	Stephen Greco
	Patricia Jenkins
	Bob Schueler
	Michele Tackach

Attorney: Jerome Solomon

The Borough Clerk read the following resolution:

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

Resolution #242-14

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 2014 be hereby fixed respectively as follow:

<u>Title</u>	<u>2014 Salary</u>
Court Administrator	\$ 58,862
Borough Clerk	\$ 74,151
Deputy Borough Clerk	\$ 49,509
Tax Collector	\$ 62,123
Police Chief	\$ 149,085
DPW Supervisor	\$ 84,045
Recreation Director	\$ 60,370
Zoning Officer/Code Enforcer(PT)	\$ 26,857
Assessor (PT)	\$ 32,228
Director – Office on Aging	\$ 44,824

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

ADJOURNMENT

Councilman Schueler made a motion to adjourn the Regular Meeting seconded by Councilman Greco and carried by a unanimous vote of members present.

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
OCTOBER 28, 2014**

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 Revised Annual Meeting Notice of December 31, 2013 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	Sean Kaplan
	Kevin Dotey
	Stephen Greco
	Patricia Jenkins
	Bob Schueler - Absent
	Michele Tackach - Absent

Attorney: Aravind Aithal

Mayor Dobies stated that under his reports they will be discussing the CFO and also Executive Session will be held to discuss an investigation into violation of the law.

PROCLAMATIONS-NONE

APPOINTMENTS-NONE

PRESENTATIONS - NONE

PUBLIC HEARING

The Borough Clerk read Ordinance No. 1864-14 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1864-14

**AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE
OF NEW JERSEY AMENDING THE CODES OF THE BOROUGH OF MIDDLESEX CHAPTER
420-54, GB, GENERAL BUSINESS 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 420-54 is hereby amended as follows to include Section 420-54.A.(1)(j):

420-54 General Business District.

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

(1) Retail shopping facilities and service establishments where commodities are sold or services provided primarily for a local market, such as:

(j) Establishments where massage is offered only when in conjunction with other licensed medical or licensed beautification services

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. 1864-14. Seeing that there was no public participation, Mayor Dobies closed the public hearing on Ordinance No. 1864-14.

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

NEW BUSINESS

The Borough Clerk read Ordinance No. 1865-14 for introduction.

ORDINANCE NO. 1865-14

**AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX,
AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, CHAPTER 248, LAND
DEVELOPMENT, SECTION 248-10,
FILING FEES**

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

SECTION 1. Section 248-10 is hereby amended to include Application Fees as they were inadvertently omitted:

An application to the Planning Board or Zoning Board of Adjustment for any application for development as defined herein shall be accompanied by a filing fee which shall be used to defray the administrative cost of processing the application as follows:

Type of Application	Application Fee
Minor Subdivision - Lot Line Adjustment	\$175.00
Minor Subdivision	\$250.00
Major Subdivision	\$250.00 + \$50.00 per lot
Final Major Subdivision	\$300.00
Variance with Subdivision	\$400.00
Minor Site Plan	\$200.00
Major Site Plan	\$300.00 + \$50.00 per lot
Variance with Site Plan	\$300.00
Interpretation Application (40:55D-68 & 40:55D-70a, b)	\$200.00
Variance Application to Board of Adjustment	\$300.00
Special Meetings/Appeals	\$400.00
Variance Application - Residential Accessory Building	\$350.00
Site Plan Review & Requirements for New Jersey Department of Environmental Protection Permits or County Environmental Protection Permits	\$500.00 + \$50.00 per lot

SECTION 2. The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance

actually adjudged invalid and shall not be deemed to effect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION 4. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 5. The Clerk shall cause a copy of the final form of ordinance as adopted by the Council to be filed with the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

SECTION 6. This Ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final form of adopted ordinance by the Clerk with the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

Councilman Kaplan made a motion for introduction seconded by Councilman Greco and carried by the following roll call vote: Ayes: Greco, Dotey, Jenkins, and Kaplan. Nos.: None. Abstain: None.

The Borough Clerk read Ordinance No. 1866-14 for introduction.

ORDINANCE NO. 1866-14

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 332 SEWERS, ARTICLE III

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 following:

ARTICLE III. User Classes

Subsection § 332-41 D. (9) shall be amended as follows:

(9) Class 9: all other non-Residential users regardless of the discharge of waste water per quarter, and residential users that exceed 75,000 gallons per quarter.

Subsection § 332-43 C. (4) shall be amended as follows:

(4) The first 40,000 gallons of waste water discharge per quarter for all non-residential industrial and commercial users shall not be subject to the service charge hereunder, except that any non-residential industrial or commercial user that exceeds 40,000 gallons of waste water discharge in any quarter shall be subject to the sewer charge hereunder for all waste water discharge. All Residential properties 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 users which discharges more than 40,000 gallons of waste water discharge per quarter, in addition to the prevailing MCUA rates for BOD, SS and Cl., shall be charged a service charge for flow based on the user class defined in § 332-41 as follows:

(b) Except as provided in § 332-41, as may be amended, all other non-residential structures or properties which discharge more than 40,000 gallons of domestic sanitary wastewater per quarter shall be charged the rates charged by the Middlesex County Utilities Authority for BOD, SS and Cl, above, and a service charge for flow categorized as a Class 9 user. Residential properties which discharge more than 75,000 gallons of domestic sanitary wastewater per quarter shall be charged the rates charged by the Middlesex County Utilities Authorities for BOD, SS and Cl, above, and a service charge for flow categorized as a Class 9 user.

The effective date of this change shall be January 1, 2013 upon adoption of this Amendment to the Ordinance.

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 after passage and publication as provided by law.

Councilman Dotey made a motion for introduction seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Greco, Dotey, Jenkins, and Kaplan. Nos.: None. Abstain: None.

ADOPTION OF MINUTES

Councilman Kaplan made a motion to approve the October 14, 2014 Regular Meeting Minutes & Executive Session Minutes seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, and Kaplan. No: None. Abstain: None.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance – Nothing to report
 2. Recreation/Recreation Fields/Water & Light – Nothing to report
 3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Councilman Dotey reported that the Rabies Clinic will be held on Saturday, November 1 at the DPW Garage from 10am – 12pm.
 4. Public Works/Parks/Sanitation/Recycling – Nothing to report
 5. Police/Legal/Code Enforcement/Construction/Municipal Court
 - A. Councilwoman Jenkins made a motion to approve the September, 2014 Police Report seconded by Councilman Greco and carried by a unanimous vote of Council.
 6. Administration/Department of Senior Services/Legislation/Licensing – Nothing to Report
-

REPORTS

Mayor

1. Swim Pool Dirt Removal – Due to the construction of the lap pool, there is good top soil that will be available. Mayor Dobies is recommending that this top soil be moved to fire headquarters. Also, Mayor Dobies directed the DPW Supervisor to look at the area located to the rear of the girl's field hockey field off of Market Street to see if this soil can also be relocated there.
 2. Road Program – Mayor Dobies submitted a list of roads for 2014 to the Council for reconstruction. According to the Council President Mayor Dobies stated that money is available in the capital ordinance to move ahead. Mayor Dobies would like to have the design work done, so that we can move ahead with the bidding process in 2015. Core samples may need to be done of some of these roads.
 3. Relocation of Certain Offices – Mayor Dobies is recommending that certain offices be relocated within the building.
 4. CFO – Mayor Dobies and the Borough Clerk met with an individual about the CFO position. Council President Kaplan will review the proposal by this individual and decide whether to interview.
-

The Borough Clerk read the following resolution:

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

Consent Agenda 2014(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 desirous of removing Resolution #257-14 and Resolution #262-14 from this Consent 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 #256-14
Resolution #258-14 – Resolution #261-14
Resolution #263-14 – Resolution #264-14

Councilman Dotey made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, and Kaplan. 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 #256-14

The Governing Body hereby approves and accepts the Corrective Action Plan on the 2013 Audit, according to Local Finance Board Directive 92-15.

The Borough Clerk read the following resolution:

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

Resolution #258-14

The Governing Body is hereby authorized to refund permit fees in the amount of \$543.00 to the Borough of Middlesex Rescue Squad. The permit fees were for replacement of the HVAC unit at the Rescue Squad.

The Borough Clerk read the following resolution:

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

Resolution #259-14

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF SERVER FOR NEW
CAD SYSTEM & MEMORY UPGRADES**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase a new server for the Police Department CAD system and memory upgrades for two servers in prep for new CAD 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, 40A:11-12; and

WHEREAS, Dell Marketing LP Software is under State Contract No. 70256 for the year 2014; and

WHEREAS, the cost for the purchase of the server is \$4,470.16 and the memory upgrades is \$3,535.84; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of a server and memory upgrades is ordered under State Contract No. 70256 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount \$8,006.00 is available in Account No. 04-1855-00-1855-71.

The Borough Clerk read the following resolution:

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

Resolution #260-14

The Tax Collector is hereby authorized to refund 2014 property taxes on the following property. The finance/mortgage company overpaid.

BLOCK/LOT	NAME & ADDRESS	AMOUNT
255/42	Mertz, Jeffrey 417 Runyon Ave	\$ 668.51

Check is to be made payable to: CoreLogic
Attn: Refunds
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 #261-14

The governing body hereby declares the following items surplus:

- (1) Trailer – 1105816 – Vin. #INL1GTR2461022828
- (2) Trailer – 1038257 – Vin. #1NL1GTR2751020344

The Borough Clerk read the following resolution:

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

Resolution #263-14

WHEREAS, Chapters 317 and 318 of the Code of Borough of Middlesex sets forth the standards and requirements for the maintenance and upkeep of properties within the Borough of Middlesex; and

WHEREAS, the owner of record for certain properties listed below within the Borough of Middlesex has failed to comply with the standards and requirements for the maintenance and upkeep of that property; and

OWNERS ON RECORD	ADDRESS	COST
Robert Simoncelli	315 D Street	\$ 557.42
Robert Murray	421 Decatur Avenue	\$ 557.42
Cruz Danillo	176 First Street	\$ 643.82
Lincoln Holding Company (Burger)	277 Lincoln Blvd.	\$1,539.84 (2 cuts)
Gregory & Denise DiGrazia	28 Marlborough Avenue	\$ 643.82
Purnima Gandhi	9 Rutherford Court	\$ 603.42
Helen Urbano	6 Shearn Drive	\$ 535.22
Garfield Coke	207 Smalley Avenue	\$1,013.82
Mark Jacobson	209 Smalley Avenue	\$1,013.82
Jeff & Charles Tarentino	214 Walnut Street	\$ 557.42
Juan Poveda	306 Melrose Avenue	\$ 398.74

WHEREAS, the owners on record have been duly notified of their failure to comply with the standards and requirements for the maintenance and upkeep of that property; and

WHEREAS, the Borough has incurred expenses to abate and/or mitigate the failure of the owners of record to comply with the standards and requirements for the maintenance and upkeep of that property; and

WHEREAS, the Borough requested payment from the owner of record of the property and the owner of the property has failed to remit such payment; and

WHEREAS, under Chapter 317-14 and/or N.J.S.A. 40:48-2.13, the expenses incurred by the Borough of Middlesex shall be permitted to become a lien on the property;

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 amount listed on the above table shall be added to and become and form part of the taxes next to be assessed and levied upon such lands.
2. The Tax Assessor's Office of the Borough of Middlesex shall be authorized to take such actions as is necessary and permitted to collect such amount.
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 #264-14

RESOLUTION IN SUPPORT OF SIGNING ON TO A LETTER ADVOCATING FOR A CONSTITUTIONAL AMENDMENT LIMITING CORPORATE AND INDIVIDUAL SPENDING IN OUR ELECTIONS

WHEREAS, the United States Constitution and the Bill of Rights are intended to protect the rights of individual human beings ("natural persons") and corporations are not mentioned in the Constitution and The People have never granted constitutional rights to corporations; and

WHEREAS, the United States Supreme Court recognized in *Austin v. Michigan Chamber of Commerce* (1990) the threat to a republican form of government posed by "the corrosive and distorting effects of immense aggregations of wealth that are accumulated with the help of the corporate form and that have little or no correlation to the public's support for the corporations political ideas"; and

WHEREAS, the United States Supreme Court in *Citizens United v. the Federal Election Commission* (2010) reversed the decision in *Austin*, and presents a serious threat to self-government by rolling back legal limits on corporate spending in the electoral process allowing unlimited corporate spending to influence elections, candidate selection, policy decisions and sway votes; and

WHEREAS, the United States Supreme Court held in *Buckley v. Valeo* (1976) that the appearance of corruption justified limits on contributions to candidates, but it wrongly rejected other fundamental interest that the Board of Chosen Freeholders find compelling such as creating a level playing field and ensuring that all citizens, regardless of wealth, have an opportunity to have their political view heard; and

WHEREAS, money is property, it is not speech; and

WHEREAS, Article V of the United States Constitution empowers and obligates the people of the states of the United States of America to use the constitutional amendment process to correct those egregiously wrong decisions of the United States Supreme Court that go to the heart of our democracy and the republican form of self-government; now, therefore, be it

RESOLVED, that it is the position of the Middlesex Borough Council that corporations should not receive the same constitutional rights as natural persons do and that because money is not speech, limits on political spending will promote the goals of the First Amendment by ensuring that all citizens, regardless of wealth, have an opportunity to have their political views heard; and, be it further

RESOLVED, that the Middlesex Borough Council hereby endorses the letter asking their Congressman to support efforts to pass an Amendment to the United States Constitution related to campaign finance reform and ending the false doctrine of corporate constitutional rights and, respectfully urges their Congressman to advocate for small donor campaign financing programs.

The Borough Clerk read the following resolution:

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

Resolution #257-14

WHEREAS, Jamali Developers, LLC was awarded the contract for the Upgrades to the Middlesex Community Pool on September 9, 2014 in the amount of \$1,056,460.00; and

WHEREAS, Change Order #1 – Change #4, is for \$33,981.00 for modifications and adjustments to the contract for various items and which bring the total contract amount for this project to \$1,090,441.00; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following change order is hereby approved pending a Special Meeting on October 30, 2014 of the Swim Pool Commission and a majority of the Swim Pool Commissioners voting positive on these modifications.

Original Contract Sum: \$1,056,460.00

Change Order #1 - #4 \$ 33,981.00

NEW CONTRACT SUM: \$1,090,441.00

NOW FURTHER BE IT RESOLVED that the Treasurer hereby certifies that the funds in the amount of \$33,981.00 are available in Account No. 06-1510-03-1852-60.

Mayor Dobies indicated that this change order was not voted on by a majority of Swim Pool Commissioners. Councilman Greco stated that the Swim Pool Commission will be holding a Special Emergency Meeting on October 30, 2014 to approve this change order. Council agreed to approve this change order with the stipulation that a Special Meeting of the Swim Pool Commission be held on October 30, 2014 and a majority of the Swim Pool Commissioners voting positive on these modifications.

Councilman Kaplan made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, and Kaplan. 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 #262-14

WHEREAS, Partner Engineering and Science, Inc. has previously provided a proposal dated August 26, 2013 and revised September 19, 2013 for the Grant Close-Out – Additional Environmental Services; and

WHEREAS, the Mayor and Council wishes to increase the amount of the contract for an additional \$25,000 for unanticipated costs which includes (1) demolition, (2) costs for Freehold Soil Conservation, (3) NJDEP costs recording system, and (4) any other unanticipated cost related to the grant.

WHEREAS, the Borough anticipates being reimbursed by NJOEM, FEMA and the NJDEP grants.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, and State of New Jersey hereby approved the increased costs for Partner's Engineering and Science for an additional \$25,000 for the unanticipated costs which include (1) demolition, (2) costs for Freehold Soil Conservation, (3) NJDEP costs recording system and (4) any other unanticipated cost related to the grant.

NOW, FURTHER BE IT RESOLVED, that the Treasurer hereby certifies that funds in the amount of \$25,000.00 is available in Account No. 04-1808-00-1808-60.

Councilman Kaplan made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, and Kaplan. 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 #265-14

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: Dotey, Greco, Jenkins, and Kaplan. Nos: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS-NONE

PUBLIC COMMENTS

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

Lydia Smilek, 17 Weiss Drive questioned the status of the reimbursement from Montana Construction for the sewer damage from the Greenbrook Road Project. Also, she questioned the resurfacing of Louis and Greenbrook Road. Attorney Aithal indicated that Montana Construction is not taking responsibility for the damage at this time, but their insurance carrier will be conducting a review to see if it is compensable through insurance. Mayor Dobies directed Ms. Smilek to speak with the DPW Supervisor regarding the road resurfacing.

Rich Malt, 309 D Street questioned the sewer ordinance and indicated that it was not what the Borough had discussed with him and what will be addressed next year. Mayor Dobies mentioned that the resident's section of the ordinance could not be changed this year, as Attorney Aithal indicated that Council is prohibited from enacting a tax retroactive. The 2013 bills will be amended so that any commercial businesses with an average of less than 40,000 gallons per quarter will not have a service charge and any commercial businesses over the 40,000 gallons will get a service charge.

John Mrofchak, 128 Wood Avenue questioned the 40,000 gallons and how the sewer charges will change for the homeowners.

John Ericson, 209 Second Avenue (1) Recommended that a good place to move the soil from the swim pool would be to put it between Second and Third Street; (2) Questioned what roads were being considered for the road program, and (2) Also discussed the relocation of the offices in borough hall.

Richard Savine, 103 South Avenue (Richie's Tire Service) attended the meeting and mentioned that for over 27 years they have operated a tire and towing business in the industrial section of town and have supported the community. They are discouraged that they feel that they are now being persecuted by the zoning officer in an attempt to shut down their businesses. They have operated on South Avenue from 1987 until 2000 when the Borough subdivided the property behind them without any notice. A fence was erected and affixed to their building and they approached the zoning officer and was advised that this was a civil matter. Since that time they feel that they have complied with all issues that have been brought to their attention by the zoning officer, but feel that they cannot please her. Also, while defending their property, issues have been uncovered and they feel that to conform to ordinances adopted a year ago is not fair, as they have operated exactly the same business in this town and now are expected to get site plans and board approvals, costing a large sum of money. They feel they are being treated like criminals. They have met with Councilman Kaplan, Schueler and the Zoning Official in an attempt to find a solution, but in the meantime they have received 7 summonses in the mail this

week. They want to be compliant, but not at the risk of losing everything. Councilman Kaplan will look into this matter.

Kevin Prunty, 42 Grant Avenue, Piscataway complained about the pot holes on South Avenue and was directed by Piscataway to bring it to Middlesex Borough's attention. Mayor Dobies indicated that South Avenue will be put on the list for the DOT Road Program and requested that Councilman Kaplan call Mayor Wahler to try to have South Avenue temporarily repaired.

Mayor Dobies addressed all other questions from the Public. Seeing that there was no further public participation, 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 #266-14

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. Violation of the Law

Council President Kaplan made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, and Kaplan. No: None. Abstain: None.

Councilman Greco moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by the following roll call vote.

ROLL CALL

Mayor	Ronald Dobies
Council President	Sean Kaplan
	Kevin Dotey
	Stephen Greco

Patricia Jenkins
Bob Schueler Absent
Michele Tackach Absent

Attorney: Aravind Aithal

ADJOURNMENT

Councilman Greco made a motion to adjourn the Regular Meeting seconded by Councilman Dotey and carried by a unanimous vote of members present.

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
NOVEMBER 18, 2014**

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 Revised Annual Meeting Notice of December 31, 2013 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	Sean Kaplan
	Kevin Dotey
	Stephen Greco
	Patricia Jenkins
	Bob Schueler
	Michele Tackach

Attorney: Timothy Arch

Mayor Dobies asked for a motion to place the following items on the Agenda for tonight's meeting; (1) Executive Session - DPW Contract; (2) Swim Pool Fees for the 2015 season, and (3) County overlay of Lincoln Blvd. Councilman Schueler made a motion to add these items, seconded by Council President Kaplan and carried by the following roll call vote: Ayes: Greco, Dotey, Jenkins, Kaplan, Schueler, and Tackach. No: None. Abstain: None.

PROCLAMATIONS-NONE

APPOINTMENTS

The Borough Clerk read the following resolution:

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

RESOLUTION #266-14

WHEREAS, Jamie Marczak 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 Jamie Marczak be appointed to the position of Probationary Patrolman effective November 19, 2014 at an annual salary of \$49,346.00.

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. Jamie Marczak is hereby appointed a Probationary Patrolman for the Borough of Middlesex effective November 19, 2014 at an annual salary of \$49,346.00.
2. This resolution shall take effect immediately.

Chief Young welcomed Patrolman Malasig and his family to the Middlesex Borough Police Department. Chief Young thanked the Council for their support in bringing the Police Department to full staff.

Councilman Schueler made a motion for approval, seconded by Council President Kaplan and carried by the following roll call vote: Ayes: Greco, Dotey, Jenkins, Kaplan, Schueler, and Tackach. No: None. Abstain: None.

PRESENTATIONS - NONE

PUBLIC HEARING

The Borough Clerk read Ordinance No. 1865-14 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1865-14

**AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX,
AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, CHAPTER 248, LAND
DEVELOPMENT, SECTION 248-10,
FILING FEES**

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

SECTION 1. Section 248-10 is hereby amended to include Application Fees as they were inadvertently omitted:

An application to the Planning Board or Zoning Board of Adjustment for any application for development as defined herein shall be accompanied by a filing fee which shall be used to defray the administrative cost of processing the application as follows:

Type of Application	Application Fee
Minor Subdivision - Lot Line Adjustment	\$175.00

Minor Subdivision	\$250.00
Major Subdivision	\$250.00 + \$50.00 per lot
Final Major Subdivision	\$300.00
Variance with Subdivision	\$400.00
Minor Site Plan	\$200.00
Major Site Plan	\$300.00 + \$50.00 per lot
Variance with Site Plan	\$300.00
Interpretation Application (40:55D-68 & 40:55D-70a, b)	\$200.00
Variance Application to Board of Adjustment	\$300.00
Special Meetings/Appeals	\$400.00
Variance Application - Residential Accessory Building	\$350.00
Site Plan Review & Requirements for New Jersey Department of Environmental Protection Permits or County Environmental Protection Permits	\$500.00 + \$50.00 per lot

SECTION 2. The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged invalid and shall not be deemed to effect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION 4. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 5. The Clerk shall cause a copy of the final form of ordinance as adopted by the Council to be filed with the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

SECTION 6. This Ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final form

of adopted ordinance by the Clerk with the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

Mayor Dobies opened the Public Hearing on Ordinance No. 1865-14. Seeing that there was no public participation, Mayor Dobies closed the public hearing on Ordinance No. 1865-14.

Councilman Dotey made a motion for adoption seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Greco, Dotey, Jenkins, Kaplan, Schueler and Tackach No: None. Abstain: None.

The Borough Clerk read Ordinance No. 1866-14 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1866-14
AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY
OF MIDDLESEX, NEW JERSEY, CHAPTER 332
SEWERS, ARTICLE III

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 following:

ARTICLE III. User Classes

Subsection § 332-41 D. (9) shall be amended as follows:

(9) Class 9: all other non-Residential users regardless of the discharge of waste water per quarter, and residential users that exceed 75,000 gallons per quarter.

Subsection § 332-43 C. (4) shall be amended as follows:

(4) The first 40,000 gallons of waste water discharge per quarter for all non-residential industrial and commercial users shall not be subject to the service charge hereunder, except that any non-residential industrial or commercial user that exceeds 40,000 gallons of waste water discharge in any quarter shall be subject to the sewer charge hereunder for all waste water discharge. All Residential properties 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 users which discharges more than 40,000 gallons of waste water discharge per quarter, in addition to the prevailing MUA rates for BOD, SS and Cl.,

shall be charged a service charge for flow based on the user class defined in § 332-41 as follows:

(b) Except as provided in § 332-41, as may be amended, all other non-residential structures or properties which discharge more than 40,000 gallons of domestic sanitary wastewater per quarter shall be charged the rates charged by the Middlesex County Utilities Authority for BOD, SS and Cl, above, and a service charge for flow categorized as a Class 9 user. Residential properties which discharge more than 75,000 gallons of domestic sanitary wastewater per quarter shall be charged the rates charged by the Middlesex County Utilities Authorities for BOD, SS and Cl, above, and a service charge for flow categorized as a Class 9 user.

The effective date of this change shall be January 1, 2013 upon adoption of this Amendment to the Ordinance.

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 after passage and publication as provided by law.

Mayor Dobies opened the Public Hearing on Ordinance No. 1866-14.

John Ellery, 701 Lincoln Blvd. stated that he hopes after this ordinance is adopted that the ordinance regarding sewers isn't dropped as more changes need to be done.

Mr. Ellery stated that he now uses 1,000 gallons of water a day which puts him at 360,000 gallons per year and he will now get charged for anything over the 160,000. The budget for this year has \$316,000 in revenue and wanted to know what happens with that money.

Council President Kaplan stated that there is no revenue. The Borough takes in approximately \$368,000 a year for sewers but the cost to the MCUA is \$1.6 million which leaves the borough with a shortfall. Council President Kaplan stated that the Borough Sewer Committee is meeting with Business Association Committee and with their input the sewer ordinance will be resolved by the end of this year.

Seeing that there was no public participation, Mayor Dobies closed the public hearing on Ordinance No. 1866-14.

Councilman Dotey made a motion for adoption seconded by Councilman Schuler and carried by the following roll call vote: Ayes: Greco, Dotey, Jenkins, Kaplan, Schueler and Tackach. No: None. Abstain: None.

ADOPTION OF MINUTES

Councilman Kaplan made a motion to approve the October 28, 2014 Regular Meeting Minutes & Executive Session Minutes seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, and Kaplan. No: None. Abstain: Tackach and Schueler.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance
 - A. Stream Clean Project – Council President Kaplan stated that Predator has cleaned up the stream along Melrose & Greene and asked that the temporary stream cleaning employees cleanup this area before they are dismissed. Councilman Schueler made a motion to have the temporary stream cleaning employees continue with this cleanup seconded by Council President Schueler and carried by a unanimous vote of Council.
2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco stated that at the last meeting of the Swim Pool Commission they voted to move forward with the rate increase proposal dated August 7, 2014 which was provided to the Mayor and Council for the 2015 pool season.
3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Councilman Dotey made a motion to accepting Philip Buono as a Firefighter seconded by Councilwoman Jenkins and carried by a unanimous vote of Council.
 - B. Councilman Dotey brought forth the recommendation from the Board of Health regarding the Public Park Smoking Ordinance proposal. Mayor Dobies stated that there are too many laws on the books that are not enforceable and believes that this ordinance would be one of the same. The discussion ended with no further action or discussion.
4. Public Works/Parks/Sanitation/Recycling – Nothing to report.
5. Police/Legal/Code Enforcement/Construction/Municipal Court
 - A. Councilwoman Jenkins made a motion to approve the October, 2014 Police Report seconded by Councilman Greco and carried by a unanimous vote of Council.
6. Administration/Department of Senior Services/Legislation/Licensing – Nothing to Report

REPORTS

Mayor

1. Mayor Dobies discussed the December meeting schedule & reorganization meeting date. The Regular Schedule Meeting dates for December are set for Dec. 9th & 23rd. Council agreed to continue with both the December meetings and the Reorganization Meeting on January 1, 2015 as scheduled.
2. Closure of Administrative Offices – December 26, 2014 – Mayor Dobies stated that the administrative offices are requesting the day of after Christmas. They would use a vacation day and the building would be closed. Mayor Dobies stated that this may be a problem this year as it was brought to his attention that the White Collar Union Contract does not allow for taking a day off before and after a holiday. The Mayor will review the Contract and get back to the Council on the request.
3. Mayor Dobies received information today that Middlesex County will be repaving Lincoln Blvd. November 24th thru November 26th.

The Borough Clerk read the following resolution:

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

Consent Agenda 2014(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 does not wish to remove any resolutions from this Consent 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 #267-14 – Resolution #278

Councilwoman Tackach made a motion for approval seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler, and Tackach. No: 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 #267-14

The governing body accepts the resignation of Richard D'Alessandro from the Recycling Center effective immediately.

The Borough Clerk read the following resolution:

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

Resolution #268-14

The Treasurer hereby authorizes the transfer of funds for the Current Budget of 2014:

ACCOUNT NAME	TO:	FROM:
Administration S/W		\$ 77,000.00
Buildings & Grounds	\$ 12,000.00	
Legal Services	\$ 25,000.00	
Piscataway Sewer Authority	\$ 40,000.00	

The Borough Clerk read the following resolution:

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

Resolution #269-14

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

WHEREAS, On November 10, 2014 Chief Young recommended Police Officer Daniel McCue 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 Daniel McCue be and is hereby advanced in grade to Patrolman Class "E" effective November 21, 2014 at an annual salary \$66,336.

The Borough Clerk read the following resolution:

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

Resolution #270-14

The Governing Body is hereby authorizing Remington, Vernick & Vena Engineers to begin the design phase and prepare the bid documents for the 2014 Mill and Overlay Program in an amount not to exceed \$25,000.00.

The Treasurer hereby certifies that the funds are available in the following ordinances:

04-1410-00-1410-52	\$ 894.45
04-1472-00-1472-52	\$ 2,531.00
04-1484-00-1484-52	\$ 2,831.71
04-1493-00-1493-52	\$ 156.61
04-1525-00-1525-52	\$ 613.05
04-1548-00-1548-52	\$ 6,883.12
04-1562-00-1562-52	\$ 270.29
04-1736-00-1736-52	\$10,819.77

The Borough Clerk read the following resolution:

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

Resolution #271-14

The Tax Collector is hereby authorized to cancel added assessment taxes for 4th quarter 2014 in the amount of \$1,713.60 on Block 314, Lot 44, 622 Voorhees Avenue. This cancellation is per the recommendation of the Tax Assessor.

The Borough Clerk read the following resolution:

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

Resolution #272-14

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE
2015 FORD 350 UTILITY TRUCK**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase a 2015 Ford 350 Utility Truck for OEM 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, Beyer Ford is under State Contract No. A85971 for the year 2014; and

WHEREAS, the cost for the purchase of a 2015 Ford 350 utility truck is not to exceed \$48,211.00; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of a 2015 Ford 350 utility truck for OEM is ordered under State Contract No. A85971 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount not to exceed \$48,211.00 are available in Account No. 04-1855-00-1855-73.

The Borough Clerk read the following resolution:

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

Resolution #273-14

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF HELMETS, GLOVES
AND HOODS FOR THE FIRE DEPARTMENT**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase helmets, gloves and hoods for the Fire 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, New Jersey Fire Equipment is under State Contract No. 80945 for the year 2014; and

WHEREAS, the cost for the purchase of helmets, gloves and hoods is \$4,168.00; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of helmets, gloves and hoods for the Fire Department is ordered under State Contract No. 80945 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount of \$4,168.00 are available in Account No. 04-1855-00-1855-75.

The Borough Clerk read the following resolution:

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

Resolution #274-14

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF
TURNOUT GEAR FOR THE FIRE DEPARTMENT**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase turnout gear for the Fire 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, New Jersey Fire Equipment is under State Contract No. 80945 for the year 2014; and

WHEREAS, the cost for the purchase of turnout gear is \$69,360.00; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of turnout gear for the Fire Department is ordered under State Contract No. 80945 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount of \$37,305.00 are available in Account No. 04-1832-00-1832-75 and \$32,055.00 are available in Account No. 04-1855-00-1855-75.

The Borough Clerk read the following resolution:

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

Resolution #275-14

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE
2015 FORD F350 MASON DUMP TRUCK**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase a 2015 Ford F350 Mason Dump Truck for the Roads 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, Winner Ford is under State Contract No. A83558 for the year 2014; and

WHEREAS, the cost for the purchase of a 2015 Ford F350 mason dump truck is not to exceed \$45,164.00; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of a 2015 Ford F350 mason dump truck for the Roads department is ordered under State Contract No. A83558 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount not to exceed \$45,164.00 are available in Account No. 04-1855-00-1855-77.

The Borough Clerk read the following resolution:

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

Resolution #276-14
RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF
IBM WEBSHERE MQ SOFTWARE

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase IBM WebSphere MQ Software for NCIC connectivity for new CAD 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, 40A:11-12; and

WHEREAS, SHI International Corp is under State Contract No. 77560 for the year 2014; and

WHEREAS, the cost for the purchase of IBM WebSphere MQ software is \$4,340.00; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of IBM WebSphere MQ software is ordered under State Contract No. 77560 be and is hereby approved.

The Treasurer hereby certifies that funds in the amount of \$4,340.00 are available in Account No. 04-1855-00-1855-71.

The Borough Clerk read the following resolution:

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

Resolution #277-14
. RESOLUTION AUTHORIZING STATE CONTRACT
PURCHASE OF NEW CAD SYSTEM FOR POLICE DEPARTMENT

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase a new CAD system 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, SHI International Corp. is under State Contract No. 77560 for the year 2014; and

WHEREAS, the cost for the purchase of a new CAD system is \$147,062.84; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of a new CAD system for the Police Department is ordered under State Contract No. 77560 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount of \$147,062.84 are available in Account No. 04-1855-00-1855-71.

The Borough Clerk read the following resolution:

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

Resolution #278-14

Authorizing the Mayor to execute the Army Corp of Engineers request to have access easements pertaining to the Green Brook Flood Reduction Project on Property Block 70.06 which is an area described in plats 639E-1 and 639E-2

The Borough Clerk read the following resolution:

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

Resolution #279-14

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.

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Consent for modification at cell tower site located on Mountain Avenue - Attorney Cruz stated that the Borough is still negotiating over the price and conditions. Borough Attorney Aithal recommends that the council not execute the letter of consent until further negotiations regarding the difference in positions where he believes the original lease permits the installation of replacement equipment, but no new (unlimited carriers).
2. County of Middlesex request for two additional antennas to current Interlocal Agreement – Council President Kaplan stated that we should check with our IT Manager on what was done the last time the county added equipment to the tower. He believes that improvements were made to the house.
3. Redevelopment Plan – Mayor Dobies stated that he received an email from the Borough Planner stating that the Phase III Redevelopment Study is complete and asked if the

Borough has given any further thought to either amending the existing Redevelopment Plan or replacing the existing plan altogether. Mayor Dobies noted that the Zoning Officer has also reported in on what the next step should be and he will forward her email to the council members for further review.

Council President Kaplan reiterated that a letter went to the residents in each of the phases which included the adopted resolution which stated that no properties will be taken with eminent domain.

PUBLIC COMMENTS

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

George Stafford, Outreach Director for the New Jersey Highlands Coalition came before the Mayor and Council to ask that the Council adopt a continuing supporting resolution for the goals and purposes of the 2004 Highlands Water Protection and Planning Act. The Highlands Act was enacted in order to protect the State's water supplies and other significant resources in 2004. Mr. Stafford will supply the website address to the Borough Clerk so the council members can review the information regarding this Act.

Betty Platten, 4 Hooker Avenue stated that the microphones are not being used and asked that the Mayor and Council please speak into them. She asked what was being said at the beginning of the meeting and Mayor Dobies responded that the following three items were added to the agenda (1) Executive Session - DPW Contract, (2) Swim Pool Fees for the 2015 season, and (3) County overlay of Lincoln Blvd.

John Mrofchak, 128 Wood Avenue questioned how the schools pay their sewer bill. Mayor Dobies stated that the school doesn't get billed and that everyone pays for school sewer usage. Mr. Mrofchak also discussed sufficient parking in the redevelopment areas on Lincoln Blvd.

John Hoffman, 455 Lincoln Blvd. commented on the following; (1) The residents having the right to be informed of the dates of the milling and overlay of Lincoln Blvd. No notification came from the County; (2) questioned what was going on with the Redevelopment Plan and the storage yards; and (3) remarked that the new Dollar General building is ugly and he liked it better when it was an empty lot.

Mayor Dobies addressed all questions from the Public. Seeing that there was no further public participation, 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 #280-14

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. Fire Department Insurance Claim
2. Director of Office on Aging – Salary
3. Police Negotiations
4. DPW Recycling Yard Assistant
5. DPW Contract Negotiations

Councilman Schueler made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler, and Tackach. No: None. Abstain: None.

Councilman Greco moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by the following roll call vote.

ROLL CALL

Mayor	Ronald Dobies
Council President	Sean Kaplan
	Kevin Dotey
	Stephen Greco
	Patricia Jenkins
	Bob Schueler
	Michele Tackach

Attorney: Timothy Arch

The Borough Clerk read the following resolution:

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

Resolution #281-14

Hiring Richard Craig Worth, 317 Walnut Street, Middlesex, NJ as the Recycling Yard Assistant to work on Saturdays in the Recycling Yard @ \$12.00/hour from 7:00 a.m. – 3:00 p.m.

Council President Kaplan made a motion for approval seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, and Schueler. No: None. Abstain: Tackach.

ADJOURNMENT

Councilman Schueler made a motion to adjourn the Regular Meeting seconded by Councilman Greco and carried by a unanimous vote of members present.

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
DECEMBER 9, 2014**

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 Revised Annual Meeting Notice of December 31, 2013 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	Sean Kaplan
	Kevin Dotey
	Stephen Greco
	Patricia Jenkins
	Bob Schueler
	Michele Tackach

Attorney: Jerome Solomon

Mayor Dobies added to the meeting discussion on Mountainview Park Security and requested that council please speak directly into the microphones so that the public can hear them clearly.

PROCLAMATIONS-NONE

APPOINTMENTS-NONE

PRESENTATIONS - NONE

PUBLIC HEARING - NONE

NEW BUSINESS

The Borough Clerk read Ordinance No. 1867-14 by title for introduction.

ORDINANCE NO. 1867-14

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 367 SWIMMING POOL, MUNICIPAL, SECTION 367-3 FEES

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

Section 367-3 Fees and charges is amended to read as follows:

Fees and charges shall be as follows:

A. Schedule of fees.

1. Resident family membership: \$240 per season if paid after April 15 of each year and \$225 if paid prior thereto.
 2. Resident individual membership: \$160 per season if paid after April 15 of each year and \$145 if paid prior thereto.
 3. Resident senior citizen membership: \$40 per season.
 4. Nonresident family membership: \$345 per season.
 5. Nonresident individual membership: \$220 per season.
 6. Nonresident senior citizen membership: \$65 per season.
- E. The Swim Pool Commission has the authority to increase the membership fees by no more than 10% per year with the stipulations that the rates are not raised more than 30% over the next five years.

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 Section 367-3 Fees and Charges as stated above.
2. This Ordinance shall take effect immediately upon final passage and publication according to law.

Councilman Greco moved for introduction seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler and Tackach. No: None. Abstain: None.

ADOPTION OF MINUTES

Councilwoman Jenkins made a motion to approve the November 18, 2014 Regular Meeting Minutes & Executive Session Minutes seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler and Tackach. No: None. Abstain: None.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance
 - A. Budget Meetings – Council President Kaplan spoke with Caroline Benson and all budgets have been submitted. The Finance Committee will meet either on Thursday or Saturday to discuss.
2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco stated that the Tree Lighting Ceremony is scheduled for December 13th at 6PM.
3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Councilman Dotey stated that the Fire Department has requested one of the old police cars for the Fire Police. Mayor Dobies indicated that there will be three cars available and would also like to replace the Construction Official's car and also use one of the vehicles for Administration's use.
4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler provided the Council with documents relating to cost benefit analysis of going to alternate transfer station versus using Edgeboro Landfill
 - B. Councilman Schueler discussed the DPW's purchase of the briner system and its benefits. This system is scheduled for delivery in late December.
 - C. Councilman Schueler discussed that the DPW have done catch basin cleaning and covers cleaned for approximately 1/3 of the basins in town.
 - D. Councilman Schueler stated that the garbage truck has been bid out by the Purchasing Agent.
 - E. The Borough Clerk mentioned that a resident commended an employee of the Recycling Center that was helping him and found money that he inadvertently left in one of the boxes that he brought to the Recycling Center and made sure that he got the money back.
5. Police/Legal/Code Enforcement/Construction/Municipal Court
 - A. Councilwoman Jenkins noted the appointment of Lt. Frank Bottiglieri to serve on the Executive Board of the FBI National Academy Associates – NJ Chapter.
6. Administration/Department of Senior Services/Legislation/Licensing
 - A. Councilwoman Tackach reported that the RFP's for Professionals for 2015 have been received. The submitted RFP's are available for review in the Clerk's Office for council review. We did not receive proposals for Auditor, Bond Attorney and Conflict Public Defender. The Clerk will advertise again for these positions tomorrow with a due date of December 19, 2014.
 - B. Councilwoman Tackach indicated that the Clerk and IT Project Manager met with ACCU SCAN to look into scanning and digitizing public records. The estimated

cost to scan the minute books is \$2,311.46. Once any/all records are scanned and indexed they can reside on the Borough's servers or on the cloud and be made accessible to residents online. This would significantly ease the strain placed on the staff for record and OPRA requests and would benefit the public for immediate access to public records.

REPORTS

Mayor

1. Closure of Administrative Offices – December 26, 2014 - Mayor Dobies indicated that the Administrative employees will be off on December 26, 2014 and use either vacation time or compensation time for their time.
2. MountainView Park Security – Mayor Dobies had two complaints about MountainView Park tennis and basketball Court lights being turned off at 8 P.M. Residents have been coming to the park to either feed the deer or cats. He requested that council consider closing the park from dusk until dawn. Mayor indicated that research has to be done about the change in the closure of the park lights, and he would check further into this with the Police Chief.
3. Mayor Dobies discussed continuing with the Firework Celebration in 2015 and to solicit outside funds to cover the cost.

The Borough Clerk read the following resolution:

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

Consent Agenda 2014(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 wishes to remove Resolution #298-14 from this Consent 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 #282-14 – Resolution #297-14
299-14

Councilwoman Tackach made a motion for approval seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler, and Tackach. No: 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 #282-14

The Treasurer is hereby authorized to remit the Condo Reimbursements for 2014 to the following:

Gramercy Gardens \$ 6,442.59

Midatlantic Property Mgmt
315 Raritan Avenue
Highland Park, NJ 08904

Foxhall Condo Association \$ 7,030.74

Attn: Sheila Paciullo, Manager
PO Box 233
Middlesex, NJ 08846

Hanover Square Condo Association \$ 5,336.15

Alliance Property Management
PO Box 2207
Morrestown, NJ 07962-2207

Middlesex Village Condo Association \$ 22,932.21

C/O Regency Management Group
35 Clyde Road, Suite 102
Somerset, NJ 08873

The Borough Clerk read the following resolution:

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

Resolution #283-14

The Governing Body hereby declares the following Fire Department items as surplus:

Expired Turnout Gear – 31 Pairs of Pants

Expired Turnout Gear – 27 Jackets

The Borough Clerk read the following resolution:

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

Resolution #284-14

The Tax Collector is hereby authorized to refund and/or credit 2014 taxes for qualified Senior Citizen, Disabled Person and Veteran deductions:

BLOCK & LOT	NAME & ADDRESS	AMOUNT
10/21	Petiya, George & Tsukiko 137 Vogel Pl	\$ 250.00
31/17	Goydish, Michael & Susan A 351 No Lincoln Ave	\$ 250.00
71.01/24	Sharp, Edward L 65 Louis Ave	\$ 250.00
190/19.01	Alagna, Paul J & Joan D 344 Lorraine Ave	\$ 250.00
239/9	Cimilluca, Frank 118 Parker St	\$ 250.00
282/34.02	Vitale, Peggy 702 Cook Ave	\$ 250.00
375/3	Stefanelli, Cheryl 137 So Woodland Ave	\$ 250.00

The Borough Clerk read the following resolution:

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

Resolution #285-14

The Tax Collector is hereby authorized to cancel taxes for 1st/2nd quarter 2014 in the amount of \$3,066.97 on Block 264, Lot 11.02 / C0001 & C0002, 215 & 217 Grove Avenue. These two condo units were combined into Block 264, Lot 11.02.

The Borough Clerk read the following resolution:

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

Resolution #286-14

. RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE/INSTALLATION OF LIGHTING, EQUIPMENT, LETTERING ON 2015 FORD 350 UTILITY TRUCK FOR OEM

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase/install lighting, equipment and lettering for the 2015 Ford 350 Utility truck for OEM 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, 10-75 Emergency Lighting LLC is under State Contract No. A81334 & A81347 for the year 2014; and

WHEREAS, the cost for the purchase/installation is \$19,534.15; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase/installation of lighting, equipment and lettering is ordered under State Contract No. A81334 & A81347 be and is hereby approved.

The Treasurer hereby certifies that funds in the amount of \$19,534.15 are available in Account No. 04-1855-00-1855-73.

The Borough Clerk read the following resolution:

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

Resolution #287-14

The Tax Collector is hereby authorized to refund an overpayment of 4th quarter 2014 property taxes due to an overpayment on the following property:

BLOCK/LOT	NAME & ADDRESS	AMOUNT
6/2.02/C038B	Ianniello, David & Patricia 38B Gramercy Gardens	\$ 575.29

Check is to be made payable to: Island Title
192 Riva Avenue
Milltown, NJ 08850

The Borough Clerk read the following resolution:

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

Resolution #288-14

The Tax Collector is hereby authorized to refund 2014 property taxes on the following property. The finance/mortgage company overpaid.

BLOCK/LOT	NAME & ADDRESS	AMOUNT
86/22	Padalick, Daniel 29 Princeton Dr	\$ 2,409.48
114/1.01	Buarne, Madeline T 113 Grant Ave	\$ 2,125.27

Check is to be made payable to: CoreLogic
Attn: Refunds
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 #289-14

The Tax Collector is hereby authorized to refund 2014 property taxes on the following property.
The finance/mortgage company overpaid.

BLOCK/LOT	NAME & ADDRESS	AMOUNT
14/9	O'Connell, Kevin P & Courtney S 111 Stephenson Ave	\$ 1,979.52

Check is to be made payable to: Kevin P O'Connell
Steven J Boda, Attorney at Law
1164 Raritan Avenue
Highland Park, NJ 08904

The Borough Clerk read the following resolution:

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

Resolution #290-14

The Tax Collector is hereby authorized to refund 2014 property taxes on the following property.
The finance/mortgage company overpaid.

BLOCK/LOT	NAME & ADDRESS	AMOUNT
255/44	Matyas, Jason J	\$ 1,383.26

413 Runyon Ave

Check is to be made payable to: Jason J Matyas
413 Runyon Avenue
Middlesex, NJ 08846

The Borough Clerk read the following resolution:

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

Resolution #291-14

The Tax Collector is hereby authorized to refund 2014 property taxes on the following property.
The finance/mortgage company overpaid.

<u>BLOCK/LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
264/7/C0002	Eelman, Brian 206 Runyon Ave	\$ 1,092.86

Check is to be made payable to: Vastola, Fackelman & Sullivan
P O Box 7
Middlesex, NJ 08846

The Borough Clerk read the following resolution:

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

Resolution #292-14

The Tax Collector is hereby authorized to refund 2014 property taxes on the following property.
The finance/mortgage company overpaid.

<u>BLOCK/LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
160/45.03	DeSimone, Iryna 207 Fairview Ave	\$ 5,267.69

Check is to be made payable to: Stonegate Mortgage
Attn: Payment Processing
Two Energy Square
4849 Greenville Ave, Suite 800
Dallas, TX 75206

The Borough Clerk read the following resolution:

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

Resolution #293-14

The Tax Collector is hereby authorized to issue a check in the following amounts for liens that were redeemed. The check is to be made payable to:

FWDSL & Associates LP
5 Cold Hill Rd South #11
Mendham, NJ 07945

BLOCK/LOT	NAME/ADDRESS	AMOUNT	CERT NO.
306/25.01	Opdycke, Kathleen L 571 W Pershing Ave	\$20,104.60 \$21,200.00 premium	2013-1821
43/26	Hinojosa, Daniel 346 Second St	\$11,198.54 \$25,000.00 premium	2014-1828

The Borough Clerk read the following resolution:

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

Resolution #294-14

The Tax Collector is hereby authorized to issue a check in the amount of \$18,000.13 to redeem tax sale certificate #2012-1798 and a check in the amount of \$16,000 for a tax sale premium, Block 209, Lot 97, 505 Wellington St, check is to be made payable to:

U S Bank cust for Phoenix Funding Inc
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 #295-14

The Tax Collector is hereby authorized to issue a check in the amount of \$1,246.05 to redeem tax sale certificate #2014-1831 and a check in the amount of \$1,300 for a tax sale premium, Block 190, Lot 23, 336 Lorraine Avenue, check is to be made payable to:

U S Bank Cust PC 4 Firstrust

2 Liberty Place - TLSG
50 South 16th Street – Suite 2050
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 #296-14

The Tax Collector is hereby authorized to cancel the following municipally held Tax Sale Certificates which have been redeemed.

BLOCK/LOT	NAME/ADDRESS	AMOUNT	TTL NUMBER
246/2	Borden Inc % Cherokee Thru Lin Blvd	\$36,742.35	2010-1747
249/1	Borden Inc % Cherokee 930 Lincoln Blvd	\$82,182.04	2010-1748
249/2	Borden Inc % Cherokee 930 Lincoln Blvd	\$78,987.81	2010-1749

The Borough Clerk read the following resolution:

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

Resolution #297-14

A RESOLUTION AUTHORIZING REIMBURSEMENT OF MEDICARE PREMIUMS FOR CERTAIN ELIGIBLE PENSIONERS UNDER CHAPTER III, PUBLIC LAW 1973, NJ 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, 2014, as follows:

James L Benson 445 Harris Ave Middlesex, NJ 08846	\$629.40	Patricia A Benson 445 Harris Ave Middlesex, NJ 08846	\$629.40
Archie J Blood Jr 54 Lincoln Ave Barnegat, NJ 08005	\$578.40	Margie L Blood 54 Lincoln Ave Barnegat, NJ 08805	\$629.40
Anthony Cole 246 Oak Dr Middlesex, NJ 08846	\$578.40	Susan Cole 246 Oak Dr Middlesex, NJ 08846	\$578.40
Dorothy Coren 20 Mead Pl Middlesex, NJ 08846	\$663.00		
Anthony DiBartolomio 4714 Southern Trail Myrtle Beach, SC 29579	\$578.40	John Giuliano 339 Second St Middlesex, NJ 08846	\$578.40
Thomas Lynch 359 Market St Middlesex, NJ 08846	\$629.40	Charlie Nash 213 Melrose Ave Middlesex, NJ 08846	\$578.40
Diane Nash 213 Melrose Ave Middlesex, NJ 08846	\$578.40	Jerome Nowak 1886 East Fir Ave, Apt 104 Fresno, CA 93720	\$578.40
Arthur Roberts 305 Harris Ave Middlesex, NJ 08846	\$578.40	Lorraine Smith 5602 Gold Ct New Bern, NC 28560-9747	\$578.40
Earl S Thompson 6525 41 Ave North St Petersburg, FL 33709-4907	\$624.00	Karen Thompson 6525 41 Ave North St Petersburg, FL 33709-4907	\$624.00
Rita Wahler 16 Fitzsimmons Ave Middlesex, NJ 08846	\$599.40	Erica Schaefer 58 Joe-Ent Rd Flemington, NJ 08822	\$1258.88
Jerry Schaefer 58 Joe-Ent Rd Flemington, NJ 08822	\$419.60	James Tolomeo 841 West Second St Middlesex, NJ 08846	\$314.70

The Borough Clerk read the following resolution:

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

Resolution #299-14

WHEREAS, Accurate Sewer & Drain was issued a street opening permit on 1/18/13;
and

WHEREAS, Accurate Sewer & Drain 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 533 Lorraine 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 \$1875.00 in favor of Accurate Sewer & Drain, 528 Downer Street., Westfield, NJ 07090, for refund of Street Opening Permit No. 2013-002.

The Borough Clerk read the following resolution:

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

Resolution #298-14

WHEREAS, Chapters 317 and 318 of the Code of Borough of Middlesex sets forth the standards and requirements for the maintenance and upkeep of properties within the Borough of Middlesex; and

WHEREAS, the owner of record for 5 Glen Gary Road has failed to comply with the standards and requirements for the maintenance and upkeep of that property; and

WHEREAS, the owner on record has been duly notified of their failure to comply with the standards and requirements for the maintenance and upkeep of that property; and

WHEREAS, the Borough has incurred expenses to abate and/or mitigate the failure of the owner of record to comply with the standards and requirements for the maintenance and upkeep of that property as well as legal fees, administrative fees, permit fees and any other fees; and

WHEREAS, the Borough requested payment from the owner of record of the property and the owner of the property has failed to remit such payment; and

WHEREAS, under Chapter 317-14 and/or N.J.S.A. 40:48-2.13, the expenses incurred by the Borough of Middlesex shall be permitted to become a lien on the property;

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 amount of \$12,800 for the building demolition, as well as all legal fees, administrative fees, permit fees and any other fees associated with 5 Glen Gary Road shall be added to and become and form part of the taxes next to be assessed and levied upon such lands.
2. The Tax Assessor's Office of the Borough of Middlesex shall be authorized to take such actions as is necessary and permitted to collect such amount.
3. This Resolution shall take effect immediately.

Councilman Kaplan made a motion for approval seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler, and Tackach. No: 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 #300-14

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 Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler, and Tackach. No: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Sewer Ordinance – Councilman Kaplan indicated that Attorney Aithal attended one of the sewer meetings with the business community and discussed ordinance recommendations. It was suggested that any monies that come into the borough should go towards the infrastructure of the sewer system. We are presently waiting on information from the engineer to go with a fixed fee. Councilman Kaplan indicated that we could discuss and adopt an ordinance in January, and revert it back to January 1.
 2. Rescinding of Ordinance 1830-13 – An Ordinance to Amend Chapter 68 Officers and Employees, Article X Borough Administrator, Section 68-41 Appointment; Term of Office and Section 68-45 Absence or Disability of Administrator in the Code of the Borough of Middlesex – Mayor would like to have the whole council interview for a Borough Administrator. Mayor Dobies requested that the Borough Clerk advertise for Administrator and CFO after January 1.
-

PUBLIC COMMENTS

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

Betty Platten, 4 Hooker Avenue discussed the following items: (1) The donations that were discussed by Mayor Dobies with regard to fireworks; (2) The Swim Pool Ordinance and why the senior citizens need to be increased; and (3) The status of the security camera at Borough Hall and Mountainview Park

John Madden, 103 Rock Lane commented on the following; (1) The feeding of the cats at Mountainview Park after dusk and if they were feral cats; (2) Status of the vacant lots between Second and Third Street and if it was to be a soccer field; (3) Commended the OEM with regard to the nor'easter; and (4) Questioned the delay in regard to the cleanup of Moisha.

Mayor Dobies addressed all questions from the Public. Seeing that there was no further public participation, 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 #301-14

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 Office on Aging – Salary
2. Police/DPW/White Collar Negotiations
3. Hiring of DPW Driver & Assistant Mechanic

Councilman Schueler made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler, and Tackach. No: None. Abstain: None.

Councilman Greco moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by the following roll call vote.

ROLL CALL

Mayor	Ronald Dobies
Council President	Sean Kaplan
	Kevin Dotey
	Stephen Greco
	Patricia Jenkins
	Bob Schueler
	Michele Tackach

Attorney: Jerome Solomon

The Borough Clerk read the following resolution:

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

Resolution #302-14

WHEREAS, the Department of Senior Services has been changed to Department of Senior & Disabled Services; and

WHEREAS, the Director of Senior Services job now includes disabled services; and

WHEREAS, the Governing Body has agreed to increase the salary of the Director of Senior and Disabled Services \$6,300; and

WHEREAS, the Governing Body has changed the title of the Director of Senior and Disabled Services to Executive Director of Senior and Disabled Services.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the salary for the year 2014 for the Executive Director of Senior and Disabled Services is \$51,124.00

Council President Kaplan made a motion for approval seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, Schueler and Tackach. No: None. Abstain: None.

ADJOURNMENT

Councilman Schueler made a motion to adjourn the Regular Meeting seconded by Councilman Greco and carried by a unanimous vote of members present.

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
DECEMBER 23, 2014**

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 Revised Annual Meeting Notice of December 31, 2013 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	Sean Kaplan
	Kevin Dotey (absent)
	Stephen Greco
	Patricia Jenkins
	Bob Schueler
	Michele Tackach

Attorney: Aravind Aithal

Mayor Dobies added to the meeting discussion on Mountainview Park Security and requested that council please speak directly into the microphones so that the public can hear them clearly.

PROCLAMATIONS

Mayor Dobies awarded the following individuals "Outstanding Citizen's Awards" for 2014.

Andrew Galida	Sheila Fuhrmann
Beverly Weber	Steve Yacik
Bob Poltorak	Vic Capolunghi
Bud Crede	Richard Rutkowski
Catherine Ferris	Police Chief Young
Robert Ferris	Nadine Chemey
Dr. Shaheen	Tonya Hubosky
Frank Ryan	Kathy Anello
Jack Costa	John Yaniero
Jim Benson	

APPOINTMENTS

Councilman Kaplan moved to accepted the resignation of Joseph Waide from the Zoning Board of Adjustments seconded by Councilwoman Jenkins and carried by a unanimous vote of Council.

PRESENTATIONS - NONE

PUBLIC HEARING

The Borough Clerk read Ordinance No. 1867-14 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1867-14

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 367 SWIMMING POOL, MUNICIPAL, SECTION 367-3 FEES

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

Section 367-3 Fees and charges is amended to read as follows:

Fees and charges shall be as follows:

A. Schedule of fees.

1. Resident family membership: \$240 per season if paid after April 15 of each year and \$225 if paid prior thereto.
 2. Resident individual membership: \$160 per season if paid after April 15 of each year and \$145 if paid prior thereto.
 3. Resident senior citizen membership: \$40 per season.
 4. Nonresident family membership: \$345 per season.
 5. Nonresident individual membership: \$220 per season.
 6. Nonresident senior citizen membership: \$65 per season.
- E. The Swim Pool Commission has the authority to increase the membership fees by no more than 10% per year with the stipulations that the rates are not raised more than 30% over the next five years.

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 Section 367-3 Fees and Charges as stated above.

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

Mayor Dobies opened the hearing on Ordinance No. 1867-14. Seeing that there was no public comment, Mayor Dobies closed the hearing on Ordinance No. 1867-14.

Councilman Schueler moved for adoption seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Kaplan and Schueler. No: Greco, Jenkins and Tackach. Abstain: None.

NEW BUSINESS

ADOPTION OF MINUTES

Councilwoman Jenkins made a motion to approve the January 14, 2014 and December 9, 2014 Regular Meeting Minutes & Executive Session Minutes seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Greco, Jenkins, Kaplan, Schueler and Tackach. No: None. Abstain: None.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance
 - A. Stream Cleaning – There is a clogging of garbage (recyclables) in the stream on the border of Bound Brook and Middlesex. This area was exposed when Predator cleaned. Councilman Schueler spoke with the DPW Manager and the DPW will revisit the area.
2. Recreation/Recreation Fields/Water & Light – Nothing to Report
3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Councilman Kaplan made a motion to accept Greg Macher to the Middlesex Fire Department seconded by Councilwoman Tackach and carried by a unanimous vote of Council.
4. Public Works/Parks/Sanitation/Recycling –
 - A. Councilman Schueler discussed the stream cleaning and the purchase of the new briner. The DPW Manager is arranging for training on this briner. Also, the street sign project has been restarted.
5. Police/Legal/Code Enforcement/Construction/Municipal Court
 - A. Councilwoman Jenkins moved to accept the 2014 Zoning Board of Adjustments Report seconded by Councilwoman Tackach and carried by a unanimous vote of Council.

- B. Councilwoman Jenkins moved the approval of the November Police Dept. Report seconded by Councilman Greco and carried by a unanimous vote of Council.
6. Administration/Department of Senior Services/Legislation/Licensing
- A. Councilwoman Tackach reported that the RFP's for Professionals for 2015 for Auditing Services, Legal Counsel – Bond, and Conflict Public Defender were received on December 19, 2014. We received bids only for the Auditor and Bond Legal Counsel. There was no bid for the Conflict Public Defender. The local public contract law under the Fair and Open process (NJSA 40A11-5(3) permits negotiations with vendors when no bids are submitted after two attempts.
 - B. Councilwoman Tackach reported that the Clerk's Office will be focusing this year on the Borough's records past and present. Electronic record keeping is a part of how our records will be stored in the future. The Clerk has invited a few companies to address the storage safe downstairs. During the coming months, we will be reviewing with the other Departments Archiving and Document Management systems and with the support of the Governing Body we can preserve records that exist from the date Middlesex Borough was incorporated in 1913.
 - C. The Borough Clerk has received proposals for dental coverage. Principal Financial has provided a quote for \$13,668 over our current contract with Delta Dental.
 - D. Councilwoman Tackach also thanked the borough for allowing her the opportunity to serve on the Council and congratulated the newly elected councilmen.

REPORTS

Mayor

1. Pump Station South of Railroad Tracks – Mayor Dobies indicated that we are looking into the development of a pump station on the south side of the railroad tracks in order to break our ties with Piscataway. He is presently looking into financial support for this project.
2. Inspector – Telephones – Mayor Dobies is recommending to the Finance Committee that for better communications with the construction official and the four inspectors that we purchase 5 blackberries for them.

The Borough Clerk read the following resolution:

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

Consent Agenda 2014(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 wishes to remove Resolution #310-14, #312-14, #313-14, #316-14 and #317-14 from this Consent 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 #303-14 – Resolution #309-14
Resolution 311-14
Resolution 314-14 – Resolution #315-14
Resolution 318-14 - #321-14

Councilwoman Tackach made a motion for approval seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Greco, Jenkins, Kaplan, Schueler, and Tackach. No: 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 #303-14

The Governing Body hereby authorizes the payment of \$10,000 to the Treasurer of the County of Morris for the hiring and training cost of Patrolman Emmanuel Malasig in accordance with N.J.S.A. 40A:14-178.

The Treasurer certifies funds in the amount of \$6,000 are available in Account No. 01-2010-25-2402-147 and \$4,000 is available in Account No. 01-2010-20-1102-138.

The Borough Clerk read the following resolution:

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

Resolution #304-14

The Governing Body hereby declares the following OEM items as surplus:

ITEM	MAKE	MODEL	SER #	VALUE
Portable Radio	Motorola	P200	792TRJD764	no value

Portable Radio	Motorola	P200	792TRJD774	no value
Portable Radio	Motorola	P200	792TQSA360	no value
Portable Radio	Motorola	P200	792TQSA417	no value
Portable Radio	Motorola	P200	792TQSA405	no value
Portable Radio	Motorola	P200	792TRY3442	no value
Portable Radio	Motorola	P200	792TQSA408	no value
Portable Radio	Motorola	P200	792TRJD768	no value
Portable Radio	Motorola	P200	792TRJD765	no value
Portable Radio	Motorola	P200	792FQG8088	no value
Portable Radio	Motorola	P200	---	no value
Portable Radio	Motorola	GP300	P93YDC20DAA	no value
Portable radio	Motorola	HT1000	#402AWYF949Z	\$838.00
Portable radio	Motorola	HT1000	#402AWYF951Z	\$838.00
Portable radio	Motorola	HT1000	402AXC0308	\$575.00
Portable Radio	Motorola	P110	#188TXU3555	\$457.00
Portable Radio	Motorola	P110	#188TXU3554	\$457.00
Portable radio	Motorola	HT1000	#402AXY6422	\$838.00
Portable Radio	Motorola	P1225	#475FYC2863	\$436.00
Portable radio	Motorola	HT1000	402TZA1235Z	\$695.00
6 bank charger	Motorola	HT1000		\$548.00
6 bank charger	Motorola	P200		\$488.00
Encoder	Motorola	CDM1250	103TBQ6825	\$2,700.00
Encoder	Motorola	CDM1250		-----
Mobile Radio	Motorola	GM300	159TYQC431	\$472.00
Mobile Radio	Motorola	GM300	778TXJ1611	\$550.00
Pagers	Motorola	Minitor III	253BAS235D	\$332.00
Pagers	Motorola	Minitor III	253BYQ29BD	\$332.00
Pagers	Motorola	Minitor III	253BAS2355	\$332.00
Pagers	Motorola	Minitor III	253BAS2357	\$332.00
Pagers	Motorola	Minitor III	253BAS2368	\$332.00
Pagers	Motorola	Minitor III	253BAS23SB	\$332.00
Pagers	Motorola	Minitor III	253BAS23VB	\$332.00
Pagers	Motorola	Minitor III	253BAS2386	\$332.00
Pagers	Motorola	Minitor III	253BCJ22RP	\$328.00
Pagers	Motorola	Minitor III	253BCJ22RM	\$328.00
Pagers	Motorola	Minitor IV	839SDL27BC	\$382.00
Pagers	Motorola	Minitor IV	839SDL27BB	\$382.00
Pagers	Motorola	Minitor IV	839SDL278D	\$327.00
Pagers	Motorola	Minitor III	253BAS23SF	\$335.00
Pagers	Motorola	Minitor III	253BYQ29BB	\$335.00
Pagers	Motorola	Minitor III	253BYQ29BC	\$335.00
Pagers	Motorola	Minitor III	253BYS24ZM	\$350.00
Pagers	Motorola	Minitor III	253BYW2397	\$410.00
Pagers	Motorola	Minitor III	253BYW2398	\$410.00
Pagers	Motorola	Minitor III	253BYW2395	\$410.00
Vision Book	Hitachi	7360	TD0134700056	\$2,500.00
Mobile Radio	Motorola	M1225	869FYL3942	\$456.00
Mobile Radio	Motorola	M1225	869FYL3948	\$456.00

Mobile Radio	Motorola	M1225	869FYL3954	\$456.00
Mobile Radio	Motorola	M1225	869FYL3957	\$456.00
Mobile Radio	Motorola	M1225	8G9FZL3679	\$450.00

The Borough Clerk read the following resolution:

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

Resolution #305-14

The governing body hereby accepts the retirement of Frank Betts, Borough Assessor, effective May 1, 2015.

The Borough Clerk read the following resolution:

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

Resolution #306-14

The Tax Collector is hereby authorized to cancel 2014 taxes on the following properties. These properties are owned by the Borough of Middlesex and are tax exempt.

BLOCK/LOT	ADDRESS	AMOUNT
224/22	127 Seventh St	\$ 2,440.28
232/17	123 Sixth St	\$ 3,563.13
232/19	126 Seventh St	\$ 7,969.82
232/23	130 Seventh St	\$ 3,798.21
233/23	128 Sixth St	\$ 5,516.10

The Borough Clerk read the following resolution:

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

Resolution #307-14

The Tax Collector is hereby authorized to cancel taxes for 4th quarter 2013 and 1st quarter 2014 taxes in the amount of \$5,870.56 on Block 160, Lot 45.01, 213 Fairview Avenue. This property has been split into two condos and billed accordingly.

The Borough Clerk read the following resolution:

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

Resolution #308-14

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF
BOOTS AND HARNESS FOR THE FIRE DEPARTMENT**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase boots and harness for the Fire 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, New Jersey Fire Equipment is under State Contract No. 80945 for the year 2014; and

WHEREAS, the cost for the purchase of boots and harness is \$4,329.50; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of boots and harness for the Fire Department is ordered under State Contract No. 80945 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount of \$4,329.50 are available in Account No. 04-1855-00-1855-75.

The Borough Clerk read the following resolution:

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

Resolution #309-14

Authorizing the Mayor and Borough Clerk to execute the Agreement with the Middlesex County Office of Health Services pursuant to N.J.S.A. 26:3A2-1 et seq. to provide public health services for the Borough of Middlesex effective January 1, 2015 – December 31, 2016.

The Borough Clerk read the following resolution:

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

Resolution #311-14

The Mayor and Council hereby hire Mike Rossi (Certificate No. 8205) as a substitute Plumbing Inspector in the borough of Middlesex at \$44.12 per hour for 2015.

The Borough Clerk read the following resolution:

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

Resolution #314-14

WHEREAS, bids were received December 16, 2014 for 2016 Mack MRU613 with McNeilus 32 yard SC rear loader with 3.55 yard tailgate and/or equal;

WHEREAS, there was one bid received listed below:

Cambria Automotive Companies Inc	\$ 230,000.00 Acquisition Cost
116 Talmadge Road	\$ 395.00 Document Fee
Edison, NJ 08817	\$ 230,395.00 Principal Balance
Term: Five (5) years	First Payment Due: At Closing
Payment Mode: Annually	Payment Amount: \$48,621.61
Interest Rate: 2.760%	Rate Factor: 0.211036

WHEREAS, the Public Works Manager in concurrence with the Purchasing Agent recommends to award the bid to Cambria Automotive Companies Inc in the amount of \$48,621.61; and

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 Public Works Manager and the Purchasing Agent, the governing body hereby awards the bid for the 2016 Mack MRU613 with McNeilus 32 yard SC rear loader with 3.55 yard tailgate in the amount of \$48,621.61.

NOW FURTHER BE IT RESOLVED, that the Treasurer hereby certifies that funds in the amount of \$48,621.61 are available in Account No. 04-1855-00-1855-76.

The Borough Clerk read the following resolution:

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

Resolution #315-14

WHEREAS, Robert DeFilippis was issued a street opening permit on 10/1/13; and

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

WHEREAS, said roadway at 45 Warrentville Rd. 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 \$1875.00 in favor of Robert DeFilippis, 30 Stella Pl., Middlesex, NJ 08846, for refund of Street Opening Permit No. 2013-007.

The Borough Clerk read the following resolution:

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

Resolution #318-14

Governor's Council on Alcoholism and Drug Abuse

Fiscal Grant Cycle July 2015 – June 2016

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

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 therefore has an established Municipal Alliance Committee; 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 a strategic plan for the Middlesex Borough Municipal Alliance grant for fiscal year 2015-2016 the amount of:

DEDR	\$20,965.00
Cash Match	\$ 5,255.25
In-Kind	\$40,302.36

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 #319-14

The Treasurer hereby authorizes the transfer of funds for the Current Budget of 2014:

ACCOUNT NAME	TO:	FROM:
Administration S/W		\$ 11,900
Condo Cost Reimbursement	\$ 5,400	
Senior Services S/W	\$ 6,500	

The Borough Clerk read the following resolution:

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

Resolution #320-14

RESOLUTION AUTHORIZING PURCHASE OF ELECTRONIC STORAGE OF BOROUGH RECORDS UNDER MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION CO-OP #65MCESCCPS, RFP #MRESC12/13-22

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase electronic storage of Borough records from Middlesex Regional Educational Services Commission Co-Op #65MCESCCPS, RFP #MRESC12/13-22; and

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

WHEREAS, AccuScan is under Middlesex Regional Educational Services Commission Co-Op through June 30, 2015; and

WHEREAS, the cost for the purchase of electronic storage is \$2,311.46; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of electronic storage of Borough records under MRESC12/13-22 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount \$934.46 are available in Account No. 01-2010-20-1232-036 and in the amount of \$1,377.00 in Account No. 01-2010-20-1232-109.

The Borough Clerk read the following resolution:

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

Resolution #321-14

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:

BLOCK/LOT	NAME	AMOUNT	ACCOUNT #
331/13	Barclay Developments 470 Harris Ave	\$ 19,457.71	7760142431
331/13	Barclay Developments 470 Harris Ave	\$ 650.72	7760142430
331/13.04	Barclay Developments 23 Barclay Ct	\$ 374.75	7760142544

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 #316-14

The governing body hereby approves John Tackach as Solid Waste Driver in the DPW at \$33.17 per hour effective January 1, 2015.

Councilwoman Jenkins made a motion for approval seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Greco, Jenkins, Kaplan, and Schueler No: 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 #317-14

The governing body hereby approves Chris Emmons as Assistant Mechanic in the DPW at \$33.88 per hour effective January 1, 2015.

Councilwoman Jenkins made a motion for approval seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Greco, Jenkins, Kaplan, and Schueler No: 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 #322-14

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 Schueler and carried by the following roll call vote: Ayes: Greco, Jenkins, Kaplan, Schueler, and Tackach. No: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Sewer Ordinance – Councilman Kaplan indicated that Attorney Aithal attended one of the sewer meetings with the business community and discussed ordinance recommendations. It was suggested that any monies that come into the borough should go towards the infrastructure of the sewer system. We are presently waiting on information from the engineer to go with a fixed fee. Councilman Kaplan indicated that we could discuss and adopt an ordinance in January, and revert it back to January 1.
 2. Rescinding of Ordinance 1830-13 – An Ordinance to Amend Chapter 68 Officers and Employees, Article X Borough Administrator, Section 68-41 Appointment; Term of Office and Section 68-45 Absence or Disability of Administrator in the Code of the Borough of Middlesex – Mayor would like to have the whole council interview for a Borough Administrator. Mayor Dobies requested that the Borough Clerk advertise for Administrator and CFO after January 1.
-

PUBLIC COMMENTS

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

John Ellery on behalf of the business community wished the Mayor and Council a Merry Christmas and a Happy New Year. Mr. Ellery also thanked Councilwoman Jenkins and Tackach for their time on the Council.

Mayor Dobies addressed all questions from the Public. Seeing that there was no further public participation, 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 #323-14

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. Fire Department Insurance Claim
2. 2015 Department Head Salaries
3. Contract Negotiations – DPW/Police/White Collar

Councilman Schueler made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Greco, Jenkins, Kaplan, Schueler, and Tackach. No: None. Abstain: None.

Councilman Greco moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by the following roll call vote.

ROLL CALL

Mayor	Ronald Dobies
Council President	Sean Kaplan
	Kevin Dotey (absent)
	Stephen Greco
	Patricia Jenkins
	Bob Schueler
	Michele Tackach
Attorney:	Jerome Solomon

The Borough Clerk read the following resolution:

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

Resolution #310-14

The Mayor and Borough Clerk are hereby authorized to execute the Contract between the Middlesex Borough PBA Local 181 and the Borough of Middlesex.

Councilman Schueler made a motion to table Resolution #310-14 seconded by Councilman Greco and carried by the following roll call vote: Ayes: Greco, Jenkins, Kaplan, Schueler and Tackach. No: 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 #312-14

Authorizing the Mayor and Borough Clerk to execute the Memorandum of Agreement with the Local 255, United Service Workers, IUJAT (Public Works Employees Contract) effective January 1, 2015 – December 31, 2017.

Councilman Schueler made a motion to table Resolution #312-14 seconded by Councilman Greco and carried by the following roll call vote: Ayes: Greco, Jenkins, Kaplan, Schueler and Tackach. No: 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 #313-14

Authorizing the Mayor and Borough Clerk to execute the Memorandum of Agreement with the Local 255, United Service Workers, IUJAT (White Collar Employees Contract) effective January 1, 2015 – December 31, 2017.

Councilman Schueler made a motion to table Resolution #313-14 seconded by Councilman Greco and carried by the following roll call vote: Ayes: Greco, Jenkins, Kaplan, Schueler and Tackach. No: 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 #324-14

WHEREAS, on September 18, 2007, in full accordance with all applicable provisions of the Redevelopment Law, the Borough of Middlesex duly adopted the Lincoln Boulevard Redevelopment Plan, as subsequently amended on August 11, 2011 (the "Redevelopment Plan"); and

WHEREAS, a Redevelopment Agreement between the Borough and 150 Lincoln Boulevard, LLC (the "Redevelopment Agreement") was executed in furtherance of the Redevelopment Plan; and

WHEREAS, the Redevelopment Plan authorized the rehabilitation of properties covered by the Redevelopment Plan; and

WHEREAS, the Borough Council and Redeveloper wish to amend the Redevelopment Agreement to permit the non-condemnation redevelopment of the property covered by the Redevelopment Agreement; and

WHEREAS, it is in the best interests of the residents of the Borough of Middlesex that the Redevelopment Plan be amended;

NOW, THEREFORE, be it resolved by the Borough and Council of the Borough of Middlesex, in the County of Middlesex, State of New Jersey, as follows:

1. The attached Amendment to Redevelopment Agreement shall be executed by the Mayor and Borough Clerk, and an executed copy of same delivered to 150 Lincoln Boulevard Urban Renewal, LLC, the current Redeveloper.

2. The Clerk of the Borough shall forward a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs for review and approval, by regular and certified mail (return receipt requested).

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law.

Councilwoman Tackach made a motion for approval seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Greco, Jenkins, Kaplan, Schueler and Tackach. No: None. Abstain: None.

ADJOURNMENT

Councilman Schueler made a motion to adjourn the Regular Meeting seconded by Councilman Greco and carried by a unanimous vote of members present.

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk