

MUNICIPAL BUILDING
Middlesex, NJ 08846
January 1, 2015

The 2015 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, 2013.

Councilmen Jack Mikolajczyk and John Madden were administered the Oath of Office by Mayor Dobies.

The following responded to roll call of the 2015 Mayor and Council:

Mayor	Ronald S. Dobies
Council Members	Kevin Dotey
	Stephen Greco
	Sean Kaplan
	John Madden
	Jack Mikolajczyk
	Bob Schueler

Comments were made by Councilman Mikolajczyk

Good afternoon and Happy New Year.

Thank you all for coming today. I would like to take a few moments to thank some of the people for their support and help.

First – my wife Jan, and my children John, Mark and Lisa, for their unwavering support. I am and have nothing without them.

I would like to thank John Madden and the patience of his wife Barbara. We shared a very similar view of what we wanted to accomplish, and what it would take, and we made it happen.

The Middlesex Borough Republican Organization: John, Mike, Mike, Nancy, Mark, Ellen, Vic and Steve. Your commitment was second to none and your unselfishly stepped up when we needed you.

I would be remiss not to mention how personally grateful I am to friends and supporters who have no vested interest in Middlesex, but generously supported us simply because they believed in us.

Thank you to the Middlesex residents who voted for us.

I'd like to thank Michelle Tackach and Patty Jenkins for their service.

As we campaigned many people were gracious enough to talk to us and it gave John and I a real good feel for the needs and concerns of the people in town. Our residents are under a lot of pressure. The key is the road taken to make things better. This will require leadership and tough, unpopular decision making. I can only promise I will do my best to represent the lawful residents of Middlesex and vote to maximize the effectiveness of our existing resources, to keep our streets safe, to provide for the broadest range of services to our community, to curb wasteful spending and to have realistic attainable development and infrastructure plans in place for Middlesex's future.

As Mother Teresa said "Yesterday is gone. Tomorrow has not yet come. We have only today. Let us begin." Which leads into Gandhi prophesy that "The future depends on what we do today."

Let's get on with it!!

Thank you.

Comments were made by Councilman Madden

From one coach to another: "The only place success comes before work is in the dictionary" from the great Vince Lombardi.

My election on the council represents an obligation and responsibility in articulating a vision of stewardship, transparency, cooperation and the many challenges before us. I believe we can strive for a highly regarded school system, a safe place to raise a family and a vibrant retirement mecca for our seniors.

I thank my wife Barbara, for her unremitting patience for stepping in when I was stepping out to campaign.

I thank my running mate Jack who gave our team refreshing ideas during our campaigning, the Republican organization for their unwavering sacrifice, especially Councilman Greco and Mr. John Erickson for their steadfast guidance. Lastly, I thank you, the residents who believe in me with your trust and faith. I look forward to serve you. Thank you.

Mayor Dobies' New Year's Address:

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

I would like to recognize and offer my gratitude to our Emergency Team, and the many residents serving on our Boards, Committees and Commissions. Our Emergency Team includes our Fire Department, OEM, Police Department, Rescue Squad and DPW. I commend them for their tireless service and expertise during both borough emergencies and non-emergencies. Each of these departments deserve praise not only being an Emergency Team Member, but for their individual missions and the successful accomplishments of their department activities. Our Administrative Team is composed of all of our Department Heads and their staffs who successfully met the day-to-day challenges and activities of their individual department while at the same time helping

our residents. On behalf of our Governing Body thanks for all the time they spent helping our residents and moving our borough forward.

This year I am setting the following goals and hope the Borough Council will accept these as our Governing Body goals:

1. Preparation of a cost conscious budget with an increase no greater than \$50. Senior Citizens, Retired and working residents indicated the hardships imposed by tax increases during meetings in my office. I understand we have no control over the BOE or Middlesex County budgets but if we can lessen the impact it will help.
2. The hiring of a Business Administrator should be high on our list. A Business Administrator certified as a Municipal Chief Financial Officer would be desirable.
3. The hiring of a Municipal Chief Financial Officer especially if the Administrator hired is not certified.
4. The development of a Pump Station on the south side of the tracks to break our ties with Piscataway. I am in the process of talking with businesses to see if we can get a commitment to help with the financing as well as applying the money we receive from the Sewer User Fee to offset our cost. I will appoint Councilman Schueler and Councilman Mikolajczyk to join with me as a special pump station committee.
5. The redevelopment of the Mountain View Park Football Complex should also be high on our list otherwise this just keeps going on and on. We should plan on using the funds derived from the Lincoln Blvd. pilot program and a Middlesex County grant to offset our costs. I will appoint Councilman Kaplan and Councilman Greco to join with me as a special MVP redevelopment committee.
6. We must continue to work on our infrastructure. The State sponsored road and our Mill & Overlay road programs must continue as well as our de-snagging efforts and our infusion/infiltration program to name a few.
7. We must do more to keep our residents informed beyond our web site and Community News. I will present a cost effective means for accomplishing this to the Borough Council in January. While I am at it I think it is time that we record our meetings and show them on our web page. If this is acceptable to the Borough Council I recommend we purchase the necessary camera and equipment.
8. We must increase our modernization and improvement efforts on items such as solar energy, document scanning, day-to-day operations, borough hall building and grounds, resident's quality of life issues, and the planning for the borough reevaluation. I will appoint Councilman Dotey and Councilman Madden to join with me in a special committee on solar energy and other innovations that many towns already have in place.
9. And finally, I see the need for quarterly planning meetings where we discuss plans or projects in more detail than at the Governing Body meeting. This will eliminate extending the normal business meetings beyond the 9:00 p.m. I set for completing the meeting.

As I start my 30th year as Mayor I start with the same enthusiasm, optimism hope and concerns that I had when I started in 1980. The residents have given us a trust to handle a multimillion dollar budget and to effectively run our borough. A trust I hope that I have kept throughout the years. I realize there will be ideological differences amongst us, as there has been in the past, but we must keep in mind that we serve the people and if we keep that in mind we will all succeed.

In closing I ask the Borough Council's approval for Ms. Anello and me to advertise for both the Administrator and Chief Financial Officer. We will use the criteria mentioned above and salary commiserate with experience. This will enable us to get the resumes back in two (2) weeks, followed by Mayor and Council review, and the interview scheduling the top three (3) candidates.

The Deputy Clerk read the following resolution.

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

RESOLUTION #1-15

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, 2015 to December 31, 2015 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, 2015 through December 31, 2015 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 Councilman Dotey and carried by the following roll call vote. Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. Nos: None. Abstain: None.

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

The Deputy Clerk read the following names for the 2015 Fire Officials:

2015 Fire Officials

Chief	Dave Bird
First Asst. Chief	James Rinker
Second Asst. Chief	Ed Winters, Jr.

Company No. 1 – Lincoln Hose

Captain	James Singer
Lieutenant	Shawn Young
Engineer	Tom Kurtz
Engineer T-25	Jeff Decker
Honorary Assistant	
Captain	Mark Colacci

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

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

Company No. 2 – Beechwood Heights

Captain	Rich Malt
Lieutenant	Dan Delsignore
Engineer	Jason Dudley
Asst. Engineer	Brian Chomen

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

Company No. 3 – Pierce

Captain	Ken Bartok
Lieutenant	Chris Dubois
Engineer 23	Chad Heulitt
Asst. Engineer	Dave Breen

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

Company No. 4 - Parker

Captain	Andy Castaldo, Jr.
Lieutenant	Kevin Mott
Engineer 24	Bob Poltorak
Asst. Engineer	Richard Reedy, Jr.

Approved Drivers Truck 24 and 18: Robert Poltorak, Andy Castaldo, Jr., Ryan Zittel, Jake Kyryczenko, Ed Winters, Jr., Kevin Mott, Robert Pollara, Nick Goldman, Joe Dudley, Rich Reedy, Jr.

Approved Drivers for 18 only: Bob Soper, Jackie Giardino, Mike Lane, John Hommas, Andy Klein

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

2015
Police Matrons

Constance Johnson
Cynthia Chomen

Mary Eloe
Linda Gonzalez

School Crossing Guards

Isobel Mckeown
James Green, Sr.
Kenneth Larson
Laurina Tolomeo
Constance Johnson
Howard Killian

Patricia Slaktowicz
Carol Schenck
Nicholas DiGrazia
Robert Guidi
Madeline Havet
Anthony Parenti

**MAYOR'S APPOINTMENTS FOR 2015 THAT REQUIRE NO
CONFIRMATION**

PLANNING BOARD

Michele Tackach	4-year	12/31/18
Patrick Corley	4-year	12/31/18
James Green (Class II)	1-year	12/31/15

RECREATION COMMISSION

Richard Rutkowski	5-year	12/31/19
Lileen Schwarz	5-year	12/31/19

BEAUTIFICATION COMMITTEE/911 COMMITTEE

Sherley Penrose	1-year	12/31/15
Pam Teitelbaum	1-year	12/31/15
John Yaniero	1-year	12/31/15
Nancy Avery	1-year	12/31/15
Lisa Mickel	1-year	12/31/15
Pat Repenn	1-year	12/31/15

VICTOR CROWELL PARK COMMITTEE

Frank Ryan - Chairman	1-year	12/31/15
Patricia Rex	1-year	12/31/15
Richard Thomasey	1-year	12/31/15
Patti McGuire	1-year	12/31/15
Joey Bracey	1-year	12/31/15
Elizabeth Platten	1-year	12/31/15

SENIOR CITIZEN HOUSING

John Fuhrmann	1-year	12/31/15
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SHADE TREE COMMISSION

Dan Gitler	5-year	12/31/19
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**MAYOR'S APPOINTMENTS FOR 2015 THAT REQUIRE
CONFIRMATION****BOARD OF HEALTH**

Charles Corcoran	4-year	12/31/18
Barbara Benson	4-year	12/31/18

LIBRARY BOARD

Beverly Weber	5-year	12/31/19
Dan Gilroy	5-year	12/31/19
Blanche Dobies (Mayor's Rep.)	1-year	12/31/15

SWIM POOL COMMISSION

Jennifer Hamrah	5-year	12/31/19
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HOUSING & COMMUNITY DEVELOPMENT ADVISORY COMMITTEE

Vic Capolunghi	3-year	12/31/17
Subhash Dani	3-year	12/31/17

GREENBROOK FLOOD CONTROL COMMISSION

Paul Woska	3-year	12/31/17
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BOROUGH PHYSICIAN

Dr. Zafir Shaheen	1-year	12/31/15
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LEGAL NEWSPAPERS

Courier-News	1-year	12/31/15
Star Ledger	1-year	12/31/15
Home News Tribune	1-year	12/31/15

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

APPOINTMENTS BY COUNCIL NOT REQUIRING MAYOR CONFIRMATION

BOARD OF ADJUSTMENT

Anthony Thompson	4-year	12/31/18
Sean Johnson (Alt. 1)	1-year	12/31/15

2015 Councilmanic Committees

- A. Administration, Legislation, Land Department of Senior Services
John Mikolajczyk, Kevin Dotey, and John Madden
- B. Fire, Office of Emergency Management, Board of Health and Rescue Squad
Kevin Dotey, Sean Kaplan and John Mikolajczyk
- 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
John Madden, Stephen Greco and Kevin Dotey
- E. Public Works, Recycling and Building and Grounds
Robert Schueler, John Madden and Sean Kaplan
- F. Recreation, Recreation Fields, Swim Pool Commission and Community Celebrations
Stephen Greco, John Mikolajczyk, and Robert Schueler

Mayor's Council Liaison Appointments for 2015

Board of Education	Councilman Mikolajczyk
Board of Health	Councilman Dotey
County SWAC	Councilman Kaplan
County Transportation	Councilman Greco
Housing & Community Development	Councilman Mikolajczyk

OEM	Councilman Dotey
Planning Board	Councilman Schueler
Recreation Commission	Councilman Greco
Safety Board	Councilman Madden
Shade Tree Commission	Councilman Kaplan
Victor Crowell Park	Councilman Kaplan
Swim Pool Commission	Councilman Greco
Fire	Councilman Dotey
Police	Councilman Madden
Zoning/Code Enforcement	Councilman Madden
Recreation	Councilman Greco
Public Works	Councilman Schueler
Finance	Councilman Kaplan
Administration	Councilman Mikolajczyk
Construction	Councilman Madden
Rescue Squad	Councilman Dotey
Senior Services	Councilman Mikolajczyk
Buildings & Grounds	Councilman Schueler
IT	Councilman Kaplan
Municipal Court	Councilman Madden
Recycling	Councilman Schueler

The Deputy Clerk read the following resolution:

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

RESOLUTION #2-15

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR LEGAL

SERVICES AS BOROUGH PROSECUTOR TO JEREMY SOLOMON, ESQ. FOR THE YEAR 2015

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, 2015 to December 31, 2015; and

WHEREAS, Timothy Arch will be considered as a substitute 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 for the period from January 1, 2015 through December 31, 2015 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.

Councilman Kaplan moved for adoption, seconded by Councilman Dotey and carried by the following roll call vote. Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #3-15

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. FOR THE YEAR 2015

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, 2015 to December 31, 2015;

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, 2015 through December 31, 2015 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 Councilman Dotey and carried by the following roll call vote. Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #4-15

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 2015

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, 2015 through December 31, 2015 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.

Councilman Kaplan moved for adoption, seconded by Councilman Dotey and carried by the following roll call vote. Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #5-15

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR ENGINEERING SERVICES TO TERENCE VOGT OF THE FIRM REMINGTON, VERNICK & VENA FOR THE YEAR 2015

WHEREAS, the Governing Body of the Borough of Middlesex wishes to appoint Terence Vogt of the firm of Remington, Vernick & Vena for the Borough of Middlesex for the period from January 1, 2015 to December 31, 2015.

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 & Vena 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, 2015 through December 31, 2015 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.

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

The Deputy Clerk read the following resolution:

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

RESOLUTION #6-15

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR AUDITING SERVICES TO THE FIRM OF HODULIK & MORRISON, P.A. FOR THE YEAR 2015

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, 2015 to December 31, 2015.

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, 2015 through December 31, 2015 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.

Councilman Kaplan moved for adoption, seconded by Councilman Dotey and carried by the following roll call vote. Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #7-15

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR "BOND COUNSEL" SERVICES AS BOROUGH "BOND COUNSEL" TO WILENTZ, GOLDMAN & SPITZER, P.A. FOR THE YEAR 2015

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 2015; 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, 2015 through December 31, 2015 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk's Office.

3. 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 Councilman Dotey and carried by the following roll call vote. Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #8-15

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 FOR THE YEAR 2015

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 2015; 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, 2015 through December 31, 2015 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk's Office.

3. 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 Councilman Dotey and carried by the following roll call vote. Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #9-15

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR ENVIRONMENTAL ENGINEERING SERVICES FOR THE BOROUGH TO NAJARIAN ASSOCIATES FOR THE YEAR 2015

WHEREAS, the Governing Body of the Borough of Middlesex wishes to appoint the firm of Najarian Associates for the Borough of Middlesex for "Environmental Engineering Services" for the period from January 1, 2015 to December 31, 2015; 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 Najarian Associates whose office is located at One Industrial Way West, Eatontown, NJ are hereby appointed for Environmental Engineering Services for the Borough of Middlesex for the period from January 1, 2015 through December 31, 2015 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk's Office.

4. 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 Councilman Dotey and carried by the following roll call vote. Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #10-15

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR SERVICES AS BOROUGH "PLANNER" TO RICCIPLANNING FOR THE YEAR 2015

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 2015; 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, 2015 through December 31, 2015 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk's Office.

3. 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 Councilman Dotey and carried by the following roll call vote. Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #11-15

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR "REDEVELOPMENT PLANNER" TO RICCIPLANNING FOR THE YEAR 2015

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 2015; 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, 2015 through December 31, 2015 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk's Office.

3. 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 Councilman Dotey and carried by the following roll call vote. Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #12-15

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 2015

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, 2015 to December 31, 2015;

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, 2015 through December 31, 2015 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 Councilman Dotey and carried by the following roll call vote. Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #13-15

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 2015

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 2015; 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, 2015 through December 31, 2015 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.

Councilman Kaplan moved for adoption, seconded by Councilman Dotey and carried by the following roll call vote. Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #14-15

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES FOR BOROUGH PUBLIC DEFENDER TO MARCO M. BENUCCI, LLC

WHEREAS, the Governing Body of the Borough of Middlesex wishes to appoint Marco M. Benucci, LLC, 1130 South Route 202 – Suite A-7, Raritan, NJ as the Borough Public Defender for the Borough of Middlesex for the year 2015.

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

1. Marco M. Benucci, LLC whose office is located at 1130 South Route 202 – Suite A-7, Raritan, NJ is hereby appointed as the Borough Public Defender for the Borough of Middlesex for the period from January 1, 2015 through December 31, 2015 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.

Councilman Kaplan moved for adoption, seconded by Councilman Dotey and carried by the following roll call vote. Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #15-15

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR “APPRAISAL SERVICES” TO STERLING DISANTO & ASSOCIATES, LLC FOR THE YEAR 2015

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 2015; 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, 2015 through December 31, 2015 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.

Councilman Kaplan moved for adoption, seconded by Councilman Dotey and carried by the following roll call vote. Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #16-15

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES FOR BOROUGH CONFLICT PUBLIC DEFENDER TO ROBERT D. SPENGLER, ESQ.

WHEREAS, the Governing Body of the Borough of Middlesex wishes to appoint Robert D. Spengler, Esq., 59 West Union Avenue, Bound Brook, New Jersey as the Borough Conflict Public Defender for the Borough of Middlesex for the year 2015.

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. Robert D. Spengler, Esq. whose office is located at 59 West Union Avenue, Bound Brook, New Jersey is hereby appointed as the Borough Conflict Public Defender for the Borough of Middlesex for the period from January 1, 2015 through December 31, 2015 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.

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

The Deputy Clerk read the following resolutions:

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

CONSENT AGENDA 2015(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 #17-15 – Resolution #32-15

Councilman Schueler moved for adoption, seconded by Councilman Kaplan and carried by the following roll call vote. Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #17-15

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 Deputy Clerk read the following resolution:

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

RESOLUTION #18-15

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 Deputy Clerk read the following resolution:

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

RESOLUTION #19-15

The By-Laws as have been previously adopted are to remain in full force to govern the 2015 Governing Body or until further action is taken.

The Deputy Clerk read the following resolution:

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

RESOLUTION #20-15

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 2015:

January 1, 13, 27	July 14
February 10, 24	August 11
March 10, 24	September 8, 22
April 14, 28	October 13, 27
May 12, 26	November 17
June 9, 23	December 8, 22

Reorganization Meeting - January 1, 2016

Regular Meetings commence at 7:00 p.m.

Action may be taken at any meeting above.

The Deputy Clerk read the following resolution:

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

RESOLUTION #21-15

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 Deputy Clerk read the following resolution:

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

RESOLUTION #22-15

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 Deputy Clerk read the following resolution:

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

RESOLUTION #23-15

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 2015.

The Deputy Clerk read the following resolution:

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

RESOLUTION #24-15

Tonya Hubosky be and is hereby appointed Official Tax Search Officer for the Borough of Middlesex for the year 2015.

The Deputy Clerk read the following resolution:

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

RESOLUTION #25-15

Kathleen Anello be and is hereby appointed Official Assessment Search Officer for the Borough of Middlesex for the year 2015.

The Deputy Clerk read the following resolution:

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

RESOLUTION #26-15

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. Caroline Benson hereby is appointed PACO Officer for the Borough of Middlesex for the year 2015.
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 #27-15

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 Deputy Clerk read the following resolution:

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

Resolution #28-15

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 Deputy Clerk read the following resolution:

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

RESOLUTION #29-15

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 2015 and the penalty so fixed shall be six (6%) of the amount of the yearly delinquency.

The Deputy Clerk read the following resolution:

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

RESOLUTION #30-15

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 2014 Budget until the 2015 Budget is adopted.

The Deputy Clerk read the following resolution:

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

RESOLUTION #31-15

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 2015 Operating Budget in the amount of \$2,963 representing State Library Aid.

The Deputy Clerk read the following resolution:

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

RESOLUTION #32-15

“A RESOLUTION TO PROVIDE FOR A TEMPORARY BUDGET FOR PAYMENT OF CLAIMS UNTIL THE ADOPTION OF THE 2015 BUDGET

A Temporary Budget in the amount of \$6,834,829.53 to provide for the payment of claims and salaries including debt service payments between the first day of January 2015 and the adoption of the 2015 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	8,100
Other Expenses	1,200
Collection of Taxes	
Salary & Wage	17,875
Other Expenses	2,000
Financial Administration	
Salary & Wage	30,000
Other Expenses	3,000
Legal Services & Costs	
Other Expenses	30,000
Engineering Services	25,000
Public Bldgs & Grounds	
Other Expenses	25,000
Computer Data Services	
Salary & Wages	20,250
Other Expenses	40,000
Planning Board	5,000
Board of Adjustment	
Salary & Wages	6,100
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	800,000
	Other Expenses	30,000
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	125,000
	Other Expenses	15,000
Sanitary Landfill		75,000
Prosecutor's Office		
	Salary & Wage	7,000
	Other Expenses	0
RECREATION & EDUCATION		
Parks & Playgrounds		
	Salary & Wage	60,000
	Other Expenses	15,000
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
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 283,016

DCRP Co Match 1,500

PFRS 624,804

Social Security 70,000

Pension – Firemen’s Widow (N.J.S.A.43:12-28.1) 5,000

TOTAL 3,963,205.00

26.25% of the 2014 General Appropriation in the budget = \$4,518,813.53

Older Americans

Title III Salary	4,000
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Sr. Transportation Salary	6,000
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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	675,000.00
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Bond Interest	275,241.15
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Green Acres Loan	34,784.88
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115,392.12	Infrastructure Principal & Interest	
	MCIA Loan – Fire Truck	71,943.62
	MCIA Loan – Multi Purpose	647,798.76
	TOTAL	6,839,029.53

DEDICATED SWIMMING POOL UTILITY BUDGET

Swim Pool Utility

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

26.25% of the 2014 Swimming Pool Utility appropriation = \$102,214.88

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

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

Respectfully yours,

Linda Chismar
Deputy Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
JANUARY 13, 2015**

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
	John Madden
	Bob Schueler
	Jack Mikolajczyk

Attorney: Tim Arch

Mayor Dobies asked for a motion to place the following items on the Agenda for tonight's meeting in Executive Session; (1) DPW Contract; (2) Police Contract; (3) White Collar Contract and (4) Department Head Increases. Mayor Dobies also reviewed Robert's Rules of Order and the format on how the council meetings would be handled in 2015.

PROCLAMATIONS-NONE

APPOINTMENTS-NONE

PRESENTATIONS - NONE

PUBLIC HEARING-NONE

NEW BUSINESS

The Borough Clerk read Ordinance No. 1868-15 by title for introduction.

ORDINANCE NO. 1868-15

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: \$35 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 Councilman Kaplan and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

ADOPTION OF MINUTES

Councilman Dotey made a motion to approve the December 23, 2014 Regular Meeting Minutes & Executive Session Minutes seconded by Councilman Schueler and carried by the following

roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None.
Abstain: None.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance
 - A. Council President Kaplan has the preliminary 2015 budget sheets and will sit down with the Finance Committee on Saturday at 8 AM to make adjustments and then forward their recommendations to the council.

2. Recreation/Recreation Fields/Water & Light
 - A. Swim Pool Commission had their Reorganization Meeting and discussion was held and agreement was reached on the pool rates. The main pool should be completed by pool opening, and the lap pool should be ready during the swim season. Councilman Greco spoke with the Treasurer and the auditor about the borough taking the interest from the pool funds. Councilman Kaplan is recommending that we come up with a compromise and bill the pool, rather than taking their interest.

 - B. Recreation Commission held their Reorganization Meeting and a chairman was elected.

3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Councilman Dotey made a motion to accept Ryan S. Shepherd as a Junior Fire Fighter for the Middlesex Fire Department seconded by Councilman Schueler and carried by a unanimous vote of Council.

 - B. The Board of Health met and Mr. Harrity was nominated President and Ms. Bigge was voted Vice President.

4. Public Works/Parks/Sanitation/Recycling –
 - A. Councilman Schueler met with the DPW Manager to discuss Goals for year and areas to concentrate on. This included discussion of staffing changes to better allow for appropriate training in specialty areas such as the Sewer Department. We discussed several options in this and other departments to maximize usage of the current manpower and plans to look at the feasibility of more men on street to get the work done. This would include the recent changes to fill vacant positions in driver and Assistant mechanic.

 - B. Councilman Schueler indicated that the brine system is on site and we discussed the capacity and pre planning required for usage. Training is being set up by the vendor and this is time sensitive. We discussed revisiting the concept of micro paving to maximize our efforts in our road paving project. There have been advances in the effectiveness and the technology since we last reviewed this as

an option. This will be something to discuss with the engineer, as it may provide some roads with new life if they are developing cracking.

- C. Additional emphasis will be on the Sewer Department and the necessity to effectively clean/repair catch basins and document these cleanings and repairs. We discussed establishing plans for these cleanings as well as documentation of weak or damages sections in the sewer system, so that they could be targeted in our long and short term plans.
 - D. Also discussed was the need for education of the public on appropriate things to be deposited in the waste stream vs. the recycling stream. We discussed the staff was currently placing stickers on residents garbage that contained inappropriate materials. In conjunction with completing the changes for the garbage ordinance to make it easier for the residents to understand and for the borough to enforce, we discussed the need to work with the schools and the Board of Education as much of the education on these areas comes from the children to the parents. We also want to balance the cost of the materials with opportunities for having it available on the website to download rather than having to rely exclusively on paper handouts. However, we will need to have some hard copies available for distribution at events and for those without connectivity.
 - E. Our recent minor snow events were handled with salting as the accumulation was not sufficient for effective plowing.
5. Police/Legal/Code Enforcement/Construction/Municipal Court
- A. Councilman Madden moved the approval of the December, 2014 Zoning Report seconded by Councilman Greco and carried by a unanimous vote of Council.
6. Administration/Department of Senior Services/Legislation/Licensing
- A. Councilman Mikolajczyk mentioned that he has scheduled a meeting with the Borough Clerk for updates.

REPORTS

Mayor

1. New Pump Station – Mayor discussed the possibility of a pump station on the south side of the railroad tracks.
2. Taping of Governing Body Meetings – Mayor Dobies moved this matter to the Finance Committee to review.
3. Ordinance and Policy Revisions – Mayor Dobies is working on three ordinances and will communicate with liaison to the administration Councilman Mikolajczyk on these revisions.

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 wishes to remove Resolution #35-15, #40-15, #42-15, #43-15 and #45-15 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 #33-15 – Resolution #34-15
Resolution #36-15 – Resolution #39-15
Resolution #41-15
Resolution #44-15
Resolution #46-15 – Resolution #48-15

Councilman Madden made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #33-15

WHEREAS, Jeffrey Buccellato was issued a street opening permit on 6/5/14; 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 604 Decatur Ave 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. 2014-004.

The Borough Clerk read the following resolution:

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

Resolution #34-15

**AUTHORIZING THE BOROUGH OF MIDDLESEX TO ENDORSE THE CONOVER PLACE
NJDEP TREATMENT WORKS APPROVAL APPLICATION**

WHEREAS, the Owners of the properties located at Block 25, Lot 5 (aka 96 Conover Place) and Block 25 Lot 1 (aka 92 Conover Place) wish to connect to the Borough of Middlesex sanitary sewer system and abandon the existing septic systems; and

WHEREAS, the Owners have agreed to pay all fees and costs associated with the construction of the sanitary sewer extension and the abandonment of the existing septic; and,

WHEREAS, the Borough of Middlesex will be the Owner and Operator of the proposed sewer; and,

WHEREAS, the Borough of Middlesex will be the Applicant for the proposed sewer extension; and,

WHEREAS, the New Jersey Department of Environmental Protection requires a permit for the extension of sanitary sewers; and,

WHEREAS, the Borough of Middlesex will be Owner/Applicant and, therefore; must submit the application to the New Jersey Department of Environmental Protection

WHEREAS, the owners of record for Lot 5 and Lot 1 in Block 25 have or shall agree to pay all fees and costs incurred by the Borough to effectuate the sanitary sewer extension, including, but not limited to the costs of the application to the New Jersey Department of Environmental Protection; and,

WHEREAS, the owners of record for Lot 5 and Lot 1 in Block 25 shall, at no cost to the Borough, abandon their existing septic systems to the satisfaction of the Borough.

NOW, THEREFORE, BE IT RESOLVED that Council of the Borough of Middlesex formally approves the submission of the New Jersey Department of Environmental Treatment Works Approval application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the application on behalf of Borough of Middlesex and that their signature constitutes acceptance of the terms and conditions of the permit upon issuance.

The Borough Clerk read the following resolution:

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

Resolution #36-15

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 #
248/43	Innovative Builders of NJ LLC 927 Lincoln Blvd	\$ 101.50	7760142583

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 #37-15

Middlesex County Board of Taxation judgment on the following property:

<u>BLOCK/LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
108/15	Nielsen, June & Koerner, Kurt A 363 Union Avenue	\$2,730.55 old 1 st \$2,126.89 new \$2,730.55 old 2 nd \$2,126.89 new

The Borough Clerk read the following resolution:

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

Resolution #38-15

**RESOLUTION APPOINTING JACK MIKOLAJCZYK AS THE MAYOR'S REPRESENTATIVE
AND VIC CAPOLUNGI AS THE GOVERNING BODY REPRESENTATIVE TO THE
HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE FOR 2015**

WHEREAS, it is necessary for the Borough of Middlesex to appoint a representative to the Middlesex County Housing & Community Development for the year 2015; 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 Jack Mikolajczyk as his Class I representative to the Housing and Community Development Committee for 2015; 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 Jack Mikolajczyk 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 2015.
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 2015.
3. This resolution shall take effect immediately.

The Borough Clerk read the following resolution:

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

Resolution #39-15

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 March 14, 2015 (Alternate Date March 21, 2015) and October 10, 2015 (Alternate Date October 17, 2015) 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 March 14, 2015 (Alternate Date March 21, 2015), and October 10, 2015 (Alternate Date October 17, 2015) 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 #41-15

The governing body hereby declares the following DPW Items surplus effective immediately:

1. 1987 Ford F800, Vin. #1FDXF82KZJVA12628
2. 1988 Ford 655C Backhoe/Loader Model LF3PIZ, Serial #AB00519, Tractor #A400519
3. 1996 Dodge 3500 Truck, Vin. #1B6MF36C1TJ193541
4. 1979 GMC Sierra 6000, Vin. #T16DA9V620000 Sewer Jet Truck
5. 2006 Autocar Garbage Truck, Vin. #5VCDC6MF87H203730
6. 1995 Ford Crown Victoria, Vin. #2FALP71W65X178137

The Borough Clerk read the following resolution:

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

Resolution #44-15

BOROUGH OF MIDDLESEX MIDDLESEX COUNTY, NEW JERSEY

RESOLUTION OF THE COUNCIL OF THE BOROUGH OF MIDDLESEX DESIGNATING THAT THE PROPERTIES IDENTIFIED AS BLOCK 136, LOT 29; BLOCK 136, LOT 30; BLOCK 136, LOT 31; BLOCK 136, LOT 32; BLOCK 136, LOT 33; BLOCK 141, LOT 1; BLOCK 141, LOT 5; BLOCK 144, LOT 1; BLOCK 144.01, LOT 1; BLOCK 147, LOT 3; BLOCK 149, LOT 1; BLOCK 149, LOT 5; BLOCK 150, LOT 70; BLOCK 153, LOT 21; BLOCK 153, LOT 22; BLOCK 153, LOT 23; BLOCK 153, LOT 24; BLOCK 153, LOT 25; BLOCK 325, LOT 1; BLOCK 327, LOT 15.01; BLOCK 327, LOT 16; BLOCK 328, LOT 18; BLOCK 328, LOT 22; BLOCK 333, LOT 23; BLOCK 333, LOT 29; BLOCK 333, LOT 29.01; BLOCK 333.01, LOT 1; BLOCK 333.01, LOT 2; BLOCK 333.01, LOT 3; BLOCK 340, LOT 1; BLOCK 340, LOT 6; BLOCK 340, LOT 17; BLOCK 340, LOT 20.01; BLOCK 340, LOT 24.01; BLOCK 340, LOT 29.01; BLOCK 340, LOT 37.01; BLOCK 340, LOT 50; BLOCK 342, LOT 1; BLOCK 343, LOT 1; BLOCK 343, LOT 12; BLOCK 343, LOT 13; BLOCK 349, LOT 5; BLOCK 349, LOT 6.02; BLOCK 349, LOT 7; BLOCK 349, LOT 8; BLOCK 349, LOT 10; BLOCK 349, LOT 10.01; BLOCK 349, LOT 10.02; AND BLOCK 349, LOT 10.03, 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 3 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 136, Lot 29; Block 136, Lot 30; Block 136, Lot 31; Block 136, Lot 32; Block 136, Lot 33; Block 141, Lot 1; Block 141, Lot 5; Block 144, Lot 1; Block 144.01, Lot 1; Block 147, Lot 3; Block 149, Lot 1; Block 149, Lot 5; Block 150, Lot 70; Block 153, Lot 21; Block 153, Lot 22; Block 153, Lot 23; Block 153, Lot 24; Block 153, Lot 25; Block 325, Lot 1; Block 327, Lot 15.01; Block 327, Lot 16; Block 328, Lot 18; Block 328, Lot 22; Block 333, Lot 23; Block 333, Lot 29; Block 333, Lot 29.01; Block 333.01, Lot 1; Block 333.01, Lot 2; Block 333.01, Lot 3; Block 340, Lot 1; Block 340, Lot 6; Block 340, Lot 17; Block 340, Lot 20.01; Block 340, Lot 24.01; Block 340, Lot 29.01; Block 340, Lot 37.01; Block 340, Lot 50; Block 342, Lot 1; Block 343, Lot 1; Block 343, Lot 12; Block 343, Lot 13; Block 349, Lot 5; Block 349, Lot 6.02; Block 349, Lot 7; Block 349, Lot 8; Block 349, Lot 10; Block 349, Lot 10.01; Block 349, Lot 10.02; And Block 349, Lot 10.03, as shown on the Tax Map of the Borough (the “Phase 3 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 3 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 3 Study”); and

WHEREAS, the Planning Consultant prepared the Study, titled “Redevelopment Study and Preliminary Investigation Report Lincoln Boulevard – Phase 3”, dated October 14, 2014, which details the findings and recommendations relevant to whether the Phase 3 Study Area should be designated as an area in need of non-condemnation redevelopment, as well as a map of the Phase 3 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 November 12, 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 3 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 3 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) 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 3 Study prior to or during the public hearing on November 12, 2014; and

WHEREAS, at the conclusion of the public hearing, the Planning Board found that the Planning Consultant's conclusions in the Phase 3 Study and his testimony provide substantial evidence to support the findings that the Study Area satisfies criteria (a), (b), (c) 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 3 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 7 to 0, the Planning Board unanimously voted to recommend that the Borough Council of the Borough of Middlesex find that the Phase 3 Study Area be designated a an area in need of non-condemnation redevelopment meeting criteria (a), (b), (c) and (h) of the Redevelopment Law, N.J.S.A. 40A:12A-5; and

WHEREAS, on December 10, 2014, the Planning Board adopted a Resolution memorializing the decision made on November 12, 2014; and

WHEREAS, the Planning Board submitted the memorializing Resolution, along with a copy of the Phase 3 Study and all exhibits presented at the November 12, 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 3 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 3 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 3 Study Area, collectively, as an area in need of non-condemnation redevelopment for the effective redevelopment of the Phase 3 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 3 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 3 Study and exhibits presented at the November 12, 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 3 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) 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 3 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 3 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.

The Borough Clerk read the following resolution:

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

Resolution #46-15

Authorizing the Mayor and Borough to execute the Settlement of Grievance between the Borough of Middlesex and Sharon Smigel effective January 1, 2015.

The Borough Clerk read the following resolution:

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

Resolution #47-15

The governing body hereby authorizes the refund of Towing License Fees in the amount of \$175.00 for the following companies, as they have not met the Zoning requirements to have a towing operation:

Affordable Kustoms/AKR Towing
670 Bound Brook Road
Middlesex, NJ

Rescue Wreckers
107 Egel Avenue
Middlesex, NJ

The Borough Clerk read the following resolution:

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

Resolution #48-15

The application for renewal of Junkyard Licenses for the year 2015 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 #35-15

WHEREAS, Z Brothers was awarded the contract for 2013 NJ DOT Road Improvements, Fairview Avenue on December 17, 2013 in the amount of \$155,415.09; and

WHEREAS, Revised Change Order #1, is for \$101,595.93 for modifications and adjustments to the contract for various items and which bring the total contract amount for this project to \$257,011.02; 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
Revised Change Order #1	\$ 5,200.00
NEW CONTRACT SUM:	\$257,011.02

NOW FURTHER BE IT RESOLVED that the Treasurer hereby certifies that the funds in the amount of \$5,200.00 are available in Account No. 04-1842-00-1842-84.

Councilman Mikolajczyk made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk, 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 #43-15

The following applications for Towing Licenses for the year 2015 have been approved by the Police Department and met all borough requirements, and the Borough Clerk is hereby authorized to issue the license in consideration of the fees which have been paid.

1. Somerset Hills Towing
2. Lincoln Auto Body
3. Tierno's Automotive Inc.
4. M&W Towing Service
5. Mike's Towing

Councilman Greco made a motion for approval seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 49-15

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: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Recommendation from the Business Community regarding Sewer Usage Fees. Councilman Kaplan, Greco and Schueler met with the business community committee to discuss the Sewer Usage Fees and came back with suggestions. Our present ordinance allows for 40,000 gallons per quarter for residents and the business community. When exceeding 40,000 gallons per quarter, the businesses community would be billed back to zero, which would be based on 9 categories. The committee is

looking to raise revenue and use these funds to improve infrastructure. The recommendation from the business committee was to not revert the 40,000 gallons per quarter back to zero when calculating.

Council President Kaplan indicated that we are currently spending about \$1,600,000 on sewer charges per year and bring in \$570,000 from residential customers and \$400,000 for non-residential customers. Councilman Kaplan mentioned that the town of Old Bridge charges a flat charge of \$540.00 each year which is put in a separate account for infrastructure and maintenance. The Business Committee suggested that if that was done that the charge be \$160.00 per year for residential and businesses would pay \$320.00 per year. The engineer was not in favor of the flat fee, but felt that the 40,000 per quarter could work and recommended reducing the number of classes to 3 (Residential, Commercial and Industrial). The Engineer also recommended getting rid of the ad valorem tax, and following the water company classifications. Also suggested by the engineer was to raise the hookup fees to \$5,000 at the street.

Council President Kaplan stated that the engineer recommended that each business should be sampling wastewater for BOD, suspended solids and chlorine and provide this information to the borough. The residents account for most of the flow, but not most of the loading which comes from the businesses. It was recommended by Council President Kaplan that we ask the County Board of Health to inspect the grease traps, as was done in the past with Middlebrook Board of Health, because not cleaning them gets very expensive.

Mayor Dobies indicated that he does not want to spend tax payers money to recreate the wheel or have a flat charge for residents. The Mayor stated that the 2013 Sewer Fees will be sent out by the end of the week. Council President Kaplan indicated that the sewer committee will bring its final recommendation about the sewer tax back to council.

CORRESPONDENCE

The governing body was given copies of the Planning Board Resolution #2014-04 Regarding Lincoln Boulevard Redevelopment Plan for the Lincoln Boulevard Redevelopment Area. Mayor Dobies will appoint a committee to handle.

PUBLIC COMMENTS

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

Annette Bennett, 217 Lincoln Boulevard requested that the council move along on the area in need of redevelopment as she has two potential buyers of her property and they are looking for more flexibility. Mayor Dobies indicated that he would look into this matter with the appropriate professionals and should be able to give her an answer by the next meeting.

Carol Teracciano, 429 Edgeworth Street thanked Council President Kaplan for attending the Swim Pool Meeting and indicated that the pool provides a lot of opportunities for residents. She indicated that the swim team is waiting a long time for the lap pool and will be disappointed if it is delayed. She would like the council to be sure that the contractors keep their time line and stay on track.

Mayor Dobies stated that he is having the engineer cost out to take it out of town as there is no place in town to put it.

Marc Sowden, Rescue Wreckers requested that a cover letter be given to him with the return of his check for a towing license and requested the code that applies to towing.

Rich Sowden, 107 Egel Avenue requested that the council look into his towing license because he has been in town for 27 years and feels that he is being targeted.

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 #50-15

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting; and

WHEREAS, the Governing Body of the Borough of Middlesex has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public; and

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

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

- (1) DPW Contract
- (2) Police Contract
- (3) White Collar Contract
- (4) Department Head Increases

Councilman Schueler made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. 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
	John Madden
	Bob Schueler
	Jack Mikolajczyk

Attorney: Tim Arch

The Borough Clerk read the following resolution:

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

Resolution #40-15

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 for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #42-15

The Mayor and Borough Clerk are hereby authorized to execute the Contract between the Middlesex Borough PBA Local 181 and the Borough of Middlesex effective January 1, 2015 – December 31, 2017.

Councilman Schueler made a motion to table Resolution #42-15 seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #45-15

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 for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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
JANUARY 29, 2015**

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 Meeting Notice of January 26, 2015 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
	John Madden
	Bob Schueler
	Jack Mikolajczyk

Attorney: Aravind Aithal

Mayor Dobies added on Executive session discussion on the cell tower – legal aspects and plans.

PROCLAMATIONS-NONE

APPOINTMENTS-NONE

PRESENTATIONS - NONE

PUBLIC HEARING

The Borough Clerk read Ordinance No. 1868-15 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1868-15

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: \$35 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 Public Hearing on Ordinance No. 1868-15. Seeing that there was no public participation, Mayor Dobies closed the Public Hearing on Ordinance No. 1868-15.

Councilman Greco moved for adoption seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

Mayor Dobies was disappointed with this increase to the senior residents and wanted to veto the ordinance. Mayor Dobies obtained information from Green Acres which indicates that the swim pool is not required to increase the out of town members more than twice the amount that the residents pay. Mayor Dobies will have the Clerk forward all the background information he obtained from Green Acres to the Council.

NEW BUSINESS

The Borough Clerk read Ordinance No. 1869-15 by title for introduction.

ORDINANCE NO. 1869-15

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 318 ABANDONED PROPERTY, SECTION 318.1 DEFINITIONS, 318.3 REGISTRATION, SECTION 318.7 FEES AND SECTION 318.10 VIOLATIONS AND PENALTIES

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

ARTICLE I

Registration of Abandoned Property

§ 318.1 Definitions.

ABANDONED – A property that is vacant and/or is under a current notice of default and/or notice of trustee’s sale, pending Tax Assessor’s lien and/or properties that have become subject of a foreclosure where the title was retained by the beneficiary of a deed of trust involved in the foreclosure and properties transferred under a deed in lieu of foreclosure/sale.

AGREEMENT – Any agreement or written instrument which provides that title to property shall be transferred or conveyed from one owner to another owner after the sale, trade, transfer or exchange.

BUILDING – Any improved real property, or portion thereof, situated in the Borough, designated or permitted to be used for occupancy or for dwelling purposes, and shall include buildings and structures located on such improved real property. This includes any real property being offered for sale, trade, transfer, or exchange whether or not it is legally permitted and/or zoned for such use.

§ 318.3. Registration.

- A. Any beneficiary/trustee/mortgagee who holds a deed of trust/mortgage on a property located within the Borough of Middlesex shall perform an inspection of the property that is the security for the deed of trust/mortgage, upon default by the trustor/mortgager, prior to recording a notice of default. If the property is found to be vacant or shows evidence of vacancy, it is, by this article, deemed abandoned, and the beneficiary/trustee/mortgagee shall, within 10 days of the inspection, register the property with the Zoning Officer or his or her designee on forms provided by the Borough. If the property is occupied but remains in default, it shall be inspected by the beneficiary/trustee/mortgagee, or his designee, monthly until 1) the trustor/mortgagor or other party remedies the default; or 2) it is found to be vacant or show evidence of vacancy, at which time it is deemed abandoned, and the trustee shall, within 10 days of that inspection, register the property with the Zoning Officer or his designee on forms provided by the Borough. Registration of \$500 shall be paid at the time of initial

registration for residential properties. A registration fee of \$1,000 shall be paid at the time of initial registration of all other properties. The fee shall be \$1,500 for the first renewal registration for residential properties; \$3,000 for the second renewal for residential properties; and, \$5,000 for the third or subsequent renewal of residential properties. The fee shall be \$3,000 for the first renewal registration for all other properties; \$6,000 for the second renewal of all other properties; and, \$10,000 for the third or subsequent renewal of all other properties.

§ 318.7. Fees.

The fee for registering an abandoned property shall be set by resolution of the Middlesex Borough Council.

§ 318.10. Violations and penalties.

Violations of this article shall be treated as a strict liability offense regardless of intent. Any person, firm and/or corporation that violates any portion of this article shall be subject to prosecution and/or administrative enforcement and shall be a penalty of not less than \$250 or more than \$1,000 for each and every violation of this article. For purposes of this article, each calendar day that a Building remains vacant and has not been registered as required under this article shall constitute a separate violation of this article.

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 318, Sections 318-1, 318-3, 318-7 and 318-10 as stated above.
2. This Ordinance shall take effect immediately upon final passage and publication according to law.

Councilman Kaplan moved for introduction seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

ADOPTION OF MINUTES

Councilman Dotey made a motion to approve the January 1, 2015 Reorganization Meeting Minutes and the January 13, 2015 Regular Meeting Minutes & Executive Session Minutes seconded by Councilman Mikolajczyk and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance

- A. Council President Kaplan mentioned that the Finance Committee met last Saturday and reviewed the budget. They will come back with recommendations for the Treasurer to prepare and bring back to the Council.
2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco stated that all events were cancelled due to the weather.
3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Councilman Dotey made a motion to accept Sean Kaplan as a member of the Middlesex Fire Department seconded by Councilman Schueler and carried by a unanimous vote of Council.
 - B. Councilman Dotey acknowledged Colin McKeown as a qualified driver of Engine 21 and Truck 25 and Ed Winters, Sr. as a qualified driver of Truck 18.
4. Public Works/Parks/Sanitation/Recycling –
 - A. DPW staff was available for snow duty on Saturday and Tuesday and provided service to accomplish road clearance. Attention was paid to make sure that the drivers got appropriate rest. Both events required salting and plowing operations. Overtime was required to accommodate the work.
5. Police/Legal/Code Enforcement/Construction/Municipal Court
 - A. Councilman Madden had a meeting with Chief Young and reviewed the Police Budget.
 - B. Councilman Madden made a motion to approve the December, 2014 Police Department Report seconded by Councilman Kaplan and carried by a unanimous vote of Council.
6. Administration/Department of Senior Services/Legislation/Licensing
 - A. Councilman Mikolajczyk mentioned that he wanted an organizational chart and job descriptions.
 - B. Councilman Mikolajczyk mentioned that he attended the HUD Meeting last night and they reorganized and elected Betty Platten as Chairwoman and Vic Capolunghi as Vice Chairman. Councilman Mikolajczyk mentioned that past funds had been used for 3 benches along Mountain Avenue, Daisy Park and Senior Center refurbishing and also work is scheduled for Lincoln Park. The committee is intending to use their 2015 funds for work in the Senior Center. A resolution will be put on the February 10, 2015 Regular Meeting for approval.
 - C. Councilman Mikolajczyk requested clarification of the Borough Attorney as to whether a municipality has a right to have an ethics board to hear complaints if there is a challenge of unethical behavior. Attorney Aithal indicated that in the

past the borough made the decision not to appoint an Ethics Board, and if no board is appointed, we are required to register with the Local Finance Board, and if needed, they would hear any ethical complaints that we would have.

REPORTS

Mayor

1. Governing Body Goals – Mayor Dobies discussed the Governing Body goals that were mentioned on January 1. The Mayor feels that there is a need for a quarterly meeting to have a planning session. He also mentioned that he would like 3 names of Administrator applicants by Monday, February 1st to bring in to interview and then get from the next group the top 3 applicants to interview by February 16. The Borough Clerk will prepare a spreadsheet of all applicants for the governing body.
2. Mayor Dobies stated that the development of a pump station on the south side of the tracks would drastically reduce our infiltration. Mayor Dobies is requesting that Jerry Sheehan ask for a monthly report from the MCUA.
3. The redevelopment of the Mountain View Park Football Complex – Mayor Dobies has had discussion regarding this complex and estimates the cost at 2 million dollars. Mayor Dobies will meet with his committee of Councilman Kaplan and Greco prior to meeting with the Superintendent.
4. Keeping our residents informed – Mayor Dobies indicated that we can get information out to the borough by circulating the information in the Community News, as is done by Dunellen and is paid for by ads. The Mayor will bring the costs involved back to the Council. Also, the Mayor recommended that we request e-mail when sending out the tax bills, to enable us to get more information out to the public.
5. Councilman Mikolajczyk noted that one of the Mayor's goals for the governing body should be to resolve the sewer issue. Councilman Kaplan recommended having the engineer come to the next executive session meeting to bring recommendations.

The Borough Clerk read the following resolution:

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

Consent Agenda 2014(C)

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

WHEREAS, the Mayor and Council of the Borough of Middlesex wishes to remove Resolution #54-15 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 #51-15 – Resolution #53-15
Resolution #55-15

Councilman Dotey made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #51-15

The Towing Licenses for the year 2015 for Hart's Autobody, Middlesex, NJ has been approved by the Police Department and met all borough requirements, and the Borough Clerk is hereby authorized to issue the license in consideration of the fees which have been paid.

The Borough Clerk read the following resolution:

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

Resolution #52-15

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
229/15	Ryan, Walter C % K Motte Rock Ln	\$ 1,723.26	2014-1838
229/17	Ryan, Walter C % K Motte Rock Ln	\$ 2,584.88	2014-1839
229/20	Ryan, Walter C – Executor % K Motte Rock Ln	\$ 2,584.88	2014-1840
229/23	Ryan, Walter C % K Motte	\$ 1,723.26	2014-1841

Rock Ln

The Borough Clerk read the following resolution:

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

Resolution #53-15

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	No value
Portable radio	Motorola	HT1000	#402AWYF951Z	No value
Portable radio	Motorola	HT1000	402AXC0308	No value
Portable Radio	Motorola	P110	#188TXU3555	No value
Portable Radio	Motorola	P110	#188TXU3554	No value
Portable radio	Motorola	HT1000	#402AXY6422	No value
Portable Radio	Motorola	P1225	#475FYC2863	No value
Portable radio	Motorola	HT1000	402TZA1235Z	No value
6 bank charger	Motorola	HT1000		No value
6 bank charger	Motorola	P200		No value
Encoder	Motorola	CDM1250	103TBQ6825	No value
Encoder	Motorola	CDM1250		No value
Mobile Radio	Motorola	GM300	159TYQC431	No value
Mobile Radio	Motorola	GM300	778TXJ1611	No value
Pagers	Motorola	Minitor III	253BAS235D	No value
Pagers	Motorola	Minitor III	253BYQ29BD	No value
Pagers	Motorola	Minitor III	253BAS2355	No value
Pagers	Motorola	Minitor III	253BAS2357	No value
Pagers	Motorola	Minitor III	253BAS2368	No value
Pagers	Motorola	Minitor III	253BAS23SB	No value
Pagers	Motorola	Minitor III	253BAS23VB	No value
Pagers	Motorola	Minitor III	253BAS2386	No value
Pagers	Motorola	Minitor III	253BCJ22RP	No value
Pagers	Motorola	Minitor III	253BCJ22RM	No value

Pagers	Motorola	Minitor IV	839SDL27BC	No value
Pagers	Motorola	Minitor IV	839SDL27BB	No value
Pagers	Motorola	Minitor IV	839SDL278D	No value
Pagers	Motorola	Minitor III	253BAS23SF	No value
Pagers	Motorola	Minitor III	253BYQ29BB	No value
Pagers	Motorola	Minitor III	253BYQ29BC	No value
Pagers	Motorola	Minitor III	253BYS24ZM	No value
Pagers	Motorola	Minitor III	253BYW2397	No value
Pagers	Motorola	Minitor III	253BYW2398	No value
Pagers	Motorola	Minitor III	253BYW2395	No value
Vision Book	Hitachi	7360	TD0134700056	No value
Mobile Radio	Motorola	M1225	869FYL3942	No value
Mobile Radio	Motorola	M1225	869FYL3948	No value
Mobile Radio	Motorola	M1225	869FYL3954	No value
Mobile Radio	Motorola	M1225	869FYL3957	No value
Mobile Radio	Motorola	M1225	8G9FZL3679	No value

The Borough Clerk read the following resolution:

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

Resolution #55-15

The application for a 2015 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 (1) Amusement Machine (1) Music Machine	\$300.00 \$150.00 \$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.	(6) Amusement Machines (1) Music Machine	\$900.00 \$100.00
TOTAL		\$2750.00

The Borough Clerk read the following resolution:

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

Resolution #54-15

WHEREAS, Middlesex County Office of Aging & Disabled Services has entered into a contract with the Borough of Middlesex for the provisions of Information and Assistance and Assisted Transportation Services dated July 18, 2013; and

WHEREAS, Middlesex County Office of Aging & Disabled Services has agreed to extend the contract for a third year and increase this contract an additional \$14,381.

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 authorized to execute this contract amendment with the Middlesex County Office of Aging & Disabled Services
2. 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, Kaplan, Madden, Mikolajczyk 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 56-15

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 Councilman Kaplan and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Tax Assessor – Council agreed to have the Clerk advertise for this position.
2. Grease Traps – Councilman Madden discussed the ordinance adopted by Dunellen regarding grease traps. He spoke with Terry Brundage, and we do not know if all the food facilities have grease traps and if they are cleaned on a regular basis and

inspected. Councilman Madden recommended that we should draft an ordinance to consider establishments have a viable grease trap and make sure it is inspected. Council and the attorney will review Dunellen ordinance and also review our current ordinance as a whole.

PUBLIC COMMENTS

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

Rich Malt, 309 D Street discussed the traffic light by Beechwood Fire House that is not working. Mr. Malt indicated that this is a hazard, as the firefighters have to get out of the truck to direct traffic during an emergency. Councilman Kaplan indicated that this matter was forwarded to Sergeant Comiskey, and it is being handled.

Mr. Malt also mentioned that he is a volunteer and gives up time to go to car accidents during the day and has to make up the time at work. He is concerned why we are calling towing companies from out of town, as these wreckers take a long time to get to the accident scene. Councilman Kaplan stated that our ordinance states this if the wreckers do not respond within 20 minutes they can be suspended and feels that we should amend the ordinance for next year and limit the amount of wreckers to 5 that are from within the town.

Mr. Malt likes the research being discussed on the grease traps and wanted to emphasize that the residential homeowners and apartment complexes are the worse at generating grease. Before an ordinance is drafted you have to consider where the grease is coming from.

John Ellery, 701 Lincoln Boulevard stated that the Middlesex Sewer Department used to check grease traps monthly and would like to see the required cleaning of the grease traps put in the sewer ordinance. John Ellery provided council with a copy of a letter from the Middlesex Borough Business and Professional Association indicating that 5% of the borough's industrial/commercial businesses are footing the bill for the sewer fees and suggested a solution that most towns have implemented where all residents, whether private or commercial pay a share. They also are requesting that all sewer fees collected be put in a dedicated account with a long term plan to address failing infrastructure. Also, they feel it is essential to become independent of Piscataway as part of the assessment structure and address the possibility of building additional pump stations to support the flow. Mr. Ellery also would like the Middlesex business community to work together with the borough to keep Middlesex Borough a desirable community.

Mr. Ellery also mentioned that the businesses are irate that the borough wants the sewer bills paid within 30 days.

John Hoffman, 455 Lincoln Boulevard thanks the Mayor for trying to help him today with his issue with Middlesex County. He also mentioned that Lincoln Boulevard is the worse street in town for traffic accidents, and feels that something should be done.

Councilman Madden mentioned that he spoke with the Police Chief and he is working on the lights on both intersections on Lincoln Boulevard.

Councilman Schueler discussed the borough towing companies that were unable to obtain their license, and requested if they were able to obtain a provisional license if they are in the midst of dealing with the Planning and Zoning Board. Attorney Aithal indicated that if a provisional license was obtained by the governing body, the Zoning Board would feel pressure to approve them because they had a provisional license from the governing body. Also, the governing body cannot allow someone to do business in an area that is not an approved zone.

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 #57-15

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) Dental Insurance
- (2) Department Head Increases

Councilman Schueler made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. 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
Council President

Ronald Dobies
Sean Kaplan
Kevin Dotey
Stephen Greco
John Madden
Bob Schueler
Jack Mikolajczyk

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 #58-15

Authorizing the Mayor and Borough Clerk to execute the Contract with Principal Financial and the Borough of Middlesex for dental services for the years 2015/2016 in the amount of \$84,240.00 (1/31/15 – 1/31/17)

Councilman Schueler made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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
FEBRUARY 10, 2015**

MAYOR'S STATEMENT: Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of January 2, 2015 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 (Absent)
	John Madden
	Bob Schueler
	Jack Mikolajczyk
Attorney:	Jerome Solomon

Mayor Dobies added to the agenda the request from Parker Fire Company for approval for a coin toss and also in Executive Session the litigation regarding the swim pool.

PROCLAMATIONS-NONE

APPOINTMENTS-NONE

PRESENTATIONS - NONE

PUBLIC HEARING

The Borough Clerk read Ordinance No. 1869-15 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1869-15

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 318 ABANDONED PROPERTY, SECTION 318.1 DEFINITIONS, 318.3 REGISTRATION, SECTION 318.7 FEES AND SECTION 318.10 VIOLATIONS AND PENALTIES

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

ARTICLE I

Registration of Abandoned Property

§ 318.1 Definitions.

ABANDONED – A property that is vacant and/or is under a current notice of default and/or notice of trustee's sale, pending Tax Assessor's lien and/or properties that have become subject of a foreclosure where the title was retained by the beneficiary of a deed of trust involved in the foreclosure and properties transferred under a deed in lieu of foreclosure/sale.

AGREEMENT – Any agreement or written instrument which provides that title to property shall be transferred or conveyed from one owner to another owner after the sale, trade, transfer or exchange.

BUILDING – Any improved real property, or portion thereof, situated in the Borough, designated or permitted to be used for occupancy or for dwelling purposes, and shall include buildings and structures located on such improved real property. This includes any real property being offered for sale, trade, transfer, or exchange whether or not it is legally permitted and/or zoned for such use.

§ 318.3. Registration.

- A. Any beneficiary/trustee/mortgagee who holds a deed of trust/mortgage on a property located within the Borough of Middlesex shall perform an inspection of the property that is the security for the deed of trust/mortgage, upon default by the trustor/mortgager, prior to recording a notice of default. If the property is found to be vacant or shows evidence of vacancy, it is, by this article, deemed abandoned, and the beneficiary/trustee/mortgagee shall, within 10 days of the inspection, register the property with the Zoning Officer or his or her designee on forms provided by the Borough. If the property is occupied but remains in default, it shall be inspected by the beneficiary/trustee/mortgagee, or his designee, monthly until 1) the trustor/mortgagor or other party remedies the default; or 2) it is found to be vacant or show evidence of vacancy, at which time it is deemed abandoned, and the trustee shall, within 10 days of that inspection, register the property with the Zoning Officer or his designee on forms provided by the Borough. Registration of \$500 shall be paid at the time of initial registration for residential properties. A registration fee of \$1,000 shall be paid at the time of initial registration of all other properties. The fee shall be \$1,500 for the first renewal registration for residential properties; \$3,000 for the second renewal for residential properties; and, \$5,000 for the third or subsequent renewal of residential properties. The fee shall be \$3,000 for the first renewal registration for all other properties; \$6,000 for the second renewal of all other properties; and, \$10,000 for the third or subsequent renewal of all other properties.

§ 318.7. Fees.

The fee for registering an abandoned property shall be set by resolution of the Middlesex Borough Council.

§ 318.10. Violations and penalties.

Violations of this article shall be treated as a strict liability offense regardless of intent. Any person, firm and/or corporation that violates any portion of this article shall be subject to prosecution and/or administrative enforcement and shall be a penalty of not less than \$250 or more than \$1,000 for each and every violation of this article. For purposes of this article, each calendar day that a Building remains vacant and has not been registered as required under this article shall constitute a separate violation of this article.

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 318, Sections 318-1, 318-3, 318-7 and 318-10 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. 1869-15. Seeing that there was no public participation, Mayor Dobies closed the Public Hearing on Ordinance No. 1869-15.

Councilman Kaplan moved for adoption seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

NEW BUSINESS

The Borough Clerk read Ordinance No. 1870-15 by title for introduction.

ORDINANCE NO. 1870-15

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 amended to include the following locations.

407-33 Turn Prohibitions

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

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. This ordinance shall take effect immediately upon final adoption and publication in accordance with the laws of the State of New Jersey.

Councilman Dotey moved for introduction seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

ADOPTION OF MINUTES

Councilman Dotey made a motion to approve the January 27, 2015 Regular Meeting Minutes & Executive Session Minutes seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance
 - A. Council President Kaplan mentioned that the Finance Committee met and reviewed the budget and made cuts. A meeting will be set with the Treasurer on Monday and cuts will be discussed with the auditor, and circulated to council.

2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Mikolajczyk spoke on behalf of Councilman Greco and relayed the following Recreation Department program updates:
 - (1) Recreation Basketball has 214 registered players this year. Photo Day has been moved to February 11, 2015.

- (2) Recreation Baseball and Softball registration forms were delivered to the Middle and Elementary Schools on February 3, 2015. The forms were also sent out in a form of an E-blast from the School District. Registration deadline is February 27, 2015.
- (3) There was a Novice Wrestling Tournament held on Sunday, January 25th in the High School Gym. Middlesex has 36 wrestlers registered this year. Even though the tournament was cut short by a day due to inclement weather, there was a great turnout. Congratulations to all who participated.
- (4) In travel basketball we have 4 teams entered in the Garden State League. Our 5th/6th boys' team is 8-1, the 5th/6th girls are 8-0, the 7th/8th boys are 5-3, and the 7th/8th girls are 1-6. The turn out at home games has been great. Thank you for supporting our children.
- (5) Attention Residents: There are Discount Ski lift/tubing tickets are available for residents in the recreation office. There are two Movie Nights in the Park scheduled for this summer. The dates are Friday July 10th and Friday August 7th.
- (6) REMINDER: Please join the Girl Scouts of Middlesex Borough along with the Boy/Cub Scouts and other organizations on the Lincoln Pilgrimage this Sunday February 15th at 1:00 PM. All participants will gather behind Borough Hall and begin their walk at 1:15 PM. The Parade will proceed down Mountain Avenue and across to Lincoln Boulevard to the Lincoln Memorial. At the statue, a reading of the Gettysburg Address will take place. Then all participants will complete the walk back to the Recreation Center for refreshments.

- B. Swim Pool Project – Councilman Mikolajczyk stated the weather is not cooperating with us, pool professionals are moving ahead as far as they can on the new lap pool.

The pool commission soil sampling came back clean, so the dirt can now be removed/relocated from the pool site as needed. The commission will be providing the Mayor and Council the amount of soil that is needed to be relocated / removed from the pool site shortly. Mayor Dobies stated the landfill or recycling may be a potential location for the soil, and would like to keep the soil in town.

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

4. Public Works/Parks/Sanitation/Recycling –

- A. Councilman Schueler stated that so far this year we have used 100 tons of salt for roads and almost 4 tons of ice melt for sidewalks. Repairs to snow plows have been reduced over last year. We are continuing to work on getting all our

street signs in compliance by the end of year so we can comply with state mandate, we are on the last section and are replacing old and destroyed signage as well. We are doing this in our sign shop so we don't have to go outside for the expense. We had a significant snowfalls that required plowing. I am awaiting info for the cost of overtime so we can share with council and finance and make sure we have it covered in budget. We have had a few delays in the collection of garbage on Mondays corresponding to the snowfalls. This allows our staff to quickly clear the roadways and public sidewalks. I think our guys have done a good job and have worked diligently to clear the roads for our residents. We do have to balance the closeness of the plow to the road with the safety of the road and the staff. A plow too close will tear up the surface or break the curb and gutter as well as damage the plow and potentially injury our employees. When the weather gets warmer we will be taking further measures to clean and repair catch basins. I have asked the DPW Manager to keep me apprised of the process of this. We have Ron Safar attached to our Sewer Department so we can keep the knowledge in house and gain some bench strength in some of our specialty departments. This will be an ongoing process.

- B. Councilman Schueler gave a CAP update, Community Advisory Panel, to look at business and safety issues within the borough, relating to the industrial areas of town. This was taken over by Marisol after Dow left. I have had a call with Kristi Moore and will be getting more info from the meeting. I will have monthly meeting Feb 26 at the Fire training center in Piscataway. I will give more of an update after this meeting.
5. Police/Legal/Code Enforcement/Construction/Municipal Court
- A. Councilman Madden has been in touch with the Court Administrator to get updated court reports.
6. Administration/Department of Senior Services/Legislation/Licensing
- A. Councilman Mikolajczyk mentioned that he had an e-mail from the YMCA regarding volunteering in the borough. Mayor Dobies forwarded this e-mail to the DPW Supervisor. Suggestions were to have someone help in the borough hall, clean OEM, help the Fire Dept., work in the library or possibly help to prep the senior garden.
 - B. Councilman Mikolajczyk mentioned that he would like the job descriptions and Mayor Dobies has them and would provide them to him.
 - C. Councilman Mikolajczyk attended the Middlesex Board of Education Meeting and reported (1) The Administrative Union has resolved their issues; (2) They are aggressive in terms of their lease for 5 years for 1.7 million dollars to fix up Hazelwood School (roof and windows); and (3) The BOE entered into a 20 year contract for 5.8 million dollars with Johnson Controls for boilers and electrical work.

- D. Councilman Mikolajczyk stated that he will be meeting with the Board of Education School Superintendent, Board Administrator and School Board President before the next Regular Meeting.

REPORTS

Mayor

1. Mayor Dobies will be meeting with the Administrative Committee about the football complex, and he does anticipate support from the Board of Education. This project may have to be done in phases, with the needed highlights done first.

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 wishes to remove Resolution #63-15 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 #58-15 – Resolution #62-15
Resolution #65-15

Councilman Kaplan made a motion for approval seconded by Councilman Mikolajczyk and carried by the following roll call vote: Ayes: Dotey, Kaplan, Madden, Mikolajczyk 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 #58-15

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.
33/1	Petschko, Johann & Christel 613 Bound Brook Rd	\$60,277.70 \$10,000.00 premium	2012-1785
318/19	All G's Transport & Warehousing LLC 201 Mountain Ave	\$21,116.93 \$13,500.00 premium	2014-1836
318/21	All G's Transport & Warehousing LLC Wood Ave	\$ 5,898.47	2014-1837

The Borough Clerk read the following resolution:

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

Resolution #59-15

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 2015 Grant Funds:

Senior Coordinator Salary	\$11,075
Senior Van Driver	\$7,500
Code Enforcement	\$7,500
Nutritional Program	\$7,500
Senior Ctr. Bathrooms	\$15,346
TOTAL	\$48,921

The Borough Clerk read the following resolution:

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

Resolution #60-15

**RESOLUTION AUTHORIZING STATE CONTRACT
PURCHASE OF NEW HANDGUNS, SHOTGUNS & RELATED EQUIPMENT FOR THE
POLICE DEPARTMENT**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase handguns, shotguns and related equipment 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, Atlantic Tactical of NJ, Inc. is under State Contract No. A82102 and A81297 for the year 2015; and

WHEREAS, the cost for the purchase of handguns, shotguns and related equipment (less trade in of \$12,167.00) is \$16,723.04; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of handguns, shotguns and related equipment for the Police Department is ordered under State Contract No. A82102 and A81297 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount of \$16,723.04 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 #61-15

The Tax Collector is hereby authorized to issue a check in the amount of \$39,622.79 to redeem tax sale certificate #2012-1797 and a check in the amount of \$16,500 for a tax sale premium, Block 197, Lot 35, 424 Cook Avenue, 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 #62-15

WHEREAS, Roto Rooter was issued a street opening permit on 10/25/2012; and

WHEREAS, Roto Rooter deposited \$2500.00 with the Borough of Middlesex to ensure proper repair and maintenance of the roadway; and

WHEREAS, said roadway at 413 Melrose Ave 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 Roto Rooter, 80 Veronica Ave, Somerset, NJ 08873, for refund of Street Opening Permit No. 2012-009.

The Borough Clerk read the following resolution:

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

Resolution #66-15

WHEREAS, Parker Engine & Hose Co. No. 4 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 South Lincoln Avenue; and

WHEREAS, Parker Engine & Hose Co. No. 4 would like to conduct these coin tosses, one in the Spring and one in the fall on either March 28 or April 4, 2015 and either October 10 or October 17, 2015; 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 coin tosses on either March 28, 2015 or April 4, 2015, and October 10, 2015 or October 17, 2015 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 #63-15

The Mayor and Borough Clerk are hereby authorized to execute the Contract between the Middlesex Borough PBA Local 181 and the Borough of Middlesex effective January 1, 2015 – December 31, 2017.

Councilman Schueler made a motion to table Resolution #63-15 seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Dotey, Kaplan, Madden, Mikolajczyk 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 64-15

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

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Board of Health – Powers and Duties - Attorney Aithal attended the last Board of Health meeting to discuss if they were autonomous or advisory. In the Code Book, Chapter 48 created the Board of Health which refers to the state law from the 1800's and the board was never termed either autonomous or advisory. He said the donut hole needs to be closed and direction needs to be given to the board so that they know how to operate. Mayor Dobies indicated that as an autonomous board, they could have their own lawyer, but as an advisory board, the council would become the Board of Health. Mayor Dobies feels that the council will have to make a decision before a vote is taken on the type of board that they would like them to be.

Councilman Madden stated that when he was on the Board of Health they were able to procure a county agreement saving \$62,000, but that he would like to see the Board of Health be more proactive and take advantage of the services that are available. Suggestions were to negotiate a stronger contract with the County, bolster the position of the REHS, charge Dunellen for services of our office, clarify how the board is going to operate, and empower the board of health to utilize the services. Mayor Dobies will do a study and get a clear idea of the Board's functions.

Attorney Aithal recommended the council considering drafting an amendment to the ordinance to fill the hole.

PUBLIC COMMENTS

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

Dave Oliver, 216 Ashland Road discussed the following items: (1) Explained the lease purchase financing for Hazelwood School roof/windows and also the Board of Public Utilities Efficiency Program for electricity and power in the district, which will make the district more energy efficient, and includes a guaranteed savings, and (2) Disappointed that the library is not opened more hours and requested that the library extend their hours.

Councilman Schueler is pleased the Board of Education takes the opportunity to capitalize expenses, so that there is less of a burden on the residents and showing good fiscal responsibility

Betty Platten discussed the following items: (1) status of the changing of the redevelopment plan so that the resident that attended the meeting could move forward with the selling of their property, (2) Pleased that the Board of Education is financing the upgrading being done in the school district, (3) The Board of Health Contract; and (4) status of the security cameras at Borough Hall and Mountain View Park.

Mr. Mavrianos, Mountain View Diner questioned why there was such a difference in the two sewer bills that he received from the borough.

Mayor Dobies stated that in 2011 and 2012 Mr. Mavrianos should have about the same bills, but in 2013 all the businesses were put in a lower class, and our professionals have now categorized the classes properly. Councilman Kaplan recommended that a letter be drafted to the businesses to explain the calculations.

John Hoffman, 455 Lincoln Boulevard discussed the following items: (1) Recommended clearing up what are the functions of the Board of Health; (2) Charging Dunellen for the use of the Board of Health Office space; (3) Plowing with the bucket truck; (4) Another apartment building looking to come into town; (5) Concern with the use of the pilot program money; (6) Recording of council meetings; and (7) removal of the PBA Resolution from the Agenda.

Barbara Benson, Middlesex Village (Middlesex Board of Health Member) discussed the following items: (1) Middlesex County Board of Health Contract and exactly what it includes; (2) Lack of training of the Board members; (3) Notification by the Borough Attorney that the Board was never designated as an autonomous board; (4) Request that the Council decide whether the Board of Health is advisory or autonomous; and (5) Liability insurance coverage for members of the Board.

Mayor Dobies stated that the contract he signed for the Board is available to review if interested, but at this time the board is considered autonomous, until it is changed by council. Councilman Dotey requested that he would like to see the “donut hole” closed.

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 #65-15

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) Swim Pool Bond

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

Councilman Madden 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 (absent)
	John Madden
	Bob Schueler
	Jack Mikolajczyk

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 #67-15

WHEREAS, the Swim Pool Commission recommends terminating the contract with Jamali Developers LLC; and

WHEREAS, Jamali Developers LLC performance has been unsatisfactory and has failed to correct numerous deficiencies on the project as well as not meeting deadlines for this time sensitive project; and

WHEREAS, pursuant to section 1.16 of the contract between the Borough of Middlesex and Jamali Developers LLC the Borough of Middlesex wishes to terminate the contract.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the Borough Council hereby authorizes the Borough Attorney to send correspondence to Jamali Developers LLC of the termination of the contract for the Upgrades to the Middlesex Community Pool.

Councilman Schueler made a motion for approval seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Kaplan, Madden, Mikolajczyk 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 #68-15

WHEREAS, based on emergent circumstances, the Upgrades to the Middlesex Community Pool project cannot be completed unless a new contractor is onsite to complete the project; and

WHEREAS, the Swim Pool Commission recommends that the Governing Body authorize the next lowest bidder Ray Palmer, 95 King Street, Dover, NJ to provide Upgrades to the Middlesex Community Pool in the amount of \$1,151,900.00.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the Governing Body hereby awards the bid for the Upgrades to the Middlesex Community Pool to Ray Palmer Associates, Inc. in the amount of \$1,151,900.00.

NOW FURTHER BE IT RESOLVED that the Treasurer hereby certifies that funds in the amount of \$1,151,900.00 are available in Account No. 06-1510-03-1852-60.

The funds for this resolution were not certified by the Treasurer prior to adoption.

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

ADJOURNMENT

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

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
FEBRUARY 24, 2015**

MAYOR'S STATEMENT: Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of January 2, 2015 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	
	John Madden	
	Bob Schueler	
	Jack Mikolajczyk	
Attorney:	Aravind Aithal	

Mayor Dobies added to the Executive Session Meeting the discussion on the scheduling of interviews for the Borough Administrator.

PROCLAMATIONS-NONE

APPOINTMENTS-NONE

PRESENTATIONS - NONE

PUBLIC HEARING

The Borough Clerk read Ordinance No. 1870-15 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

**ORDINANCE NO. 1870-15
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 amended to include the following locations.

407-33 Turn Prohibitions

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

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. This 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 Public Hearing on Ordinance No. 1870-15. Seeing that there was no public participation, Mayor Dobies closed the Public Hearing on Ordinance No. 1870-15.

Councilman Greco moved for adoption seconded by Councilman Mikolajczyk and carried by the following roll call vote: Ayes: Dotey, Greco, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

NEW BUSINESS-NONE

ADOPTION OF MINUTES-NONE

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance – Council President Kaplan was absent

2. Recreation/Recreation Fields/Water & Light – Nothing to report
3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Councilman Dotey made a motion to accept the following individuals as Qualified Drivers for Truck 25 for 2015: Ken Bartok, Dan DelSignore, Chad Heulitt, Rich Malt, William Smith, Eric Chomen, Colleen Dooley, George Schroeder, Jake Kyryczenko, Kevin Mott, Darren Lubetkin and Brian Chomen seconded by Councilman Schueler and carried by a unanimous vote of Council.
 - B. Councilman Dotey made a motion to permit Lincoln Hose Company to take Engine 21 to the Somerville St. Patrick's Day Parade on March 15, 2015 seconded by Councilman Schueler and carried by a unanimous vote of Council.
4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler stated that during the 2/13/15 storm he met with the DPW Manager and indicated that we did receive our salt delivery and it was used after the storm and initial plowing was done. The main roads and sections were done and attention was given to side streets. There were some streets such as Drake that had icing conditions Sunday Morning, which were resolved by the afternoon. Overtime was utilized as the crew was working from 4 am on 2/13 till 1 PM on 2/14. Appropriate breaks were taken to ensure safety. I received several calls concerning icing conditions and on Monday took the opportunity to drive the town to locate these trouble spots that remain despite our plowing efforts. This document was provided to DPW manager with suggestion that when we send our crews out to their sections they pay special attention to those areas in their sections and have some salt available to combat the icing problems they encounter.

The Planning board authorized the Borough Planner to conduct a study in order to determine if there is sufficient need to move forward with the transition of the current area in need of rehabilitation to a redevelopment zone. The estimate from Ricci Planning was that this would take approximately 4 months. If it looks like it will take longer, the planner will inform the Planning Board.
5. Police/Legal/Code Enforcement/Construction/Municipal Court
 - A. Councilman Madden made a motion to accept the January, 2015 Police Department Monthly Report seconded by Councilman Greco and carried by a unanimous vote of Council.
6. Administration/Department of Senior Services/Legislation/Licensing
 - A. Councilman Mikolajczyk mentioned that he met with Michele Previte and BOE Superintendent Madison, along with BOE liaison Dave Oliver for an introductory meeting. Councilman Mikolajczyk also attended the School Board Meeting last

night and reported that the work for the Hazelwood roof, window project and the project for the other utilities are underway, and should take place with a minimal disruption for the children. Also, the Borough is also one of 10 school districts that have begun PARCC testing one week earlier than the rest of the state, and although there were minor problems with some of the programs, the district was prepared, and testing at the High School will be completed this week.

Mayor Dobies reported that he informed the council of the cost for the renovations of the football field project. He is recommending that the lighting of the field be a priority. The Mayor is requesting direction from council on this project.

Councilman Mikolajczyk stated that the Board of Education did a run through on the 2016 budget. They have an aggressive schedule with construction work of the bathrooms and also intend to be under the 2% cap.

REPORTS

Mayor

1. Amendment to the Current Redevelopment Plan – Mayor Dobies indicated that there are minor Zoning changes and that this ordinance will be introduced at the March 10, 2015 Regular Meeting. Paul Ricci will be contacting the individuals that are involved to see if what we are projecting will meet their needs.

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 wishes to remove Resolution #69-15 and #77-15 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 #70-15 – Resolution #76-15

Councilman Dotey made a motion for approval seconded by Councilman Mikolajczyk and carried by the following roll call vote: Ayes: Dotey, Greco, Madden, Mikolajczyk 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 #70-15

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 #
114/2	Joseph Haumacher Jr 230 Beechwood Ave	\$ 303.89	680039161

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 #71-15

The Tax Collector is hereby authorized to refund Sanitary Sewer Use Charges on the following properties on the attached listing. This was due to overpayments on the 2012 / 2013 sewer billings. Total amount of the refunds are \$69,464.81.

The Borough Clerk read the following resolution:

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

Resolution #72-15

RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF UPGRADE TO VPN LICENSE

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase an upgrade for VPN license on current firewall 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 upgrade to VPN license is \$272.55; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of upgrade to VPN license is ordered under State Contract No. 70256 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount \$272.55 is available in Account No. 01-2010-20-1401-062.

The Borough Clerk read the following resolution:

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

Resolution #73-15

The Tax Collector is hereby authorized to refund 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>
52/23	Vidal, John M 307 Second St	\$ 338.20

The Borough Clerk read the following resolution:

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

Resolution #74-15

The governing body hereby declares the following items as surplus:

- (1) 2004 Senior Van, Vin No. 1FTSS34P54HB52987
- (2) 1964 DPW CAT Grater, Vin No. 99E8443

The Borough Clerk read the following resolution:

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

Resolution #75-15

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 #76-15

RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF MONITORS FOR NEW CAD SYSTEM

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase (8) monitors for the 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 upgrade to the Monitor for the New CAD System is \$2,614.48; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of new monitors is ordered under State Contract No. 70256 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount \$2,614.48 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 #69-15

The Treasurer is hereby authorized to issue a check in the amount of \$100 from the Collector of Taxes O/E line due to a counterfeit bill.

Councilman Dotey made a motion for approval seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Madden, Mikolajczyk 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 #77-15

The Governing Body hereby approves amending the Borough Personnel Policy to include in Section 8 Work Period and Overtime, Section 8.2b Part Time Employees.

Councilman Dotey made a motion for approval seconded by Councilman Mikolajczyk and carried by the following roll call vote: Ayes: Dotey, Greco, Madden, Mikolajczyk 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 #78-15

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 Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Operation of the Board of Health – Attorney Aithal indicated that he was invited to the Board of Health meeting and discussion was held whether the Board is acting as an autonomous or advisory board. He stated Title 26 and Title 28 govern the Board of Health in Municipalities. The fifth ordinance enacted in 1913 was the ordinance that established the Board of Health. The Board of Health relied on 1887 State Law that established the Board of Health and their powers. The ordinance was never changed since 1913 and the board could be either autonomous, advisory or the governing body could act as the Board of Health, which would leave the enactment of ordinances to the governing body.

Attorney Aithal stated that in looking through our ordinance his opinion is that the governing body should clarify how the board is acting, either autonomous or advisory, but he feels that any actions that have been taken to date are legal. Mayor Dobies stated that minor concerns include whether the board has a separate attorney or if the board is autonomous does the Board need separate insurance. Attorney Aithal feels that the Middlesex County Joint Insurance Fund presently covers the board. Also, Mayor Dobies feels that the Board of Health has adopted over 135 ordinances to date and to date they have never required the use of an attorney. Attorney Aithal stated that the concern at this time is to close the donut hole in the Board of Health ordinance by amending the ordinance and including language that the Board is acting as an autonomous board.

Discussion was held regarding the Cat Ordinance, which was adopted by the governing body, and not the board of health and its validity with regard to the Board. Attorney Aithal mentioned that there are areas that overlap between the Board and the Council and if the Council passes an ordinance the Board cannot override the ordinance.

PUBLIC COMMENTS

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

John Hoffman, 455 Lincoln Boulevard questioned if the town can get sued from someone getting bit from a cat colony and if there is a list of all managed colonies. Mayor Dobies indicated that Paws for Peace decides if they are a managed colony and if he gets a complaint the first thing is to report it to Paws for Peace and the Health Officer also would look into it. Attorney Aithal indicated that the ordinance was established so that cats are trapped and

neutered and released, so that they do not reproduce. Mayor Dobies stated that he does not want colonies throughout the town and that the best place for these colonies is on public property (not neighborhoods) where they have no inference with the residents.

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 #79-15

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) Police Department Contract
- (2) Sewer User Fees
- (3) Update on Swim Pool Project – Contractor
- (4) Status of the Cell Tower

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

Councilman Madden 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 – work)
	Kevin Dotey
	Stephen Greco
	John Madden

Bob Schueler
Jack Mikolajczyk

Attorney: Aravind Aithal

The Council discussed the 2015 budget. Councilman Schueler will send the Mayor and Council the changes the finance committee made to the budget.

ADJOURNMENT

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

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
MARCH 10, 2015**

MAYOR'S STATEMENT: Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of January 2, 2015 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
	John Madden
	Bob Schueler
	Jack Mikolajczyk
Attorney:	Jerome Solomon

PROCLAMATIONS-NONE

APPOINTMENTS-NONE

PRESENTATIONS - NONE

PUBLIC HEARING - NONE

NEW BUSINESS

The Borough Clerk read Ordinance No. 1871-15 by title for introduction.

ORDINANCE NO. 1871-15

**AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX,
AMENDING THE REDEVELOPMENT PLAN FOR THE LINCOLN BOULEVARD
REDEVELOPMENT AREA TO ALLOW FOR CERTAIN PROPERTIES NOT UNDER**

COMMON OWNERSHIP LOCATED WITHIN THE FOCUS AREAS TO OPT OUT OF THE REDEVELOPMENT PLAN

WHEREAS, the Borough of Middlesex, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., adopted Ordinance No. 1723-07 titled an “Ordinance of the Borough of Middlesex, in the County of Middlesex, Adopting the Redevelopment Plan for the Lincoln Boulevard Rehabilitation Area”; and

WHEREAS, on December 10, 2014, the Planning Board of the Borough of Middlesex, recommended that the Mayor and Council consider modifying the current Rehabilitation Plan to provide greater certainty regarding the redevelopment process of the focus areas along Lincoln Boulevard; and

WHEREAS, the Borough Council is of the opinion that it is in the best interest of the residents of the Borough of Middlesex that the Redevelopment Plan should be amended to allow properties owners unable to develop their property in accordance with the Redevelopment Plan because of the requirement to consolidate parcels under separate ownership into one parcel with common ownership to opt out of the Redevelopment Plan.

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

1. The Governing Body does hereby amend Section 5.4 Focus Area Illustrative Plans to add “This Plan recognizes the need to consolidate several lots to create one larger parcel of land to implement several of the Focus Area plans. As a result, the development options for several properties within the Focus Areas are limited to the land use, layout and design requirements of the Lincoln Boulevard Redevelopment Plan. For this reason, without the assemblage of land consistent with Focus Area plans identified in this section, individual property owners may be severely limited in their development options. For this reason, this Plan allows for the development of such parcels in accordance with the zoning designations that existed immediately prior to the creation of the Focus Areas when it can be determined that a plan incompatibility exists (See Definition of Plan Incompatibility in Section 6.0). A determination that a plan incompatibility exists may be made prior to submittal of a plan for development.”
2. The Governing Body does hereby amend Section 6.0 Definitions, to add “Plan Incompatibility – means an administrative determination by the Zoning Officer of a land use conflict arising from the inability of a property owner to develop their property in accordance with the Redevelopment Plan because of the requirement to consolidate parcels under separate ownership into one (1) parcel with common ownership prior to developing property in accordance with the Focus Area plan.”
3. The Governing Body does hereby amend Section 8.1 General Requirements to add “3. Where Plan Incompatibility as defined in Section 6.0 exists, the zone designation that existed immediately prior to the creation of the Focus Area zoning districts may be utilized.”

4. The Governing Body does hereby amend Section 13.4 Amendment to the Lincoln Boulevard Redevelopment Plan to add “In order to amend this Plan, with the exception of a Plan Incompatibility determination, a proposed revision or new Focus Area must first be presented to the Planning Board which will review the amendment and make recommendations to the Borough Council. The Borough Council must then formally pass an ordinance to amend this Redevelopment Plan.”
5. The Governing Body does hereby amend Section 15.5 Planning Board Review to add “9. The Zoning Officer shall submit all Plan Incompatibility administrative determinations to the Planning Board to confirm or reverse the Zoning Officer’s decision.”
6. This Ordinance shall take effect upon final passage, approval and publication according to law.

Councilman Greco moved for introduction seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

ADOPTION OF MINUTES

Councilman Dotey moved to approve the February 10, 2015 and February 24, 2015 Regular Meeting Minutes and Executive Session Meeting Minutes seconded by Councilman Mikolajczyk and carried by a unanimous vote of Council.

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 stated that at the Recreation Commission meeting last night an amazing group of young ladies were the recipients of the Recreation Department February 2015 Volunteer Award for their participation in the “Buddy Ball” program. This program was created to allow children with challenges a chance to participate in sports. These young ladies along with the adult coaches created a cheer program for the participants consisting of many nights of practice and ultimately teaching the participants a cheer routine. The Students Buddy Ball coaches include: Lia Chacon, Kate Heulit, Megan Brower, Haley Resch, Avery Reddick, and Alyssa Rodriguez. The Buddy Ball adult Cheer coaches include: Lisa Lissy, Barbara Sibree-Rodriguez, and Kim Reddick.
 - B. The Annual Easter Egg Hunt is set for Saturday, 3/28/15 at 3PM sharp at Mountain View Park. The rain weather date is Sunday, 3/29/15.

3. Fire/OEM/Board of Health/Rescue Squad/Flood – Nothing to report
4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler stated that in speaking with the DPW Supervisor after storms and the plowing we are moving forward to fix pot holes and other road issues. Over last two days we have used 4.5 tons of cold patch. We are still in good shape if we have another storm.
 - B. Councilman Schueler stated in regard to sign compliance, we have completed the printing and mounting and the last section needs to be installed in the Fairview Ave. area
 - C. Councilman Schueler indicated in regard to the “No left turn” issue in front of Mauger, are we waiting on any approval from the state and then we will make signs and get them installed. Councilman Mikolajczyk requested that the Clerk inform the Superintendent of Schools and Business Administrator regarding the status of the “No left turn” signage in front of Mauger School.
 - D. The final overtime for DPW for storms from the beginning of the year is \$42,093.
5. Police/Legal/Code Enforcement/Construction/Municipal Court
 - A. Councilman Madden reviewed the 2014 Annual Police Report and indicated that the Police Department is now up to 29 sworn police officers.
 - B. Councilman Madden moved the approval of the 2014 Annual Police Report seconded by Councilman Mikolajczyk and carried by a unanimous vote of Council.
6. Administration/Department of Senior Services/Legislation/Licensing
 - A. Councilman Mikolajczyk attended the March 9, 2015 Board of Education Meeting and reported that the violence reported at the schools was fairly low, with 5 incidents at Mauger and 4 incidents at the High School.
 - B. The Superintendent of Schools reported on the QSAC Review and Dr. Madison feels that the Borough did very well.
 - C. Councilman Mikolajczyk stated that a PARCC Update was done by the Superintendent and there have been no issues. The testing is now taking place in the lower grades.
 - D. The Middlesex County HUD Meeting is scheduled for March 21, 2015 and the Committee will meet again after that date.

REPORTS

Mayor

1. The council will be holding an interview on Thursday evening at 7 PM for Borough Administrator and also meet to interview 3 more candidates on Saturday morning at 9 AM.

2. Mayor Dobies indicated that we are now receiving resumes for Tax Assessor.
3. Mayor Dobies mentioned that we are awaiting interviews for the Administrator position to see if they would cover the CFO position.
4. Mayor Dobies will provide copies of the 2015 Budget to everyone midweek.

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 wishes to remove Resolution #85-15 and #86-15 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 #80-15 – Resolution #84-15
Resolution #87-15

Councilman Dotey made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Madden, Mikolajczyk 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 #80-15

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

WHEREAS, On February 27, 2015 Chief Young recommended Police Officer Scott Christofides 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 Scott Christofides be and is hereby advanced in grade to Patrolman Class "F" effective March 12, 2015 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 #81-15

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

WHEREAS, On February 27, 2015 Chief Young recommended Police Officer Paul Steffanelli 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 Paul Steffanelli be and is hereby advanced in grade to Patrolman Class "F" effective March 12, 2015 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 #82-15

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 #
290/1	National Dust Control 200 Blackford Ave	\$ 4,555.92	680056132

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 #83-15

JANITORIAL / CLEANING SERVICES

WHEREAS, the Borough of Middlesex received a proposal from, First Community Development Corporation of New Jersey for a one year period beginning May 15, 2015 and ending May 14, 2016 at the following cost, \$22,118.53; and

WHEREAS, in accordance with NJSA 40A:11-1 et seq "Local Public Contract Law" any contract that exceeds the bid threshold may be negotiated and awarded by the governing body without public advertising for bids or bidding therefore and shall be awarded by resolution of the governing body if the work is performed by persons employed by a sheltered workshop; and

WHEREAS, the proposal was reviewed and approved by the Purchasing Agent; and

WHEREAS, after review of the agreement it was determined that First Community Development Corporation is qualified to perform the services based upon the following:

1. First Community Development Corporation has been issued a "Sheltered Workshop Certificate" by the State of New Jersey, Department of Labor; and
2. First Community Development Corporation is performing similar work throughout the State of New Jersey in many communities; and
3. The proposed cost for providing these services were reviewed by the Purchasing Agent and will remain unchanged throughout the duration of the contract; and
4. Entering into this agreement will ensure uninterrupted services are provided; and
5. First Community Development Corporation has experience with other municipalities; and
6. The Purchasing Agent has examined the proposal and determined that it is slightly lower than what could have been obtained under the bidding process.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Middlesex, in the County of Middlesex, State of New Jersey, hereby accepts the recommendation of the Purchasing Agent and hereby authorizes execution of the aforementioned agreement with First Community Development Corporation for the duration and rates indicated herein.

The Borough Clerk read the following resolution:

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

Resolution #84-15

WHEREAS, the residents of Delaware Avenue Road have requested to have a block party on Delaware Avenue between Melrose Avenue and Greene Avenue on May 23, 2015 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 Delaware Avenue to conduct a block party on Delaware Avenue between Melrose Avenue and Greene Avenue on May 23, 2015 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 #87-15

Authorizing the Mayor and Borough Clerk to execute the PBA Local 181 contract effective January 1, 2015 – December 31, 2017.

The Borough Clerk read the following resolution:

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

Resolution #85-15

The Governing Body hereby authorizes the Mayor to execute the Affiliation Agreement with Lincoln Technical Institute to participate in the Business/IT Division, Computer & Network Support Technician Internship Program.

Councilman Dotey made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Madden, Mikolajczyk 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 #86-15

RESOLUTION SUPPORTING THE MIDDLESEX COUNTY BRIDGE 2-B-160, BAEKELAND AVENUE BRIDGE OVER AMBROSE BROOK FOR THE PROJECT AND THE MAINTENANCE OF THE TRAFFIC PLAN

WHEREAS, the Borough of Middlesex desires to have certain road and bridge improvements made to the Baekeland Avenue Bridge over Ambrose Brook (County Bridge 2-B-160); and

WHEREAS, the County of Middlesex has expressed an interest in engineering and constructing certain road and bridge improvements on Baekeland Avenue; and

WHEREAS, the Borough of Middlesex has determined that the Baekeland Avenue Bridge over Ambrose Brook (County Bridge 2-B-160) is in need of improvements for the safety, convenience and well-being of the citizens of the Borough of Middlesex; and

WHEREAS the County of Middlesex has expressed that it shall incur and bear all costs and expenses associated with such improvements;

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

1. The Borough of Middlesex shall execute all necessary Deeds, Easements and/or Right of Ways, consistent with the attached plans for such improvements.
2. The Borough of Middlesex shall enter into an Agreement with the County of Middlesex consistent with the attached plans and this Resolution.
3. This Resolution shall take effect immediately.

Councilman Dotey made a motion for approval seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Madden, Mikolajczyk 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 #88-15

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 Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS

PUBLIC COMMENTS

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

Richard Malt, 309 D Street (1) Thanked the council for getting the light in the front of the firehouse fixed; (2) Discussed the sewer ordinance and if it was going to be amended

retroactive to the beginning of January; (3) Concern that the ordinance is unfair to the businesses, as once they go over 160,000 gallons of water per year they get charged back to zero gallons and the residents get charged from 160,001 if they go over this annual amount; (4) Concerned that the average family uses 35,000 gallons of water per quarter, and that there is a water shortage; and (5) Commented that the towing in town which he addressed at the last meeting has gotten much better.

John Ellery, 701 Lincoln Boulevard stated that: (1) This sewer fee matter needs to be resolved because every other town charges a sewer user fee and it is phasing businesses out of the town; (2) Business owners are questioning Mr. Ellery about the refund that they received because they did not receive a cover letter with an explanation; and (3) Businesses are now calling him because there is a 300% increase in their bills by using the classifications from the 2013 sewer ordinance.

Mayor Dobies indicated that we have to collect the taxes and the only ordinance on record is the one from 2013, which was amended last year. Mayor Dobies stated that he is not in favor of increasing the water levels for residents in town. He also does not know if there is support to change the 2013 sewer ordinance. At this time the Mayor is planning to follow the 2013 ordinance, but a meeting to discuss this with the new council will be held. At this time the Mayor is working with the Committee which includes Councilmen Kaplan, Greco and Schueler.

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 Madden and carried by a unanimous vote of members present.

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
MARCH 24, 2015**

MAYOR'S STATEMENT: Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of January 2, 2015 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

Mayor	Ronald Dobies (absent)
Council President	Sean Kaplan
	Kevin Dotey
	Stephen Greco
	John Madden
	Bob Schueler
	Jack Mikolajczyk
Attorney:	Aravind Aithal

PROCLAMATIONS-NONE

APPOINTMENTS-NONE

PRESENTATIONS - NONE

PUBLIC HEARING - NONE

NEW BUSINESS

The Borough Clerk read Ordinance No. 1872-15 by title for introduction.

ORDINANCE NO. 1872-15

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

**CALENDAR YEAR 2015
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 1.5% 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 2015 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 \$237,692.44 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 2015 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 \$415,961.77 and that the CY 2015 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 Schueler moved for introduction seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

The Borough Clerk read Ordinance No. 1873-15 by title for introduction.

ORDINANCE NO. 1873-15

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 48, BOARD OF HEALTH TO INCLUDE SECTION 48-6 POWERS

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 include the following:

CHAPTER 48: Board of Health

Section 48-6 Powers

The Borough of Middlesex Board of Health shall have power to pass, alter or amend ordinances and make rules and regulations in regard to the public health within its jurisdiction for the purposes enumerated in N.J.S.A. 26:3-31 et seq., and any amendments thereto.

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 moved for introduction seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #89-15

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

Municipal Budget of the Borough of Middlesex, County of Middlesex for the Year 2015.

BE IT RESOLVED, that the following statement of revenues and appropriations shall constitute the Municipal Budget for the year 2015;

BE IT FURTHER RESOLVED that said Budget be published in the Courier News, New Jersey in the issue of April 14, 2015.

The governing body of the Borough of Middlesex does hereby approve the following as the Budget for the year 2015:

General Appropriations:	
Appropriations Within "CAPS"	\$12,141,478.00
Municipal Purposes	
Appropriations Excluded from "CAPS"	4,439,903.06
Municipal Purposes	
Reserve for Uncollected Taxes – Based on	
Estimated 98+ Percent of Taxes Collections	<u>875,000.00</u>
Total General Appropriations	17,456,381.06
Less: Anticipated Revenues Other Than Current	
Property Taxes	<u>5,369,926.00</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>\$11,619,410.80</u>
b) Municipal Library Tax	<u>\$ 467,044.26</u>
<u>Swimming Pool Utility Operating Fund</u>	
Total Swimming Pool Revenues	<u>\$ 394,324.00</u>
Total Swimming Appropriations	<u>\$ 394,324.00</u>

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 March 24, 2015.

A hearing on the Budget and Tax Resolution will be held at the Municipal Building on April 28, 2015 at 7:00 o'clock P.M. at which time and place objections to said Budget and Tax Resolution for the year 2015 may be presented by taxpayers or other interested persons.

Council President Kaplan indicated that the budget has been introduced with a 5 point tax increase, which amounts to \$48.88 for the average homeowner assessed at \$92,000. The amount to be raised by taxation is \$11,619,410.80. The borough is under the 2% cap levy this

year by \$82,602.00 and we anticipate a surplus of \$1,019,770 for 2015. The hearing and adoption for the budget is scheduled for April 28, 2015. Council President Kaplan requested that any council questions should be e-mailed to the Finance Committee as soon as possible.

ADOPTION OF MINUTES

Councilman Schueler moved to approve the March 10, 2015 Regular Meeting Minutes and the March 12, 2015 and March 14, 2015 Executive Session Meeting Minutes seconded by Councilman Mikolajczyk and carried by a unanimous vote of Council.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance
 - A. Council President Kaplan indicated that hard work was done on the budget that was introduced tonight and he thanked the Mayor and Finance Committee for their help.
2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco stated that the Easter Egg Hunt is scheduled for March 28, 2015 at 3pm for children under 9 years old. Also, the Little League opening day is scheduled for April 4th at 12:30 at the Little League Field and will honor the citizens and businesses that have supported the Little League.
3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Councilman Dotey circulated to council the “No Fracking” ordinance and requested that council provide him with comments to bring back to the Board of Health.
 - B. Councilman Dotey received the volunteer Fire Department Report and indicated that they received 279 calls last year and our volunteers accumulated over 13,000 total hours between calls, meetings and details. Councilman Dotey stated that they appreciate when they get equipment to do their job and keep us safe.
4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler stated that the DPW has completed the new street signs townwide. A few of the signs had to be replaced due to traffic damage from the last set of big storms.
 - B. The borough has received 4 – 5 tons of cold patch to relieve the pothole issues.
 - C. Councilman Schueler reported that the street sweeper is being prepped so that it can begin cleaning streets.
 - D. Councilman Schueler stated that the DPW has completed the moves in Borough Hall this week.
5. Police/Legal/Code Enforcement/Construction/Municipal Court
 - A. Councilman Madden moved to approve the February, 2015 Police Department Report seconded by Councilman Greco and carried by a unanimous vote of Council.
 - B. Councilman Madden stated that he received the February, 2015 Municipal Court Report. This will be circulated to council to approve at the April 14, 2015 Meeting.
6. Administration/Department of Senior Services/Legislation/Licensing
 - A. Councilman Mikolajczyk mentioned that the HUD grant for 2015 has been received by Middlesex County and they authorized submission of the proposed projects to HUD in the Consolidated Plan. The funding authorized was the amount of \$48,921. The HUD Committee will hold a meeting to discuss the unexpended monies that are remaining in their account from previous projects.
 - B. The Board of Education introduced their 2015 Budget at cap with security features to be done to all five schools.

REPORTS

Mayor

1. Council President Kaplan reported that we received a letter from the President of the Middlesex Borough Business and Professional Association tonight. Also, he mentioned that there will be a meeting with the Association on April 2 to get input regarding the sewer user's fees. Council President Kaplan mentioned that he sent an e-mail to council on January 13, 2015 and requested any input from the Council with regard to the next step and requested responses be directed to him and copy the committee. If needed, Council President Kaplan would resend this e-mail.
2. Attorney Aithal discussed the New Jersey Supreme Court Order signed on March 10, 2015 that requires municipalities to move forward with the third round proposed by COAH which requires the municipality to prepare a plan to file with the Superior Court for Certification. Attorney Aithal indicated that if this plan is not completed, the borough's zoning laws would be invalidated. Attorney Aithal requested that council consider engaging the borough planner to prepare this housing plan. A resolution authorizing Mr. Ricci to move forward with this plan is approved below.

The Borough Clerk read the following resolution:

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

Consent Agenda 2014(G)

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

WHEREAS, the Mayor and Council of the Borough of Middlesex 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 #90-15 – Resolution #91-15

Councilman Dotey made a motion for approval seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #90-15

WHEREAS, an emergent condition has arisen with respect to providing temporary appropriations sufficient to cover commitments made during the period of January 1, 2015 to the date of adoption of the annual budget and no adequate provision has been made in the 2015 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 2015 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$12,781,622.72 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 Current Fund	Account	Salaries & Wages	Other Expenses
General Government			
Administrator	20-1001	\$50,000.00	\$1,000.00
Mayor & Council	20-1101	\$6,000.00	\$5,000.00
Municipal Clerk	20-1231	\$70,000.00	\$2,000.00
Printing & Advertising	20-1202		
Postage	20-1222		\$7,000.00
Elections	20-1242		\$6,000.00
Finance Administration	20-1301	\$40,000.00	\$10,000.00
Computer Services	20-1401	\$42,000.00	\$46,000.00
Revenue Administration	20-1451	\$35,000.00	\$5,500.00
Assessment of Taxes	20-1501	\$15,000.00	\$1,000.00
Legal Services	20-1551		\$50,000.00
Engineering Services	20-1652		\$25,000.00
Planning Board	21-1802		\$20,000.00
Zoning Board	21-1852		\$6,000.00
Code Enforcement	21-1872	\$15,000.00	\$7,000.00
Liability Insurance	23-2102		\$140,000.00
Worker's Comp Insurance	23-2152		\$125,000.00
Group Insurance	23-2202		\$942,447.00
Temp Disability Insurance	23-2122		\$15,000.00
Longterm Disability Insur	23-2132		\$10,000.00
Public Safety			
Police	25-2401	\$1,400,000.00	\$73,000.00
Juvenile	25-2411	\$950.00	\$250.00
Emergency Management	25-2521		\$7,000.00
Fire Department	25-2652		\$60,000.00
Fire Hydrants	25-2572		\$95,000.00
Prosecutor	25-2752	\$11,000.00	
Public Works			
Streets & Roads	26-2901	\$200,000.00	\$55,000.00
Shade Tree	26-3001	\$1,100.00	\$22,000.00
Solid Waste	25-3051	\$40,000.00	
Garbage	25-3071	\$400,000.00	\$25,000.00
Building & Grounds	25-3101		\$40,000.00
Rescue Squad Rental	25-3082		\$3,000.00
Sewers	31-4551	\$29,000.00	\$20,000.00
Stormwater Regulations	41-7160		\$1,500.00
Health & Human Services			
Board of Health	27-3301	\$3,400.00	\$25,000.00
Animal Control	27-3453		\$15,000.00
Parks & Recreations			
Recreation	28-3701	\$35,000.00	

Celebration of Public Events	30-4200		\$20,000.00
Parks & Playgrounds	28-3751	\$105,000.00	\$9,000.00
Sr Citizen Bus Transportation	28-3721		\$1,000.00
Sr Nutrition	28-3791	\$6,000.00	
Title III	28-3781	\$14,000.00	
Medical Transportation	28-3761	\$4,000.00	
Sr Citizen Coordinator	28-3731	\$30,000.00	\$2,000.00
Utility Expenses			
Electricity	31-4302		\$80,000.00
Street Lighting	31-4352		\$78,000.00
Telephone	31-4402		\$33,000.00
Water	31-4452		\$17,000.00
Natural Gas	31-4462		\$10,000.00
Fuel Oil (Diesel)	31-4472		\$15,000.00
Gasoline	31-4602		\$13,000.00
Other Operating			
Landfill	32-4652		\$190,000.00
Construction	22-1951	\$65,000.00	\$2,000.00
Municipal Court	43-4901	\$55,000.00	\$3,500.00
Library	29-3902		\$200,000.00
Utility Authority	25-3122		\$400,000.00
Piscataway Sewer	25-3112		\$130,000.00
Curbside Recycling	36-4766		\$50,000.00
Statutory Expenses			
Social Security	36-4722		\$130,000.00
DCRP CoMatch	36-4732		\$6,000.00
State & Federal Grants			
Drug Alliance	41-7032		\$7,000.00
Older American	41-7092	\$5,000.00	
Body Armor	41-7042		\$2,946.19
TOTAL CURRENT FUND		\$2,677,450.00	\$3,265,143.19
Swim Pool Utility			
Operating Appropriations	05-7001	\$120,000.00	\$68,000.00
TOTAL SWIM POOL		\$120,000.00	\$68,000.00

The Borough Clerk read the following resolution:

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

Resolution #91-15

**RESOLUTION AUTHORIZING A SELF-EXAMINATION OF THE
2015 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 2015 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 #92-15

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 Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #94-15

Authorizing Paul Ricci of Ricciplanning to work on the COAH Housing Plan for \$120.00 per hour at a cost not to exceed \$5,000.

The Treasurer hereby certifies that funds in the amount of \$5,000 are available in Account No. 01-2010-21-1802-027.

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

DISCUSSION ON AGENDA WORKSHOP ITEMS

PUBLIC COMMENTS

Council President Kaplan opened the Public Portion of the meeting for any comments.

Dave Oliver, 216 Ashland Road is concerned about the speeding on Route 28, especially around the corner of Raritan Avenue.

Betty Platten, 4 Hooker Avenue questioned: (1) If the COAH was in effect when the Ostermann development was built; (2) The letter received from the business community; and (3) Who is Acting CFO and who will handle the self-examination of the budget.

John Hoffman, 455 Lincoln Boulevard discussed the (1) The run off of water on River Road; (2) The barrel in the street at the intersection of River Road; (3) Repairing the pot holes on South Avenue; (4) Two percent cap for the school budgt and how it affects the average taxpayer; (5) The pilot program and the percentage of funds that will come to the borough with regard to 150 Lincoln Boulevard; and (6) The speeding of vehicles on Lincoln Boulevard and Mountain Avenue.

Jessica Marinaccio, 321 Runyon Avenue mentioned the following: (1) Concerned that her home was burglarized and would like the borough to encourage a neighborhood watch; (2) Disappointed that her burglary was not posted on the police blotter; and (3) Would like the borough to consider establishing a system for reward based information (Crime Stoppers).

Council President Kaplan addressed all questions from the Public.

Seeing that there was no further public participation, Council President Kaplan 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 #93-15

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) Borough Tax Assessor
- (2) Status of Cell Tower

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

ADJOURNMENT

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

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
APRIL 14, 2015**

MAYOR'S STATEMENT: Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of January 2, 2015 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
	John Madden
	Bob Schueler
	Jack Mikolajczyk

Attorney: Aravind Aithal

PROCLAMATIONS

The Borough Clerk proclaimed April 24, 2015 as "Arbor Day"

Arbor Day 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 24, 2015, 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.

DATED: April 14, 2015

APPOINTMENTS-NONE

PRESENTATIONS-NONE

PUBLIC HEARING

The Borough Clerk read Ordinance No. 1871-15 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1871-15

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, AMENDING THE REDEVELOPMENT PLAN FOR THE LINCOLN BOULEVARD REDEVELOPMENT AREA TO ALLOW FOR CERTAIN PROPERTIES NOT UNDER COMMON OWNERSHIP LOCATED WITHIN THE FOCUS AREAS TO OPT OUT OF THE REDEVELOPMENT PLAN

WHEREAS, the Borough of Middlesex, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., adopted Ordinance No. 1723-07 titled an "Ordinance of the Borough of Middlesex, in the County of Middlesex, Adopting the Redevelopment Plan for the Lincoln Boulevard Rehabilitation Area"; and

WHEREAS, on December 10, 2014, the Planning Board of the Borough of Middlesex, recommended that the Mayor and Council consider modifying the current Rehabilitation Plan to provide greater certainty regarding the redevelopment process of the focus areas along Lincoln Boulevard; and

WHEREAS, the Borough Council is of the opinion that it is in the best interest of the residents of the Borough of Middlesex that the Redevelopment Plan should be amended to allow properties owners unable to develop their property in accordance with the Redevelopment

Plan because of the requirement to consolidate parcels under separate ownership into one parcel with common ownership to opt out of the Redevelopment Plan.

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

1. The Governing Body does hereby amend Section 5.4 Focus Area Illustrative Plans to add “This Plan recognizes the need to consolidate several lots to create one larger parcel of land to implement several of the Focus Area plans. As a result, the development options for several properties within the Focus Areas are limited to the land use, layout and design requirements of the Lincoln Boulevard Redevelopment Plan. For this reason, without the assemblage of land consistent with Focus Area plans identified in this section, individual property owners may be severely limited in their development options. For this reason, this Plan allows for the development of such parcels in accordance with the zoning designations that existed immediately prior to the creation of the Focus Areas when it can be determined that a plan incompatibility exists (See Definition of Plan Incompatibility in Section 6.0). A determination that a plan incompatibility exists may be made prior to submittal of a plan for development.”
2. The Governing Body does hereby amend Section 6.0 Definitions, to add “Plan Incompatibility – means an administrative determination by the Zoning Officer of a land use conflict arising from the inability of a property owner to develop their property in accordance with the Redevelopment Plan because of the requirement to consolidate parcels under separate ownership into one (1) parcel with common ownership prior to developing property in accordance with the Focus Area plan.”
3. The Governing Body does hereby amend Section 8.1 General Requirements to add “3. Where Plan Incompatibility as defined in Section 6.0 exists, the zone designation that existed immediately prior to the creation of the Focus Area zoning districts may be utilized.”
4. The Governing Body does hereby amend Section 13.4 Amendment to the Lincoln Boulevard Redevelopment Plan to add “In order to amend this Plan, with the exception of a Plan Incompatibility determination, a proposed revision or new Focus Area must first be presented to the Planning Board which will review the amendment and make recommendations to the Borough Council. The Borough Council must then formally pass an ordinance to amend this Redevelopment Plan.”
5. The Governing Body does hereby amend Section 15.5 Planning Board Review to add “9. The Zoning Officer shall submit all Plan Incompatibility administrative determinations to the Planning Board to confirm or reverse the Zoning Officer’s decision.”
6. This Ordinance shall take effect upon final passage, approval and publication according to law.

Mayor Dobies opened the Public Hearing on Ordinance No. 1871-15. Seeing that there was no public participation, Mayor Dobies closed the Public Hearing on Ordinance No. 1871-15.

Councilman Kaplan moved for adoption seconded by Councilman Madden and carried by the following roll call vote: Ayes: Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

The Borough Clerk read Ordinance No. 1872-15 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1872-15

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

**CALENDAR YEAR 2015
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 1.5% 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 2015 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 \$237,692.44 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 2015 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 \$415,961.77 and that the CY 2015

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. 1872-15. Seeing that there was no public participation, Mayor Dobies closed the Public Hearing on Ordinance No. 1872-15.

Councilman Madden moved for adoption seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

The Borough Clerk read Ordinance No. 1873-15 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1873-15

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 48, BOARD OF HEALTH TO INCLUDE SECTION 48-6 POWERS

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 include the following:

CHAPTER 48: Board of Health

Section 48-6 Powers

The Borough of Middlesex Board of Health shall have power to pass, alter or amend ordinances and make rules and regulations in regard to the public health within its jurisdiction for the purposes enumerated in N.J.S.A. 26:3-31 et seq., and any amendments thereto.

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. 1873-15. Seeing that there was no public participation, Mayor Dobies closed the Public Hearing on Ordinance No. 1873-15.

Councilman Kaplan moved for adoption seconded by Councilman Madden and carried by the following roll call vote: Ayes: Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

NEW BUSINESS

The Borough Clerk read Ordinance No. 1874-15 by title for introduction.

BOROUGH OF MIDDLESEX

ORDINANCE NO. 1874-15

AN ORDINANCE FIXING AND DETERMINING THE SALARIES AND COMPENSATION OF CERTAIN POLICE OFFICERS OF THE BOROUGH OF MIDDLESEX FOR THE YEARS 2015, 2016, & 2017.

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

The salary and rate of compensation of each officer of the Police Department of the Borough of Middlesex shall be and the same is hereby fixed respectively for the years 2015, 2016, & 2017 as follows:

	2015	2016	2017	
Rank				
Captain	\$125,308	\$127,814	\$130,690	
Lieutenant	\$117,697	\$120,050	\$122,751	
Sergeant	\$110,079	\$112,280	\$114,806	
Corporal	\$103,520	\$105,591	\$107,966	
Patrolman A	\$102,324	\$104,370	\$106,718	
Patrolman B	\$ 92,097	\$ 93,940	\$ 95,054	
Patrolman C	\$ 81,871	\$ 83,508	\$ 85,387	

Patrolman D	\$ 71,645	\$ 73,078	\$ 74,722	
Patrolman E	\$ 61,419	\$ 62,647	\$ 64,057	
Academy	\$ 40,968	\$ 41,787	\$ 42,727	
Employees hired after January 1, 2012 shall enjoy the following:				
	2015	2016	2017	
Rank				
Captain	\$125,308	\$127,814	\$130,690	
Lieutenant	\$117,697	\$120,050	\$122,751	
Sergeant	\$110,079	\$112,280	\$114,806	
Corporal	\$103,520	\$105,591	\$107,966	
Patrolman A	\$102,324	\$104,370	\$106,718	
Patrolman B	\$93,657	\$95,530	\$ 97,680	
Patrolman C	\$84,992	\$86,692	\$ 88,643	
Patrolman D	\$76,327	\$77,854	\$ 79,605	
Patrolman E	\$67,662	\$69,015	\$ 70,567	
Patrolman F	\$58,997	\$60,177	\$ 61,530	
Probationary	\$50,332	\$51,339	\$ 52,494	
Academy	\$42,448	\$43,297	\$ 44,271	

SECTION 2

Rates of Compensation established above shall serve as a guide in employment and subsequent changes in rates of employees hired after passage of this ordinance.

SECTION 3

The Mayor and Council shall have the sole discretion in determining who shall be placed on Minimum, Maximum and on interim steps of the salary range and their determination shall be final and conclusive on all employees.

SECTION 4

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 5

This Ordinance shall take effect upon its final passage, approval and publication according to law.

Councilman Kaplan moved for introduction seconded by Councilman Greco and carried by the following roll call vote: Ayes: Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

The Borough Clerk read Ordinance No. 1876-15 by title for introduction.

**BOROUGH OF MIDDLESEX
ORDINANCE NO. 1876-15**

AN ORDINANCE FIXING AND DETERMINING THE SALARIES AND COMPENSATION OF CERTAIN HOURLY PUBLIC WORKS EMPLOYEES OF THE BOROUGH OF MIDDLESEX FOR THE YEARS 2015, 2016 and 2017.

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

The salary and rate of compensation of each hourly employee of the Board of Public Works of the Borough of Middlesex shall be and the same is hereby fixed respectively for the years 2015, 2016 & 2017 as follows:

PUBLIC WORKS EMPLOYEES, INCLUDING ROADS, PARKS, SANITATION, RECYCLING AND SEWERS:

Hourly Rates - Attachment A

Title	Salary/Hour 2014	Salary/Hour 2015	Salary/Hour 2016	Salary/Hour 2017
Laborer		2.25%	2.50%	2.75%
First six months	\$ 14.04	\$ 14.36	\$ 14.71	\$ 15.12
6-18 months (minimum DPW #2)	\$ 16.88	\$ 17.26	\$ 17.69	\$ 18.18
19-30 months	\$ 19.79	\$ 20.24	\$ 20.74	\$ 21.31
31-42 months	\$ 21.32	\$ 21.80	\$ 22.34	\$ 22.96
43-54 months	\$ 23.29	\$ 23.81	\$ 24.41	\$ 25.08
55-66 months	\$ 25.91	\$ 26.49	\$ 27.16	\$ 27.90
67 months plus (maximum DPW #1)	Top Rate			

Garbage Department Employees	Salary/Hour			
Garbage Truck Driver	\$ 33.1678	\$ 33.91	\$ 34.76	\$ 35.72
Garbage Collection	\$ 31.7126	\$ 32.43	\$ 33.24	\$ 34.15
Lead Person	\$ 33.2780	\$ 34.03	\$ 34.88	\$ 35.84

Parks Department Employees:	Salary/Hour			
Lead Person	\$ 33.2780	\$ 34.03	\$ 34.88	\$ 35.84
Public Works Employee #1	\$ 31.7126	\$ 32.43	\$ 33.24	\$ 34.15

Solid Waste Department Employees	Salary/Hour			
Solid Waste Truck Driver	\$ 33.1678	\$ 33.91	\$ 34.76	\$ 35.72
Solid Waste Employee #1	\$ 31.7126	\$ 32.43	\$ 33.24	\$ 34.15

Solid Waste Employee #1	\$	31.7115	\$	32.43	\$	33.24	\$	34.15
Road Department Employees: Salary/Hour								
Lead Person	\$	33.2780	\$	34.03	\$	34.88	\$	35.84
Public Works Employee #1	\$	31.7126	\$	32.43	\$	33.24	\$	34.15
Chief Mechanic	\$	36.4737	\$	37.29	\$	38.23	\$	39.28
Mechanic- Assistant	\$	33.8809	\$	34.64	\$	35.51	\$	36.49
Sewer Department Employees: Salary/Hour								
Public Works Employee #1	\$	31.7124	\$	32.43	\$	33.24	\$	34.15
General Public Works Employees: Salary/Hour								
Utility Person	\$	17.9725	\$	18.38	\$	18.84	\$	19.35

SECTION 2

Rates of Compensation established above shall serve as a guide in employment and subsequent changes in rates of employees hired after passage of this ordinance.

SECTION 3

The Mayor and Council shall have the sole discretion in determining who shall be placed on Minimum, Maximum and on interim steps of the salary range and their determination shall be final and conclusive on all employees.

SECTION 4

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 5

This Ordinance shall take effect upon its final passage, approval and publication according to law.

Councilman Mikolajczyk moved for introduction seconded by Councilman Madden and carried by the following roll call vote: Ayes: Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

ADOPTION OF MINUTES

Councilman Mikolajczyk moved to approve the March 24, 2015 Regular Meeting Minutes and the March 24, 2015 and March 31, 2015 Executive Session 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
 - A. Council President Kaplan indicated that the Sewer Committee met with the Business Association and came up with questions which will be shared with council and then they will meet with the Business Association again to discuss and to move forward.

2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco stated that the Fire Department Carnival is scheduled to begin April 20 – April 25.

3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Councilman Greco mentioned that any comments on the fracking ordinance should be referred to the Board of Health.

4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler stated that Sweeping operations are continuing, we have finished with the main streets and have begun the sections. The sweeper is out every day and when sweeping is complete, the truck will be used to assist in the basin cleaning.

 - B. Councilman Schueler indicated that the left turn signs were put up at Valentine and Vail from the recent no left turn ordinance. The Sign crew also has completed the new signs and has been working on replacing faded or damaged stop signs.

 - C. The New Backup Generator for Borough Garage will be delivered this week. All permits have been obtained and the pad for the generator has been poured.

 - D. Pocket Park cleanup has been completed including the park behind the library and Haverstick Field, where there were significant branches that needed to be trimmed.

 - E. The DPW is working on draining problem on South Ave and will continue to address pothole repair.

5. Police/Legal/Code Enforcement/Construction/Municipal Court
 - A. Councilman Madden moved to approve the Monthly Court Report seconded by Councilman Greco and carried by a unanimous vote of Council.

 - B. Council Madden reported that at the security meeting last night, in attendance were Lt. Matthew Geist, The Honorable Judge Fackelman, Lizandra DeAngelis, myself and Mayor Ronald Dobies. A discussion took place regarding the need for a Metal Detector to be installed to provide security on days/evenings when court is in session.

The equipment discussed was a walk through metal detector to be placed outside the courtroom and hand held security wands to be used by police personnel.

The Metal Detector is priced at \$4,200.00 with additional cost for each wand. This increased security measure will protect borough employees, court personnel, police officers and any residents / families in attendance at court proceedings.

With the Mayor and Council's permission, I would like permission to take the steps necessary to move forward with this purchase.

6. Administration/Department of Senior Services/Legislation/Licensing
 - A. Councilman Mikolajczyk mentioned that there will be HUD Committee Meeting tomorrow night to discuss outstanding grant funds.
 - B. Councilman Mikolajczyk also attended the Board of Education Meeting and updated Council with highlights of the meeting. Mr. Mikolajczyk also acknowledged students that were appointed to the Central Jersey Honors Band and also special education students that were recognized for their artwork and requested that the Council draft a letter and acknowledge them.
 - C. Councilman Mikolajczyk also recognized Bill Moore for being highlighted on the front page of "Our Town" for his service in World War II.

REPORTS

Mayor

1. Publication of Department of Public Works Services – Mayor Dobies is in the process of writing up information to publish regarding Borough Services. This publication will be paid for by sponsors.

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 desires to remove Resolution #96-15, #99-15, #100-15, #102-15, #103-15, and #105-15 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 #95-15
Resolution #97-15 - #98-15
Resolution #101-15
Resolution #104-15
Resolution #106-15 – Resolution #109-15

Councilman Schueler made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Greco, Kaplan, Madden, Mikolajczyk 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 #95-15

The Governing Body is hereby authorized to refund Vacant Property Registration fees in the amount of \$50.00 for overpayment of registration fees for 407 Walnut Street, Middlesex, NJ. Overpayment was made by Justin Kiliszk Realty, RE/MAX Village Square, 508 Millburn Avenue, Short Hills, NJ 07078.

The Borough Clerk read the following resolution:

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

Resolution #97-15

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

WHEREAS, On April 1, 2015 Chief Young recommended Police Officer James Morley 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 Morley be and is hereby advanced in grade to Patrolman Class "F" effective April 9, 2015 at an annual salary \$58,997.

The Borough Clerk read the following resolution:

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

Resolution #98-15

**APPOINTING THOMAS REILLY AS PART TIME TAX ASSESSOR FOR THE
BOROUGH OF MIDDLESEX**

WHEREAS, Frank Betts will retire as the Tax Assessor for the Borough of Middlesex on May 1, 2015 and the Borough must therefore fill this position; and

WHEREAS, the Governing Body has determined that the position may be filled on a part time rather than a full time basis in order to save expenses for the Borough of Middlesex; and

WHEREAS, Thomas Reilly is fully qualified and certified as a Tax Assessor by the State of New Jersey; and has agreed to accept employment of the Borough of Middlesex as a part time Tax Assessor; and

WHEREAS, as a result of a discussion held by the Mayor Ron Dobies, Municipal Clerk Kathleen Anello and Tax Assessor Frank Betts it was determined that the duties of the Tax Assessor can be handled by Thomas Reilly serving in a part time capacity.

NOW, THEREFORE BE IT RESOLVED BY THE Mayor and Borough Council of the Borough of Middlesex as follows:

1. Thomas Reilly is hereby retained as a part time Tax Assessor by the Borough of Middlesex to serve in that capacity a minimum of four (4) office hours per week, and any additional time needed to fulfill the job requirements, with employment to commence on May 1, 2015 and to continue until May 1, 2019, which is the statutory term four (4) year term. To insure uniformity Thomas Reilly will work with Frank Betts from April 20, 2015 to April 30, 2015 when his four year appointment (May 1, 2015 to May 1, 2019) commences.
2. Thomas Reilly shall perform the statutory duties of Tax Assessor for the Borough of Middlesex and such other duties, like preparing 200' variance lists and maintaining a list of tax map changes for the engineer to annually update our tax map, as may be described in an employment contract to be entered into between Thomas Reilly and the Borough of Middlesex.
3. The Borough of Middlesex shall pay Thomas Reilly \$14,999 for serving as the Borough of Middlesex Tax Assessor.

The Borough Clerk read the following resolution:

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

Resolution #101-15

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 and assist in creating the NJDEP tonnage grant application resolution and the tax id Statement.
- (f) 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. 03-6085-00-6085.

The Borough Clerk read the following resolution:

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

Resolution #104-15

**RESOLUTION RELEASING THE PERFORMANCE BOND COVERING
200 BLACKFORD AVENUE, NATIONAL DUST CONTROL SERVICES CORP**

WHEREAS, National Dust Control Services Corp. has requested a release of the performance 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 \$41,003.28.

The Borough Clerk read the following resolution:

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

Resolution #106-15

The Tax Collector is hereby authorized to issue a check in the amount of \$3,093.85 to redeem tax sale certificate #2014-1830 and a check in the amount of \$1,300 for a tax sale premium, Block 167.01, Lot 6, 8 Harris Avenue, check is to be made payable to:

TWR as CST for Ebury Fund 1NJ
P O Box 37695
Baltimore, MD 21297

The Borough Clerk read the following resolution:

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

Resolution #107-15

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 **2014 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Borough of Middlesex 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 Borough Clerk read the following resolution:

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

Resolution #108-15

Per the White Collar Clerical Union Contract, Article 18, Paragraph C. New hires receive a 5% increase on their anniversary date. The following employees having completed one year of service and are entitled to those increases:

Darcy DelVecchio	\$36,503.00	Effective 1/15/2015
Merari Gaud	\$31,776.26	Effective 3/24/2015

The Borough Clerk read the following resolution:

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

Resolution #109-15

WHEREAS, bids were received April 7, 2015 for 2014 NJDOT Road Improvements, Marlborough Avenue;

WHEREAS, there were eleven bids received, the three lowest are listed below:

DeSantis Construction Inc	\$200,434.45	base bid
491 Elizabeth Avenue	\$ 44,329.30	alternate bid
Somerset, NJ 08873	\$244,763.75	Total
JTG Construction In	\$202,629.00	base bid
188 Jefferson St, Ste 387	\$ 52,699.00	alternate bid
Newark, NJ 07105	\$255,328.00	Total

Top Line Construction Corp	\$224,515.19	base bid
22 Fifth Street	\$ 44,145.30	alternate bid
Somerville, NJ 08876	\$268,660.49	Total

WHEREAS, the Borough Engineer in concurrence with the Borough Attorney recommends awarding the bid to DeSantis Construction Inc. in the amount of \$244,763.75.

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 recommendation of the Borough Engineer and Borough Attorney, the governing body hereby awards the bid for the 2014 NJDOT Road Improvements, Marlborough Avenue to DeSantis Construction Inc. in the amount of \$244,763.75.

NOW FURTHER BE IT RESOLVED, that the Treasurer hereby certifies that funds in the amount of \$244,763.75 are available in account 04-1857-00-1857-84.

The Borough Clerk read the following resolution:

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

Resolution #96-15

Authorizing the Mayor and Borough Clerk to execute the Recycling Collection and Marketing Services of Designated Recyclables Agreement between the Borough of Middlesex and Middlesex County Improvement Authority effective March 30, 2015 – March 30, 2018.

Councilman Mikolajczyk made a motion for approval seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Greco, Kaplan, Madden, Mikolajczyk 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 #99-15

RESOLUTION AUTHORIZING MRESC CO-OP PURCHASE OF CANON EOS REBEL T51 CAMERA

WHEREAS, the Governing Body of the Borough of Middlesex wishes to a Canon EOS Rebel T51 Camera from an authorized vendor under the Middlesex Regional Educational Services Commission; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Contracts Law, 40A:11-12; and

WHEREAS, CDW Government LLC is under MRESC Contract No. 65MCESCCPS for the year 2015; and

WHEREAS, the cost for the purchase of a Canon EOS Rebel T51 Camera is \$1,145.86; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of a Canon EOS Rebel T51 Camera is ordered under MRESC Contract No. 65MCESCCPS be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount \$1,145.86 is available in Account No. 04-1818-00-1818-71.

Councilman Mikolajczyk made a motion to table Resolution #99-15 seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #100-15

RESOLUTION AUTHORIZING MRESC CO-OP PURCHASE OF EQUIPMENT FOR NEW CAD SYSTEM

WHEREAS, the Governing Body of the Borough of Middlesex wishes to equipment for the new CAD system from an authorized vendor under the Middlesex Regional Educational Services Commission; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Contracts Law, 40A:11-12; and

WHEREAS, CDW Government LLC is under MRESC Contract No. 65MCESCCPS for the year 2015; and

WHEREAS, the cost for the purchase of equipment for new CAD system is \$517.55; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of equipment for new CAD system is ordered under MRESC Contract No. 65MCESCCPS be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount \$517.55 is available in Account No. 04-1855-00-1855-71.

Councilman Mikolajczyk made a motion for approval seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Greco, Kaplan, Madden, Mikolajczyk 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 #102-15

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF DELL OPTIPLEX 3020
SMALL FORM FACTOR BTX BASE COMPUTER WORKSTATION**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase a Dell OptiPlex 3020 Small Form Factor BTX Base Computer Workstation from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Contracts Law, 40A:11-12; and

WHEREAS, Dell Marketing LP Software is under State Contract No. 70256 for the year 2015; and

WHEREAS, the cost for the purchase of a Dell OptiPlex 3020 is \$724.57; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of a Dell OptiPlex 3020 is ordered under State Contract No. 70256 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount \$724.57 is available in Account No. 04-1818-00-1818-71.

Councilman Schueler made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Greco, Kaplan, Madden, Mikolajczyk 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 #103-15

The Tax Collector is hereby authorized to amend 2013 Sanitary Sewer Use Charges on the following property.

BLOCK/LOT	NAME & ADDRESS	AMOUNT
------------------	---------------------------	---------------

204/1	Middlesex Village	\$ 48,712.00 old
	Marlborough Avenue	\$ 29,536.09 new

Councilman Kaplan made a motion to table this resolution seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Greco, Kaplan, Madden, Mikolajczyk 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 #105-15

WHEREAS, eight bids were received on March 20, 2015 for the proposal for tree removal/trimming and stump grinding; and

WHEREAS, listed below are the three lowest bids received for this project:

	Predator Tree Svc	M&A Tree Service	Rich Tree Svc
Item #1 Tree Removal/Trimming	125.00	160.00	185.00
Item #2 Stump Grinding	3.00	5.00	5.00
Item #3 Daily Rate	800.00	1000.00	400.00

WHEREAS, the Purchasing Agent and the Public Works Supervisor recommends that Predator Tree Service LLC of Green Brook, New Jersey, be awarded this contract for the amounts listed above.

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

1. At the recommendation of the Purchasing Agent and the Public Works Supervisor, the Mayor and Council hereby award the bid for the proposal for tree removal/trimming and stump grinding to Predator Tree Service LLC of Green Brook, New Jersey for the period of 5/1/2015 – 4/30/2017, subject to the appropriation of funds in the 2015, 2016 and 2017 budget.
2. This resolution shall take effect immediately.

NOW FURTHER BE IT RESOLVED, that the Treasurer hereby certifies funds are appropriated in the 2015 temporary budget and final appropriations will be determined in the adopted budget.

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

The Borough Clerk read the following resolution:

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

Resolution #110-15

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

DISCUSSION ON AGENDA WORKSHOP ITEMS - NONE

PUBLIC COMMENTS

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

John Mrofchak, 128 Wood Avenue questioned the tabling of the resolution for the sanitary sewer use charges.

Rich Sowden, 107 Egel Avenue is concerned that after operating in town for 29 years he was told that there is a zoning problem and he has to apply for a variance. Mr. Sowden feels that there are ethical problems in town and is looking for someone to help him.

Councilman Kaplan indicated that he spoke with Mr. Sowden and because there was a change in use at his business, he directed him to go to the Zoning Board. .

Attorney Aithal indicated that after reviewing his concern he stated that the businesses conducted at that site are not a permitted use in that zone. When Mr. Sowden obtained a Certificate of Occupancy for his property it was just to occupy the premises. The Council is trying to streamline the process that is needed to get the necessary zoning variances and is doing everything within the law so that he can get everything right with what is permitted. Mr. Aithal indicated that the borough would continue to help him, but can't tell the zoning officer not to look at this property, as it is her job.

John Hoffman, 455 Lincoln Boulevard requested sewer information, which will be supplied to him by the Borough Clerk. Mr. Hoffman also was concerned about the County working on Lincoln Boulevard.

Carol Stowe, 217 Lincoln Boulevard is grateful that the council has adopted the amendment to the redevelopment plan. She felt that all the meetings that she attended with the Planning Board and Council went well and thanked council again for their help.

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 #111-15

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) Performance Reviews
- (2) Police Chief's Contract

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

ADJOURNMENT

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

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
APRIL 28, 2015**

MAYOR'S STATEMENT: Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of January 2, 2015 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	Jeffrey Marchioni
Council President	Sean Kaplan	Andrew D'Amato
	Kevin Dotey	Alaina Chemey
	Stephen Greco	Sarina Redzinski
	John Madden	Sheila Leonard
	Bob Schueler	Zachary Seif
	Jack Mikolajczyk	Elizabeth Torre
Attorney:	Aravind Aithal	
Borough Clerk	Kathleen Anello	

Mayor Dobies stated that discussion will be held in Executive Session to discuss the termination of Integrated Engineering and authorizing the execution of a contract with Jamali. Action may be taken after the Executive Session.

PROCLAMATIONS

The Borough Clerk declared the week of April 27, 2015 as Elk's Youth Week

PROCLAMATION

WHEREAS, the Benevolent and Protective Order of Elks has designated the week of April 27, 2015 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 April 27, 2015 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 declared the week of May 10, 2015 as Police Week & Peace Officers Memorial Day

Police Week & Peace Officers Memorial Day

Middlesex Borough Police Department 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 Mayor Ronald S. Dobies, call upon the citizens of Middlesex Borough and upon patriotic, civil, and educational organizations to observe the week of May 10 through May 16, 2015, 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 Friday, May 15, 2015 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.

Mayor Dobies recognized the Retirement of Frank Betts as Borough Tax Assessor and on behalf of the Borough presented Mr. Betts with a Certificate and Outstanding Citizen Metal.

APPOINTMENTS-NONE

PRESENTATIONS-NONE

PUBLIC HEARING

Mayor Dobies opened the Public Hearing on the 2015 Municipal Budget. Seeing that there are no public participation, Mayor Dobies closed the hearing on the 2015 Municipal Budget.

Borough Auditor Andy Hodulik stated that the borough has followed the procedures required and has introduced and advertised accordingly. The budget calls for a slight tax increase over 2014 of approximately 1.97%. The Borough came in \$800,000 under the levy cap and is at a 5 point increase, which amounts to approximately \$46 for the average homeowner.

The Borough Clerk read the following resolution:

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

Resolution #112-15

BOROUGH OF MIDDLESEX
COUNTY OF MIDDLESEX

RESOLUTION TO ADOPT 2015 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) \$ 11,619,410.80	(Item 2 below) for municipal purposes
(e) \$ 467,044.26	(Item 5 below) Minimum Library Tax

Recorded Vote
(Insert last name)

Ayes	Greco		(
	Dotey	(Abstained (
	Kaplan	((
	Madden	Nays (
	Schueler	((
	Mikolajczyk		Absent (

Current Fund:

SUMMARY OF REVENUES

1. General Revenues	
Surplus Anticipated	\$ 1,019,770.00
Miscellaneous Revenues Anticipated	3,467,156.00
Receipts from Delinquent Taxes	883,000.00
2. Amount to be Raised by Taxation for Municipal Purposes (Item 6[a], Sheet 11)	11,619,410.80
5. Amount to be raised by taxation minimum library levy	467,044.26
	\$ 17,456,381.06
Total Revenues	\$ 17,456,381.06

SUMMARY OF APPROPRIATIONS

5. General Appropriations:	
Within "CAPS"	
(a&b) Operations Including Contingent	10,948,658.00
(e) Deferred Charges and Statutory Expenditures - Municipal	1,192,820.00
Excluded from "CAPS"	
(a) Operations - Total Operations Excluded from "CAPS"	2,423,490.26
(c) Capital Improvements	65,000.00
(d) Municipal Debt Service	1,816,412.80
(e) Deferred Charges - Municipal	135,000.00
(m) Reserve for Uncollected Taxes	875,000.00
	\$ 17,456,381.06
Total Appropriations	\$ 17,456,381.06

Swimming Pool Utility Fund:

Total Revenues	\$ 394,324.00
	\$ 394,324.00
Total Appropriations	\$ 394,324.00

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 28th day of April, 2015. 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 2015 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Councilman Dotey moved for adoption of the 2015 Municipal Budget seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

Mayor Dobies thanked the Finance Committee, Greg Katzer, Caroline Benson and the Borough Council for their help on the budget.

The Borough Clerk read Ordinance No. 1874-15 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. 1874-15

AN ORDINANCE FIXING AND DETERMINING THE SALARIES AND COMPENSATION OF CERTAIN POLICE OFFICERS OF THE BOROUGH OF MIDDLESEX FOR THE YEARS 2015, 2016, & 2017.

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

The salary and rate of compensation of each officer of the Police Department of the Borough of Middlesex shall be and the same is hereby fixed respectively for the years 2015, 2016, & 2017 as follows:

	2015	2016	2017	
Rank				
Captain	\$125,308	\$127,814	\$130,690	
Lieutenant	\$117,697	\$120,050	\$122,751	
Sergeant	\$110,079	\$112,280	\$114,806	
Corporal	\$103,520	\$105,591	\$107,966	
Patrolman A	\$102,324	\$104,370	\$106,718	
Patrolman B	\$ 92,097	\$ 93,940	\$ 95,054	
Patrolman C	\$ 81,871	\$ 83,508	\$ 85,387	
Patrolman D	\$ 71,645	\$ 73,078	\$ 74,722	
Patrolman E	\$ 61,419	\$ 62,647	\$ 64,057	
Academy	\$ 40,968	\$ 41,787	\$ 42,727	
Employees hired after January 1, 2012 shall enjoy the following:				
	2015	2016	2017	
Rank				
Captain	\$125,308	\$127,814	\$130,690	
Lieutenant	\$117,697	\$120,050	\$122,751	
Sergeant	\$110,079	\$112,280	\$114,806	
Corporal	\$103,520	\$105,591	\$107,966	
Patrolman A	\$102,324	\$104,370	\$106,718	
Patrolman B	\$93,657	\$95,530	\$ 97,680	
Patrolman C	\$84,992	\$86,692	\$ 88,643	
Patrolman D	\$76,327	\$77,854	\$ 79,605	
Patrolman E	\$67,662	\$69,015	\$ 70,567	
Patrolman F	\$58,997	\$60,177	\$ 61,530	

Probationary	\$50,332	\$51,339	\$ 52,494	
Academy	\$42,448	\$43,297	\$ 44,271	

SECTION 2

Rates of Compensation established above shall serve as a guide in employment and subsequent changes in rates of employees hired after passage of this ordinance.

SECTION 3

The Mayor and Council shall have the sole discretion in determining who shall be placed on Minimum, Maximum and on interim steps of the salary range and their determination shall be final and conclusive on all employees.

SECTION 4

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 5

This Ordinance shall take effect upon its final passage, approval and publication according to law.

Mayor Dobies opened the Public Hearing on Ordinance No. 1874-15. Seeing that there was no public participation, Mayor Dobies closed the Public Hearing on Ordinance No. 1874-15.

Councilman Madden moved for adoption seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

The Borough Clerk read Ordinance No. 1876-15 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. 1876-15**

AN ORDINANCE FIXING AND DETERMINING THE SALARIES AND COMPENSATION OF CERTAIN HOURLY PUBLIC WORKS EMPLOYEES OF THE BOROUGH OF MIDDLESEX FOR THE YEARS 2015, 2016 and 2017.

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

The salary and rate of compensation of each hourly employee of the Board of Public Works of the Borough of Middlesex shall be and the same is hereby fixed respectively for the years 2015, 2016 & 2017 as follows:

PUBLIC WORKS EMPLOYEES, INCLUDING ROADS, PARKS, SANITATION, RECYCLING AND SEWERS:

Hourly Rates - Attachment A

Title	Salary/Hour 2014	Salary/Hour 2015	Salary/Hour 2016	Salary/Hour 2017
Laborer		2.25%	2.50%	2.75%
First six months	\$ 14.04	\$ 14.36	\$ 14.71	\$ 15.12
6-18 months (minimum DPW #2)	\$ 16.88	\$ 17.26	\$ 17.69	\$ 18.18
19-30 months	\$ 19.79	\$ 20.24	\$ 20.74	\$ 21.31
31-42 months	\$ 21.32	\$ 21.80	\$ 22.34	\$ 22.96
43-54 months	\$ 23.29	\$ 23.81	\$ 24.41	\$ 25.08
55-66 months	\$ 25.91	\$ 26.49	\$ 27.16	\$ 27.90

67 months plus (maximum Top Rate
DPW #1)

Garbage Department Employees	Salary/Hour			
Garbage Truck Driver	\$ 33.1678	\$ 33.91	\$ 34.76	\$ 35.72
Garbage Collection	\$ 31.7126	\$ 32.43	\$ 33.24	\$ 34.15
Lead Person	\$ 33.2780	\$ 34.03	\$ 34.88	\$ 35.84
Parks Department Employees: Salary/Hour				
Lead Person	\$ 33.2780	\$ 34.03	\$ 34.88	\$ 35.84
Public Works Employee #1	\$ 31.7126	\$ 32.43	\$ 33.24	\$ 34.15
Solid Waste Department Employees				
Solid Waste Truck Driver	\$ 33.1678	\$ 33.91	\$ 34.76	\$ 35.72
Solid Waste Employee #1	\$ 31.7126	\$ 32.43	\$ 33.24	\$ 34.15
Solid Waste Employee #1	\$ 31.7115	\$ 32.43	\$ 33.24	\$ 34.15
Road Department Employees: Salary/Hour				
Lead Person	\$ 33.2780	\$ 34.03	\$ 34.88	\$ 35.84
Public Works Employee #1	\$ 31.7126	\$ 32.43	\$ 33.24	\$ 34.15
Chief Mechanic	\$ 36.4737	\$ 37.29	\$ 38.23	\$ 39.28
Mechanic- Assistant	\$ 33.8809	\$ 34.64	\$ 35.51	\$ 36.49
Sewer Department Employees:				
Public Works Employee #1	\$ 31.7124	\$ 32.43	\$ 33.24	\$ 34.15
General Public Works Employees:				
Utility Person	\$ 17.9725	\$ 18.38	\$ 18.84	\$ 19.35

SECTION 2

Rates of Compensation established above shall serve as a guide in employment and subsequent changes in rates of employees hired after passage of this ordinance.

SECTION 3

The Mayor and Council shall have the sole discretion in determining who shall be placed on Minimum, Maximum and on interim steps of the salary range and their determination shall be final and conclusive on all employees.

SECTION 4

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 5

This Ordinance shall take effect upon its final passage, approval and publication according to law.

Mayor Dobies opened the Public Hearing on Ordinance No. 1876-15. Seeing that there was no public participation, Mayor Dobies closed the Public Hearing on Ordinance No. 1876-15.

Councilman Schueler moved for adoption seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

NEW BUSINESS - NONE

ADOPTION OF MINUTES

Councilman Dotey moved to approve the April 14, 2015 Regular Meeting Minutes and the April 14, 2015, April 16, 2014 and April 21, 2015 Executive Session Meeting Minutes seconded by Councilman Kaplan and carried by a unanimous vote of Council.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance – Nothing to discuss
2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco stated that last week the fire department carnival took place, not to take away from Councilman Dotey's thunder, but I would like to thank all that volunteered and attended this event. Kudos to all for braving the elements.
 - B. Councilman Greco also mentioned that on Wednesday, May 20, 2015 at 7:00pm, the Middlesex Elks Lodge #1488 will hold its annual Youth Awards Night. Students of the Month and our scouts will be honored. Winners of the Americanism Essay Contest will have the opportunity to read their essays. The evening will conclude with the announcement of the High School Student of the Year.
 - C. Councilman Greco invited all to please join us as we pay tribute to all Middlesex Service Men and Women, past and present, who have served our country with valor. The ceremony will take place on Friday, May 29th at 9:30 AM in the Peter J. Diskin Memorial Auditorium at Middlesex High School.
 - D. In Recreation news the girls recreation 5th/6th grade travel team had a great year and was 38-0. They won three tournaments and the Garden State League. Also, there are new additions to the Mt. View Park and Runyon Softball Fields. There are 2 field boxes on site that will hold essential items needed for games to include new drop-in bases.
3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Councilman Dotey mentioned that the Board of Health had the County Health Officer Lester Jones come to the last meeting and he explained all services we receive under the current contract, and also went over all services available to the Borough. Mickey Gross also attended the meeting. He handles environmental for the County, including solid waste recycling, air and noise pollution. They were both informative and there will be links to services offered on the Board of Health webpage.
 - B. Councilman Dotey mentioned that the Board of Health has voted to move their meetings to the second Thursday of every month.
 - C. Councilman Dotey made a motion to accept Carlos Lopez as a Junior Member, James Singer as a junior firefighter ride along program, and Steven Bird as a qualified driver for Engine 23 and Al Kriney as a qualified driver of truck 18 seconded by Councilman Kaplan and carried by a unanimous vote of Council.
 - D. Councilman Dotey thanked the OEM, Rescue Squad Members and the Police Department for their help with the Firemen's Carnival.
 - E. Fracking Ordinance – Councilman Dotey indicated that he received no comments on the fracking ordinance, so this ordinance will be passed back to the Board of Health to move forward with adoption under the Board of Health.
4. Public Works/Parks/Sanitation/Recycling

- A. Councilman Schueler stated that DPW workers completed the installation of the backup generator including pouring of the pad and installing the generator for the Borough Garage
 - B. Councilman Schueler mentioned that the DPW has Storm Sewer Catch basin repaired and cleaned in Mountain View Park, and completed the final take down from carnival including the barrels and barricades and removal of garbage.
 - C. The DPW has also begun grass cutting on borough fields and other borough properties now that the weather has improved and it has dried out a bit, street sweeping is continuing with the secondary roads and prep work being done to reinstall the aerators in Victor Crowell Park
 - D. Councilman Schueler indicated that Truck #5 is in for repairs for its lifting and crushing mechanism and AC. This has put into service Truck #2 which has a more limited capacity, but garbage is still being picked up without an interruption to service.
5. Police/Legal/Code Enforcement/Construction/Municipal Court
- A. Councilman Madden moved to approve the March, 2015 Police Department Report seconded by Councilman Greco and carried by a unanimous vote of Council.
 - B. Councilman Madden stated that on Sunday, April 26, 2015, with assistance of alert residents, passersby and the victim, the Middlesex Police Department tracked down and apprehended an armed robber. Responding to a 911 call, the Middlesex Police received numerous tips and descriptions leading to a quick resolution to this crime. Thank you to the Bound Brook Police for their assistance with a tracking dog, the alert residents and the Middlesex Police Department for their swift call to action.
6. Administration/Department of Senior Services/Legislation/Licensing
- A. Councilman Mikolajczyk mentioned that last night the Board of Education approved their 2015 – 2016 Budget. The budget is under the 2% cap and features a total budget of 35.1 million with a local tax levy of 22.9 million. It also features capital expenditures of 1.4 million and a 1.0 million dollar withdrawal to the capital reserve and a 384,500 withdrawal from the maintenance reserve.
 - B. Councilman Mikolajczyk stated that there is a resolution on the meeting getting quotes for electrical at the Senior Center and quotes for bathrooms and fencing. These will be forwarded to the Administrator.

REPORTS

Mayor

1. Mayor Dobies reported that August 9, 2015 will be the First Annual Motorcycle Run to Benefit Operation Comfort Warriors – Middlesex American Legion Post #306.
2. Mayor and Council discussed the Hold Harmless Agreement with Piscataway for the use of the front end loader. After discussion, it was the recommendation of the Borough Attorney to have the Purchasing Agent look to have the Swim Pool rent a front end loader and allow for that option in Resolution #119-15, due to the time constraints with the Swim Pool opening soon.

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 wishes to remove Resolution #115-15 and Resolution #119-15 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 #99-15
Resolution #113-15 – Resolution #114-15
Resolution #116-15 – Resolution #118-15
Resolution #120-15

Councilman Greco made a motion for approval seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #99-15

RESOLUTION AUTHORIZING MRESC CO-OP PURCHASE OF CANON EOS REBEL T51 CAMERA FOR THE POLICE DEPARTMENT

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase a Canon EOS Rebel T51 Camera for the Police Department to implement a digital photography policy for documenting crime scenes and evidence from an authorized vendor under the Middlesex Regional Educational Services Commission; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Contracts Law, 40A:11-12; and

WHEREAS, CDW Government LLC is under MRESC Contract No. 65MCESCCPS for the year 2015; and

WHEREAS, the cost for the purchase of a Canon EOS Rebel T51 Camera is \$1,145.86; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of a Canon EOS Rebel T51 Camera is ordered under MRESC Contract No. 65MCESCCPS be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount \$1,145.86 is available in Account No. 04-1818-00-1818-71.

The Borough Clerk read the following resolution:

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

Resolution #113-15

Authorizing the Mayor and Borough Clerk to execute the Option and Letter Agreement with Wireless Capital Partners, LLC to purchase the Borough's interest in the Telecommunication Ground Lease for a 50 year term in the amount of \$1,500,000.00.

The Borough Clerk read the following resolution:

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

Resolution #114-15

The governing body hereby approves the use of HUD grant funds that have been awarded to the borough be used for the Senior Center Lighting and the American Legion Pavilion Electricity. These projects will be pending the availability of funds.

The Borough Clerk read the following resolution:

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

Resolution #116-15

WHEREAS, the residents of 222 Fairview Avenue have requested to have a block party on Fairview Avenue between Mohawk Avenue & Delaware Avenue on June 20, 2015 between the hours of 11 a.m. and 11 p.m. with a rain date of June 27, 2015; 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 June 20, 2015 between the hours of 11 am. and 11 p.m. with a rain date of June 27, 2015.
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 #117-15

RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF DELL PRECISION WORKSTATION 51700 SMALL FORM FACTOR CTO FOR THE IT SUPERVISOR

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase a Dell Precision Workstation T1700 Small Form Factor CTO for the IT Supervisor 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 2015; and

WHEREAS, the cost for the purchase of a Dell Precision Workstation is \$2,777.83; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of a Dell Precision Workstation is ordered under State Contract No. 70256 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount \$2,777.83 is available in Account No. 01-2010-20-1401-062.

The Borough Clerk read the following resolution:

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

Resolution #118-15

NAMING DEPUTY CUSTODIANS OF RECORDS IN VARIOUS BOROUGH DEPARTMENTS

WHEREAS, the Open Public Records Act (OPRA), P.L. 2001, Chapter 404, effective July 8, 2002, specially names the Municipal Clerk as “Custodian of Government Records” and sets forth certain requirements for providing to the public access of government records; and

WHEREAS, the Municipal Clerk has requested that Deputy Custodians be named in various Departments to assist in providing orderly and timely compliance with the Open Public Records Act.

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 Deputy Custodians of Government Records be named as follows:

Administration	Admin. Asst./Deputy Clerk
Board of Adjustment	Zoning Official and/or Designee
Planning Board	Planning Board Secretary
Construction Department	Construction Official/Official's Designee
Engineering Department	Professional Eng./Professional Designee
Finance Department	Treasurer and/or Designee
Fire Department	Fire Chief and/or Designee
Police Department	Police Chief and/or Designee
Public Works	Public Works Manager and/or Designee
Purchasing	Purchasing Agent and/or Designee
Tax Collection Department	Tax Collector and/or Designee
Tax Assessor	Tax Assessor and/or Designee
Recreation Department	Recreation Director and/or Designee
Senior & Disabled Services	Executive Director of Senior and Disabled Services and/or Designee

The Borough Clerk read the following resolution:

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

Resolution #120-15

Approving the Lease Agreement between the Borough of Middlesex and American Legion John W. Lupu Memorial Post 306 to lease the Pavilion (behind the Middlesex Public Library) the premises situated on the Real Property together with the right of use of the property pursuant to NJSA 40A:12-21(b), their invitees, and members the public portions of the Common Areas together with the right to use the ingress and egress driveways and parking lots and other common facilities. The terms of this Lease shall begin upon the adoption of this resolution by the Borough of Middlesex Council, for a period of ten (10) years thereafter or shall end at such earlier time that the tenant stops rendering service or provide facilities for the general public.

This Lease is pending the Borough's receipt of the Insurance Requirements as stated in the Lease.

The Borough Clerk read the following resolution:

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

Resolution #115-15

WHEREAS, EnviroTrac, Ltd. is providing a copy of the Temporary Discharge Approval Application for Groundwater Remediation Control at the Neighborhood Garage Site in Middlesex to be submitted to the Middlesex County Utilities Authority (MCUA); and

WHEREAS, EnviroTrac, Ltd. 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 MCUA Middlesex Meter Chamber. Groundwater generated from the remediation activities shall be treated prior to discharge using equalization, filtration and liquid granulated activated carbon; and

WHEREAS, EnviroTrac, Ltd. is required to have the Borough's approval on a yearly basis for discharge of treated groundwater from the Neighborhood Garage Site to the MCUA Central Treatment Plant via the Borough of Middlesex wastewater collection system and MCUA Middlesex Meter Chamber.

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 discharge of treated groundwater from the Neighborhood Garage Site to the MCUA Central Treatment Plant via the Borough of Middlesex wastewater collection system and MCUA Middlesex Meter Chamber.
2. This resolution shall take effect immediately.

Councilman Dotey made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #119-15

Authorizing the Mayor and Borough Clerk to execute a Hold Harmless Agreement between the Borough of Middlesex and Piscataway Township for use of their Front Wheel Loader with a 3 yard bucket or to potentially lease this equipment from an outside vendor.

Councilman Greco made a motion for approval seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #121-15

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 Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS - NONE

PUBLIC COMMENTS

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

Dave Oliver, 216 Ashland Road (1) Thanked the Mayor and Council, along with the Police Department for their presence on Route 28 with the controlling of the speeding, (2) requested that the public be given an update on the landfill; and (3) requested that the borough present an itemized budget for the public to see.

John Ellery, 701 Lincoln Boulevard discussed (1) Raffle, Torch Run and Spaghetti Dinner for Special Olympics which is sponsored by the Business Association and the PBA for Middlesex Borough and Dunellen; (2) Concern with the resolution for the TDA at the Neighborhood Garage Site and what rate is charged to them, so that that they are credited and the businesses don't get charged; and (3) Recommended that the borough use a contractor in town to remove the dirt at the Middlesex Pool and recommended that they get quotes from John Rothberg and Jeff Neary who handle that work.

Mayor Dobies addressed all comments from members of 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 #122-15

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) Termination of Employment - DPW
- (2) Police Chief's Contract
- (3) Administrator's Position

Councilman Schueler made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #123-15

WHEREAS, the Governing Body awarded a contract to Integrated Aquatics Engineering on February 26, 2013 in the amount of \$56,400; and

WHEREAS, the Swim Pool Commission recommends that we terminate the contract agreement with Integrated Aquatics Engineering.

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

1. The Governing Body hereby terminates the contract agreement between the Borough of Middlesex and Integrated Aquatics Engineering.
2. This resolution shall take effect immediately.

Councilman Schueler made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #124-15

Authorizing the Mayor to sign a Settlement Agreement with Jamali Developers, LLC for the Upgrades to the Middlesex Community Pool.

Councilman Mikolajczyk made a motion for approval seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #125-15

WHEREAS, Kenneth Pukas, Jr. was hired to work as a laborer in the DPW on August 12, 2014; and

WHEREAS, the Governing Body wishes to terminate the employment of Kenneth Pukas, Jr. on the recommendation of the DPW Manager.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey hereby terminates the employment of Kenneth Pukas, Jr. effective immediately.

Councilman Mikolajczyk made a motion for approval seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #126-15

Authorizing the Mayor and Borough Clerk to execute the Employment Agreement between the Borough of Middlesex and Craig S. Young to Serve as Police Chief effective January 1, 2015.

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

ADJOURNMENT

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

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
MAY 12, 2015**

MAYOR'S STATEMENT: Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of January 2, 2015 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
	John Madden
	Bob Schueler
	Jack Mikolajczyk
Attorney:	Jerome Solomon

Mayor Dobies stated that two items will be included on the Meeting tonight which include accepting the resignation of Probationary Patrolman Emmanuel Malasig and authorizing the Mayor and Borough Clerk to execute the Pool Upgrade Project Completion Agreement and the Administrator Position into Executive Session.

PROCLAMATIONS

APPOINTMENTS-NONE

PRESENTATIONS

Sydney Kukoda, a Middlesex High School Senior who just received her Girl Scout Gold Award last weekend gave a presentation on "Flooding in Middlesex" to the Mayor and Council. Ms. Kukoda referenced the last floods that affected the Borough and stressed the importance of thinking about flooding before disaster strikes. She 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-NONE

NEW BUSINESS

The Borough Clerk read Ordinance No. 1875-15 by title for introduction.

BOROUGH OF MIDDLESEX

ORDINANCE NO. 1875-15

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

TITLE	SALARY BASE	RANGE TO
Full Time Employees		
Chief of Police	130,670	160,000
Borough Administrator	95,000	125,000
Borough Clerk	70,000	85,000
Deputy Borough Clerk	47,000	57,000
Tax Collector/Purchasing Agent	64,000	75,000
DPW Superintendent	90,000	115,000
DPW Assistant Superintendent	80,000	95,000
Director - Office on Aging	50,000	65,000
Treasurer	48,000	60,000
IT Supervisor	75,000	90,000
Recreation Director	59,000	68,000
Court Administrator	58,000	68,000
Part Time Employees		
Assistant Recreation Director	11,000	14,000
Recreation Commission Secretary	1,100	1,300
Tax Assessor	14,000	28,000
CFO	25,000	40,000
Code Enforcer/Zoning Official	25,000	32,000
Construction Official	32,000	38,000
Electrical Sub-Code Official	11,500	15,000
Building Sub-Code Official	22,000	28,000
Resale Certificate Inspector	5,000	7,500

Plumbing Sub-Code Official	10,000	15,000
Fire Sub-Code Official	10,000	15,000
Planning/Zoning Clerk (per meeting)	175	185
Board Health Secretary	4,750	5,000
Shade Tree Secretary	2,350	2,650
Juvenile Conference Committee Secretary	1,950	2,400
Municipal Magistrate	33,000	38,000
Prosecutor	24,399	27,000
Deputy Registrar	2,750	3,200
Alternate Registrar	250	250
Swim Pool Secretary	7,500	10,000

Hourly Employees	Per Hour	Per Hour
Administrative Clerk	12.00	16.00
Construction Clerk	12.00	16.00
Court Clerk	15.00	18.00
DPW Laborer	12.00	16.00
Meals on Wheels Driver	12.00	16.00
Medical Transportation Driver	12.00	16.00
Senior Transportation Driver	12.00	16.00
Pre-School Program Coordinator	12.00	16.00
Pre-School Program Instructor	10.00	14.00
Playground Coordinator (Seasonal)	12.00	16.00
Playground Site Supervisor (Seasonal)	10.00	14.00
Playground Counselor (Seasonal)	7.25	12.00
Police Matrons	15.00	20.00
Crossing Guards	13.50	16.00

SECTION 2

Rates of Compensation established above shall serve as a guide in employment and subsequent changes in rate of employees hired after passage of this ordinance.

SECTION 3

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are and the same are hereby repealed.

SECTION 4

This Ordinance shall take effect upon its final passage, approval and publication according to law.

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

ADOPTION OF MINUTES

Councilman Greco moved to approve the April 28, 2015 Regular Meeting Minutes and Executive Session Meeting Minutes seconded by Councilman Dotey and carried by a unanimous vote of Council.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance – Nothing to discuss
2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco stated that last week the children did a great job with Elks Youth Week. And also thanked Sydney Kukoda for the great job on the presentation she did tonight “Flooding in Middlesex.”
 - B. Councilman Greco noted that Movie Night is scheduled for July 10th at Mountain View Park.
 - C. Councilman Greco indicated that the decks were poured at the pool and the landscaping is coming in. The target date to open the pool is Memorial Day.
3. Fire/OEM/Board of Health/Rescue Squad/Flood – Nothing to discuss
4. Public Works/Parks/Sanitation/Recycling
 - A. Field cutting is in full swing as well as clean up around all the Borough’s buildings and the Borough’s properties including the baseball fields, the parks, and the pocket parks. This is over 35 areas.
 - B. Adding electrical service at Victor Crowell Park.
 - C. Filling in potholes on Baekeland Avenue with 20 tons of hot black top and two dump truck loads of millings to make it more driveable.
 - D. Made manhole repairs on Hazelwood Avenue and sinkhole repair on 3rd St. These streets will be hot black topped this week. Other road repairs are also ongoing on Shepherd and Beechwood Avenues. Street sweeping is also continuing throughout the Borough.
 - E. Planning going forward for prep of town for Memorial Day.

5. Police/Legal/Code Enforcement/Construction/Municipal Court – Nothing to discuss
6. Administration/Department of Senior Services/Legislation/Licensing
 - A. Councilman Mikolajczyk mentioned that the MEA will be having a negotiation meeting on June 2, 2015. The education professionals of the year were announced and the following teachers received this honor: Middlesex High School – Mr. Wallace Dow III, Von E. Mauger Middle School – Mrs. Leslie Wise (Lower) & Mr. Andrew St. Claire (Upper), Hazelwood School – Ms. Allison Severage, Watchung School – Mrs. Leslie Kauffman and Parker School – Mrs. Dawn Skellington.
 - B. Councilman Mikolajczyk stated that there will be a HUD Meeting on Monday, May 18th to discuss evaluating HUD projects.

REPORTS

Mayor

1. Mayor Dobies reported that the fireworks have been scheduled for Saturday, July 18th at Mountain View Park.
2. Mayor Dobies indicated that the DARE Program will no longer be in existence in New Jersey and that he was sorry to see it go.
3. Staff Movements – Mayor Dobies asked that the staffing that was added and approved in the 2015 budget be added to the next meeting. Council members were not in agreement in moving two part-time clerical positions back to fulltime not add a part-time clerical person in the DPW. The Mayor requested that the council put a resolution on the record. Councilman Schueler made a motion not to move the part time positions to full time positions nor add a part-time clerical person in the DPW 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(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 wishes to remove Resolution #128-15, Resolution #129-15 and Resolution #135-15 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 #127-15
Resolution #130-15 – Resolution #134-15

Councilman Greco made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #127-15

WHEREAS, Ricciplanning provided a proposal dated April 23, 2015 in the amount of \$8,500 (flat fee) to begin the preparation of a housing and fair share plan to be sent to the Court; and

WHEREAS, Ricciplanning will review and update the borough's previous vacant land adjustment as the basis for lowering the third round housing projection designed to be consistent with previous round rules as recommended by the Court and ultimately the number of required affordable housing units; and

WHEREAS, this proposal will include all necessary steps for the Planning Board to adopt and the Governing Body to endorse the plan and to submit the plan to the Court; and

WHEREAS, the proposed fee does not include any further compliance requirements of the Court or other entity after submitting this document to the Court.

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 from Ricciplanning in the amount of \$8,500 to begin the preparation of a housing and fair share plan to be sent to the Court.
2. This resolution shall take effect immediately.

The Treasurer hereby certifies that funds in the amount of \$3,500 are available in Account No. 01-2010-35-4702-101 (\$5,000 was previously approved by Resolution #94-15 on March 24, 2015)

The Borough Clerk read the following resolution:

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

Resolution #130-15

WHEREAS, the 2014 Capital Budget appropriated funds for the purchase of new lawn mowers for the Parks Department,

NOW THEREFORE BE IT RESOLVED, that the unused balance be re-appropriated and used for the purchase and installation of Aluminum Stairs, Platform and Handrails for the back door at the Bound Brook Rd Pump Station. The project is to be awarded to USA Bluebook.

NOW FURTHER BE IT RESOLVED that the Treasurer hereby certifies that the funds in the amount of \$4,821.97 are available in Account No. 04-1855-00-1855-78.

The Borough Clerk read the following resolution:

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

Resolution #131-15

WHEREAS, the 2013 Capital Budget appropriated funds for the purchase of new fire trucks,

NOW THEREFORE BE IT RESOLVED, that the unused balance be re-appropriated and used for the purchase and installation of radios, generator, mobile repeaters, Engine 21 mounts, Engine 23 pump for the fire department and radios for OEM.

NOW FURTHER BE IT RESOLVED that the Treasurer hereby certifies that the funds in the amount of \$178,000.00 are available in Account No. 04-1832-00-1832-74.

The Borough Clerk read the following resolution:

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

Resolution #132-15

RESOLUTION AUTHORIZING MRESC CO-OP PURCHASE OF SAMSUNG MONITORS FOR THE POLICE DEPARTMENT

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase Samsung Monitors for the Police Department to replace two broken and add two to the new CAD system from an authorized vendor under the Middlesex Regional Educational Services Commission; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Contracts Law, 40A:11-12; and

WHEREAS, CDW Government LLC is under MRESC Contract No. 65MCESCCPS for the year 2015; and

WHEREAS, the cost for the purchase of a Samsung Monitors is \$3,041.92; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of Samsung Monitors is ordered under MRESC Contract No. 65MCESCCPS be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount \$3,041.92 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 #133-15

RESOLUTION AUTHORIZING MRESC CO-OP PURCHASE OF (50) TREND MICRO USER LICENSE FOR ANTI-VIRUS FOR BOROUGH AND POLICE DEPARTMENT

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase (50) Trend Micro User License for Anti-Virus for the Borough and Police Department from an authorized vendor under the Middlesex Regional Educational Services Commission; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Contracts Law, 40A:11-12; and

WHEREAS, CDW Government LLC is under MRESC Contract No. 65MCESCCPS for the year 2015; and

WHEREAS, the cost for the purchase of the anti-virus license is \$976.50; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of the anti-virus license is ordered under MRESC Contract No. 65MCESCCPS be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount \$976.50 is available in Account No. 01-2010-20-1401-062.

The Borough Clerk read the following resolution:

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

Resolution #134-15

The governing body hereby hires Joseph Anthony Galietti, 2 Hancock Place, Somerset, New Jersey as a permanent part time employee for the Department of Public Works at \$12.00 per hour for 28 hours per week, effective May 18, 2015, 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 #128-15

The Mayor and Council hereby accept Lt. Michael Colacci's retirement effective June 1, 2015 and authorize the Treasurer to pay Lieutenant Colacci his full allowance of \$59,812.17 in accordance with his PBA Contract in the next regular borough payroll of May 29, 2015. The benefits include the following:

32 Unused Vacation Days	\$14,485.76
254.50 Hours Compensation Time	\$14,402.16
3 months Terminal Leave	\$29,424.25
2015 Clothing Allowance	\$1,500.00
TOTAL	\$59,812.17

Councilman Mikolajczyk made a motion to table Resolution #128-15 seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #129-15

WHEREAS, the governing body hereby hires Lorene K. Wright, 147 Colts Neck Road, Farmingdale, New Jersey as the Borough Administrator for 37 ½ hours per week for an annual salary of \$100,000.00 effective June 1, 2015, pending a satisfactory background and physical; and

WHEREAS, Ms. Wright will receive 7 vacation days for the balance of 2015; and

WHEREAS, the governing body hereby approves the contract between Lorene K. Wright and the Borough of Middlesex effective June 1, 2015 – December 31, 2016.

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 hires Lorene K. Wright, 147 Colts Neck Road, Farmingdale, New Jersey as the Borough Administrator for 37 ½ hours per week at an annual salary of \$100,000 effective June 1, 2015, pending a satisfactory background and physical.
2. Mayor Dobies is hereby authorized to execute a contract with Ms. Wright.
3. This resolution shall take effect immediately.

Councilman Dotey made a motion to remove Resolution #129-15 from the consent agenda seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #135-15

Authorizing the Mayor and Borough Clerk to execute a Right of Entry to the Army Corps of Engineers for the performance of removal and remedial activities under the FUSRAP Site, Block 278, Lot 31 and Block 209 Lot 109 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.

Councilman Dotey made a motion for approval as amended (location) seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, and Schueler. No: None. Abstain: Madden & Mikolajczyk.

The Borough Clerk read the following resolution:

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

Resolution #138-15

The governing body hereby accepts the resignation of Probationary Patrolman Emmanuel Malasig from the Middlesex Police Department effective May 11, 2015.

Councilman Madden made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #139-15

Authorizing the Mayor and Borough Clerk to execute the Pool Upgrade Project Completion Agreement on behalf of Jamali Developers, LLC, the Borough of Middlesex, and the Borough of Middlesex Swim Pool Commission.

Councilman Dotey made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #136-15

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 Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS - NONE

PUBLIC COMMENTS

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

John Erickson (1) thanked Sydney Kukoda for her presentation, (2) Stated that the retirement of Mike Colacci is a loss to the borough, (3) Questioned if we will be replacing the two officers that we lost tonight; (4) Requested that the 55 gallon drums that are in the public eye at the landfill be removed; and (5) If the proposed soccer field next to his house will be leveled out.

Betty Platten, 4 Hooker Avenue questioned if the DPW person that they want to hire is a labor or secretary.

Tom Harrity, 107 Ramsey Road (1) Questioned if the Borough has an organizational chart that highlights the council/employees relationship to the mayor, (2) Discussed any movement taken place on the electronic waste disposal in town, (3) At a meeting with County Health Department it was stated that the responding to odor complaints is going to change from which the town will need three complaints before the county/state inspector will come out to verify the complaint instead of just one complaint. As president of the Board of Health he will look to the Board and this Council contest this change, and (4) The Board of Health has a vacancy that needs to be filled.

Mayor explained to Mr. Harrity the reporting format and how the Mayor is considered the administrative branch, while the council is the legislative branch and the Administrator handled the day to day operations. Mayor said the closest place to rid of electronic waste is Somerset County.

Councilman Kaplan stated that funds have been put aside for the hiring of two police officers in the Police Department. Councilman Kaplan made a motion to advertise for candidates for the Police Department, pending the availability of funds seconded by Councilman Schueler and carried by a unanimous vote of Council.

Mayor Dobies addressed all comments from members of 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 #137-15

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting; and

WHEREAS, the Governing Body of the Borough of Middlesex has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public; and

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

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

(1) Department Head Salaries

Mayor Dobies added Resolution # 129-15 to the Executive Session Meeting (Hiring of Lorene Wright as Administrator.)

Councilman Schueler made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #140-15

Approving to table Resolution #129-15 and to have the Finance Committee meet with the candidate, Lorene Wright to discuss the prospective administration position.

Councilman Schueler made a motion for approval seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 council.

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
MAY 26, 2015**

MAYOR'S STATEMENT: Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of January 2, 2015 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 (Absent – personal)
	Stephen Greco
	John Madden
	Bob Schueler
	Jack Mikołajczyk
Attorney:	Aravind Aithal

PROCLAMATIONS-NONE

APPOINTMENTS-NONE

PRESENTATIONS-NONE

PUBLIC HEARING

The Deputy Clerk read Ordinance No. 1878-15 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. 1875-15

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

TITLE	SALARY BASE	RANGE TO
Full Time Employees		
Chief of Police	130,670	160,000
Borough Administrator	95,000	160,000
Borough Clerk	70,000	85,000
Deputy Borough Clerk	47,000	57,000
Tax Collector	60,000	75,000
Certified Public Works Manager	90,000	115,000
DPW Assistant Supervisor	80,000	95,000
Executive Director/Senior & Disabled Services	50,000	65,000
Treasurer	48,000	60,000
IT Supervisor	75,000	90,000
Recreation Director	59,000	68,000
Court Administrator	58,000	68,000

Part Time Employees

Assistant Recreation Director	11,000	14,000
Recreation Commission Secretary	1,100	1,300
Tax Assessor	14,000	28,000
Purchasing Agent (QPA)	5,000	8,000
CFO	25,000	40,000
Code Enforcer/Zoning Official	25,000	32,000
Construction Official	32,000	38,000
Electrical Sub-Code Official	11,500	15,000
Building Sub-Code Official	22,000	28,000
Resale Certificate Inspector	5,000	7,500
Plumbing Sub-Code Official	10,000	15,000
Fire Sub-Code Official	10,000	15,000
Planning/Zoning Clerk (per meeting)	175	185
Registrar/Board Health Secretary	4,750	5,000
Shade Tree Secretary	2,350	2,650
Juvenile Conference Committee Secretary	1,950	2,400
Municipal Magistrate	33,000	38,000
Prosecutor	24,399	27,000
Deputy Registrar/Deputy Board of	2,750	3,200

Health Secretary		
Alternate Registrar	250	250
Swim Pool Secretary	7,500	10,000

Hourly Employees	Per Hour	Per Hour
Administrative Clerk	12.00	16.00
Construction Clerk	12.00	16.00
Court Clerk	15.00	18.00
DPW Laborer	12.00	16.00
Meals on Wheels Driver	12.00	16.00
Medical Transportation Driver	12.00	16.00
Senior Transportation Driver	12.00	16.00
Pre-School Program Coordinator	12.00	16.00
Pre-School Program Instructor	10.00	14.00
Playground Coordinator (Seasonal)	12.00	16.00
Playground Site Supervisor (Seasonal)	10.00	14.00
Playground Counselor (Seasonal)	7.25	12.00
Police Matrons	15.00	20.00
Crossing Guards	13.50	16.00

SECTION 2

Rates of Compensation established above shall serve as a guide in employment and subsequent changes in rate of employees hired after passage of this ordinance.

SECTION 3

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are and the same are hereby repealed.

SECTION 4

This Ordinance shall take effect upon its final passage, approval and publication according to law.

Mayor Dobies opened the Public Hearing on Ordinance No. 1875-15. Seeing that there was no public participation, Mayor Dobies closed the Public Hearing on Ordinance No. 1875-15.

Councilman Schueler moved to table Ordinance No. 1875-15 seconded by Councilman Greco and carried by the following roll call vote: Ayes: Greco, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

NEW BUSINESS

The Deputy Clerk read Ordinance No. 1877-15 by title for introduction.

BOROUGH OF MIDDLESEX

ORDINANCE NO. 1877-15

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING THE CODES OF THE BOROUGH OF MIDDLESEX TO CREATE CHAPTER 321, TITLED "PRIVATE PROPERTY MAINTENANCE LANDSCAPING"

SECTION 1. This chapter shall be known as the "Private Property Maintenance Landscaping Ordinance of the Borough of Middlesex."

321-1. Definitions and word usage.

- A. Word Usage. When not inconsistent with the content, words used in the present tense include the future; words in the plural include the singular; and words in the singular include the plural. The word "shall" is always mandatory and not merely directory.
- B. Definitions. For purposes of this chapter, the following terms, phrases, words and their derivations shall have the meaning given herein:

BASE OF OPERATION. Where the landscaping vehicles and equipment shall be garaged, stored and located, which shall be within a three mile radius of the herein-defined center of the Borough, being the Municipal Building, located at 1200 Mountain Avenue, Middlesex, New Jersey.

BASIC LANDSCAPING SERVICE. The cutting, removal and disposal of grass, weeds (or similar vegetation), snow and/or ice from any private property within the Borough.

BOROUGH. The Borough of Middlesex.

DESIGNATED LANDSCAPER. Any person, firm partnership, association, corporation, company or organization who resides in, or has a bona fide business office within the Borough of Middlesex, and who has been issued an annual license by the Zoning Officer and is on the Landscape Maintenance List maintained by the Zoning Officer or his/her designee.

PERSON. Any person, firm, partnership, association, corporation, company or organization of any kind.

LANDSCAPER. A person in the business of, or offering the services of, lawn maintenance and/or gardening.

LANDSCAPE MAINTENANCE LIST. A list maintained by the Zoning Officer containing the names of those Landscapers licensed and contacted by the Borough to respond to requests for Basic Landscaping Services made by the designated Borough Official.

ZONING OFFICER. The person or persons authorized by the Code of the Borough of Middlesex to inspect and issue violation notices and summons for failure to maintain a property within the Borough.

321-2. License required; term.

Any person who wishes to engage in business as a landscaper in the Borough to provide landscaping maintenance on private property at the request of the Zoning Officer of his designee shall be licensed by the Borough pursuant to this chapter. Upon adoption of this Ordinance, Applications to provide Basic Landscaping Services shall be accepted as herein provided and any licenses issued shall be valid until December 31, 2015. Thereafter, applications shall be completed and submitted to the Borough as herein provided no later than December 1 and Designated Landscapers shall be licensed to provide Basic Landscaping Services for the immediately following calendar year, unless sooner terminated as provided for hereunder. Any license issued pursuant to this chapter, except for licenses issued in year 2015, shall be for a period of 12 months, subject to annual renewal, and shall be nontransferable.

1. Application submission, fee and contents.

- A. Any person who desires to provide services as a landscaper at the request of the Zoning Officer for the Borough, or such other designee, shall submit an application for a license, in duplicate, to the Zoning Officer, accompanied by a fee of **\$100**, made payable to the Borough.
- B. The application shall set forth the following information:
 - a. The full name, address and telephone number of the applicant. If the applicant is a corporation, the name of the corporation and the name and address of the officers, directors, principals and its registered agent. If the applicant is a partnership, the names and addresses of all partners.
 - b. The year, make and type of each vehicle used in said landscaping business by the applicant, the vehicle's serial number, registration number and the name and address of its registered owner.
 - c. The address of the Landscaping business' base of operation where the landscaper's vehicles and equipment are regularly garaged, stored and located.
 - d. The telephone number or numbers and email address that the designated Borough official herein may contact the landscaper during regular business hours, which shall include Monday through Friday, 9:00 am to 6:00 pm and Saturday 9:00 am to 3:00 pm, except for holidays when the Borough Offices are closed.
 - e. The names, addresses and New Jersey motor vehicle driver's license numbers of all the individuals who operate motor vehicles on behalf of landscaper.
 - f. The name and address of the insurance carrier and agents and the policy limits and policy numbers of all insurance policies held by the applicant in regard to its operations as a landscaping service.
 - g. A certified statement of indemnification, as required in **§ 321-8**.

- h. A certified statement of the willingness of the landscaper to be available to perform required landscaping services within 24 hours of a request by the designated Borough Official to perform the same, except on Sundays and holidays when such services shall be performed the next calendar day that is not Sunday or a holiday.
- i. A certified statement of the willingness of the landscaper to abide by the instructions and directions of the Zoning Officer or his designees, and the provisions of the Code of the Borough of Middlesex.
- j. A certified statement that all employees are of legal age and are citizens of the United States or are legal residents, and are authorized to work in the United States.

321-3. Investigation.

The Zoning Officer or his/her designee shall investigate each application submitted to determine:

- A. The truth and accuracy of all information contained in the application.
- B. Whether public convenience and/or necessity will be served by placing the landscaper on the landscaping maintenance list.
- C. The applicant's practical and technical ability to perform the landscaping services required hereunder.
- D. Whether the landscaper possesses the equipment necessary to perform the landscaping services required hereunder, which equipment shall consist of, at minimum, a working lawn mower, hedge trimmer, power edger, shovel, and such other equipment as is reasonably necessary to maintain lawns or perform landscaping services.

321-4. Approval procedure.

The Zoning Officer or his/her designee, upon completion of the foregoing investigation, shall forward a copy of the landscaper's application to the Borough Council along with any recommendation for approval or disapproval of the license application and the reasons, if any, for disapproval. The Borough Council shall then determine whether or not the applicant has complied with all the necessary standards and criteria, and thereupon award or deny the applicant a Designated Landscaper license. If the applicant is found to be qualified, and upon the payment of an annual license fee of **\$50**, a license shall be issued to the applicant and the applicant's name shall be added to the end of the Landscaping Maintenance List.

321-5. Issuance of license.

Upon approval by the Borough Council, and payment of the annual license fee, the Zoning Officer shall issue a license to the applicant landscaper confirming the landscaper's status as a Designated Landscaper for a period of one year from the date of issuance. A copy of such license shall be forwarded to the Chief of Police, Director or DPW and the Zoning Officer.

321-6. Indemnification.

Any application under this chapter shall include a certified statement by the applicant that landscaper assumes all liability and shall indemnify and save the Borough, its subdivisions, departments, agents and employees harmless from damages or losses sustained while performing any tasks associated with any landscaping services rendered, including Basic Landscaping Services, and from all personal injuries and property damage occurring to any persons or property as a result of the performance of landscaping services.

321-7. Insurance

No license shall be issued to any landscaper until the applicant has deposited with the Zoning Officer and Chief of Police the following insurance policies:

- A. Automobile Insurance Policy. A automobile or fleet insurance policy for all vehicles used by the landscaper in the performance of landscaping services in the minimum amount required by New Jersey State Law.
- B. General Business Liability Insurance Policy. A general business liability insurance policy covering the applicant's business and equipment in the minimum amount of \$500,000 for any one person injured or killed, and a minimum of \$1,000,000 for more than one person killed or injured in any accident and an additional \$100,000 for any damage arising from injury or destruction to property, and/or a combined single limit of \$1,000,000. In addition to each policy containing an endorsement showing the Borough as an additional insured, such policy shall also provide an endorsement entitling the Borough to 30 days' prior written notice to the Zoning Officer and Chief of Police in the event of any change in coverage under the policy, or in the event of the cancellation of the policy.
- C. Workers' Compensation Policy. A workers' compensation insurance policy covering all of applicant's employees and operations, containing statutory coverage, including liability coverage of at least \$100,000 for each accident per person, \$500,000 policy aggregate limit.

321-8. Standard of Performance and Rotation.

All Designated Landscapers shall perform landscaping services in a good and workman like fashion, as determined in the sole discretion of the Borough. When performing landscaping services, the Designated Landscaper shall perform all services so as to conform with Section 317-11 of the Code of the Borough of Middlesex. Unless otherwise impractical as determined in the sole discretion of the Borough, the Basic Landscaping Services shall be performed on a rotating basis by the Designated Landscapers whose names appear on the Landscape Maintenance List. Notwithstanding the above, in the interests of public safety, the Zoning Officer, in his or her discretion, taking into account the emergency, safety and location of the property, may deviate from the order of the Landscape Maintenance List.

321-9. Costs

All costs incident to landscaping services performed by the Designated Landscaper shall be paid by the owner of the property. The Designated Landscaper, upon completion of

landscaping services, shall submit an invoice of services and fees to the Borough Tax Collector and Zoning Officer for payment by the Borough. If the owner of the property fails to reimburse the Borough for any amounts paid to the Designated Landscaper for landscaping services performed hereunder, the Borough Tax Collector shall place a tax lien on the property in such amount.

321-10. Fee Schedule

Unless agreed to by the Borough prior to performance of the landscaping services by the Designated Landscaper, Basic Landscaping Services, which shall include lawn mowing, trimming of landscaping, edging and removal of all debris, shall not exceed **\$250**. Prior to performance of any work or services which shall exceed \$250, the Designated Landscaper shall notify the Zoning Officer in writing of the same and shall only be entitled to payments hereunder if authorized by the Zoning Officer in writing that performance of work or services exceeding \$250 is authorized.

322-11. Rules and Regulations

The Borough Council is hereby authorized to establish and cause the enforcement of such reasonable, nondiscriminatory and non-exclusionary regulations governing landscapers engaging in the business of performance of landscaping services and to cause the enforcement of such reasonable regulations to effectuate this chapter as the Borough Council may deem appropriate for the safety, well-being and protection of citizens within the Borough and their property. All regulations promulgated pursuant to this chapter shall be made available to the public during normal business hours of the Borough at the offices of the Zoning Officer.

321-12. Enforcement Officer; Termination of License

The Zoning Officer is hereby designated as the enforcement officer for this chapter and may recommend to the Borough Council the termination or suspension of any license or other actions concerning the same is in his/her sole discretion.

321-13. Complaint and Dispute Resolution

Any person having a dispute or complaint arising from a specific act or performance of landscaping services hereunder shall present that complaint or dispute to the Zoning Officer for resolution. The Zoning Officer shall render his/her decision within 10 days of conducting a hearing, if requested by the complainant. Such hearing can be in person or via telephone.

321-14. Violations and Penalties.

Any person found guilty of violating or breaching any of the provisions of this chapter shall, upon conviction thereof, have the subject landscaping license revoked, be removed from the Landscaping Maintenance List and be liable for a fine no to exceed \$1,000.

321-15. Severability

In the event any provision, paragraph or subsection of this chapter shall be found unlawful or unconstitutional by a court of competent jurisdiction, such finding shall not affect the remaining provisions of this chapter.

321-16. Actions Authorized by Resolution.

Any action required to be taken pursuant to this chapter by the Borough Council may be authorized by a resolution of the Borough Council.

SECTION II. 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 III. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

Councilman Greco moved for introduction seconded by Councilman Madden and carried by the following roll call vote: Ayes: Greco, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

ADOPTION OF MINUTES

Councilman Mikolajczyk moved to approve the May 12, 2015 Regular Meeting Minutes and Executive Session Meeting Minutes seconded by Councilman Madden and carried by a unanimous vote of Council.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance – Councilman Kaplan was absent
2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco stated that on Wednesday May 20, both he and Councilman Schueler attended the Middlesex Elks Lodge #1488 sponsored Youth Awards Night. Students of the Month, our Boy and Girl Scouts along with the Americanism Essay Award Winners were honored.
 - B. Councilman Greco mentioned that the Middlesex Pool opened for Memorial Day weekend. The new Kiddie Pool and Main pool were open to all members to use. The contractors will be working on the new lap pool until completion.

C. Councilman Greco thanked all that attended the Memorial Day ceremonies at VCP and the parade through town down to the American Legion building. As part of the ceremonies Mayor Dobies renamed the football field at Mountain View Park as the Middlesex Veterans Memorial Stadium. The signage was made by Lenny Vitale of our DPW Department. Immediately following the parade the Mayor and Council also attended the Fireman's Memorial Service in front of Borough Hall and it was great to see our streets filled with waving flags. Councilman Greco also mentioned a special word of thanks to our Middlesex Girl Scouts for providing a much needed Water Station relief.

3. Fire/OEM/Board of Health/Rescue Squad/Flood

A. Councilman Schueler gave thanks to the Fire Department, OEM, Fire Police, Rescue Squad and Police, who did their jobs during the parade in a professional manner. The memorial service for the Fire Department was very heart rendering.

B. Councilman Schueler moved to accept Kerry Hoffman as an active member of the Middlesex Fire Department seconded by Councilman Greco and carried by a unanimous vote of Council.

C. Councilman Schueler moved to accept the resignation of Anthony LaSala and Richard Tarbous as active members of the Middlesex Fire Department seconded by Councilman Greco and carried by a unanimous vote of Council.

D. Councilman Schueler moved to accept Ryan Shepherd as a Junior Firefighter for the Middlesex Fire Department seconded by Councilman Madden and carried by a unanimous vote of Council.

4. Public Works/Parks/Sanitation/Recycling

A. Councilman Schueler stated that DPW did a very nice job setting up for the Parade and taking down barricades after the parade. They continue to address mowing and clean up issues in parks. The new flags were up around town and looked very nice. It is recommended that when we take them down, can we take extra care in rolling them and storing them to keep them nice for a second year. We will have milling and paving happening on Marlborough Ave., and while this is not a DPW project it will be an infrastructure improvement. This will cause some inconvenience to motorists, it will significantly improve the driving experience in the borough and the general curb appeal.

5. Police/Legal/Code Enforcement/Construction/Municipal Court

A. Councilman Madden moved the approval of the April, 2015 Police Department Report seconded by Councilman Greco and carried by a unanimous vote of council.

A. Overweight Vehicles – Councilman Madden stated that if a resident suspects that a truck is overweight or oversized, please call the local police first. The vehicle can only be

stopped for probable cause including overweight/oversized – a safety issue or constant engine braking (quality of life issue).

Councilman Madden indicated that the Middlesex Police will perform targeted enforcement when manpower permits. Selected streets in which commercial traffic is common are covered for weight limit control under two ordinances; 407-52 and 407-22. Said streets have signage posted (maximum weight – 4 gross tons).

Residents requesting weight limit signs however would require expensive engineering investigation and therefore such signs are not randomly posted.

He mentioned that there are two state statutes which cover major arteries such as Route 287, the New Jersey Turnpike and Garden State Parkway for oversize and overweight trucks; N.J.S.A. 39:3-84 and N.J.S.A. 13:18-1. The New Jersey Department of Transportation and the State Police provides enforcement with portable scales and a fixed weight station such as the Piscataway weigh station on Route 287 North, Piscataway. If more specific information is needed, please refer to our two borough ordinances.

- A. Letter to Residences – Overgrown Grass/Property Maintenance – Mayor Dobies read the letter to all Middlesex Borough Property Owners from both he and the Zoning Officer regarding maintenance of their property. Councilman Schueler will look into the cost to mail these letters to borough residents.

6. Administration/Department of Senior Services/Legislation/Licensing

Councilman Mikolajczyk made a motion to approve the HUD Committee purchase two additional benches from the HUD Grant Funds to replace the benches in front of the Middlesex Library seconded by Councilman Greco and carried by a unanimous vote of council.

- A. Councilman Mikolajczyk mentioned that the HUD Committee met and approved having the Mayor get stone for the parking lot at the Lincoln Park. Mayor Dobies will need confirmation of the property line. The Committee also felt that after looking into the bathrooms at the Recreation Center, that they were not in enough disrepair to require replacement. The committee is also looking into the Recreation Center lighting. HUD Committee intends to meet again in June to discuss lighting at the gazebo at the Legion. Mayor Dobies will meet with Betty Platten and Councilman Mikolajczyk to discuss the lighting further.
- B. Councilman Mikolajczyk stated that the Board of Education is now going through their year-end activities. The Mayor and Council have been invited to the National Honor Society Remembrance Ceremony on Friday, May 29th at 9:30 AM in the Diskin Auditorium.

REPORTS

Mayor

1. Mayor Dobies reported that today he received a letter from Lieutenant Colacci rescinding his retirement effective June 1, 2015. Attorney Aithal recommended that Resolution #128-15 be tabled and discussed further in executive session.

The Deputy Clerk read the following resolution:

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

Consent Agenda 2014(M)

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

WHEREAS, the Mayor and Council of the Borough of Middlesex wishes to remove Resolution #128-15, Resolution #142-15 and Resolution #145-15 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 #141-15
Resolution #143-15 – Resolution #144-15
Resolution #146-15

Councilman Greco made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Greco, Madden, Mikolajczyk and Schueler. No: 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 #141-15

WHEREAS, Jeffrey Buccellato was issued a street opening permit on 09/25/14; 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 604-606 Voorhees 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 Jeffrey Buccellato, 313 Beechwood Avenue, Middlesex, NJ 08846, for refund of Street Opening Permit No. 2014-009

The Deputy Clerk read the following resolution:

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

Resolution #143-15

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

WHEREAS, On May 20, 2015 Chief Young recommended Police Officer Richard Szymczak 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 Richard Szymczak be and is hereby advanced in grade to Patrolman Class "F" effective June 11, 2015 at an annual salary of \$57,841.

The Deputy Clerk read the following resolution:

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

Resolution #144-15

Hiring Diane Semmling, 12 Sweeney Court, Green Brook, NJ as the Recycling Yard Assistant to work on Saturdays between 7:00 am – 3:00 pm at \$12.00 per hour effective May 30, 2015, pending a satisfactory background and physical.

The Deputy Clerk read the following resolution:

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

Resolution #146-15

Authorizing the Mayor to execute the Hazardous Discharge Site Remediation Fund Application between the Borough of Middlesex and the New Jersey Department of Environmental Protection.

The Deputy Clerk read the following resolution:

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

Resolution #128-15

The Mayor and Council hereby accept Lt. Michael Colacci's retirement effective June 1, 2015 and authorize the Treasurer to pay Lieutenant Colacci his full allowance of \$59,812.17 in accordance with his PBA Contract in the next regular borough payroll of May 29, 2015. The benefits include the following:

32 Unused Vacation Days	\$14,485.76
254.50 Hours Compensation Time	\$14,402.16
3 months Terminal Leave	\$29,424.25
2015 Clothing Allowance	\$1,500.00
TOTAL	\$59,812.17

Councilman Greco made a motion to table Resolution #128-15 seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Greco, Madden, Mikolajczyk and Schueler. No: 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 #142-15

WHEREAS, NJSA 40A:9-146 requires every municipality to have a Tax Assessor appointed by the governing body of the municipality; and

WHEREAS, pursuant to NJSA 40:9-148, every municipal tax assessor shall hold office for a term of four years from the first day of July next following his appointment and vacancies other than due to expiration of term shall be filled by appointment for the partial term; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that Thomas Reilly be and hereby is appointed as Tax Assessor for a partial term ending June 30, 2015 and a full four-year term beginning July 1, 2015 and ending June 30, 2019.

BE IT FURTHER RESOLVED that a copy of the resolution be forwarded to the Middlesex County Board of Taxation.

Councilman Greco made a motion for approval seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Greco, Madden, Mikolajczyk and Schueler. No: 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 #145-15

Authorize the Treasurer to pay Probationary Patrolman Emmanuel Malasig his full allowance of \$635.34 in accordance with his PBA Contract in the next regular borough payroll of May 29, 2015. The benefits include the 58.25 Hours Compensation Time which totals \$635.34

Councilman Schueler made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Greco, Madden, Mikolajczyk and Schueler. No: 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 #147-15

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 Councilman Greco and carried by the following roll call vote: Ayes: Greco, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS - NONE

PUBLIC COMMENTS

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

John Erickson thanked the Middlesex Fire Department on behalf of the residents for the good job that was done at the house fire on Thursday.

Jim Benson, 445 Harris Avenue (1) Questioned if curbs will be replaced on Marlborough Avenue when the road is repaved; (2) Discussed the placement of more signage with regard to overweight vehicles; and (3) As President of the Library Board thanked the council for approving the purchase of replacement benches for the Library from HUD funds.

Mayor Dobies further addressed in detail all comments from members of 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 #148-15

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting; and

WHEREAS, the Governing Body of the Borough of Middlesex has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public; and

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

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

- (1) Department Head Salaries
- (2) Administrator Position
- (3) Staff Movements
- (4) Cell Tower – Purchase Price Agreement

Mayor Dobies added discussion regarding the tabling of Resolution #128-15 to the Executive Session Meeting (Retirement of Lieutenant Colacci.)

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

ADJOURNMENT

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

Respectfully yours,

Linda Chismar, RMC
Deputy Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
JUNE 9, 2015**

MAYOR'S STATEMENT: Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of January 2, 2015 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
	John Madden
	Bob Schueler
	Jack Mikolajczyk

Attorney: Aravind Aithal

PROCLAMATIONS-NONE

APPOINTMENTS-NONE

PRESENTATIONS-NONE

ORDINANCE FOR ADOPTION

The Borough Clerk read Ordinance No. 1875-15 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. 1875-15

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

TITLE	SALARY BASE	RANGE TO
Full Time Employees		
Chief of Police	130,670	160,000
Borough Administrator	95,000	160,000
Borough Clerk	70,000	85,000
Deputy Borough Clerk	47,000	57,000
Tax Collector	60,000	75,000
Certified Public Works Manager	90,000	115,000
DPW Assistant Supervisor	80,000	95,000
Executive Director/Senior & Disabled Services	50,000	65,000
Treasurer	48,000	60,000
IT Supervisor	75,000	90,000
Recreation Director	59,000	68,000
Court Administrator	58,000	68,000

Part Time Employees

Assistant Recreation Director	11,000	14,000
Recreation Commission Secretary	1,100	1,300
Tax Assessor	14,000	28,000
Purchasing Agent (QPA)	5,000	8,000
CFO	25,000	40,000
Code Enforcer/Zoning Official	25,000	32,000
Construction Official	32,000	38,000
Electrical Sub-Code Official	11,500	15,000
Building Sub-Code Official	22,000	28,000
Resale Certificate Inspector	5,000	7,500
Plumbing Sub-Code Official	10,000	15,000
Fire Sub-Code Official	10,000	15,000
Planning/Zoning Clerk (per meeting)	175	185
Registrar/Board Health Secretary	4,750	5,000
Shade Tree Secretary	2,350	2,650
Juvenile Conference Committee Secretary	1,950	2,400
Municipal Magistrate	33,000	38,000
Prosecutor	24,399	27,000
Deputy Registrar/Deputy Board of Health Secretary	2,750	3,200

Alternate Registrar	250	250
Swim Pool Secretary	7,500	10,000

Hourly Employees	Per Hour	Per Hour
Administrative Clerk	12.00	16.00
Construction Clerk	12.00	16.00
Court Clerk	15.00	18.00
DPW Laborer	12.00	16.00
Meals on Wheels Driver	12.00	16.00
Medical Transportation Driver	12.00	16.00
Senior Transportation Driver	12.00	16.00
Pre-School Program Coordinator	12.00	16.00
Pre-School Program Instructor	10.00	14.00
Playground Coordinator (Seasonal)	12.00	16.00
Playground Site Supervisor (Seasonal)	10.00	14.00
Playground Counselor (Seasonal)	7.25	12.00
Police Matrons	15.00	20.00
Crossing Guards	13.50	16.00

SECTION 2

Rates of Compensation established above shall serve as a guide in employment and subsequent changes in rate of employees hired after passage of this ordinance.

SECTION 3

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are and the same are hereby repealed.

SECTION 4

This Ordinance shall take effect upon its final passage, approval and publication according to law.

Councilman Schueler moved to table Ordinance No. 1875-15 seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Kaplan, Greco, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

PUBLIC HEARING

The Borough Clerk read Ordinance No. 1877-15 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. 1877-15

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING THE CODES OF THE BOROUGH OF MIDDLESEX TO CREATE CHAPTER 321, TITLED "PRIVATE PROPERTY MAINTENANCE LANDSCAPING"

SECTION 1. This chapter shall be known as the "Private Property Maintenance Landscaping Ordinance of the Borough of Middlesex."

321-1. Definitions and word usage.

- A. Word Usage. When not inconsistent with the content, words used in the present tense include the future; words in the plural include the singular; and words in the singular include the plural. The word "shall" is always mandatory and not merely directory.
- B. Definitions. For purposes of this chapter, the following terms, phrases, words and their derivations shall have the meaning given herein:

BASE OF OPERATION. Where the landscaping vehicles and equipment shall be garaged, stored and located, which shall be within a three mile radius of the herein-defined center of the Borough, being the Municipal Building, located at 1200 Mountain Avenue, Middlesex, New Jersey.

BASIC LANDSCAPING SERVICE. The cutting, removal and disposal of grass, weeds (or similar vegetation), snow and/or ice from any private property within the Borough.

BOROUGH. The Borough of Middlesex.

DESIGNATED LANDSCAPER. Any person, firm partnership, association, corporation, company or organization who resides in, or has a bona fide business office within the Borough of Middlesex, and who has been issued an annual license by the Zoning Officer and is on the Landscape Maintenance List maintained by the Zoning Officer or his/her designee.

PERSON. Any person, firm, partnership, association, corporation, company or organization of any kind.

LANDSCAPER. A person in the business of, or offering the services of, lawn maintenance and/or gardening.

LANDSCAPE MAINTENANCE LIST. A list maintained by the Zoning Officer containing the names of those Landscapers licensed and contacted by the Borough to respond to requests for Basic Landscaping Services made by the designated Borough Official.

ZONING OFFICER. The person or persons authorized by the Code of the Borough of Middlesex to inspect and issue violation notices and summons for failure to maintain a property within the Borough.

321-2. License required; term.

Any person who wishes to engage in business as a landscaper in the Borough to provide landscaping maintenance on private property at the request of the Zoning Officer of his designee shall be licensed by the Borough pursuant to this chapter. Upon adoption of this Ordinance, Applications to provide Basic Landscaping Services shall be accepted as herein provided and any licenses issued shall be valid until December 31, 2015. Thereafter, applications shall be completed and submitted to the Borough as herein provided no later than December 1 and Designated Landscapers shall be licensed to provide Basic Landscaping Services for the immediately following calendar year, unless sooner terminated as provided for hereunder. Any license issued pursuant to this chapter, except for licenses issued in year 2015, shall be for a period of 12 months, subject to annual renewal, and shall be nontransferable.

1. Application submission, fee and contents.

- A. Any person who desires to provide services as a landscaper at the request of the Zoning Officer for the Borough, or such other designee, shall submit an application for a license, in duplicate, to the Zoning Officer, accompanied by a fee of **\$100**, made payable to the Borough.
- B. The application shall set forth the following information:
 - a. The full name, address and telephone number of the applicant. If the applicant is a corporation, the name of the corporation and the name and address of the officers, directors, principals and its registered agent. If the applicant is a partnership, the names and addresses of all partners.
 - b. The year, make and type of each vehicle used in said landscaping business by the applicant, the vehicle's serial number, registration number and the name and address of its registered owner.
 - c. The address of the Landscaping business' base of operation where the landscaper's vehicles and equipment are regularly garaged, stored and located.
 - d. The telephone number or numbers and email address that the designated Borough official herein may contact the landscaper during regular business hours, which shall include Monday through Friday, 9:00 am to 6:00 pm and Saturday 9:00 am to 3:00 pm, except for holidays when the Borough Offices are closed.
 - e. The names, addresses and New Jersey motor vehicle driver's license numbers of all the individuals who operate motor vehicles on behalf of landscaper.
 - f. The name and address of the insurance carrier and agents and the policy limits and policy numbers of all insurance policies held by the applicant in regard to its operations as a landscaping service.
 - g. A certified statement of indemnification, as required in **§ 321-8**.

- h. A certified statement of the willingness of the landscaper to be available to perform required landscaping services within 24 hours of a request by the designated Borough Official to perform the same, except on Sundays and holidays when such services shall be performed the next calendar day that is not Sunday or a holiday.
- i. A certified statement of the willingness of the landscaper to abide by the instructions and directions of the Zoning Officer or his designees, and the provisions of the Code of the Borough of Middlesex.
- j. A certified statement that all employees are of legal age and are citizens of the United States or are legal residents, and are authorized to work in the United States.

321-3. Investigation.

The Zoning Officer or his/her designee shall investigate each application submitted to determine:

- A. The truth and accuracy of all information contained in the application.
- B. Whether public convenience and/or necessity will be served by placing the landscaper on the landscaping maintenance list.
- C. The applicant's practical and technical ability to perform the landscaping services required hereunder.
- D. Whether the landscaper possesses the equipment necessary to perform the landscaping services required hereunder, which equipment shall consist of, at minimum, a working lawn mower, hedge trimmer, power edger, shovel, and such other equipment as is reasonably necessary to maintain lawns or perform landscaping services.

321-4. Approval procedure.

The Zoning Officer or his/her designee, upon completion of the foregoing investigation, shall forward a copy of the landscaper's application to the Borough Council along with any recommendation for approval or disapproval of the license application and the reasons, if any, for disapproval. The Borough Council shall then determine whether or not the applicant has complied with all the necessary standards and criteria, and thereupon award or deny the applicant a Designated Landscaper license. If the applicant is found to be qualified, and upon the payment of an annual license fee of **\$50**, a license shall be issued to the applicant and the applicant's name shall be added to the end of the Landscaping Maintenance List.

321-5. Issuance of license.

Upon approval by the Borough Council, and payment of the annual license fee, the Zoning Officer shall issue a license to the applicant landscaper confirming the landscaper's status as a Designated Landscaper for a period of one year from the date of issuance. A copy of such license shall be forwarded to the Chief of Police, Director or DPW and the Zoning Officer.

321-6. Indemnification.

Any application under this chapter shall include a certified statement by the applicant that landscaper assumes all liability and shall indemnify and save the Borough, its subdivisions, departments, agents and employees harmless from damages or losses sustained while performing any tasks associated with any landscaping services rendered, including Basic Landscaping Services, and from all personal injuries and property damage occurring to any persons or property as a result of the performance of landscaping services.

321-7. Insurance

No license shall be issued to any landscaper until the applicant has deposited with the Zoning Officer and Chief of Police the following insurance policies:

- A. Automobile Insurance Policy. A automobile or fleet insurance policy for all vehicles used by the landscaper in the performance of landscaping services in the minimum amount required by New Jersey State Law.
- B. General Business Liability Insurance Policy. A general business liability insurance policy covering the applicant's business and equipment in the minimum amount of \$500,000 for any one person injured or killed, and a minimum of \$1,000,000 for more than one person killed or injured in any accident and an additional \$100,000 for any damage arising from injury or destruction to property, and/or a combined single limit of \$1,000,000. In addition to each policy containing an endorsement showing the Borough as an additional insured, such policy shall also provide an endorsement entitling the Borough to 30 days' prior written notice to the Zoning Officer and Chief of Police in the event of any change in coverage under the policy, or in the event of the cancellation of the policy.
- C. Workers' Compensation Policy. A workers' compensation insurance policy covering all of applicant's employees and operations, containing statutory coverage, including liability coverage of at least \$100,000 for each accident per person, \$500,000 policy aggregate limit.

321-8. Standard of Performance and Rotation.

All Designated Landscapers shall perform landscaping services in a good and workman like fashion, as determined in the sole discretion of the Borough. When performing landscaping services, the Designated Landscaper shall perform all services so as to conform with Section 317-11 of the Code of the Borough of Middlesex. Unless otherwise impractical as determined in the sole discretion of the Borough, the Basic Landscaping Services shall be performed on a rotating basis by the Designated Landscapers whose names appear on the Landscape Maintenance List. Notwithstanding the above, in the interests of public safety, the Zoning Officer, in his or her discretion, taking into account the emergency, safety and location of the property, may deviate from the order of the Landscape Maintenance List.

321-9. Costs

All costs incident to landscaping services performed by the Designated Landscaper shall be paid by the owner of the property. The Designated Landscaper, upon completion of

landscaping services, shall submit an invoice of services and fees to the Borough Tax Collector and Zoning Officer for payment by the Borough. If the owner of the property fails to reimburse the Borough for any amounts paid to the Designated Landscaper for landscaping services performed hereunder, the Borough Tax Collector shall place a tax lien on the property in such amount.

321-10. Fee Schedule

Unless agreed to by the Borough prior to performance of the landscaping services by the Designated Landscaper, Basic Landscaping Services, which shall include lawn mowing, trimming of landscaping, edging and removal of all debris, shall not exceed **\$250**. Prior to performance of any work or services which shall exceed \$250, the Designated Landscaper shall notify the Zoning Officer in writing of the same and shall only be entitled to payments hereunder if authorized by the Zoning Officer in writing that performance of work or services exceeding \$250 is authorized.

322-11. Rules and Regulations

The Borough Council is hereby authorized to establish and cause the enforcement of such reasonable, nondiscriminatory and non-exclusionary regulations governing landscapers engaging in the business of performance of landscaping services and to cause the enforcement of such reasonable regulations to effectuate this chapter as the Borough Council may deem appropriate for the safety, well-being and protection of citizens within the Borough and their property. All regulations promulgated pursuant to this chapter shall be made available to the public during normal business hours of the Borough at the offices of the Zoning Officer.

321-12. Enforcement Officer; Termination of License

The Zoning Officer is hereby designated as the enforcement officer for this chapter and may recommend to the Borough Council the termination or suspension of any license or other actions concerning the same is in his/her sole discretion.

321-13. Complaint and Dispute Resolution

Any person having a dispute or complaint arising from a specific act or performance of landscaping services hereunder shall present that complaint or dispute to the Zoning Officer for resolution. The Zoning Officer shall render his/her decision within 10 days of conducting a hearing, if requested by the complainant. Such hearing can be in person or via telephone.

321-14. Violations and Penalties.

Any person found guilty of violating or breaching any of the provisions of this chapter shall, upon conviction thereof, have the subject landscaping license revoked, be removed from the Landscaping Maintenance List and be liable for a fine no to exceed \$1,000.

321-15. Severability

In the event any provision, paragraph or subsection of this chapter shall be found unlawful or unconstitutional by a court of competent jurisdiction, such finding shall not affect the remaining provisions of this chapter.

321-16. Actions Authorized by Resolution.

Any action required to be taken pursuant to this chapter by the Borough Council may be authorized by a resolution of the Borough Council.

SECTION II. 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 III. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

Mayor Dobies opened the Public Hearing on Ordinance No. 1877-15. Seeing that there was no public participation, Mayor Dobies closed the Public Hearing on Ordinance No. 1877-15.

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

NEW BUSINESS

The Borough Clerk read Ordinance No. 1878-15 for introduction by title.

BOROUGH OF MIDDLESEX

ORDINANCE NO. 1878-15

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING THE CODES OF THE BOROUGH OF MIDDLESEX TO CREATE CHAPTER 420-23.1 STORAGE CONTAINERS BY PERMIT IN THE I AND HI ZONES

SECTION I Storage containers, a.k.a. sea boxes, shall be allowed, by permit, in the Industrial Zone and Heavy Industrial Zone as follows: Up to a total of four (4) containers not to exceed a total of 800 square feet per property

SECTION II A permit must be obtained from the Zoning Officer and any request for a permit shall include: (a) the business name and address, and a responsible contact person, (b) the type, number, size and location of containers(s) located at the business, (c) in general terms what is contained in each of the storage containers, (d) a list of the items contained in the containers(s) and (e) a certification that the containers(s) is being maintained in good condition.

- a. All containers permitted under this ordinance shall be maintained in good repair and shall be painted the same color as prevailing color on the adjacent buildings. In general terms, a list of the items contained in the container(s) shall be attached to, or painted on the container(s) near the entrance to the container(s).
- b. The container(s) shall not be stacked and there shall not be created a roof or awning over or between the container(s) or opening to the container(s).
- c. All properties that are otherwise permitted to have storage container(s) under this section but border on a residential zone shall be required to locate the storage container(s) only within the permitted side yard building setback line and the permitted rear yard building setback line. In addition, fencing or evergreen landscaping shall be provided to create a buffer between the storage container(s) and the residential zone. The buffer shall be designated and installed to the reasonable satisfaction of the Borough Zoning Officer and if an agreement cannot be reached as to the reasonableness of the buffer, the applicant for the permit, may appeal the Zoning Officer's determination to the Governing Body.
- d. All properties that are permitted to have storage container(s) under this section and border on any non-residential zone may locate the storage container(s) anywhere in the rear or side yards of the property. Provided that the location shall not create a danger or inhibit the ability of fire, police or emergency vehicles and personnel to access the property. No additional landscaping or fencing shall be required.
- e. No hazardous or flammable items may be stored in the container(s).
- f. The provision of the Borough Zoning Ordinance #420-23 shall not apply to the storage container(s) for which a permit is granted under this ordinance.
- g. The Borough Zoning Officer may create a form for use of the applicants requesting a permit and may establish a date by which permit requests must be filed annually.
- h. **Registration Fees:** One-time registration fees will be calculated as follows:
\$2.5 x container length (i.e. a 45 foot trailer would be \$112.50)
Yearly Fees: The yearly fee will be calculated the equation was developed by our Tax Assessor and represents the cost per square foot and \$8/100 tax charge for each container which is as follows: The container square footage x \$5/sq. ft. x .08 = yearly cost (i.e. 45'x10' x\$5/sq. ft. x .08 = \$180).

SECTION III. 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 IV. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

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

ADOPTION OF MINUTES

Councilman Schueler moved to approve the May 26, 2015 Regular Meeting Minutes and Executive Session Meeting Minutes seconded by Councilman Greco and carried by the following roll call vote: Ayes: Greco, Madden, Mikolajczyk and Schueler. No: None. Abstain: Dotey & Kaplan.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance – Councilman Kaplan had nothing to report
2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco stated that the Recreation Department has purchased a handicapped accessible swing that has been installed at Mountain View Park.
 - B. Councilman Greco reported that Change Order #8 has been added to the bill list this evening for approval for Jamali Developers LLC.
3. Fire/OEM/Board of Health/Rescue Squad/Flood – Councilman Dotey had nothing to report
4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler stated that DPW did maintenance on 9 properties that are in disrepair and these costs will be put into liens for the property owners. Field maintenance also continued on playing fields.
 - B. Councilman Schueler also mentioned that work on the repair of basins at Beachwood Ave and Shepherd Ave has been done. The Jet Vac is being repaired, at which time it can be used for basin cleaning and repair. Also, sewer shadowing work is ongoing.
 - C. Councilman Schueler reported that the Mayor has been notified of pot holes at the intersection of Bound Brook Road and Rt 28 by the Farmers Market. We may not be

able to repair as we would incur the liability from the state. Mayor indicated that the pot hole repair program was continuing.

5. Police/Legal/Code Enforcement/Construction/Municipal Court – Councilman Madden had nothing to report
6. Administration/Department of Senior Services/Legislation/Licensing
 - A. Councilman Mikolajczyk reported that he met with the Borough Clerk and has created a list of items that he would like to accomplish over the next few weeks.
 - B. Councilman Mikolajczyk mentioned that the HUD Committee has some changes taking place and will be meeting to come up with more concrete projects.
 - C. Councilman Mikolajczyk reported that he attended the June 8, 2015 Board of Education Meeting and reported the following retirements from the school district:

Donna Barnes	27 Years
Michael DePaolo	42 Years
Monica Hakala	41 Years
Maureen Hughes	14 Years
Deborah Lukacs	22 Years
Bonnie Simpf	42 Years
Diane Ott	46 Years
CarolLee Perko	7 Years

- D. Councilman Mikolajczyk reported that Thomas Erchick has satisfied his requirements for the completion of his Eagle Scout project. Also, the seniors were congratulated for receiving their 2015 awards. The local donors have funded \$43,000 in scholarships this year.
- E. Mr. Oliver, on behalf of the Middlesex Board of Education read the following statement regarding negotiations with the Middlesex Education Association (MEA).

The Middlesex Board of Education believes in regular and accurate updates to the public and school community regarding negotiations with the Middlesex Education Association. The Board Negotiations team has been extremely responsive and has made itself available to meet with the MEA negotiations team. We as a Board have made and will continue to make responsible settlement offers that will not jeopardize the educational program offered to all the students of the Middlesex Public Schools. When one serves on the Negotiating Team of the Board of Education, there are three priorities involved:

1. The BOE must respect, appreciate and treat fairly the members of the staff. We have done that and have negotiated in good faith with hopes of achieving an amicable settlement.
2. The BOE must be responsible to the community. The Board must be in tune with what the community can afford and support. The Board must consider the settlements that the Borough has negotiated with the three municipal unions.
3. The BOE must safeguard the well-being of the district. It must maintain facilities, provide for the safety and security for students and staff, provide professional development, and recognize the impact of a settlement on the school district.

We very much want a fair settlement that achieves these goals, and have on numerous occasions made that clear to the leadership of the Middlesex Education Association. On June 2nd there was a negotiation session with an arbitrator, we did not reach agreement. An additional session is scheduled for June 15th. We as a Board, are hopeful of achieving a settlement. At this time, we want the public to be aware of the most recent settlement offer, which this Board of Education stands ready to support and sign-off on. We will sit face to face with the MEA leadership to sign a Memorandum of Agreement that provides for a three-year contract with annual above county average increases of 3.00% / 2.80% / 2.75% inclusive of increment in exchange for:

- Maintaining employee health care contributions at current percentages in accordance with the law, like all other Middlesex school district and borough employees;
- For those employees who have alternative health coverage and waive health insurance through the district in favor of a monetary payment, an annual reduction in reimbursement of \$300 for Employee/Spouse coverage (from \$4,300 to \$4,000) and \$800 (from \$5,800 to \$5,000) for Family coverage;
- An extra non-instructional 5 minutes per day for high school teachers only;
- An additional five (5) 60-minute faculty meetings per year to be used for professional development;
- An additional orientation day for new teachers prior to September 1; and
- An opportunity for custodians to work an alternative 8:30 a.m. to 5:00 p.m. shift.

This Board believes this compromise is more than fair and compensates staff for their hard work and provides for above average increases in exchange for the request for time. It also provides current and new staff with the appropriate level of professional development. Such a settlement is mutually beneficial and meets the goals outlined above.

This is a compromise in an effort to settle this without the need for fact finding. If the Board and MEA go to a fact-finding hearing, the Board will continue to seek additional time for future school years and increases more in line with county

averages. The county averages are: 2.71%, 2.61% and 2.52%. The state averages are 2.56%, 2.54%, and 2.5%.

We look forward to continuing the discussions with the MEA leadership and hope to announce an amicable resolution very soon.

Thank you.

REPORTS

Mayor

1. Mayor Dobies reported that Watchung School will be celebrating their 100th Year Anniversary on Thursday, June 11, 2015 from 5:30 PM – 8:30 PM. The Borough will be presenting a plaque to the School on behalf of the Mayor and Council.
2. Mayor Dobies received council's approval to donate 5 bicycles to the Autism Foundation on Saturday, June 13.

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 wishes to remove Resolution #153-15 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 #149-15 – Resolution #152-15

Resolution #154-15 – Resolution #158-15

Councilman Greco made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Kaplan, Greco, Madden, Mikolajczyk 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 #149-15

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 #
371/5.01	Ultimate Self Storage 195 South Avenue	\$9,252.00	680035003

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 #150-15

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 #
340/37.01	TCAT Properties Middlesex LLC 294 Lincoln Blvd	\$ 28,667.28	680055985

Check is to be mailed to: 42 Colts Glen Ln
 Basking Ridge, NJ 07920

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 #151-15

**RESOLUTION RELEASING THE PERFORMANCE BOND COVERING
294 LINCOLN BLVD., TCAT PROPERTIES MIDDLESEX LLC**

WHEREAS, TCAT Properties Middlesex LLC has requested a release of the performance 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 \$258,005.52.

The Borough Clerk read the following resolution:

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

Resolution #152-15

The Recreation Commission has approved the hiring of the 2015 Summer Playground Staff listed below and the Governing Body agrees to pay these employees the hourly rate indicated. The 2015 Summer Playground will be held from June 29, 2015 – August 7, 2015.

**2015 SUMMER
PLAYGROUND STAFF**

Chismar, Chris	14.59
Veilleux, Melanie	10.50
Eustace, Will	8.66
Girvan, Skylar	9.25
Penrose, Katie	8.66
Kiernan, Kyle	8.38
Girvan, Courtney	11.58
Girvan, Erica	10.62
Cresitello, Michael	8.38
Seif, Zack	8.66
Lorah, Carly	8.66
Lester, Michael	10.00
O'Connor, Tristan	8.38
Geist, Marissa	8.38
Lawless, Christine	8.66
Shattle, Emily	8.66
Elissa Millers	10.50
Doesburgh, Natalie	8.38
Tackach, Kristie	8.38
Buckley, Haley	8.38

The Borough Clerk read the following resolution:

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

Resolution #154-15

The Mayor and Council hereby accept Chief Craig Young's retirement effective July 1, 2015 and authorize the Treasurer to pay Chief Young his full allowance of \$127,297.70 in accordance with his PBA Contract. The first installment will be made on the July 10, 2015 payroll and the remaining payments will be made annually during the first pay period of each year. The below total is based on the 2014 salary; once the 2015 salary increase is determined Chief Young will receive his retro payment accordingly.

32 Unused Vacation Days	\$18,348.80
480 Hours Compensation Time	\$34,406.40
6 months Terminal Leave	\$74,542.50
TOTAL	\$127,297.70
2015 Installment	\$42,432.57
2016 Installment	\$42,432.57
2017 Installment	\$42,432.56

The Borough Clerk read the following resolution:

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

Resolution #155-15

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 January through June, 2015, 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 08005	\$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 Di Bartolomio 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	Jerome Nowak 1886 East Fir Ave, Apt 104 Fresno, CA 93720	\$578.40
Arthur Roberts 305 Harris Ave Middlesex, NJ 08846	\$578.40	Erica Schaefer 58 Joe-Ent Rd Flemington, NJ 08822	\$629.40
Jerry Schaefer 58 Joe-Ent Rd Flemington, NJ 08822	\$629.40	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
James Tolomeo 841 West Second St	\$629.40	Rita Wahler 16 Fitzsimmons Ave	\$599.40

The Borough Clerk read the following resolution:

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

Resolution #156-15

Authorizing the Mayor and Borough Clerk to execute the Interlocal Agreement between the Borough of Middlesex and Piscataway Township for the South Avenue Road Improvement Project.

The Borough Clerk read the following resolution:

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

Resolution #157-15

Authorizing the closure of Howard Avenue between Fisher Avenue and Woodland Avenue during the Summer Playground Program from June 29, 2015 – August 7, 2015 from 9AM – 12PM.

The Borough Clerk read the following resolution:

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

Resolution #158-15

The governing body hereby authorized the Mayor and Borough Clerk to execute the Wireless Capital Partners, LLC No. 857910 Cellular Lease Assignment.

The Borough Clerk read the following resolution:

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

Resolution #159-15

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 Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Kaplan, Greco, Madden, Mikolajczyk 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 #153-15

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 2015 be hereby fixed respectively as follows:

<u>Title</u>	<u>2015 Salary</u>
Borough Clerk	\$76,005.00
Deputy Borough Clerk	\$50,747.00
Tax Collector	\$63,676.00
Treasurer	\$49,220.00
Court Administrator	\$60,333.00
IT Supervisor	\$79,950.00
DPW Supervisor	\$92,250.00
DPW Assistant Supervisor	\$86,146.00
Police Chief	\$152,812.00
Recreation Director	\$61,879.00
Office On Aging Director	\$52,401.00
Zoning Officer/Code Enforcer	\$27,528.00

Councilman Schueler made a motion to table Resolution #153-15 seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Kaplan, Greco, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS - NONE

PUBLIC COMMENTS

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

Bob Sherr, 212 Lucia Street recognized Chief Young on his retirement and thanked him for the great job he has done with the Police Department and the community as a whole.

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 #160-15

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting; and

WHEREAS, the Governing Body of the Borough of Middlesex has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public; and

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

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

- (1) Department Head Salaries
- (2) Administrator Position
- (3) Staff Movements
- (4) Police Chief – Exit Interview
- (5) Prospective Police Chief

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

Councilman Madden 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
	John Madden
	Bob Schueler
	Jack Mikolajczyk

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 #161-15

Appointing Frank Bottiglieri as Acting Police Chief commencing on July 1, 2015 for a stipend of \$1,000 per month.

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

ADJOURNMENT

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

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
JUNE 23, 2015**

MAYOR'S STATEMENT: Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of January 2, 2015 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
	John Madden
	Bob Schueler
	Jack Mikolajczyk

Attorney: Aravind Aithal

Mayor Dobies indicated that the following will be added to the Executive Session of the meeting this evening: Wronko Litigation, Administrator and the Right to Know Proposal.

PROCLAMATIONS-NONE

APPOINTMENTS

Councilman Kaplan moved to accept the resignation of Betty Platten from the Housing and Community Development Committee seconded by Councilman Mikolajczyk and carried by a unanimous vote of Council.

Councilman Kaplan moved to accept the resignation of Lisa Mickel from the Beautification Committee seconded by Councilman Greco and carried by a unanimous vote of Council.

Councilman Madden moved to accept the resignation of Ron DiMura from the Zoning Board and Planning Board seconded by Councilman Mikolajczyk and carried by a unanimous vote of Council.

Councilman Madden moved to accept Leonard Jackson to the Zoning Board seconded by and carried by a unanimous vote of Council.

Councilman Greco moved to accept John Sweeney to the Planning Board seconded by and carried by a unanimous vote of Council.

Councilman Madden moved to accept Bob McDonald to the Board of Health seconded by Councilman Greco and carried by a unanimous vote of Council.

PRESENTATIONS-NONE

PUBLIC HEARING

The Borough Clerk read Ordinance No. 1875-15 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

Councilman made a motion to amend Ordinance No. 1875-15 seconded by Councilman

**BOROUGH OF MIDDLESEX
ORDINANCE NO. 1875-15**

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

TITLE	SALARY	RANGE TO
Full Time Employees		
Chief of Police	115,000	160,000
Borough Administrator	80,000	160,000
Borough Clerk	55,000	85,000
Deputy Borough Clerk	35,000	57,000
Tax Collector	48,000	75,000
Certified Public Works Manager	75,000	115,000
DPW Assistant Supervisor	65,000	95,000
Executive Director/Senior & Disabled Services	35,000	65,000
Treasurer	33,000	60,000
IT Supervisor	63,000	90,000
Recreation Director	44,000	68,000
Court Administrator	43,000	68,000
Part Time Employees		
Assistant Recreation Director	7,500	14,000
Recreation Commission Secretary	1,100	1,300

Tax Assessor	10,000	20,000
Purchasing Agent (QPA)	5,000	8,000
CFO	25,000	50,000
Code Enforcer/Zoning Official	20,000	32,000
Construction Official	25,000	38,000
Electrical Sub-Code Official	9,000	15,000
Building Sub-Code Official	15,000	28,000
Resale Certificate Inspector	2,500	7,500
Plumbing Sub-Code Official	7,500	15,000
Fire Sub-Code Official	7,500	15,000
Planning/Zoning Clerk (per meeting)	175	185
Registrar/Board Health Secretary	3,500	5,000
Shade Tree Secretary	1,500	2,650
Juvenile Conference Committee Secretary	1,000	2,400
Municipal Magistrate	25,000	38,000
Prosecutor	20,000	27,000
Deputy Registrar/Deputy Board of Health Secretary	2,000	3,200
Alternate Registrar	250	250
Swim Pool Secretary	6,500	10,000

	Per Hour	Per Hour
Hourly Employees		
Administrative Clerk	12.00	16.00
Construction Clerk	12.00	16.00
Court Clerk	15.00	18.00
DPW Laborer	12.00	16.00
Meals on Wheels Driver	12.00	16.00
Medical Transportation Driver	12.00	16.00
Senior Transportation Driver	12.00	16.00
Pre-School Program Coordinator	12.00	16.00
Pre-School Program Instructor	10.00	14.00
Playground Coordinator (Seasonal)	12.00	16.00
Playground Site Supervisor (Seasonal)	10.00	14.00
Playground Counselor (Seasonal)	7.25	12.00
Police Matrons	15.00	20.00
Crossing Guards	13.50	16.00

SECTION 2

Rates of Compensation established above shall serve as a guide in employment and subsequent changes in rate of employees hired after passage of this ordinance.

SECTION 3

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are and the same are hereby repealed.

SECTION 4

This Ordinance shall take effect upon its final passage, approval and publication according to law.

Mayor Dobies opened the hearing on Ordinance No. 1875-15 as amended. Seeing that there was no public participation, Mayor Dobies closed the hearing on Ordinance No. 1875-15.

Councilman Mikolajczyk moved to adopt Ordinance No. 1875-15 seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Kaplan, Greco, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

The Borough Clerk read Ordinance No. 1878-15 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. 1878-15

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING THE CODES OF THE BOROUGH OF MIDDLESEX TO CREATE CHAPTER 420-23.1 STORAGE CONTAINERS BY PERMIT IN THE I AND HI ZONES

SECTION I Storage containers, a.k.a. sea boxes, shall be allowed, by permit, in the Industrial Zone and Heavy Industrial Zone as follows: Up to a total of four (4) containers not to exceed a total of 800 square feet per property

SECTION II A permit must be obtained from the Zoning Officer and any request for a permit shall include: (a) the business name and address, and a responsible contact person, (b) the type, number, size and location of containers(s) located at the business, (c) in general terms what is contained in each of the storage containers, (d) a list of the items contained in the containers(s) and (e) a certification that the containers(s) is being maintained in good condition.

- a. All containers permitted under this ordinance shall be maintained in good repair and shall be painted the same color as prevailing color on the adjacent buildings. In general terms, a list of the items contained in the container(s) shall be attached to, or painted on the container(s) near the entrance to the container(s).
- b. The container(s) shall not be stacked and there shall not be created a roof or awning over or between the container(s) or opening to the container(s).
- c. All properties that are otherwise permitted to have storage container(s) under this section but border on a residential zone shall be required to locate the storage

container(s) only within the permitted side yard building setback line and the permitted rear yard building setback line. In addition, fencing or evergreen landscaping shall be provided to create a buffer between the storage container(s) and the residential zone. The buffer shall be designated and installed to the reasonable satisfaction of the Borough Zoning Officer and if an agreement cannot be reached as to the reasonableness of the buffer, the applicant for the permit, may appeal the Zoning Officer's determination to the Governing Body.

- d. All properties that are permitted to have storage container(s) under this section and border on any non-residential zone may locate the storage container(s) anywhere in the rear or side yards of the property. Provided that the location shall not create a danger or inhibit the ability of fire, police or emergency vehicles and personnel to access the property. No additional landscaping or fencing shall be required.
- e. No hazardous or flammable items may be stored in the container(s).
- f. The provision of the Borough Zoning Ordinance #420-23 shall not apply to the storage container(s) for which a permit is granted under this ordinance.
- g. The Borough Zoning Officer may create a form for use of the applicants requesting a permit and may establish a date by which permit requests must be filed annually.
- h. **Registration Fees:** One-time registration fees will be calculated as follows:
\$2.5 x container length (i.e. a 45 foot trailer would be \$112.50)
Yearly Fees: The yearly fee will be calculated the equation was developed by our Tax Assessor and represents the cost per square foot and \$8/100 tax charge for each container which is as follows: The container square footage x \$5/sq. ft. x .08 = yearly cost (i.e. 45'x10' x\$5/sq. ft. x .08 = \$180).

SECTION III. 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 IV. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

Mayor Dobies opened the hearing on Ordinance No. 1878-15.

John Mrofchak, 128 Wood Avenue.- Mr. Mrofchak stated that the businesses went over the ordinance with the Planning Board and the Planning Board gave their recommendations and the businesses agreed to those recommendation. Mr. Mrofchak asked if any of the council read this and doesn't agree with it. The businesses need the containers and he wishes everybody agrees on that to help the businesses.

Seeing that there was no further public participation, Mayor Dobies closed the hearing on Ordinance No. 1878-15.

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

ADOPTION OF MINUTES

Councilman Schueler moved to approve the June 9, 2015 Regular Meeting Minutes and Executive Session Meeting Minutes seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance – Councilman Kaplan had nothing to report
2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco stated that the Recreation Department's spring season came to a close and they had a great year.
3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Councilman Kaplan moved to accept Javier Valdes as a member of the Middlesex Fire Department seconded by Councilman Madden and carried by a unanimous vote of Council.
 - B. Councilman Kaplan moved to accept Carlos Lopez as a Junior Member of the Fire Department seconded by Councilman Madden and carried by a unanimous vote of Council.
 - C. Councilman Kaplan moved to accept Andrew Pollara for the Junior Firefighter Ride Along Program seconded by Councilman Madden and carried by a unanimous vote of Council.
 - D. Councilman Kaplan moved to accept Mike Lane and Stephen Bird as Qualified Drivers of Truck 25 seconded by Councilman Madden and carried by a unanimous vote of Council.
4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler stated twice a week garbage collection continues to make sure we keep the community clean.

- B. Councilman Schueler reported that the DPW completed the Project Graduation Memorial for the class of 2015 so all the graduates can put name in concrete.
 - C. There has been a completed extensive clean up at Victor Crowell park, area was weeded, trimmed and edged, with new mulch around shrubs and plants. Also, a cleanup of the boat house including washing the concrete floor and decking around the boat house was done. Floodlights were installed at the lake to make the potential for ice skating in winter more practicable. It also lights up the dam, the island and the docks and makes for a friendlier safe atmosphere. Thanks to Ryan Zittel and the Fire Department for their cooperation
 - D. Work started on the steps for the back of the pump station on Route 28. This will improve access to the pumps and provide a long lasting safe situation for ingress and egress.
 - E. The DPW has rebuilt the pitcher's mound at Woroski field. Thank you to Jim Iannetti for taking the time to do it right, and he was able to get the Dura Edge rep to provide assistance and support without cost to the boro.
 - F. Grass cutting of over 150 man hours including all fields the parks the boro hall properties, library, police department, along with miscellaneous repairs to Library and Rec center were done.
 - G. The Recycling Tonnage Grant is near completion and it looks like the tonnage totals are greater than last year. This will positively affect our grant recovery.
 - H. In July basin cleaning and repairs will begin again. Street sweeping routes continue. The concrete work is complete along Marlborough Ave and the milling and paving operations are beginning. This will cause some delays and detours for traffic that began today. There were Nixel announcements to notify the public. We should soon have a nice road surface for one of the main arteries in town.
5. Police/Legal/Code Enforcement/Construction/Municipal Court – Councilman Madden had nothing to report
- A. Councilman Madden made a motion to accept the May, 2015 Police Report seconded by Councilman Greco and carried by a unanimous vote of Council.
 - A. Councilman Madden made a motion to accept the May, 2015 Municipal Court Report seconded by Councilman Schueler and carried by a unanimous vote of Council.
 - B. Councilman Madden reported that he will be attending an upcoming meeting regarding security for the municipal building.
6. Administration/Department of Senior Services/Legislation/Licensing

- A. Councilman Mikolajczyk reported that he is working with the Borough Clerk on an organization chart.
- B. Councilman Mikolajczyk mentioned that the High School and Von E. Mauger Middle School held graduation last week. Congratulations to all graduates!
- C. Councilman Mikolajczyk reported that three projects (Media Center, High School Bathrooms and Room 219 & 220) are underway and should be completed on time.
- D. HUD will meeting with a change in personnel, and will probably be making changes to certain projects.

REPORTS

Mayor

1. Street Maps - Mayor Dobies reported that he would like to purchase a street map that could be placed on the website, and would have overlays to help direct borough residents with municipal services and general borough information. Councilman Schueler made a motion to approve the funding of \$3360 for this map seconded by Councilman Mikolajczyk and carried by a unanimous vote of Council, pending approval of funding by the Acting CFO.

The Borough Clerk read the following resolution:

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

Consent Agenda 2015(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 wishes to remove Resolution #162-15 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 #163-15 – Resolution #165-15

Councilman Schueler made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Kaplan, Greco, Madden, Mikolajczyk 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 #163-15

The application for renewal of Liquor Licenses for the year 2015-2016 which have been approved by the Police Department, Fire Department, Board of Health 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	1211-31-013-001

The Borough Clerk read the following resolution:

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

Resolution #164-15

RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN BOND ORDINANCES AND DETERMINING THE FORM AND OTHER DETAILS OF THE OFFERING OF GENERAL OBLIGATION BONDS CONSISTING OF \$4,113,000 GENERAL IMPROVEMENT BONDS, SERIES 2015 OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AND PROVIDING FOR THE SALE OF SUCH BONDS

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the bonds of the Borough of Middlesex, in the County of Middlesex, State of New Jersey (the "Borough"), authorized pursuant to the bond ordinances of the Borough heretofore adopted and described in Exhibit B hereto, shall be combined into a single issue of General Obligation Bonds, consisting of General Improvement Bonds, Series 2015 in the aggregate principal amount of \$4,113,000 (the "General Improvement Bonds").

Section 2. The principal amount of bonds authorized by each bonds ordinance to be combined into a single issue of General Improvement Bonds as provided above, the bond ordinances authorizing the General Improvement Bonds described by reference to the ordinance number, description and date of final adoption, amount of issue and period of usefulness determined in each of the bond ordinances are respectively as set forth in Exhibit B hereto.

Section 3. The following matters are hereby determined with respect to the combined issue of General Improvement Bonds:

(a) The average period of usefulness, computed on the basis of the respective amounts of General Improvement Bonds presently authorized to be issued pursuant to each of the bond ordinances described in Exhibit B hereto and the respective periods or average periods of usefulness therein determined, is not more than eleven (11) years.

(b) The \$4,113,000 aggregate principal amount of General Improvement Bonds of the combined issue shall be designated “General Improvement Bonds, Series 2015” and shall mature within the average period of usefulness hereinabove determined.

(c) The General Improvement Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the “Local Bond Law”), that are applicable to the sale and issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) None of the General Improvement Bonds described in Exhibit B hereto have been sold or issued heretofore, and the several bond ordinances described in Exhibit B hereto have not been rescinded heretofore and now remain in full force and effect as authorizations for the respective amounts of bonds set opposite the descriptions of the bond ordinances set forth in Exhibit B hereto.

(b) The several purposes or improvements authorized by the respective bond ordinances described in Exhibit B hereto are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law.

Section 5. The General Improvement Bonds shall mature on July 15 in the years 2016 through 2025, inclusive. The annual principal amounts of the General Improvement Bonds maturing in each such year shall be as determined by the Borough Acting Chief Financial Officer, in consultation with the Borough Auditor and Bond Counsel (as hereinafter defined), and shall be structured in such manner that the annual debt service on the General Improvement Bonds shall be generally level annual debt service.

The General Improvement Bonds are not subject to redemption prior to their stated maturities, in accordance with the terms provided in the Notice of Sale authorized herein and attached hereto as Exhibit C (the “Notice of Sale”). The General Improvement Bonds shall be ten (10) in number, unless the purchaser shall structure a portion of the serial maturities as one or more term bonds in accordance with the Local Bond Law and the Notice of Sale, with one bond certificate being issued for each year of maturity, and shall be designated and numbered GI-1 to GI-10, inclusive.

Section 6. The General Improvement Bonds are referred to hereinafter as the “Bonds” or “General Obligation Bonds”.

Section 7. The Bonds will be issued in fully registered book-entry only form, without coupons. One certificate shall be issued for the aggregate principal amount of each series of the Bonds maturing in each year. Both principal of and interest on the Bonds

will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, Jersey City, New Jersey ("DTC"), which will act as Securities Depository (the "Securities Depository") for the Bonds. The certificates will be on deposit with DTC. DTC will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records recording the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases of the Bonds may be made in the principal amount of \$5,000 or any integral multiple thereof or any integral multiple of \$1,000 in excess thereof, through book entries made on the books and records of DTC and its participants. The Bonds will be dated the date of delivery and shall bear interest from the date of delivery, which interest shall be payable semiannually on the fifteenth (15th) day of January and July of each year (each an "Interest Payment Date"), until maturity, commencing January 15, 2016, at such rate or rates of interest per annum as proposed by the successful bidder in accordance with the Notice of Sale authorized herein. Principal on the Bonds shall be payable annually on the fifteenth day of July of each year, until maturity, commencing July 15, 2016. The principal of and the interest on the Bonds will be paid to the Securities Depository by the Borough, or some other paying agent as the Borough may designate and appoint, on the maturity dates and due dates and will be credited on the maturity dates and due dates to the participants of DTC as listed on the records of DTC as of each January 1 and July 1 preceding an Interest Payment Date (the "Record Dates"). The Bonds shall be executed by the manual or facsimile signatures of the Mayor or Acting Mayor and Acting Chief Financial Officer of the Borough under the official seal (or facsimile thereof) affixed, printed, engraved or reproduced thereon and attested to by the manual signature of the Clerk of the Borough. The following matters are hereby determined with respect to the Bonds:

Section 8. The Bonds shall be substantially in the form set forth in Exhibit A attached hereto with such additions, deletions and omissions as may be necessary for the Borough to market the Bonds in accordance with the requirements of DTC, upon advice of Bond Counsel.

Section 9. The Bonds shall be sold upon receipt of electronic proposals on Wednesday, July 8, 2015 at 11:00 a.m. (or other time designated by the Acting Chief Financial Officer of the Borough) by the Acting Chief Financial Officer of the Borough via Grant Street Group's MuniAuction website ("MuniAuction") in accordance with the Notice of Sale authorized herein. Wilentz, Goldman & Spitzer, P.A. ("Bond Counsel"), on behalf of the Borough Clerk, is hereby authorized and directed, *nunc pro tunc*, to arrange for (i) the publication of a summary of such Notice of Sale to be published not less than seven (7) days prior to the date of sale in The Bond Buyer, a financial newspaper published and circulating in the City of New York, New York, (ii) the publication of the full text of such Notice of Sale in the authorized newspaper of the Borough, such Notice of Sale to be published not less than seven (7) days prior to the date of sale, and (iii) the posting of the

full text of the Notice of Sale on the website provided by or for MuniAuction, and any of the aforesaid actions of Bond Counsel undertaken heretofore are hereby ratified and confirmed. Pursuant to N.J.S.A. 40A:2-34, the Borough hereby designates the Acting Chief Financial Officer of the Borough as the financial officer authorized to sell and to award the Bonds in accordance with the Notice of Sale authorized herein, and such financial officer shall report in writing the results of the sale to the Borough Council at its regularly scheduled meeting thereafter. The Acting Chief Financial Officer is hereby further authorized and directed to do and accomplish all matters and things necessary or desirable to effectuate the offering and sale of the Bonds.

Section 10. The Notice of Sale shall be substantially in the form set forth in Exhibit C attached hereto with such additions, deletions and omissions as may be necessary for the Acting Chief Financial Officer to market the Bonds, upon advice of Bond Counsel to the Borough.

Section 11. The Bonds shall have affixed thereto a copy of the written opinion with respect to such Bonds that is to be rendered by Bond Counsel. The Clerk of the Borough is hereby authorized and directed to file a signed duplicate of such written opinion in the office of the Clerk of the Borough.

Section 12. Bond Counsel is hereby authorized and directed, *nunc pro tunc*, as applicable, to arrange for the printing of the Bonds and for the printing and electronic posting of the Preliminary Official Statement (as hereinafter defined) and the Official Statement (as hereinafter defined), and any and all fees associated therewith, and any such actions undertaken heretofore are hereby ratified and confirmed. The Preliminary Official Statement and the Official Statement are hereby authorized, *nunc pro tunc*, to be prepared by Bond Counsel, Hodulik & Morrison, P.A., Highland Park, New Jersey, auditor to the Borough (the "Auditor"), and other Borough officials, and any such actions undertaken heretofore are hereby ratified and confirmed. Bond Counsel is also authorized and directed, *nunc pro tunc*, to arrange for the distribution of the Preliminary Official Statement on behalf of the Borough to those financial institutions that customarily submit bids for such Bonds, and any such actions undertaken heretofore are hereby ratified and confirmed. The Mayor or Acting Mayor of the Borough and the Acting Chief Financial Officer are each authorized and directed to execute and deliver any certificates necessary in connection with the distribution of the Preliminary Official Statement and the Official Statement. Bond Counsel and the Auditor are further authorized and directed, *nunc pro tunc*, to obtain ratings on the Bonds and to prepare and submit financial and other information on the Borough to each rating agency selected by the Borough and the preparation and submission of any such application is hereby ratified and confirmed.

Section 13. The Borough hereby covenants that it will comply with any conditions subsequently imposed by the Internal Revenue Code of 1986, as amended (the "Code"), to preserve the exemption from taxation of interest on the Bonds, including the

requirement to rebate all net investment earnings on the gross proceeds above the yield on the Bonds, if necessary.

Section 14. The Borough is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with DTC, as may be necessary to provide that the Bonds will be eligible for deposit with DTC and to satisfy any obligation undertaken in connection therewith.

Section 15. In the event DTC may determine to discontinue providing its services with respect to the Bonds or is removed by the Borough and if no successor Securities Depository is appointed, the Bonds which were previously issued in book-entry form shall be converted to Registered Bonds (the "Registered Bonds") in denominations of \$5,000 or any integral multiple thereof or any integral multiple of \$1,000 in excess thereof. The beneficial owner under the book-entry system, upon registration of the Bonds held in the beneficial owner's name, will become the registered owner of the Registered Bonds. The Borough shall be obligated to provide for the execution and delivery of the Registered Bonds in certified form.

Section 16. The Chief Financial Officer is hereby authorized and directed, *nunc pro tunc*, to "deem final" the Official Statement (the "Official Statement") prepared with respect to the issuance of the Bonds and pursuant to the provisions of the Rule (as hereinafter defined) and to execute a certificate regarding same, and any such actions undertaken heretofore are hereby ratified and confirmed. The Chief Financial Officer is hereby authorized and directed, *nunc pro tunc*, to authorize and approve the use and distribution of the Official Statement in preliminary form (the "Preliminary Official Statement") in connection with the offering and sale of the Bonds, and any such actions undertaken heretofore are hereby ratified and confirmed. Upon the sale of the Bonds, the Preliminary Official Statement shall be modified, in consultation with Bond Counsel and the Auditor, to reflect the effect of the sale of the Bonds and said modified Preliminary Official Statement shall constitute the final Official Statement (the "Final Official Statement"). The Acting Chief Financial Officer is hereby authorized and directed to execute and deliver the Final Official Statement to the purchaser of the Bonds in accordance with the provisions of the Rule, for its use in the sale, resale and distribution of the Bonds, where and if applicable.

Section 17. The final Official Statement to be dated on or about July 8, 2015 (the "Final Official Statement"), prepared with respect to the issuance of the Bonds, is hereby authorized to be executed on behalf of the Borough by the Acting Chief Financial Officer of the Borough, and delivered to the respective purchaser of the Bonds for their use in connection with the sale, resale and distribution of the Bonds, where and if applicable. The Acting Chief Financial Officer of the Borough and the Mayor or Acting Mayor of the Borough are further hereby authorized and directed to deliver any certificates necessary in connection with the distribution of the Official Statement.

Section 18. The Borough hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate (the "Certificate") which will set forth the obligation of the Borough to file, as applicable, budgetary, financial and operating data on an annual basis and notices of certain enumerated events deemed material in accordance with the provisions of Rule 15c2-12, as amended and supplemented (the "Rule"), promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended and supplemented. The Acting Chief Financial Officer of the Borough is hereby authorized and directed to execute and deliver the Certificate to the purchaser of the Bonds, evidencing the Borough's undertaking with respect to the Rule. Notwithstanding the foregoing, failure of the Borough to comply with the Certificate shall not be considered a default on the Bonds; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance, to cause the Borough to comply with its obligations hereunder and thereunder.

Section 19. The Acting Chief Financial Officer of the Borough is hereby authorized and directed to sell the aforesaid Bonds and to determine all matters in connection with the Bonds (including adjusting the maturity schedule or any other matters set forth in this resolution that are deemed necessary and advisable to change by the Acting Chief Financial Officer, prior to the sale or closing of the Bonds, all in consultation with Bond Counsel and the Auditor), and the manual or facsimile signature of the Acting Chief Financial Officer of the Borough upon any documents shall be conclusive as to all such determinations. The Mayor or Acting Mayor, the Acting Chief Financial Officer, the Clerk of the Borough and any other Borough Official or professional, including, but not limited to, Bond Counsel, the Auditor, the Borough Engineer and the Borough Attorney (collectively, the "Borough Officials"), are each hereby authorized and directed to execute and deliver such documents as are necessary to consummate the sale, issuance, delivery and closing of the Bonds , and to take such actions or refrain from such actions as are necessary for the issuance of the Bonds and all such actions or inactions taken by the aforesaid Borough Officials heretofore are hereby ratified and confirmed.

Section 20. This resolution shall take effect immediately.

EXHIBIT A

**UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF MIDDLESEX
BOROUGH OF MIDDLESEX**

GENERAL IMPROVEMENT BOND, SERIES 2015

NUMBER GI- _____

<u>DATE OF ORIGINAL ISSUE</u>	<u>MATURITY DATE</u>	<u>RATE OF INTEREST PER ANNUM</u>	<u>CUSIP NUMBER</u>
July 16, 2015	July 15, _____	_____ %	_____

REGISTERED OWNER: Cede & Co.

PRINCIPAL SUM: _____ Dollars
(\$ _____)

The BOROUGH OF MIDDLESEX, in the County of Middlesex, a body politic and corporate of the State of New Jersey (the "Borough"), hereby acknowledges itself indebted and for value received promises to pay to CEDE & CO., as nominee of The Depository Trust Company ("DTC"), Jersey City, New Jersey, which will act as Securities Depository (the "Securities Depository") for this Bond, on the Maturity Date specified above, the Principal Sum specified above, and to pay interest on such sum from the Date of Original Issue of this Bond at the Rate of Interest Per Annum specified above semiannually on the fifteenth (15th) day of January and July (each an "Interest Payment Date") in each year until maturity, commencing January 15, 2016. Principal of and interest on this Bond will be paid to the Securities Depository by the Borough, or a duly designated paying agent, and will be credited to the participants of DTC as listed on the records of DTC as of the first (1st) day of January and July preceding each Interest Payment Date (the "Record Dates" for such payments).

This Bond is not transferable as to principal or interest except to an authorized nominee of DTC. DTC shall be responsible for maintaining the book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants are responsible for maintaining records regarding the beneficial ownership interests in the Bonds on behalf of individual purchasers.

The Bonds are not subject to optional redemption prior to their stated maturities.

[The Bonds maturing on July 15, 20__ are subject to mandatory redemption from sinking fund installments made on each July 15, beginning July 15, 20__, and shall be redeemed on the dates set forth below at a Redemption Price equal to one hundred percent

(100%) of the principal amount of the Bonds called for redemption, plus interest accrued and unpaid to the date fixed for redemption, according to the schedule set forth below:

	Sinking Fund		Sinking Fund
<u>Date</u>	<u>Installment</u>	<u>Date</u>	<u>Installment]</u>

This Bond is one of an authorized issue of Bonds issued pursuant to the provisions of the Local Bond Law (N.J.S.A. 40A:2-1 et seq.), as amended and supplemented, various bond ordinances adopted by the Borough Council of the Borough, and a resolution duly adopted by the Borough Council of the Borough on June 23, 2015, entitled, "RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN BOND ORDINANCES AND DETERMINING THE FORM AND OTHER DETAILS OF THE OFFERING OF GENERAL OBLIGATION BONDS CONSISTING OF \$4,113,000 GENERAL IMPROVEMENT BONDS, SERIES 2015 OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AND PROVIDING FOR THE SALE OF SUCH BONDS".

The full faith and credit of the Borough are hereby irrevocably pledged for the punctual payment of the principal of and the interest on this Bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or the statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this Bond exist, have happened and have been performed and that the issue of Bonds of which this is one, together with all other indebtedness of the Borough, is within every debt and other limit prescribed by such Constitution or statutes.

EXHIBIT B

Borough of Middlesex,
in the County of Middlesex, State of New Jersey
\$4,113,000 General Improvement Bonds

The principal amount of bonds authorized by each bond ordinance to be combined into a single issue of General Improvement Bonds, the bond ordinances authorizing the General Improvement Bonds described by reference to the ordinance number, description and date

of final adoption, amount of issue and period of usefulness determined in each of the bond ordinances are respectively as follows:

Ordinance Number	Description and Date of Final Adoption	Useful Life	Authorization	Amount of Bonds
1403-97	Construction of curbs and gutters, finally adopted 7/22/97	10 years	\$59,400	\$1,922
1411-97	Construction of curbs/and or curbs and gutters, finally adopted 9/23/97	10 years	\$40,000	\$11,192
1435-98	Construction of curbs and gutters, finally adopted 7/14/98	10 years	\$63,500	\$9,888
1503-00 as amended by 1673-05	Purchase and/or installation of equipment for various departments, finally adopted 9/26/00 (1503-00) and 11/22/05 (1673-05)	5 years	\$199,600	\$136
1544-01	Improvements to various buildings and facilities, finally adopted 11/20/01	10 years	\$119,000	\$9,253
1548-01	Reconstruction of roads, including drainage, finally adopted 12/11/01	10 years	\$548,035	\$21,123
1562-02	Various capital improvements, finally adopted 6/11/02	10.88 years	\$442,700	\$8,691
1571-02	Construction of a bikeway from Fitzsimmons Park to Mountainview Park over local roadways, finally adopted 10/22/02	15 years	\$156,085	\$37,085
1599-04	Installation of new sidewalks, crosswalks and pedestrian signs at various locations, finally adopted 2/10/04	10 years	\$304,000	\$3,157

Ordinance Number	Description and Date of Final Adoption	Useful Life	Authorization	Amount of Bonds
1605-04	Various capital improvements, finally adopted 2/24/04	7.9 years	\$423,985	\$985
1609-04	Resurfacing of South Avenue, finally adopted 4/27/04	10 years	\$220,000	\$125,151
1623-04 as amended by 1646-05	Streetscape improvements on the Route 28 business corridor, finally adopted 10/26/04 and 5/9/06 (1623-04) and 5/10/05 (1646-05)	15 years	\$144,500 (1623-04) + \$30,400 (1646-05)	\$30,400
1626-04	Purchase of 911 recording equipment for the police department, finally adopted 12/14/04	15 years	\$21,500	\$2,592
1643-05	Various capital improvements, finally adopted 5/10/05	9.46 years	\$1,138,950	\$127,256
1676-05	Acquisition of a rack body truck, finally adopted 12/13/05	5 years	\$45,000	\$1,261
1687-06	Various capital improvements, adopted 9/26/06	9.47 years	\$1,100,955	\$107,838
1708-07	Acquisition of a street sweeper, finally adopted 2/13/07	5 years	\$159,600	\$3,349
1772-10	Various capital improvements, adopted 7/27/10	9.17 years	\$273,030	\$273,030
1797-11	Various capital improvements, adopted 6/14/11	10.17 years	\$1,248,566	\$1,248,566

Ordinance Number	Description and Date of Final Adoption	Useful Life	Authorization	Amount of Bonds
1818-12	Various capital improvements, finally adopted 8/28/12	9.66 years	\$779,125	\$779,125
1842-13	Reconstruction of Fairview Avenue	20 years	\$76,000	\$76,000
1852-14	Various Improvements to community pool, wading pool and related facilities, and construction of new competition pool, finally adopted 6/24/14	15 years	\$1,235,000	\$1,235,000
				\$4,113,000.00

EXHIBIT C

**BOROUGH OF MIDDLESEX
IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY
NOTICE OF SALE**

GENERAL OBLIGATION BONDS

Consisting of:

\$4,113,000 GENERAL IMPROVEMENT BONDS, SERIES 2015

BOOK ENTRY ONLY / NON-CALLABLE / BANK QUALIFIED

SUMMARY

ISSUER: Borough of Middlesex, in the County of Middlesex, State of New Jersey (the "Borough")

PAR AMOUNT: General Obligation Bonds consisting of \$4,113,000 General Improvement Bonds, Series 2015, (the "Bonds")

SECURITY: General Obligations of the Borough as to all Bonds (unless paid from other sources)

TAX EXEMPT: Yes

RATING: Standard & Poor's. – Expected

INSURANCE: The Winning Bidder of the Bonds may, at its sole option and expense, purchase a policy of municipal bond insurance

TYPE OF SALE: Electronic Auction with Two Minute Rule (See Bidding Details Item (8) herein)

AUCTION AGENT: MuniAuction

BID/AWARD DATE: July 8, 2015 at 11:00 a.m. to 11:15 a.m. with the Two Minute Rule applicable. Award by 2:00 p.m.

DATED DATE: Date of Delivery

DELIVERY DATE: On or about July 16, 2015

INTEREST PAYMENT

DATES: January 15 and July 15, commencing January 15, 2016

MINIMUM BID: \$4,113,000 (Par); the Bonds will be sold on the basis of the maturity schedule set forth herein

BID SECURITY: Good Faith Check or wire transfer in the amount of \$82,260 received by the Borough prior to bidding or, if available, a Financial Surety Bond as provided in this Notice

BASIS OF AWARD: True Interest Cost

OFFERING STATEMENT: Preliminary Official Statement available at www.GrantStreet.com

The Borough Clerk read the following resolution:

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

Resolution #165-15

The Governing Body is hereby authorized to refund the Zoning Permit fee of \$50.00 for a driveway expansion to Roger Couto, 324 Greene Avenue, Middlesex, NJ since this work is not going to be performed.

The Borough Clerk read the following resolution:

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

Resolution #162-15

WHEREAS, quotes were solicited for Fireworks;

WHEREAS, there was one quote received which is listed below:

Garden State Fireworks \$25,000.00
PO Box 403
Millington, NJ 07946

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

1. The governing body hereby awards the quote for the fireworks to Garden State Fireworks in the amount of \$25,000.00.

NOW FURTHER BE IT RESOLVED, that the Treasurer hereby certifies that funds in the amount of \$25,000.00 are available in Account No. 01-2010-30-4200-138.

Council discussed awarding the contract for the fireworks and Mayor Dobies mentioned that he had sent out letters requesting donations from local businesses in town and anticipates receiving between \$5,000 - \$10,000 in donations. Councilman Mikolajczyk stated that the fireworks cost a lot of money, ½ of a tax point and more aggressive fundraising would help out. Councilman Schueler indicated that this is an opportunity for the residents to see what the community is about as we celebrate the independence for our country.

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

The Borough Clerk read the following resolution:

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

Resolution #166-15

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 Greco and carried by the following roll call vote: Ayes: Dotey, Kaplan, Greco, Madden, Mikolajczyk 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 #168-15

The governing body hereby authorizes the Mayor and Borough Clerk to execute the Amendment of Inter Local Agreement for Utilization of the Borough of Middlesex Radio Shelter and Monopole to Install Radio Equipment and Antennas for the Benefit of the County of Middlesex.

Councilman Schueler made a motion for approval seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Dotey, Kaplan, Greco, Madden, Mikolajczyk and Schueler. No: 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, stated that everybody in the town is the community, which includes the businesses. They are not a separate entity, and they are part of the community. Their concern is the sewer bills, which is not their land taxes, as the sewer bill and land taxes are separate charges. Also, they would like to be credited for their garbage. The business community has stuck together and raised over \$100,000 for the children of our community, and just recently raised \$34,000 for Special Olympics. They are looking for the governing body to start working with them.

John Ericson, 209 Second Street stated that July 4 is Independence Day and July 18th is just a random day to celebrate. He doesn't feel the borough should spend \$25,000 on the fireworks, as in previous meetings we were promised that there would be donations received for them. Mr. Ericson also questioned the cost of using of the police at the fireworks which would add to the \$25,000.

Edward Johnson, 216 Hazelwood Avenue read a letter at the meeting to express his concerns with the Middlesex Borough – Piscataway Township Sewer Ordinance:

Over the past several years, I have appeared before successive Governing Bodies and have exhorted the Borough officials to institute a suit against Piscataway challenging their right to charge the sewer charges that are being imposed against the Borough, all to no avail. I cannot understand why the Borough officials allow the Township of Piscataway to impose these clearly illegal charges on the Borough of Middlesex. Unfortunately, I teach a citizenship class on Tuesday evenings in the Borough Library to persons who wish to take the test to become U.S. citizens and I am therefore not able to attend the regularly scheduled meeting of the Governing Body. I have, however, in the past, been assured by various members of previous Governing Bodies that action would be taken against Piscataway to prevent that municipality from continuing to impose these unjust charges against the Borough. Notwithstanding these assurances, however, nothing has happened since 2010, when these illegal charges were initially assessed against the Borough, to prevent Piscataway from collecting these charges.

Therefore, I am making one additional attempt to get a municipal Council to take corrective action since I have not yet made an appeal to this current Governing Body. As you are all aware, sewer charges in this Borough have increased, not arithmetically but exponentially since 2009, to such a degree that the Borough officials (you included) have had to resort to imposing a sewer use charge on residents and business owners in order to be able to pay for these increased charges.

If you had taken half of the time to challenge Piscataway's Ordinance that you have taken to attempt to impose illegal and discriminatory sewer charges on residents and business owners of the Borough, you would have saved the Borough a lot of money and yourselves a lot of embarrassment. Please, therefore, use a little common sense and attack the problem at its root rather than trying to attack the problem by attempting to collect additional money from the Borough in order to pay unjust and illegal and discriminatory charges being imposed upon you by Piscataway.

In the past, when I was the Borough Attorney, the Borough had entered into contracts with Piscataway which established reasonable and legal terms whereby the Township of Piscataway was allowed to establish a branch sewer line running through a portion of the Borough of Middlesex so it could carry a portion of its sewage from Piscataway to a connection point with the Middlesex County Sewerage Authority main trunk sewer line in the Borough of Middlesex in exchange for allowing Piscataway to run this line through a portion of the Borough, the Township of Piscataway agreed to guarantee the Borough of Middlesex the right to connect Middlesex properties in the area where that line was to be established to that line so that it would not be necessary for the Borough to establish a similar sewer line to service its residents. The Township guaranteed the Borough the right to have a certain maximum capacity so that future developments in the Borough would be able to connect into this line and, in exchange for this right, the Borough agreed that it would pay a fixed agreed upon cost for having that quantity guaranteed to it and would also pay for treatment of any sewage discharged into this line and would also maintain that portion of Piscataway's sewer line that ran through the Borough. This was a win for both municipalities. Piscataway got the right to run its sewer line through a portion of Middlesex Borough and Middlesex Borough got the right to tie in its residents and commercial sewer uses, both existing and future, into this line.

The original contract between the Borough and the Township was for a period of 10 years and that contract was subsequently renewed for an additional 10 years. Both parties benefited from that contract equally. However, in 2009, my last year as attorney for the Borough, a renewal of that contract had been negotiated and agreed upon in September of that year by me and the attorney for Piscataway which basically included the same terms and conditions that had been in existence for the two previous contracts, but that contract was not approved and adopted by the Mayor and Council of the Borough prior to the end of the year.

There was a change of administration in the Borough in 2010 and the new Governing Body neglected to enter into a new contract with Piscataway. As a result, Piscataway changed its policy and decided to impose a sewer use charge on the Borough based on its sewer use

charge to its residents. That Ordinance was clearly discriminatory and illegal as imposed against the Borough of Middlesex. Not only did it collect the cost for treating the sewage discharged by Middlesex Borough into the supplemental sewer line that it had established in the Borough of Middlesex, which would have been fair and equitable, but it also charged Middlesex residents with the cost for maintaining all of the sewer lines in the Township of Piscataway. Not only that, but it also charged the Borough a portion of the cost for paying all of Piscataway's sewer employees, for maintaining and upgrading all of its sewer lines within the Township of Piscataway and for paying the interest on Bonds that had been floated by the Township to pay for sewer improvements in the Township. Piscataway spent money each year, not only for installing new lines within Piscataway, but also for dealing with the problem of infiltration of water into its existing sewer lines within the Township. There is no justification for the Borough of Middlesex paying any portion of these costs. No residents or businesses in the Borough benefit in any way from improvements and maintenance to the Piscataway sewer system that occur within the Township of Piscataway yet the Borough of Middlesex is being required to pay a portion of these costs. If any damages occur to the sewer line owned by Piscataway that runs through the Borough of Middlesex, it is Middlesex Borough employees that maintain and repair that line so no cost of maintaining or repairing that line is assumed by the Township of Piscataway.

It should therefore be apparent, even to a layman, that the Borough of Middlesex is not being treated fairly by Piscataway. One does not need to be an attorney to see that this is clearly discriminatory and illegal. Why is this situation allowed to continue?

Since negotiations with Piscataway have failed to correct this problem, the only other obvious solution is for the Borough to institute a suit against Piscataway to force Piscataway to change its policy of imposing these unfair and unjust charges upon the Borough of Middlesex. I know that Mayor Dobies has recommended that a suit be instituted against Piscataway for this purpose in the past but, unfortunately, he can only recommend action and it is the Council that can act. Please stop wasting my money, your money and the taxpayers' money in this town.

Please stop worrying about how to pass this increased sewer charge on the public. You have done a miserable job in attempting to do so and you have compounded your problems by attempting to pass illegal and discriminatory ordinances to raise the increased money you need to pay these illegal charges. The solution to this problem is obvious and you and previous administrations have ignored the solution since 2010.

This is a new administration this year and you have the opportunity to correct this problem. I am doing my job in bringing these facts to your attention. All I ask is that you do your job for which you have been elected and that is to institute a suit against Piscataway to prevent that town from imposing these illegal sewer charges against Middlesex.

Thank you for your cooperation.

Dave Bird, Fire Chief stated that in 2017 Pierce Fire Company is looking to get a new engine. A committee is being set up to look to replace the engine that was purchased in 1983, and refurbished in 1997.

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 #167-15

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) Stipends

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

Councilman Madden 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
	John Madden
	Bob Schueler
	Jack Mikolajczyk

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 #169-15

Approving the Settlement of Lawsuit Steven Wronko vs. Borough of Middlesex L236615 for an amount not to exceed \$3,500 contingent upon the Mayor finding money to have the Treasurer certify the funds.

The Treasurer hereby certifies in the amount of \$3,500 are available in Account No. 01-2010-20-1552-138.

Caroline Benson, Treasurer

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

ADJOURNMENT

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

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
JULY 14, 2015**

MAYOR'S STATEMENT: Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of January 2, 2015 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
	John Madden
	Bob Schueler
	Jack Mikolajczyk

Attorney: Aravind Aithal

Mayor Dobies stated that a resolution will be added to the meeting reappointing Jack Costa as OEM Director.

PROCLAMATIONS-NONE

PRESENTATIONS-NONE

PUBLIC HEARING ON AMENDMENT

The Borough Clerk read Ordinance No. 1875-15 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. 1875-15**

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

SALARY

RANGE

TITLE		TO
Full Time Employees		
Chief of Police	115,000	160,000
Borough Administrator	80,000	160,000
Borough Clerk	55,000	85,000
Deputy Borough Clerk	35,000	57,000
Tax Collector	48,000	75,000
Certified Public Works Manager	75,000	115,000
DPW Assistant Supervisor	65,000	95,000
Executive Director/Senior & Disabled Services	35,000	65,000
Treasurer	33,000	60,000
IT Supervisor	63,000	90,000
Recreation Director	44,000	68,000
Court Administrator	43,000	68,000
Part Time Employees		
Assistant Recreation Director	7,500	14,000
Recreation Commission Secretary	1,100	1,300
Tax Assessor	10,000	20,000
Purchasing Agent (QPA)	5,000	8,000
CFO	25,000	50,000
Code Enforcer/Zoning Official	20,000	32,000
Construction Official	25,000	38,000
Electrical Sub-Code Official	9,000	15,000
Building Sub-Code Official	15,000	28,000
Resale Certificate Inspector	2,500	7,500
Plumbing Sub-Code Official	7,500	15,000
Fire Sub-Code Official	7,500	15,000
Planning/Zoning Clerk (per meeting)	175	185
Registrar/Board Health Secretary	3,500	5,000
Shade Tree Secretary	1,500	2,650
Juvenile Conference Committee Secretary	1,000	2,400
Municipal Magistrate	25,000	38,000
Prosecutor	20,000	27,000
Deputy Registrar/Deputy Board of Health Secretary	2,000	3,200
Alternate Registrar	250	250
Swim Pool Secretary	6,500	10,000

Hourly Employees	Per Hour	Per Hour
Administrative Clerk	12.00	16.00
Construction Clerk	12.00	16.00
Court Clerk	15.00	18.00
DPW Laborer	12.00	16.00
Meals on Wheels Driver	12.00	16.00
Medical Transportation Driver	12.00	16.00
Senior Transportation Driver	12.00	16.00
Pre-School Program Coordinator	12.00	16.00
Pre-School Program Instructor	10.00	14.00
Playground Coordinator (Seasonal)	12.00	16.00
Playground Site Supervisor (Seasonal)	10.00	14.00
Playground Counselor (Seasonal)	7.25	12.00
Police Matrons	15.00	20.00
Crossing Guards	13.50	16.00

SECTION 2

Rates of Compensation established above shall serve as a guide in employment and subsequent changes in rate of employees hired after passage of this ordinance.

SECTION 3

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are and the same are hereby repealed.

SECTION 4

This Ordinance shall take effect upon its final passage, approval and publication according to law.

Mayor Dobies opened the hearing on Ordinance No. 1875-15 as amended. Seeing that there was no public participation, Mayor Dobies closed the hearing on Ordinance No. 1875-15.

Councilman Dotey made a motion to adopt Ordinance No. 1875-15 as amended seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Kaplan, Greco, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

PUBLIC HEARING

NEW BUSINESS

The Borough Clerk read Ordinance No. 1879-15 for introduction by title.

BOROUGH OF MIDDLESEX

ORDINANCE NO. 1879-15

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 2015 CAPITAL IMPROVEMENTS AND THE ACQUISITION AND INSTALLATION, AS APPLICABLE, OF VARIOUS EQUIPMENT WITH AN ESTIMATED COST OF \$1,176,500, THE COST OF SUCH IMPROVEMENTS AND EQUIPMENT TO BE FINANCED THROUGH THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2015 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 "2015 Program"); and

WHEREAS, the Borough of Middlesex, in the County of Middlesex, State of New Jersey (the "Municipality") has determined to participate in the 2015 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 \$1,240,000.

(b) For the financing of the general capital improvements, purposes or loan and to provide monies to fund the not to exceed \$1,240,000 appropriation, a loan from the Authority to the Municipality is hereby authorized in a not to exceed amount of \$1,240,000 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 \$1,240,000.

(e) The estimated cost of said general capital improvements or purposes is \$1,176,500, with a not to exceed amount of \$1,240,000, 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 2015 (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 5 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 5 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 \$1,240,000 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 \$372,000 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.

Exhibit B

**Middlesex County Improvement Authority
2015 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>Loan</u>			
Municipal Clerk - Property Pilot	1	\$20,000.00	5 Years
Municipal Clerk - CAN Services	1	\$6,000.00	5 Years
Municipal Clerk - Shredder	1	\$2,500.00	5 Years
Municipal Clerk - IRS Services	1	\$18,000.00	5 Years

DPW Bldgs & Grounds - Municipal Building Upgrade	1	\$10,000.00	5 Years
Parks - Bathroom Remodeling and Steel Door	1	\$9,500.00	5 Years
Roads - Mason Dump Truck	1	\$55,000.00	5 Years
Roads - Pothole Hot Box	1	\$37,000.00	5 Years
Roads - 10 Foot Moldboard for Truck	1	\$2,500.00	5 Years
Roads - Security Cameras	1	\$2,500.00	5 Years
Sewers - Computers and Cameras	1	\$2,500.00	5 Years
Sewers - Retrofits for Basins	1	\$35,000.00	5 Years
Information Technology - Mobile Repeaters	1	\$55,000.00	5 Years
Information Technology - Police Dep Voice/Phone Upgrade	1	\$55,000.00	5 Years
Information Technology - Microwave Antenna for Fire/Police Dep	1	\$75,000.00	5 Years
Information Technology - 911 System Upgrade	1	\$100,000.00	5 Years
Information Technology - New BH Server	1	\$50,000.00	5 Years
Information Technology - Radios	1	\$75,000.00	5 Years
Information Technology - Police Dep Computers	1	\$15,000.00	5 Years
Fire Department - Turnout Gear	1	\$40,000.00	5 Years
Fire Department - Vehicle Replacement	1	\$65,000.00	5 Years
Police Department - Paper Shredder Replacement	1	\$2,500.00	5 Years
Police Department - Weapon Clearing Cont.	1	\$1,000.00	5 Years
Police Department - Police Vests	1	\$5,000.00	5 Years
Rescue Squad - Gas Fired Hot Water Boiler	1	\$12,500.00	5 Years
Library - Improvements	1	\$100,000.00	5 Years
Stream De-Snagging	1	\$25,000.00	5 Years
Mill and Overlay Roads	1	<u>\$300,000.00</u>	5 Years
Subtotal		\$1,176,500.00	

Lease

None		<u>\$0.00</u>	5 Years
Subtotal		\$0.00	

Loan Total:	\$1,176,500.00
Lease Total:	<u>\$0.00</u>
Middlesex Borough Total Borrowing:	\$1,176,500.00

Councilman Schueler made a motion for introduction of Ordinance No. 1879-15 seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Kaplan, Greco, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

ADOPTION OF MINUTES

Councilman Mikolajczyk moved to approve the June 23, 2015 Regular Meeting Minutes and Executive Session Meeting Minutes and the June 30, 2015 Special Meeting Minutes seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance – Councilman Kaplan had nothing to report
2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco stated that the Recreation Department's had its Movie in the Park on Friday night. The next scheduled Movie in the Park is set for August 7th.
 - B. Councilman Greco indicated that Saturday, July 18, 2015 will be fireworks at Mountain View Park at dusk.
 - C. Sign up for Recreation Youth Soccer ends August 1.
 - D. The American Legion Motorcycle Run is scheduled for August 9, 2015 at 12 PM. The rain date is scheduled for August 16th.
3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Councilman Dotey had nothing to report.
4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler stated that the DPW is working on their pot hole list to make the borough roads a little smoother. We are working on secondary roads including North Lincoln, South Ave, the Borough Hall lot, Fisher Ave, Melrose and Ashland Road, which are being fixed with Hot Patch.
 - B. Councilman Schueler reported that they have erected a new sign in Mt View Park on the Gazebo side with some landscaping to accent it.
 - C. Councilman Schueler also mentioned that the street sweeper is down with a fuel issue that is still being diagnosed.
 - D. Also, the DPW is preparing for Park Clean up and prep for fireworks.
5. Police/Legal/Code Enforcement/Construction/Municipal Court – Councilman Madden had nothing to report
 - A. Councilman Madden made a motion to accept the June, 2015 Municipal Court Report seconded by Councilman Greco and carried by a unanimous vote of Council.
 - E. Councilman Madden reported that a security meeting was held on July 8, 2015. Attendance included the Court Administrator, Lieutenant Geist, Mayor Dobies, Judge Fackelman and Council Liaison Madden. They discussed the final security plan regarding the security wands and the optimal placement of the metal detector. Lastly, after "careful consideration" the municipal court personnel "Felt it necessary" to change the court time to start at 5 PM instead of 4:30 PM which will benefit the security plan in place, but will alleviate the amount of people in the building during

the time that employees are still working. The Court Administrator will take all the necessary steps to ensure that the time change is reflected on the public access sites, phone system and traffic tickets.

6. Administration/Department of Senior Services/Legislation/Licensing

A.. Councilman Mikolajczyk also reported the following update on HUD: (1) Library benches have come in – DPW Supervisor is working with May regarding installation; (2) Purchasing Agent has quotes for changing table in the Men's Room - Will be ordered shortly; (3) Purchasing Agent getting quotes for signs at Lincoln Park and Daisy Park; (4) Both Vic Capolunghi and I will be setting up meeting with DPW Supervisor to discuss the reconstruction of the entranceway/driveway at Daisy Park; and (5) Jim Benson, Library Board President is looking into the library doors and canopy for the Library. Councilman Schueler requested if garbage receptacles could be included near the new benches.

REPORTS

Mayor

1. Councilman Dotey moved to accept the resignation of Patrick Corley from the Planning Board seconded by Councilman Schueler and carried by a unanimous vote of Council.
2. Mayor Dobies appointed John Anello to the Planning Board 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:

Consent Agenda 2015(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 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 #153-15
Resolution #174-15 – Resolution #184-15
Resolution #187-15

Councilman Greco made a motion for approval seconded by Councilman Mikolajczyk and carried by the following roll call vote: Ayes: Dotey, Kaplan, Greco, Madden, Mikolajczyk 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 #153-15

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 2015 be hereby fixed respectively as follows:

<u>Title</u>	<u>2015 Salary</u>
Borough Clerk	\$76,005.00
Deputy Borough Clerk	\$50,747.00
Tax Collector	\$63,676.00
Treasurer	\$49,220.00
Court Administrator	\$60,333.00
IT Supervisor	\$79,950.00
DPW Supervisor	\$92,250.00
DPW Assistant Supervisor	\$86,146.00
Police Chief	\$152,812.00
Recreation Director	\$61,879.00
Office On Aging Director	\$52,401.00
Zoning Officer/Code Enforcer	\$27,528.00

NOW FURTHER BE IT RESOLVED that this resolution shall become effective July 24, 2015.

The Borough Clerk read the following resolution:

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

Resolution #174-15

WHEREAS, the Department of Public Works has eight (8) items (listed below) which are no longer needed and they wish to dispose of:

1987 Ford F800, 1FDXF82KZJVA12628
1988 Ford 655C Backhoe/Loader Model LF3PIZ, Serial #AB00519
Tractor #A400519
1996 Dodge 3500 Truck, 1B6MF36C1TJ193541
1979 GMC Sierra 6000 Sewer Jet Truck, T16DA9V620000
2006 Autocar Garbage Truck, 5VCDC6MF87H203730
1995 Ford Crown Victoria, 2falp71w65x178137
2004 Senior Van, 1FTSS34P54HB52987
1964 DPW CAT, 99E8443

WHEREAS, N.J.S.A. 40A:11-36 provides that a governing body may authorize the sale of such property not needed for public use by the various Departments by public auction.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Middlesex, County of Middlesex, that the Council, in accordance with the provisions of N.J.S.A. 40A:11-36 approve that an online auction of surplus Department of Public Works items be conducted by USGOVBID.com, at a date to be determined.

The Borough Clerk read the following resolution:

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

Resolution #175-15

The Tax Collector is hereby authorized to cancel and/or amend 2012 Sanitary Sewer Use Charges on the following properties.

BLOCK/LOT	NAME & ADDRESS	AMOUNT
40/48	Burbage, Lori 321 High St	\$ 880.45
70.04/7	Guiducci, Mario & Karen 6 June Way	\$ 312.92
72/1	Parisi, Dan 1017 Beechwood Ave	\$ 879.61
79/5	Reiner, Michael & Patricia 55 Ramsey Rd	\$ 766.69

80/37	Jimenez, Jhoni 9 Orchard Rd	\$ 923.06
259/6	Fram Trak Ind Inc 205 Hallock Ave	\$3,394.37
266/2.02	Schifano Construction Corp 1 Smalley Ave	\$ 523.07

The Borough Clerk read the following resolution:

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

Resolution #176-15

The Tax Collector is hereby authorized to amend 2013 Sanitary Sewer Use Charges on the following property.

BLOCK/LOT	NAME & ADDRESS	AMOUNT
204/1	Middlesex Village Marlborough Avenue	\$ 48,712.00 old \$ 29,536.09 new

The Borough Clerk read the following resolution:

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

Resolution #177-15

RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF DELL SONIC FIREWALL FOR BOROUGH HALL AND A SOUND BAR FOR IT MANAGER COMPUTER

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase a Sonic Firewall for Borough Hall and a sound bar for the IT Manager Computer 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 2015; and

WHEREAS, the cost for the purchase of a Sonic Firewall and a sound bar is \$554.39; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of a Sonic Firewall and a sound bar is ordered under State Contract No. 70256 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount \$554.39 is available in Account No. 01-2010-20-1401-062.

The Borough Clerk read the following resolution:

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

Resolution #178-15

The Governing Body is hereby authorized to refund of the Zoning Board application fees of \$200.00 and escrow of \$300.00 for pre-existing use rights to Mark Martinowich, 405 Fulton Street, Middlesex, NJ since this application was completely withdrawn.

The Borough Clerk read the following resolution:

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

Resolution #179-15

RESOLUTION AUTHORIZING MRESC CO-OP PURCHASE OF ONE YEAR UPDATES & INSTANT REPLACEMENT FOR SPAM & VIRUS FIREWALL

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase updates and replacements for spam & virus firewall from an authorized vendor under the Middlesex Regional Educational Services Commission; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Contracts Law, 40A:11-12; and

WHEREAS, CDW Government LLC is under MRESC Contract No. 65MCESCCPS for the year 2015; and

WHEREAS, the cost for the purchase of spam & virus firewall is \$1,123.46; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of updates and replacements of spam & virus firewall is ordered under MRESC Contract No. 65MCESCCPS be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount \$1,123.46 is available in Account No. 01-2010-20-1401-062.

The Borough Clerk read the following resolution:

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

Resolution #180-15

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 2015-2016 in the amount of \$20,965.00.
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 #181-15

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 #182-15

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

WHEREAS, On June 26, 2015 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 “E” effective July 10, 2015 at an annual salary \$67,662.

The Borough Clerk read the following resolution:

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

Resolution #183-15

WHEREAS, on July 8, 2015 the Planning Board adopted a Resolution Approving the Revised Master Plan Housing Element and Fair Share Plan.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, County of Middlesex State of New Jersey that the Governing Body hereby endorses the Revised Middlesex Master Plan housing Element and Fair Share Plan adopted by the Middlesex Planning Board on July 8, 2015.

The Borough Clerk read the following resolution:

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

Resolution #184-15

The governing body hereby approves the closure of Pierrepont Avenue from Hancock Street to Wellington Street on July 18, 2015 for their Little League Picnic.

The Borough Clerk read the following resolution:

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

Resolution #187-15

The governing body hereby appoints Jack Costa as OEM Director effective January 1, 2015 – December 31, 2017.

The Borough Clerk read the following resolution:

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

Resolution #185-15

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 Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Kaplan, Greco, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS - NONE

PUBLIC COMMENTS

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

Douglas Rex, a borough resident who was diagnosed with Charcot-Marie-Tooth (CMT) disease at 35 years old attended the meeting and explained this hereditary disease and requested that the Mayor and Council approve a Proclamation declaring September as awareness month for Charcot-Marie-Tooth (CMT) Disease. Mayor Dobies stated that a Proclamation would be done at the August 11, 2015 Meeting.

John Ellery, 701 Lincoln Boulevard discussed whether the sewer user was a tax or fee. Mr. Ellery is concerned that for the last 20 months they have been trying to resolve this sewer issue and have gotten nowhere. A lot of the sewer users have paid in 2012, but as of last week the borough has been putting tax liens on properties for an issue that has not been resolved in 19 months. He would like to see a resolution to this issue and properties pulled from the tax sale, as their taxes are 100% paid. Mr. Ellery's other concern is that the borough's agreement with Piscataway was written in 2000 and was a 5 year agreement, and for 10 years we are paying Piscataway bills without having a contract in place. Mr. Ellery also questioned if the sewage authority bills have been reviewed, as he was informed that other towns are receiving rebates of over \$1,000,000. Mayor Dobies indicated that the information from the last meeting regarding Piscataway will be discussed in Executive Session at the August 11 meeting and Dunellen did not receive any money back in rebates from the sewage authority. The Mayor also indicated that at this time they are unable to change the 2013 charges, as the tax bills are now being mailed out.

Rich Sowden, 107 Egel Avenue stated that he is losing a lot of faith in this town and has all paperwork in and still does not have a towing permit license. His site plan approvals are in, one is scheduled for August 5 and the other two are set for September. He had to appear in court on Monday, with his \$500/hour attorney to pay a \$25 fine for outside storage at 125 South Avenue. He is upset because the town is not business friendly, and they are destroying his business. Mayor Dobies requested John Madden check with Barrie Palumbo regarding this matter, but indicated that there are certain rules in our ordinances that must be followed.

JoAnn Estrella, 300 Market Street attended the meeting to discuss the fence at the pool. This year she feels that more people are coming down the street because the fence is open due to the construction. People park at the fence and back up, and it is an accident waiting to happen. Two weeks ago a woman parked at the fence and almost hit two children. She would like to have the fence back up and have them open it up. Mayor suggested that the gate be put back up; and put parking by permit on the street. The Mayor stated he would have to check on the legality of this permit parking.

Thomas Lynch, 359 Market Street stated that he had damage to his vehicle by a hit and run driver since the construction started. The other day he was awoken at 6:40 AM by the dump trucks. He also spoke with the contractor and he stated that he was not concerned about the gate, as long as he had a key to open it to back his trucks in. Mayor Dobies stated that he would have the DPW Supervisor go down and measure this out, and he would have no problem closing it.

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 #186-15

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) Discussion on Appointment of Chief of Police

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

Councilman Madden 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
	John Madden
	Bob Schueler
	Jack Mikolajczyk

Attorney: Aravind Aithal

Mayor Dobies made a motion to appoint Lt. Frank Bottiglieri as the Chief of Police seconded by Council President Kaplan and carried by the following roll call vote: Ayes: Kaplan, Schueler, and Dobies. No: Greco, Dotey, Madden, and Mikolajczyk. Abstain: None.

Mayor Dobies noted the motion to appoint Lt. Frank Bottiglieri did not pass and asked if there was another motion. Councilman Dotey made a motion to appoint Lt. Matthew Geist seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk, Schueler, and Dobies.

Mayor announced the appointment of Matthew Geist as Chief of Police effective immediately. The oath of office (swearing- in ceremony) will take place on August 11, 2015.

ADJOURNMENT

Councilman Greco made a motion to adjourn the Regular Meeting seconded by Councilman Doetey and carried by a unanimous vote of council.

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
AUGUST 11, 2015**

MAYOR'S STATEMENT: Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of January 2, 2015 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
	John Madden
	Bob Schueler
	Jack Mikolajczyk

Attorney: Aravind Aithal

APPOINTMENTS

Mayor Dobies thanked everyone who came tonight to support the swearing in of our new Police Chief noting that it is one of the most important jobs the Mayor and Council will do. Mayor Dobies then asked that Matthew Geist to take the Oath of Office as Police Chief of Middlesex Borough.

Chief Geist thanked everyone for coming out and supporting him and thanked the Mayor and Council for their support in making him Chief of Police of the best Police Department in the State of New Jersey. Chief Geist also wanted to thank former Chief Young and Chief Benson who helped him grow as a leader. He thanked his family, his mother and father, his sons Brian and Mark and his wife Christina.

PROCLAMATIONS

The Borough Clerk proclaimed September, 2015 as Charcot-Marie-Tooth Awareness Month.

PROCLAMATION

WHEREAS, it is the intention of the Mayor and Council of Middlesex Borough to focus attention on noteworthy causes and occasions; and

WHEREAS, Charcot-Marie-Tooth disease (CMT) is a common inherited neurological disorder that affects approximately 1 in 2,500 people in the United States and 2.8 million worldwide; and

WHEREAS, CMT is characterized by a slow and progressive deterioration of motor and sensory nerves across various parts of the body that can lead to weakness of the foot and lower leg muscles, foot deformities, frequent tripping and falls and muscle weakness in the hands; and

WHEREAS, there are more than 70 kinds of CMT that affect individuals from all walks of life, and in all areas of the world; and

WHEREAS, there is no cure for CMT, and while physical therapy, bracing and surgical procedures can help stabilize and correct certain CMT symptoms, continued awareness and research of the disease are needed.

NOW, THEREFORE, I, RONALD S. DOBIES, by virtue of the authority vested in me as Mayor of the Borough of Middlesex, County of Middlesex, State of New Jersey, do hereby join with the Charcot-Marie-Tooth Association and municipalities across the United States in proclaiming the month of September 2015 to be

CHARCOT-MARIE-TOOTH AWARENESS MONTH

In the Borough of Middlesex and do urge all citizens to join with me and Council in spreading awareness of Charcot-Marie-Tooth Disease, and in voicing our support for the Charcot-Marie-Tooth Disease Association.

PRESENTATIONS-NONE

PUBLIC HEARING

The Borough Clerk read Ordinance No. 1879-15 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. 1879-15

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 2015 CAPITAL IMPROVEMENTS AND THE ACQUISITION AND INSTALLATION, AS APPLICABLE, OF

VARIOUS EQUIPMENT WITH AN ESTIMATED COST OF \$1,176,500, THE COST OF SUCH IMPROVEMENTS AND EQUIPMENT TO BE FINANCED THROUGH THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2015 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 "2015 Program"); and

WHEREAS, the Borough of Middlesex, in the County of Middlesex, State of New Jersey (the "Municipality") has determined to participate in the 2015 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 \$1,240,000.

(b) For the financing of the general capital improvements, purposes or loan and to provide monies to fund the not to exceed \$1,240,000 appropriation, a loan from the Authority to the Municipality is hereby authorized in a not to exceed amount of \$1,240,000 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 \$1,240,000.

(e) The estimated cost of said general capital improvements or purposes is \$1,176,500, with a not to exceed amount of \$1,240,000, 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 2015 (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 5 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 5 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 \$1,240,000 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 \$372,000 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.

Exhibit B

**Middlesex County Improvement Authority
2015 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>Loan</u>			
Municipal Clerk - Property Pilot	1	\$20,000.00	5 Years
Municipal Clerk - CAN Services	1	\$6,000.00	5 Years
Municipal Clerk - Shredder	1	\$2,500.00	5 Years
Municipal Clerk - IRS Services	1	\$18,000.00	5 Years
DPW Bldgs & Grounds - Municipal Building Upgrade	1	\$10,000.00	5 Years
Parks - Bathroom Remodeling and Steel Door	1	\$9,500.00	5 Years
Roads - Mason Dump Truck	1	\$55,000.00	5 Years
Roads - Pothole Hot Box	1	\$37,000.00	5 Years
Roads - 10 Foot Moldboard for Truck	1	\$2,500.00	5 Years
Roads - Security Cameras	1	\$2,500.00	5 Years
Sewers - Computers and Cameras	1	\$2,500.00	5 Years
Sewers - Retrofits for Basins	1	\$35,000.00	5 Years
Information Technology - Mobile Repeaters	1	\$55,000.00	5 Years
Information Technology - Police Dep Voice/Phone Upgrade	1	\$55,000.00	5 Years
Information Technology - Microwave Antenna for Fire/Police Dep	1	\$75,000.00	5 Years
Information Technology - 911 System Upgrade	1	\$100,000.00	5 Years
Information Technology - New BH Server	1	\$50,000.00	5 Years
Information Technology - Radios	1	\$75,000.00	5 Years
Information Technology - Police Dep Computers	1	\$15,000.00	5 Years

Fire Department - Turnout Gear	1	\$40,000.00	5 Years
Fire Department - Vehicle Replacement	1	\$65,000.00	5 Years
Police Department - Paper Shredder Replacement	1	\$2,500.00	5 Years
Police Department - Weapon Clearing Cont.	1	\$1,000.00	5 Years
Police Department - Police Vests	1	\$5,000.00	5 Years
Rescue Squad - Gas Fired Hot Water Boiler	1	\$12,500.00	5 Years
Library - Improvements	1	\$100,000.00	5 Years
Stream De-Snagging	1	\$25,000.00	5 Years
Mill and Overlay Roads	1	<u>\$300,000.00</u>	5 Years
Subtotal		\$1,176,500.00	

Lease

None		<u>\$0.00</u>	5 Years
Subtotal		\$0.00	

Loan Total:	\$1,176,500.00
Lease Total:	<u>\$0.00</u>
Middlesex Borough Total Borrowing:	\$1,176,500.00

Councilman Dotey made a motion for adoption of Ordinance No. 1879-15 seconded by Council President Kaplan and carried by the following roll call vote: Ayes: Dotey, Kaplan, Greco, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

NEW BUSINESS

The Borough Clerk read Ordinance No. 1880-15 for introduction.

ORDINANCE NO. 1880-15

**AN ORDINANCE TO AMEND CHAPTER 18, MUNICIPAL COURT, SECTION 18-8 PLACE;
HOURS IN THE CODE OF THE BOROUGH OF MIDDLESEX**

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

Section 18-8 Place; Hours is amended to read as follows:

The Municipal Court shall be held in the Borough Hall. The Municipal Magistrate shall sit on each Monday from 5:00 P.M., prevailing time, until the calendar is completed and at such other times as the business of the Court may require subject to the rules adopted by the Courts of New Jersey.

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 18, Municipal Court, Section 18-8 to read as stated above.
2. This Ordinance shall take effect immediately upon final passage and publication according to law.

Councilman Madden made a motion for introduction of Ordinance No. 1880-15 seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Kaplan, Greco, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

ADOPTION OF MINUTES

Councilman Mikolajczyk moved to approve the July 14, 2015 Regular Meeting Minutes and Executive Session Meeting Minutes and the July 9, 2015 Special Meeting Minutes seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance
 - A. Stipends – Council President Kaplan stated that the Borough has not reviewed or increased the salary on stipends in a few years and that some of these stipends have added requirements since established. The Finance Committee will review all the stipends and asked that the committee have available to them salary of the surrounding towns.
 - B. DPW Staffing – Council President Kaplan addressed the council regarding the need for staffing in the DPW. There will be a retirement in November and recommended that we hire two-part time employees this year and next year look to hire 1 full time employee.
 - C. 2001-2013 Capital Budget Monies – Council President Kaplan stated that there is still money available in the 2001-2012 Capital Budgets. After speaking with the Auditor he noted that we could do a few things with the money, (1) Put the money toward a pump station for South Avenue, (2) Put the money in trust dedicated to the infrastructure (sewers), and (3) Put the money toward paying down debt.

Councilman Mikolajczyk questioned and stated we should have a long-term capital plan which includes streets, sewer, borough buildings and tying this all together. Discussion ensued regarding the sewer issues which included the sewer billing and having our engineer complete the project regarding the sewer calculations and billing.

Councilman Schueler made a motion to have the engineer complete work originally started on the sewer billing contingent upon the money being available in the amount of

\$2,000 seconded by Councilman Mikolajczyk and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

After the work is compiled, Council President Kaplan stated the auditor can review the new ordinance as requested by the Mayor.

D. 2016 Budget – Council President Kaplan would like to begin the process early and have the department budgets in by November and start meeting with each department before the end of the year.

2. Recreation/Recreation Fields/Water & Light

A. Councilman Greco stated that the Recreation Department's had its Movie in the Park in August. The movie showcased was Goonies and it was a big success.

B. Middlesex Swim Pool – Councilman Greco stated that the three members of the committee have met and are working on the parking issue on Market Street.

On another matter, Councilman Greco stated that his mother-in-law had recently passed away but wanted to thank the Middlesex Rescue Squad for their dedication in helping his mother-in-law in the past few months.

3. Fire/OEM/Board of Health/Rescue Squad/Flood

A. Councilman Dotey reported that Mike Lane was accepted as a qualified driver of truck 24.

4. Public Works/Parks/Sanitation/Recycling

A. Basin cleaning has begun and they have done approximately 150 and completed repairs on 6 catch basins including 2nd St, Weiss Dr., and Cap Lane. Councilman Schueler recommended we have them look at Cedar on both sides of the street as he noticed on the southwest side of street was clogged with debris last Friday. DPW worked with County Mosquito Control Commission to remove obstructions from stream by W 2nd St. This appears to have been just in time based on the rain we had this morning and today.

B. The staff set up for National Night out in Mountain View park and cleaned up afterwards. This was a very successful event and the grounds looked very nice for it.

C. DPW assisted in the set up for the motorcycle run on August 9th.

D. The staff has been doing work in Victor Crowell Park with pruning and trimming as well as cleanup and repairs to boards that are loose or broken.

E. Continuation of striping of crosswalks in area of the schools and other areas in need.

F. Normal scheduled grass cutting and maintenance, pump station maintenance/ issues with clogged lines. Councilman Schueler is hearing from residents on Voorhees towards the 800 and 900 blocks that have reported backups when we have heavy rains. This has the indications of infiltration from storm sewer into the sanitary sewer. We have previously purchased CCTV equipment for the purposes of determining the status of sewer lines and to make sure that the man holes are sealed. Councilman Schueler requested that with the consent of the council we look to have our DPW manager arrange to start the process to video the entire length of Voorhees to determine the issue of infiltration in these lines. They may be high priority for lining repair.

5. Police/Legal/Code Enforcement/Construction/Municipal Court

A. Councilman Madden made a motion to accept the June, 2015 Municipal Court Report seconded by Councilman Dotey and carried by a unanimous vote of Council.

6. Administration/Department of Senior Services/Legislation/Licensing

A. Councilman Mikolajczyk reported that capital projects the school is working on for the summer are status quo.

B. The HUD Committee is working on acquiring quotes for the bathroom project in the Recreation Center.

REPORTS

Mayor

1. 413 Melrose Avenue – Mayor would like to move on offering the borough owned property in back of 413 Melrose to contiguous property owners as there is a liability where the property owner on 413 Melrose has a shed and swing set on the Borough property extending from their backyard.
2. Mayor Dobies reminded council of another request to vacate Willow Road from Osceola Avenue going south.
3. Mayor Dobies also mentioned that a developer is looking for us to vacate Cronk Place and selling the parking lot where the Lincoln Statue sits. Councilman Schueler noted that he has no interest in selling and he believes the Redevelopment Plan doesn't allow a gas station. There was a consensus of council not to sell the property.

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 wish to remove Resolution #190-15, Resolution #193-15 and Resolution #195-15 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 #188-15 – Resolution 189-15
Resolution #191-15 – Resolution #192-15
Resolution #194-15
Resolution #196-16 – Resolution #203
Resolution # 207

Councilman Dotey made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Kaplan, Greco, Madden, Mikolajczyk 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 #188-15

NAMING DEPUTY CUSTODIANS OF RECORDS IN VARIOUS BOROUGH DEPARTMENTS

WHEREAS, the Open Public Records Act (OPRA), P.L. 2001, Chapter 404, effective July 8, 2002, specially names the Municipal Clerk as “Custodian of Government Records” and sets forth certain requirements for providing to the public access of government records; and

WHEREAS, the Municipal Clerk has requested that Deputy Custodians be named in various Departments to assist in providing orderly and timely compliance with the Open Public Records Act.

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 Deputy Custodians of Government Records be named as follows:

Board of Adjustment

Zoning Board Secretary and/or Designee

The Borough Clerk read the following resolution:

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

Resolution #189-15

WHEREAS, the governing body approved at the June 23, 2015 Regular Meeting having Remington, Vernick & Vena Engineers prepare a computer-generated updated Municipal Street Map, a Recycling/Curbside Collection Map and an Election District Map for the Borough of Middlesex in the amount of \$3,360; and

WHEREAS, the proposal dated June 8, 2015 updating the existing street map and index includes:

- Two 18" X 24" Copies of the new Street Map with street index, Recycle/Curbside Collection Map and Election District Map in color
- Two 24" X 36" Copies of the new Street Map with street index, Recycle/Curbside Collection Map and Election District Map in color
- Two 30" X 42" Copy of the new Street Map with street index, Recycle/Curbside Collection Map and Election District Map in color
- Two (2) CD-ROM containing printable PDF copies of each new Street Map with corresponding street index, Recycle/Curbside Collection Map and Election District Map in color.

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 approve the Computer-generated updated Municipal Street Map, a Recycling/Curbside Collection Map and Election District Map for the borough of Middlesex in an amount not to exceed \$3,360.00
2. This resolution shall take effect immediately.

NOW FURTHER BE IT RESOLVED, that the Treasurer hereby certifies that funds in the amount of \$3,360.00 is available in Account No. 01-2010-35-4702-101.

The Borough Clerk read the following resolution:

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

Resolution #190-15

WHEREAS, the governing body received a proposal from Remington, Vernick & Vena Engineers for the inspection/material testing (15% of construction) services for the 2014 NJDOT Municipal Aid Program Grant for Marlborough Avenue; and

WHEREAS, the proposal dated September 15, 2014 for the inspection/material testing (15% of construction) services is for a fee in an amount not to exceed \$39,100.

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 approve the proposal from Remington, Vernick and Vena Engineers dated September 14, 2014 for the inspection/material testing (15% of construction) services for the 2014 NJDOT Municipal Aid Program Grant for Marlborough Avenue in an amount not to exceed \$39,100.
2. This resolution shall take effect immediately.

NOW FURTHER BE IT RESOLVED, that the Treasurer hereby certifies that funds in the amount of \$39,100.00 is available in Account No. 04-1857-00-1857-84.

Councilman Greco made a motion for approval seconded by Councilman Mikolajczyk and carried by the following roll call vote: Ayes: Dotey, Kaplan, Greco, Madden, Mikolajczyk 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 #191-15

The Tax Collector is hereby authorized to cancel 2015 taxes on the following properties. These properties are owned by the Borough of Middlesex and are tax exempt.

BLOCK/LOT	ADDRESS	AMOUNT
229/15	Rock Ln	\$ 818.20
229/17	Rock Ln	\$1,227.30
229/20	Rock Ln	\$1,227.30
229/23	Rock Ln	\$ 818.20

The Borough Clerk read the following resolution:

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

Resolution #192-15

The Tax Collector is hereby authorized to cancel and/or amend 2013 Sanitary Sewer Use Charges on the following property. The amount reported by NJ American Water was incorrect.

<u>BLOCK/LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
263/3	Chen, Jian Hua 136 Bound Brook Rd	\$1,925.65

The Borough Clerk read the following resolution:

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

Resolution #193-15

The Tax Collector is hereby authorized to cancel and/or amend 2013 Sanitary Sewer Use Charges on block 42, lot 5, 651 Bound Brook Road. This is a restaurant with a residential apartment above that is serviced by the same water meter. The billing is to be reduced by the residential usage allowance of 75,000 per quarter based on Borough ordinances. The previously billed amount was \$6,830.73. The amended amount due is \$3,463.14.

Mayor Dobies removed Resolution #193-15 from the consent agenda and tabled it to be placed on the next Executive Session.

The Borough Clerk read the following resolution:

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

Resolution #194-15

Accepting the resignation of Carol Schenck as a school crossing guard for the Middlesex Police Department effective immediately.

The Borough Clerk read the following resolution:

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

Resolution #195-15

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

WHEREAS, pursuant to N.J.S.A. 40A:11-3(a) the Borough of Middlesex has established its bid threshold at \$36,000; and

WHEREAS, on July 1, 2015 pursuant to N.J.S.A. 40A:11-3(c) the bid threshold was increased from \$36,000 to \$40,000.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Middlesex, in the County of Middlesex, in the State of New Jersey hereby increases its bid threshold to \$40,000.

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

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

The Borough Clerk read the following resolution:

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

Resolution #196-15

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 #197-15

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF
PORTABLE RADIOS FOR FIRE DEPARTMENT**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase portable radios 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, Motorola Solutions is under State Contract No. 83909 for the year 2015; and

WHEREAS, the cost for the purchase of portable radios is \$43,432.20; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of portable radios for the Fire Department is ordered under State Contract No. 83909 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount of \$43,432.20 are available in Account No. 04-1832-00-1832-74.

The Borough Clerk read the following resolution:

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

Resolution #198-15

The Tax Collector is hereby authorized to issue a check in the amount of \$18,221.01 to redeem tax sale certificate #2013-1817 and a check in the amount of \$12,000 for a tax sale premium on Block 241, Lot 10, 146 Coleman Street. 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 #199-15

The Mayor and Council hereby accept Lt. Frank Bottiglieri's retirement effective September 1, 2015 and authorize the Treasurer to pay Lieutenant Bottiglieri his full allowance of \$39,666.66 in accordance with his PBA Contract in the next regular borough payroll of September 4, 2015.

The benefits include the following:

9.5 Unused Vacation Days	\$4,300.46
105 Hours Compensation Time	\$5,941.95
3 months Terminal Leave	\$29,424.25
TOTAL	\$39,666.66

The Borough Clerk read the following resolution:

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

Resolution #200-15

The Mayor and Council hereby accept Merari Gaud's resignation effective August 18, 2015 and authorize the Treasurer to pay Ms. Gaud the following benefits (pending any potential adjustments to compensation hours):

4.5 Unused Vacation Days	\$549.95
2.5 Hours Compensation Time	\$81.48
TOTAL	\$631.43

The Borough Clerk read the following resolution:

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

Resolution 201-15

WHEREAS, Lewis E. McDougal, 909 Hazelwood Avenue, Middlesex, NJ 08846 has met all the requirements by the Middlesex Police Department to become a school crossing guard.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey hereby hire Lewis McDougal as a Middlesex Borough School Crossing Guard at \$13.77/hr.

The Borough Clerk read the following resolution:

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

Resolution #202-15

WHEREAS, Mayor Dobies has put together a policy titled “Assigned Borough Vehicles” to be included in our Personnel Policy Guide; and

WHEREAS, the Mayor requested that the Borough adopt this new policy for certain individuals as listed in the Assigned Borough Vehicles policy.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Middlesex, County of Middlesex, and State of New Jersey adopt the new “Assigned Borough Vehicles” policy and include it in the Personnel Policy under Section 48 titled Assigned Borough Vehicles.

Councilman Madden questioned why this policy isn’t in the Code Book. Mayor stated that this for assignment of Borough vehicles.

Council President Kaplan would like to see Section 48.2 (e) be changed to state “The approval of the Mayor or his designee in the Mayor’s absence, is required to keep the automobile overnight for meetings, conferences, etc.” Council President Kaplan would also like to incorporate the Middlesex Borough’s Alcohol and Drug-Free Workplace Zero Tolerance Policy under section 48.5. which states “Violation of this policy shall result in termination.”

The Borough Clerk read the following resolution:

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

Resolution #203-15

RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF

BLACKBERRY ENTERPRISE SERVICE SILVER ANNUAL SUBSCRIPTION

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase BlackBerry Enterprise Service Silver Annual Subscription 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 2015; and

WHEREAS, the cost for the purchase of the annual subscription is \$884.00; 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 purchase of BlackBerry Enterprise Service Silver Annual Subscription is ordered under State Contract No. 77560 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount of \$884.00 are available in Account No. 01-2010-20-1401-062.

The Borough Clerk read the following resolution:

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

Resolution #207-15

The Governing Body hereby wishes to appoint Matthew Geist as Chief of Police for the Borough of Middlesex effective July 15, 2015.

The Borough Clerk read the following resolution:

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

Resolution #204-15

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

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Filming in the Parks – Borough Clerk asked that we create a policy for filming in the park as there has been request in the past few years. Council agreed to have the Recreation Director create a policy and bring to the Recreation Commission. The Recreation Commission will make a recommendation to the Borough Council after final review.
2. Ed Johnson's Letter regarding Piscataway Sewer User Charges – Mayor Dobies recommended that we move forward having our attorney investigate a possible lawsuit regarding the Piscataway sewer user charges and to have the attorney reach out to Piscataway's Attorney for their most recent contract. Attorney Aithal asked that we put this in Executive Session for the next meeting so that if we chose to pursue a lawsuit we should know the plus and minus' and the cost of litigation.
3. Mayor Dobies spoke to council authorizing Predator to clear strip of land between back of homes on Melrose Avenue to the river and from Melrose Avenue to Greene Avenue in the amount of \$48,000. A consensus of the council was taken and a resolution will be added on to tonight's meeting to move forward.
4. Motorcycle Run Police Overtime – The American Legion is looking for the Borough to waive the approximate cost of \$600.00 for police overtime for the Motorcycle Run held on Sunday, August 9th which donated the proceeds to the veterans. Councilman Schueler asked if we could do this as a contribution to a charity. Mayor Dobies will look into this. A motion was made by Councilman Madden to waive the police overtime cost seconded by Councilman Mikolajczyk and carried by the following roll call vote: Ayes: Dotey, Kaplan, Greco, Madden, Mikolajczyk and Schueler. No: None. Abstain: None

PUBLIC COMMENTS

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

Mayor Dobies stated that at the last meeting a person complained about being taken to court to pay a \$25.00 fee and this required his attorney to be there which cost him \$2,500.00. Mayor Dobies spoke with the Zoning Officer/Code Enforcer and she indicated that she dropped the charges on both Richie's Tires, Inc and Rescue Wreckers, Inc but did charge the individual who pleaded guilty to the violation and received a \$25.00 fine and therefore did not need an attorney. An attorney is only required when the company or corporation is being fined.

John Ellery, 701 Lincoln spoke about the following items. (1)The eye doctor next to the Brake Shop would like to buy the property next to his building. It is known as Promenade Walk but is not used as it is full of overgrown vegetation, (2) Instead of spending the \$2,000 to bring the Sewer calculations up to date so that it's not being done manually, we should resolve the ordinance issues. Mr. Ellery also asked that Councilman Kaplan contact Richie Malt, and (3) Congratulations on Police Chief – Great job!

Carol Terracino, 429 Edgeworth Street stated that she is a lifetime member of the swim pool and has an 18 year old swimmer on the swim team. In 25 years as a member she had never been threatened. It's appalling and negligent that the people who live on Market Street are threatening the visiting swim pool teams and their parents for parking on Market Street. There are only 4 home meets and they last no longer than a soccer or baseball game.

Mayor Dobies mentioned that there is an ongoing investigation and will speak with our new Police Chief regarding the matter. The Mayor has set up an Ad Hoc Committee to resolve the issue and get back to the council with their recommendations.

Mrs. Terracino doesn't feel that the Market Street people should not get any special treatment as there are a lot of issues in town more important as the safety issue by Mauger School baseball fields. When making the turn off of Edgeworth there are cars parked on Woodland by the field that is causing a major safety concern. She hopes that we look at all concerns not just what the people want on Market Street.

Carl Terracino, 429 Edgeworth Street stated that he doesn't want children from other towns being harassed. During the swim season there were 4 days when the parking lot was full this year. He questioned if Market Street is public a public street why can't people park on it.

Mayor Dobies stated that the problem isn't the amount of parking but that the people want to be closer to the pool and not have to walk if they have to park further away in the parking lot.

Councilman Mikolajczyk stated that the committee met with the Chief and they have a rough idea of a plan of action which will be presented at the next meeting.

Ritchie Sowden, 107 Egel Avenue stated that he just spoke with his attorney and he did need to bring his attorney over a \$25.00 fine. Mr. Sowden repeated that Middlesex Borough is not business friendly anymore.

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 #205-15

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. Chief of Police Salary
2. Administrator Candidates
3. CFO Candidates
4. Health Benefit Waivers
5. Court Salary

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

Councilman Madden 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
	John Madden
	Bob Schueler
	Jack Mikolajczyk

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 #206-15

Authorizing Predator Tree Service to clear strip of land between back of homes on Melrose Avenue to the river and from Melrose Avenue to Greene Avenue in the amount of \$48,000.00.

The Treasurer hereby certifies that the funds in the amount of \$48,000.00 are available in Account No. 04-1832-00-1832-91.

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

ADJOURNMENT

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

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
SEPTEMBER 8, 2015**

MAYOR'S STATEMENT: Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of January 2, 2015 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 (absent)
	John Madden
	Bob Schueler
	Jack Mikolajczyk

Attorney: Aravind Aithal

Mayor Dobies added the hiring of two crossing guards to the Regular Agenda and also the appointment of Bob Edwards as an alternate to the Zoning Board of Adjustments.

APPOINTMENTS

1. Councilman Dotey moved to accept the resignation of John McNulty from the Zoning Board seconded by Councilman Mikolajczyk and carried by a unanimous vote of Council.
2. Councilman Mikolajczyk moved to appoint John Fuhrmann as a member of the Zoning Board seconded by Councilman Dotey and carried by a unanimous vote of Council.
3. Councilman Dotey moved to appoint Robert Edwards as Alternate II to the Zoning Board seconded by Councilman Madden and carried by a unanimous vote of Council.

PROCLAMATIONS

The Borough Proclaimed Nadine Chemey as the "Elk's Citizen of the Year"

PROCLAMATION

WHEREAS, Nadine Chemey received her undergraduate degree in Mathematics/Secondary Education from Holy Family University in 1987 and her graduate degree in Curriculum/Instruction in 2010 from Marygrove College in 2010; and

WHEREAS, Nadine Chemey teaching career included St. Cecelia's School in Philadelphia, McNair Academic High School in Jersey City and finally, Middlesex High School; where she has been a Mathematics teacher for twelve years, and was awarded Teacher of the Year in 2008; and

WHEREAS, Nadine Chemey was Class Adviser to the Class of 2006, Advisor to chess club, and has been the adviser of the National Honor Society for ten years and continually volunteers her time to the school district through faculty council, DECA, chaperoning events as well as many other activities; and

WHEREAS, as adviser to the National Honor Society, Nadine Chemey has organized numerous fundraisers to financially assist Middlesex families dealing with catastrophic illnesses as well as hosting the annual Memorial Day Assembly at the high school to honor our veterans. Last year, the National Honor Society organized a complimentary trip for local veterans to Washington, DC for the day, complete with meals and a welcome home salute with the help of the Boy Scouts, Girl Scouts, and the Welcome Home Committee.

WHEREAS, Nadine Chemey has been a Girl Scout Leader of Troop 60509 in Service Unit 64 since 2002, and Service Unit Manager for 4 years, and her troop volunteered in numerous community service activities such as Family Fun Day, Tree Lighting, Caroling for Can, and SHIP. She was awarded Dedicated Leader and Outstanding Volunteer awards by Girl Scouts Heart of New Jersey Council.

WHEREAS, Nadine Chemey as a recent member of the Elks is Chairperson for Youth Activities and recently created a partnership with the Elks and the Middlesex Recreation Department and along with her daughter, Alaina established "Buddy Ball", a recreational sports program for Special Needs Children; and

WHEREAS, Nadine Chemey has been a resident of Middlesex Borough since 1992 and lives with her husband Alan and three children Daniel, Alaina, and Megan, a special needs child and past recipient of "Elks Child of the Year".

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 congratulate Nadine Chemey as the Middlesex Elks "Citizen of the Year" and hereby set my hand and the Seal of the Borough of Middlesex to be affixed on this 8th day of September, 2015.

PRESENTATIONS-NONE

PUBLIC HEARING

The Borough Clerk read Ordinance No. 1880-15 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1880-15

**AN ORDINANCE TO AMEND CHAPTER 18, MUNICIPAL COURT, SECTION 18-8 PLACE;
HOURS IN THE CODE OF THE BOROUGH OF MIDDLESEX**

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

Section 18-8 Place; Hours is amended to read as follows:

The Municipal Court shall be held in the Borough Hall. The Municipal Magistrate shall sit on each Monday from 5:00 P.M., prevailing time, until the calendar is completed and at such other times as the business of the Court may require subject to the rules adopted by the Courts of New Jersey.

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 18, Municipal Court, Section 18-8 to read 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. 1880-15. Seeing that there was no public participation, Mayor Dobies closed the public hearing on Ordinance No. 1880-15.

Councilman Dotey made a motion for adoption of Ordinance No. 1880-15 seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

NEW BUSINESS - NONE

ADOPTION OF MINUTES

Councilman Dotey moved to approve the August 11, 2015 Regular Meeting Minutes and Executive Session Meeting Minutes seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Madden, Mikolajczyk and Schueler. No: 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 - Councilman Greco was absent.
3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Councilman Dotey reported that we received a letter from Jack Costa requesting the use of the 2015 Form F350 for 10-75 Emergency Lighting at the 2015 NJ Fireman's Convention. All required indemnification paperwork has been obtained. Councilman Dotey made a motion to approve the vehicle attend the Fireman's Convention seconded by Councilman Madden and carried by a unanimous vote of Council.
 - B. Councilman Dotey moved to accept Brian Chomen as Engineer of Engine 22 and Randy Rudnick as Assistant Engineer of Engine 22 seconded by Councilman Mikolajczyk and carried by a unanimous vote of Council.
 - C. Councilman Dotey moved to accept William Coughlin as an active member of the Middlesex Fire Department seconded by Councilman Mikolajczyk and carried by a unanimous vote of Council.
 - D. Mayor Dobies also reported that the Fire Department has been very active this week with a fire at the Hamiltonian Apartments and also a fire in Dunellen. There were no injuries reported.
4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler reported that the DPW has been working on restriping the sidewalks and stop bars in the area of the schools and along Main streets leading to the schools, most noticeable on Harris Ave.
 - B. The DPW has rebuilt 3 storm basins specifically at Greenbrook Road behind Texas Weiner, Cook Avenue and on Mt. View Terrace. I personally thank them for the Greenbrook Road one that was really affecting driver's suspensions and causing traffic tie ups, as it reduced that intersection to one lane.
 - C. Councilman Schueler also mentioned that the DPW worked with the Board of Ed to address the cleanliness and potential rodent reinfestation behind the Mauger School by pouring a 12x 24 foot concrete pad to help clean up the garbage shed area and garbage containers.
 - D. DPW addressed a safety concern at 521 Cook Ave and the Burger Property on Lincoln Blvd. We will make sure that these charges are billed to the absentee property owner or property management group.
 - E. The DPW prepped the area, including removal of old pad and formed out area to put in a pad for backup generator for Lincoln Hose Fire Company where we have two fire trucks housed.

- F. The DPW obtained 6x6 landscape ties and 1-2 tons of clean stone that can be repurposed by the DPW from a site where a house was removed. They have also continued to work on the pot hole list, filling 45-60 pot holes since August, continued to prep fields for rec and local football teams, Tree trimming along 400 block of Hancock safety issue, swept all parking lots for schools where construction was going on in preparation of school opening, installed a new hot water heater in High School snack shack (one was never there) needed for area where food is being served.
 - G. The DPW has also had an electric upgraded to have light switches installed in mens and ladies bathrooms and storage room at High School football field, and for safety issue, there was only a central breaker in the snack shack area to turn on the lights.
 - H. All of the above jobs were done on top of normal garbage pickup, field maintenance, sign repair, and dead animal pickups.
 - I. Councilman Schueler also reported that basin cleaning has begun and they have done approximately 150 and completed repairs on 6 Catch basins including 2nd Street, Weiss Drive, and Cap Lane. Councilman Schueler recommended the DPW look at Cedar on both sides of the street as he noticed on the southwest side of street it was clogged with debris last Friday. DPW worked with County Mosquito Control Commission to remove obstructions from stream by West Second Street. This appears to have been just in time based on the rain we had this morning and today.
 - J. Councilman Schueler also mentioned that he wanted to commend Bob Teutsch and the DPW as Police Chief Geist sent a letter regarding the DPW street striping and sidewalk striping and indicated that it really showed a commitment to the safety of the town.
5. Police/Legal/Code Enforcement/Construction/Municipal Court
- A. Police Department Changes – The Police Department are coordinating interviews for three new patrol officers. The website, facebook and twitter have been updated. The bicycle has been serviced and training classes have been conducted for use of the bike.
 - B. Councilman Madden made a motion to approve the July, 2015 Police Department Monthly Report seconded by Councilman Dotey and carried by a unanimous vote of Council.
 - C. Councilman Madden reviewed with the Public the new Child Passenger Safety Law which took effect September 1, 2015.
 - D. Councilman Madden made a motion to approve the July, 2015 Municipal Court Report seconded by Councilman Dotey and carried by a unanimous vote of Council.
6. Administration/Department of Senior Services/Legislation/Licensing
- A. Councilman Mikolajczyk reported that he will be meeting with the Borough Clerk to review the Organizational chart.

- B. Councilman Mikolajczyk also mentioned that schools have now opened, and most of the Board of Education construction work has been completed.
- C. In regard to HUD, work is progressing with Daisy Park, the Lincoln Statue and at the Recreation Center. The Committee is hoping to expend the outstanding grant funds that were received from past years.
- D. The 911 Memorial Service is scheduled for Friday, September 11, 2015 at 7PM.

REPORTS

Mayor

1. 2016 NJDOT Road Grant – Mayor Dobies forwarded pictures to council and indicated that Blackford Avenue, Egel Avenue and Wood Avenue do not warrant a mill and overlay, much more extensive work is needed in this business area. The borough usually receives approximately \$350,000, and the grant application must be submitted by October, 2015.
2. Private Landscaper Cost Limit – Mayor Dobies indicated that the cost of work we are looking at to pay the outside contractors far exceeds the cost that we have in our ordinance. We presently have 2 landscapers that have applied to do this work and Mayor Dobies is recommending that the council allow the Code Enforcer to approve up to a maximum of \$1,000 on these properties. Councilman Mikolajczyk made a motion to approve Ms. Palumbo going up to \$1,000 to have the landscapers clean up the properties seconded by Councilman Madden and carried by a unanimous vote of Council.
3. CFO Position - .Mayor Dobies will be speaking again with a potential candidate that was interviewed for this position. This position is a part time position, and will be for 6 hours per week. Mayor Dobies will update council on this potential candidate.
4. Mayor Dobies discussed a company called Safe Guard that comes out and cleans out vacant homes. The cost would be paid by the bank. Mayor Dobies will forward information to council.
5. Councilman Schueler indicated that there are several areas with houses that have abandoned pools. Councilman Schueler concerned that there are pools that have water in them with no fence. He will advise Mayor Dobies of these addresses.

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 wish to remove Resolution #213-15 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 #208-15 – Resolution 212-15
Resolution #214-15 – Resolution #217-15

Councilman Dotey made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Madden, Mikolajczyk 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 #208-15

The Tax Collector is hereby authorized to waive interest on the following 2012 Sanitary Sewer Use Charge billing. The new owner of the laundromat, Air Fresh Laundromat, was unaware of an outstanding bill. The old owner was not responding to delinquent notices and has subsequently filed bankruptcy.

Block 186, Lot 1 730 Union Avenue \$933.07 interest

The Borough Clerk read the following resolution:

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

Resolution #209-15

Authorizing the Mayor and Borough Clerk to execute the Yard Waste Interlocal Service Agreement with the Middlesex County Improvement Authority for a term expiring July 31, 2017.

The Borough Clerk read the following resolution:

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

Resolution #210-15

WHEREAS, the Borough of Middlesex has participated as a member of the Middlesex County Municipal Joint Insurance Fund (hereinafter the "Fund") existing pursuant to Chapter 372, Laws of 1983 (N.J.S.A. 40A:10-36 et. Seq.); and is desirous of continuing said membership for a term expiring on December 31, 2016; and

WHEREAS, the governing body of the Borough of Middlesex membership in the Fund is in the best interest of the municipality.

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

SECTION 1. The Borough of Middlesex hereby agrees to continue as a member of the Fund for a period commencing January 1, 2016, and terminating on December 31, 2018 for the purpose of securing the following types of insurance coverage:

- a) Workers Compensation and Employer's Liability
- b) General Liability Coverage (including Public Official, Police Professional).
- c) Motor Vehicle and Equipment Liability Coverage
- d) Property Damage Coverage (including Building & Contents, Automobile Physical Damage, Contractors Equipment, Boiler & Machinery and Public Employee Blanket Bonds).

After the expiration of the said three (3) year period of membership, participation may be canceled or extended in accordance with the ByLaws of the Fund.

SECTION 2. For the purposes of contribution of sums into the Fund to be designated for administrative costs and claims, the Borough of Middlesex hereby agrees to obtain the types of coverage from the Fund as are set forth in Section 1 of this Resolution and the Indemnity and Trust Agreement to be signed by it.

SECTION 3. The ByLaws of the Middlesex County Municipal Joint Insurance Fund, attached hereto, have been adopted and accepted.

SECTION 4. The Governing Body is hereby authorized and directed to execute an Indemnity and Trust Agreement signifying continued membership.

The Borough Clerk read the following resolution:

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

Resolution #211-15

WHEREAS, Jim Ford was issued a street opening permit on 1/16/15; and

WHEREAS, Jim Ford deposited \$2500.00 with the Borough of Middlesex to ensure proper repair and maintenance of the roadway; and

WHEREAS, said roadway at 60 Washington Ave. 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 Jim Ford, 60 Washington Ave., Middlesex, NJ 08846, for refund of Street Opening Permit No. 2015-001.

The Borough Clerk read the following resolution:

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

Resolution #212-15

The Tax Collector is hereby authorized to amend 3rd quarter 2015 taxes from \$4,516.47 to \$2,301.29 & 4th quarter 2015 taxes from \$4,516.46 to \$2,301.28 on Block 47, Lot 3.01, 425 Second St. There was a computer calculation error that did not take into account the 1st & 2nd quarter payments billed and/or made.

The Borough Clerk read the following resolution:

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

Resolution #214-15

The Tax Collector is hereby authorized to cancel and/or amend 2013 Sanitary Sewer Use Charges on the following property. The tax credit for assessed valuation was incorrect.

<u>BLOCK/LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
80/4	619 Union Ave Condo Assn	\$4,870.90 old
	619 Union Ave	\$4,714.64 new

The Borough Clerk read the following resolution:

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

Resolution #215-15

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. Checks are to be made payable to Jeffrey Buccellato.

BLOCK/LOT	NAME	AMOUNT	ACCOUNT #
284/62	758 Drake Ave	\$ 71.00	7760142533
321/36	519 Fairview Ave	\$128.45	680034998
279/38	810 Voorhees Ave	\$ 32.54	680036753
278/7.01	817 Voorhees Ave	\$ 10.80	680037223
278/7	817 Voorhees Ave	\$120.69	680037595
278/7.02	819 Voorhees Ave	\$143.01	680039153
160/45.01	213 Fairview Ave	\$ 20.46	680043940
160/45.01	207 Fairview Ave	\$251.31	680045556
160/45.02	213 Fairview Ave	\$252.58	680047149
333/6	604 Decatur Ave	\$251.74	680049988
314/33	600-602 Voorhees Ave	\$251.44	680052552
314/35	604-606 Voorhees Ave	\$251.44	680052545

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 #216-15

The Tax Collector is hereby authorized to waive interest on the below properties due to a recording error at Middlesex County / Assessor's office. The owners name and mailing address was changed to an incorrect property owner. Dow Chemical never received the tax bills due to this error. It took several weeks to research and issue corrected bills.

Block/Lot	Name & Address
363/1	The Dow Chemical Company Along Raritan River
363/2	The Dow Chemical Company Along Raritan River
363/3	The Dow Chemical Company 150 River Rd
363/4	The Dow Chemical Company River Rd

The Borough Clerk read the following resolution:

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

Resolution #217-15

The Tax Collector is hereby authorized to transfer monies from TD Bank escrow to the Current Fund MRNA account for a tax sale premium on a foreclosed property.

Block 242, Lot 21 – TTL #2010-1739 – 127 Coleman Street - \$1,500.00
The check should be made payable to: Borough of Middlesex

The Borough Clerk read the following resolution:

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

Resolution #221-15

WHEREAS, Eileen A. Rourke, 317 Lorraine Avenue and Barbara Lupinski, 354 Hazelwood Avenue have met all the requirements by the Middlesex Police Department to become school crossing guards.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey hereby hire Eileen A. Rourke and Barbara Lupinski as Middlesex Borough School Crossing Guards at \$13.77/hr.

The Borough Clerk read the following resolution:

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

Resolution #213-15

WHEREAS, the New Jersey Department of Transportation (NJDOT) recently completed a traffic investigation on Route 28 in Middlesex borough; and

WHEREAS, NJDOT recommends a revision to the centerline pavement markings on Route 28 to create a “No Passing Zone” in the vicinity of M.P. 10.88 (Fairfield Avenue) for safety reasons; and

WHEREAS, this project will create safer driving conditions in this area of Route 28.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, in the County of Middlesex, in the State of new Jersey, that it supports the use of a “No Passing Zone” on Route 28 in Middlesex Borough as recommended by NJDOT.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to NJDOT as requested.

Councilman Dotey made a motion for approval seconded by Councilman Mikolajczyk and carried by the following roll call vote: Ayes: Dotey, Madden, Mikolajczyk 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 #193-15

The Tax Collector is hereby authorized to cancel and/or amend 2013 Sanitary Sewer Use Charges on block 42, lot 5, 651 Bound Brook Road. This is a restaurant with a residential apartment above that is serviced by the same water meter. The billing is to be reduced by the residential usage allowance of 75,000 per quarter based on Borough ordinances. The previously billed amount was \$6,830.73. The amended amount due is \$3,463.14.

Councilman Schueler made a motion to remove Resolution #193-15 from the table seconded by Councilman Madden and carried by unanimous vote of Council.

Mayor Dobies recommended that this resolution be rejected at this time based upon the recalculating of the square footage of the business and apartment.

Councilman Schueler made a motion to reject Resolution #193-15 seconded by Councilman Mikolajczyk and carried by the following roll call vote: Ayes: Dotey, Madden, Mikolajczyk 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 #219-15

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 Mikolajczyk and carried by the following roll call vote: Ayes: Dotey, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Mandatory Electronic Pay – Council approved the borough requiring mandatory electronic pay for all employees. An ordinance will be put on the September 22, 2015 Agenda.
2. Amending the Zoning Ordinance – Chapter 420-15 Accessory Structures & Chapter 420-62 Fences – The governing body approved that the proposed amendments sent to them by the Zoning Board of Adjustments be forwarded to the Planning Board for their review and recommendations.
3. Draft Solid Waste Facility Permit Renewal for Importico, Inc. – This letter from Attorney Clarkin was included on the agenda for informational purposes.
4. Middlesex Recreation Department – Job Coaching Work Site Agreement – The Recreation Director is awaiting fingerprints of the Director that will be supervising the students. Mayor Dobies requested that the Clerk have the Recreation Director follow up with the school for the status of the fingerprinting.

PUBLIC COMMENTS

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

Rich Malt read the following letter from the Middlesex Borough Business and Professional Association:

Mayor and Council Members:

I am here once again this evening on behalf of a cohort of Borough businesses that are concerned that the current sewer ordinance and/or its implementation by the Administration have unfairly, and perhaps unlawfully, placed a disproportionate share of the costs of the Borough's sewer operations on the Borough's business community.

On the basis of these concerns, I have submitted several OPRA requests to the Borough over the course of the past fifteen months and received back a pile of papers that have only reinforced our concerns.

Based on those concerns and the level of charges being shouldered by the business community, we have now taken the step of retaining an attorney who has some level of expertise in the formation, operation and regulation of sewerage authorities and utilities. His name is David Ruitenberg and, as you are probably aware, Mr. Ruitenberg has already been in touch with the Borough's Administration and its legal counsel.

Based on Mr. Ruitenberg's review of the Borough documents previously provided to me, he has now submitted a supplemental OPRA request in the hope of obtaining a better understanding of the Borough's implementation of its unnecessarily complicated billing structure.

Following his review of these additional documents, we hope to be in a position to sit down with representatives of the Borough to discuss our concerns, the Borough's needs and concerns, and whether there might be a better way to move forward in the future that takes all of our needs and concerns into account. I'm not sure what that looks like as I stand here today, but I hope we can all agree to work together toward the goal of instituting a more equitable system of charges.

Thank you for your time.

John Ellery

Sharon Smigel, 27 Washington Avenue questioned why Resolution #218-15 was on the Agenda, since it is also in Executive Session. Also, if it was a union position. Mayor Dobies indicated that it was placed on the Non-Consent Agenda, so that the Council could discuss in Executive Session prior to taking a vote adding that it is a union position.

John Ellery, 701 Lincoln Boulevard questioned Resolution #193-15 and the owner that received a letter and paid his bill. Mr. Ellery insisted that this resolution was approved in the minutes. Mr. Ellery also questioned who makes the decisions to refund money back.

Mayor Dobies indicated that a clerical mistake was made with Resolution #193-15 and this will be corrected. Also, Mayor Dobies indicated that he and the Acting CFO make decisions on refunding fees.

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 #220-15

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. Chief of Police's Contract
2. DPW Manager Test & Recycling Coordinator Position/Class Attendance
3. Violation's Clerk Position
4. Potential Suit – Private Communication Leak
5. Sewer Fee – Resolution #193-15
6. Piscataway Sewer User Charges & Potential Suit
7. Part Time Salaries & Stipends

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

Councilman Madden 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 (absent)
	John Madden
	Bob Schueler
	Jack Mikolajczyk

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 #218-15

The governing body hereby hires Daniela Cordero, 1145 Meister Street, South Plainfield, NJ to work as the Violations Clerk at \$32,000 per year, 37 ½ hours per week, which hours will be staggered to replenish the Court session overtime, as stated in the White Collar Contract, Article 9 – Salary and Other Compensation. This job is pending a satisfactory background and physical.

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

ADJOURNMENT

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

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
SEPTEMBER 22, 2015**

MAYOR'S STATEMENT: Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of January 2, 2015 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
	John Madden
	Bob Schueler
	Jack Mikolajczyk (Absent-Work)
Attorney:	Aravind Aithal

APPOINTMENTS-NONE

PROCLAMATIONS-NONE

PRESENTATIONS

Ms. Palumbo, Code Enforcer/Zoning Officer attended the meeting to discuss the possible hiring of a part time inspector that would report to her and help on days that she was not in the borough. This inspector would be responsible to help her identify vacant properties and assure of their maintenance. She would be looking for this individual to work 15 – 20 hours per week, primarily on weekends. The Code Enforcer is having a difficult time staying on top of these vacant properties, and now with the landscaping ordinance, by the time they are identified and there is a follow up, it takes 3 – 4 weeks to know which entity is responsible and at that time the overgrowth of the property has gotten out of control. She is looking to be more proactive, and would also like to use this individual also for housing complaints. At this time she has brought in \$19,000 from the landlord registrations and expects to take in approximately \$25,000 each year. Mayor Dobies will work on a salary and job description for this position and bring back to council.

Ms. Palumbo also mentioned that with the election coming up, all political signs must be no more than 32 square feet and must be removed within 30 days of the election.

PUBLIC HEARING-NONE

NEW BUSINESS - NONE

ADOPTION OF MINUTES

Councilman Dotey moved to approve the September 8, 2015 Regular Meeting Minutes and Executive Session Meeting Minutes seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Madden, and Schueler. Nos: None. Abstain: Greco & Kaplan.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance
 - A. Councilman Kaplan mentioned with he has spoken with Ms. Fuhrmann about senior citizen members from Dunellen that come into Middlesex and would like to approach Dunellen to possibly consider getting a shared services with Dunellen for those seniors. Councilman Schueler made a motion to move forward and contact Dunellen about a possible shared service seconded by Councilman Greco and carried by a unanimous vote.
2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco reported that October 17, 2015 is the scheduled Family Fall Festival at Mountain View Park and invited everyone to attend.
3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Councilman Dotey reported that Parker Fire House will be holding their Open House behind Borough Hall on October 9 from 6pm – 9pm
 - B. Councilman Dotey also mentioned that the By Laws of the Board of Health have been approved and they are now discussing the ordinance restricting smoking in public parks. They would like signs be put up in the areas that are restricted, which reference the ordinance number. Also in an appointed Board of Health Committee they are discussing restricting the sale of tobacco to individuals that are under 21.
4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler reported that the DPW took possession of a new 2015 Mack Garbage Truck and it will be registered and on the road shortly.

- B. The DPW replaced worn Stop signs in the Pierce section of town including No Parking street signs and speed limits, and catch basin repairs were done on Judson and Benart Place.
 - C. They have completed and did punch list items on the Pad for Generator at Lincoln Fire House, obtained 2 new containers in Recycle Yard, a 40 yard and 30 yard container, which were purchased with Recycle Trust money
 - D. Also, the DPW cleaned the pathway on Dorn Avenue that leads to Hazelwood to provide a safe path for children walking. When finished will have holes filled and the path covered with millings and roll it and have wood chips on the side.
 - E. They also bought up the issue of restricting traffic on roadway between Field 5 and Mountainview Park playground, with bollards or gates so that emergency vehicles can use but it is mostly for pedestrian and bicycle traffic. This is also the case with the flood road between Lee Drive and Parker Street.
5. Police/Legal/Code Enforcement/Construction/Municipal Court
- A. Councilman Madden made a motion to approve the August, 2015 Municipal Court Report seconded by Councilman Schueler and carried by a unanimous vote of Council
 - B. Councilman Madden made a motion to approve the August, 2015 Police Report seconded by Councilman Greco and carried by a unanimous vote of Council.
 - C. Councilman Madden stated that Chief Geist is in the process of interviewing for multiple patrolman positions at this time.
6. Administration/Department of Senior Services/Legislation/Licensing- Councilman Mikolajczyk was absent.

REPORTS

Mayor

- 1. Mayor Dobies appointed Councilman Greco, Councilman Mikolajczyk and Councilman Schueler to a special committee for ball fields.
- 2. Mayor Dobies got council approval to move forward with the hiring of two full time DPW employees.
- 3. Mayor Dobies discussed his meeting that he had with Ed Kahn, Attorney Aithal, DPW Supervisor Teutsch and Kathy Anello regarding clarifying the language of the DPW and White Collar Contract.
- 4. Mayor Dobies reported that the Fire Department is cleaning up the old Fire Headquarters facility on Grove Street and are requesting that the borough approve the waiver of fees for the storage container. Council approved a resolution be adopted this evening to waive these fees.

The Borough Clerk read the following resolution:

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

Consent Agenda 2014(R)

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

WHEREAS, the Mayor and Council of the Borough of Middlesex do 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 #222-15 – Resolution 225-15
Resolution #228 – Resolution #230-15

Councilman Dotey made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Greco, Dotey, Kaplan, Madden, 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 #222-15

The governing body hereby approves the renewal of the Shared Services Agreement for Animal Control Services between the Township of Franklin and the Borough of Middlesex for the period November 1, 2014 – October 31, 2017.

The Borough Clerk read the following resolution:

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

Resolution #223-15

WHEREAS, the residents of Wilson Street have requested to have a block party between Washington Avenue and Locust Avenue/Venice Avenue on October 11, 2015 between the hours of 1 p.m. and 4 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 between Washington Avenue and Locust Avenue/Venice Avenue on October 11, 2015 between the hours of 1 p.m. and 4 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 #224-15

The governing body hereby appoints Ms. Denise Biancamano as a part time CFO for the Borough of Middlesex for 6 hours per week for a salary of \$20,000 effective September 28, 2015, pending a satisfactory background check. Ms. Biancamano agrees to spend a minimum of 1 hour weekly (after 4:30 pm) within the 6 hour period with the Finance Office and agrees to work any additional hours needed during budget time.

The Borough Clerk read the following resolution:

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

Resolution #225-15

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE
OF A LEXMARK XM3150/XM1145 PRINTER, SCANNER, COPIER, FAX**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase a Lexmark XM3150/XM1145 printer, scanner, copier, fax 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, KDI Office Technology is under State Contract No. A51464 for the year 2015; and

WHEREAS, the cost for the purchase of a printer, scanner, copier, fax is not to exceed \$2,245.00; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of a Lexmark XM3150/XM1145 printer, scanner, copier, fax for the Police Department is ordered under State Contract No. A51464 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount not to exceed \$2,245.00 are available in Account No. 04-1818-00-1818-71.

The Borough Clerk read the following resolution:

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

Resolution #228-15

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

WHEREAS, On July 31, 2015 Chief Geist 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 "E" effective August 15, 2015 at an annual salary of \$67,662.

The Borough Clerk read the following resolution:

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

Resolution #229-15

Authorizing the Mayor and Borough Clerk to execute the Continuing Disclosure Agreement dated September 30, 2015 between the Middlesex County Improvement Authority and the Borough of Middlesex for various improvements and to acquire certain items of capital equipment.

The Borough Clerk read the following resolution:

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

Resolution #230-15

The governing body hereby approves dismissing the fees for the storage containers for use by the Fire Department at Fire Headquarters.

The Borough Clerk read the following resolution:

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

Resolution #226-15

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 Greco and carried by the following roll call vote: Ayes: Greco, Dotey, Kaplan, Madden, and Schueler. No: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Mayor Dobies discussed the proposed Zoning Ordinance Amendments for Fences and Accessory Structures which was discussed and approved by the Planning Board at the September 9, 2015 Planning Board Meeting. Copies of these amendments were referred back to Council for further action. Council agreed to introduce both of these ordinances at the October 13, 2015 Regular Meeting.

PUBLIC COMMENTS

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

Sharon Smigel, 27 Washington Avenue questioned if any changes were made to the White Collar Contract. Mayor Dobies indicated that Mr. Kahn has a copy of this contract and Appendix A had incorrect positions listed.

Brian Pollio, 77 George Avenue questioned the paving of George Avenue, as he feels that it is a serious safety hazard and someone is going to get injured by the potholes. Mayor Dobies mentioned that council was notified about the 2015 mill and overlay projects and George Street is included. Funds should be available by the end of September.

Rich Thomasey, 109 Greene Avenue spoke on the Victor Crowell Committee and their recommendation of creating an "avenue of lights" on the east side of Willow for the holidays. This would involve having the residents pick out a tree and use their own lights to decorate and organize a festival day. Mr. Thomasey wanted to know if there is interest in them pursuing this idea. Mayor Dobies recommended that Mr. Thomasey pursue this with the committee and bring it back to the council.

Mr. Thomassey also mentioned the problem with residents that walk their dogs at Victor Crowell Park and do not clean up after their animals. Although the DPW placed signs at the park, the problem has not been corrected. Mayor Dobies requested that Councilman Madden speak with the Police Chief about possibly increasing the police patrol in that area.

Sharon Smigel also mentioned the overrunning of Canadian Geese that are at the library. Mayor said that we have tried everything that has been done, and the staff is trying to move them along.

John Ellery, 701 Lincoln Boulevard questioned if the borough is going to write a new sewer ordinance and if sewer bills will be mailed out in December? Mayor Dobies feels that this should be passed on to a new mayor and council. Council President Kaplan mentioned that he has been in discussion with our professionals over the last week and should have more information by Friday, and would be willing to meet with Mr. Ellery next week with some answers.

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 #227-15

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. Chief of Police's Contract
2. Piscataway Sewer User Charges & Potential Suit
3. Part Time Salaries & Stipends

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

Councilman Madden moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by the following roll call vote.

ROLL CALL

Mayor
Council President

Ronald Dobies
Sean Kaplan
Kevin Dotey
Stephen Greco
John Madden
Bob Schueler
Jack Mikolajczyk (Absent-Work)

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 #231-15

Authorizing the Mayor to enter into an Agreement with Maraziti Falcon, LLP regarding the Piscataway Sewer litigation pending certification of funds and finalization of a contract.

Councilman Dotey made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Greco, Dotey, Kaplan, Madden, 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
OCTOBER 13, 2015**

MAYOR'S STATEMENT: Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of January 2, 2015 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 – sick)
	Kevin Dotey
	Stephen Greco
	John Madden
	Bob Schueler
	Jack Mikolajczyk

Attorney: Aravind Aithal

APPOINTMENTS-NONE

PROCLAMATIONS-NONE

PRESENTATIONS-NONE

PUBLIC HEARING-NONE

NEW BUSINESS

The Borough Clerk read Ordinance No. 1881-15 for introduction.

ORDINANCE NO. 1881-15

**AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY
OF MIDDLESEX, NEW JERSEY, CHAPTER 420,**

ZONING, SECTION 420-15 ACCESSORY STRUCTURES

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:

420-15 Accessory Structures

C. Area restrictions. The size of all accessory structures in residential zones shall be limited to no more than 50% of the size of the principal structure's footprint with a maximum of 800 square feet.

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 of Ordinance No. 1881-15 seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

The Borough Clerk read Ordinance No. 1882-15 for introduction.

ORDINANCE NO. 1882-15

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 420, ZONING, SECTION 420-62 FENCES

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:

420-62 Fences

F. The side of the fence that shall face the exterior property boundary shall be "finished". The "unfinished" side of a fence has all the support columns, posts, beams, brackets and/or hardware exposed. In the event of "two sided fences" where both sides of the fence are identical in appearance, the columns and posts shall be installed between each fence section. In the event a fence is attached to a column or post in a manner so as to allow that three (3)

sides of the column or post (or more than 25%) are visible, then this installation shall be deemed to have only one finished side.

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 Greco made a motion for introduction of Ordinance No. 1882-15 seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

The Borough Clerk read Ordinance No. 1883-15 for introduction.

ORDINANCE NO. 1883-15

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY CHAPTER 68, OFFICERS AND EMPLOYEES, REPEALING ARTICLE X BOROUGH ADMINISTRATOR, AND REPLACING IT WITH ARTICLE X, SECTION 68-40 OFFICE CREATED THROUGH SECTION 68-62 SEVERABILITY CLAUSE

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

SECTION ONE. The Code of the Borough of Middlesex, Middlesex County, New Jersey is hereby amended to the following:

68-40 OFFICE CREATED

The office of Borough Administrator is hereby created in and for the Borough of Middlesex by and subject to the provisions of this article and in accordance with N.J.S.A. 40A:9-136, 40A:9-137 and 40A:9-138, inclusive.

68-41 APPOINTMENT

The Borough Administrator shall be appointed by the Mayor with the advice and consent of the Borough Council. Said appointment shall be made within 120 days after the office becomes vacant unless this time is extended by resolution of the Borough Council. If the Mayor fails to make such appointment within said 120 days and agreed upon time frame, or the Borough Council fails to consent to the appointment made by the Mayor within thirty (30) days, the Borough Council shall appoint said Borough Administrator. Any vacancy which may occur in said position, whether the same occurs by death, resignation, or otherwise, shall be filled in the same manner. A vacancy shall be deemed to commence upon cessation of duties of the duly appointed Borough Administrator.

68-42 QUALIFICATIONS

- A. The appointment of a Borough Administrator shall be solely based on the administrative qualification of the appointee, with special regard to his/her education, training and actual experience in governmental affairs. Bachelor's or Master's degree in government or a related field, and at least three (3) years of direct experience in government are the minimum requirements. Completion of a certified public administration program is desirable and is consider a plus to the above qualifications
- B. The person appointed to the Office of Borough Administrator need not be a resident of the Borough at the time of their appointment and may reside outside the municipality.

68-43 TERM OF OFFICE

The Borough Administrator shall serve at the pleasure of the Mayor and Borough Council. During such term, the Administrator shall be subject to periodic review and evaluation of performance.

68-44 REMOVAL

The Borough Administrator may be removed by a 2/3 vote of the Governing Body (Mayor and Council). The Resolution of Removal shall become effective 3 months after its adoption by the Governing Body. However, the Governing Body may provide that the Resolution have immediate effect, in which case, the Administrator shall be paid forthwith any unpaid balance of his salary and his salary for the next 3 calendar months following of the Resolution.

68-45 TEMPORARY APPOINTMENT DURING ABSENCE OR DISABILITY

During any approved absence or disability of the Borough Administrator, the Mayor may appoint, subject to confirmation by the Borough Council, another individual or any employee or officer of the Borough to temporary perform the duties and responsibilities of the Borough Administrator. After three (3) months of such absence or disability, the position may be deemed vacant after recommendation by the Mayor and confirmed by the resolution of the Borough Council. Compensation, if any, for duties performed for an appointment under this section will be determined by the by recommendation of the Mayor and approved by the Borough Council. Section 68-41 of this Ordinance shall not apply to any appointment made pursuant to this section.

68-46 COMPENSATION

The Borough Administrator shall receive such compensation as shall be prescribed by annual salary resolution or ordinance of the Borough Council. The Borough Administrator shall be reimbursed for all reasonable expenses incurred in the performance of the office. The salary of an incumbent Administrator may not be reduced without the Administrator being advised of the

reasons for the reduction and being afforded an opportunity to meet with the elected officials to respond to their concerns.

68-47 FULL TIME POSITION

The Administrator shall perform the duties hereafter enumerated and such other duties as may be assigned by the Governing Body. The Administrator's entire time and effort shall be devoted to the performance of duties and functions of the position of Administrator and the Administrator shall not engage in any other occupation or employment while employed by Middlesex Borough, except as approved by the Governing Body.

68-48 POLITICAL ACTIVITY

The Borough Administrator shall not engage in any political activity, nor shall make any financial or other contributions to any local campaign, nor lobby the elected officials on behalf of a political party or campaign. However, nothing contained herein shall be deemed to prohibit the Borough Administrator from providing recommendations to the elected officials of Middlesex Borough on issues of concern to the municipality or from appearing before any other governmental body on behalf of the Borough when authorized or directed to do so.

68-49 DUTIES AND RESPONSIBILITIES

- A. The borough Administrator shall act as the chief administrative officer of the Borough. Duties shall include the development of rule and regulations for administrative procedures governing purchasing practices, operations of all departments, personnel management and general coordination of all departments, offices, boards, and agencies of the Borough, all for the purpose of increasing the effectiveness and efficiency of the Borough government and promoting its economic operation. All rules and regulations promulgated and implemented by the Borough Administrator shall be filed with the Governing Body and shall become the Borough's organization policy unless specifically amended or rescinded by the Governing Body.
- B. The Borough Administrator shall perform the duties hereafter enumerated and such other duties as may be assigned by the Governing Body.
- C. The Borough Administrator shall report annually to the Governing Body on the progress of each department; shall initiate goals and objectives to be reviewed on an annual basis with special emphasis on critical problems and deterrents to the achievement thereof.
- D. The Borough Administrator shall be responsible for the organization and management of the work, personnel and programs in all departments, for the development and operation of a personnel program for all employees; and he/she shall be accountable for the planning, organization, delegation, staffing, operation control, evaluation and correction in all departments to achieve maximum results.

- E. The Borough Administrator is given broad authority with the approval of the Governing Body to combine or eliminate functions, to redesign and reorganize work effort and to assign personnel to achieve maximum productivity.
- F. The Borough Administrator shall make assessments of Borough programs and operations reporting to the Governing Body on his/her findings, setting forth a remediation action plan if necessary or required changes in Borough ordinances and procedures.

68-50 PERSONNEL

The Borough Administrator shall:

- A. Supervise all personnel of the Borough through the respective department heads unless otherwise provided by law or this ordinance.
- B. Advise the Governing Body on all matters of personnel administration and organization and assign personnel the performance of all duties in all departments.
- C. Study, recommend, implement and enforce personnel organization and policy of the Borough and implement personnel leave policies as established by the Governing Body for all departments, except as otherwise provided by law for Police and Fire Departments.
- D. Maintain comprehensive personnel files and evaluation systems of job performance and duties.
- E. Administer and negotiate on behalf of the Borough all labor contracts.
- F. Serve as the personnel officer of the Borough and, with the concurrence of the Mayor, have the authority to hire, evaluate, transfer, promote, discipline and/or discharge all employees to the extent not prohibited by law or provided for elsewhere in the ordinances of the Borough. In those instances where the final authority rests with the Governing Body, the Borough Administrator shall assist that agency by recommending personnel actions which are consistent with those applied to other Borough employees.
- G. Investigate the affairs of any employee, officer, department, agency or authority of the Borough when necessary or directed by the Mayor or Council and submit a report relating thereto.

68-51 BUDGET

The Borough Administrator shall:

- A. Prepare the temporary budget for presentation in accordance with the state statutes.
- B. Prepare the annual capital and operating budget to be presented to the Governing Body. In preparing these budgets, the Administrator or an officer designated by the Administrator shall obtain from the department heads, committee, board, commission, agency, officers or authority estimates of anticipated expenditures and supporting data as requested.
- C. Prepare and complete budget studies, analysis, and schedules; assist in the conduct of public, departmental, board, committee and commission budget hearings; and in conjunction with the Chief Financial Officer, shall assist the Governing Body in such manner as they shall require in the review and adoption of the annual budget.
- D. Prepare and submit to the Governing Body an explanatory budget message, including a comparison of prior year's revenues, appropriations and expenditures as well as an analysis of the proposed revenues and expenditures.

68-52 FISCAL AFFAIRS

The Borough Administrator shall:

- A. Upon the adoption of the budget, insure that current accounts of the expenditures shall be kept on a monthly basis based upon the supplemental details if the adopted budget.
- B. Administer the budget after its adoption by the Governing Body, shall maintain a continuing review and analysis of the budget operation, work progress and costs of municipal services; and shall assess the attainment of the Borough budget and service goals, reporting the same regularly to the Governing Body.
- C. See that all money owed the Borough is promptly paid, and that proper proceedings are taken for the security and collection of all Borough claims.
- D. Study, recommend, implement, and enforce the financial procedures and policy of the Borough and its departments, after consultation with department heads and approval of the Governing Body.
- E. Supervise the disbursement of all Borough funds and review all purchases, vouchers and bills before submitting same to the Governing Body for final approval.
- F. Be responsible for the cash needs of the Borough and for the conduct of a sound investment and debt management program subject to the governing board policy and report such actions and results to the Governing Body semi-annually or more frequently when directed.

68-53 COLLECTIVE BARGAINING AND EMPLOYEE CONTRACTS

The Borough Administrator shall be responsible for the negotiation of collective bargaining contracts with agencies representing Borough employees, subject to the approval of the Governing Body, and administration and enforcement of such contracts and the Personnel Policies and Procedures of the Borough.

68-54 CONTRACTS

The Borough Administrator shall:

- A. See the provisions of all franchises, leases, permits and privileges granted by the Borough are compiled and provide periodic reports of said compliance upon request.
- B. Negotiate contracts for the Borough upon request of the Governing Body and subject to the approval of the Governing Body.
- C. Attend to letting of contracts, in due form of law and supervise their performance and faithful execution except insofar as such duties are expressly imposed upon some other Borough officer or official by statute.
- D. See that all terms and conditions imposed in favor of the Borough or its inhabitants in any statute, public utility, franchise or other contract are faithfully kept and performed, and upon knowledge of any violation, call the same to the attention of the Governing Body.
- E. Advise the Governing Body if professional or other outside resources should be utilized.

68-55 GRANTS

The Borough Administrator shall be responsible for researching, initiating action for, applying for and supervising the implementation of funding grants from various sources for the improvement and development of the Borough capital projects and need as well as for services to the Borough and its residents.

68-56 ADMINISTRATION

The Borough Administrator shall:

- A. Study the governmental and administrative operations and needs of the Borough, and prepare and recommend to the Governing Body necessary and desirable plans and programs to meet present and foreseeable needs.
- B. Develop, prescribe and enforce rules and regulations for the efficient management of the Borough for the avoidance of any duplication or overlapping effort among the

departments or among the units within a department, and for the improvement of methods and procedures of administration.

- C. Integrate and coordinate the functions of all departments, Boards, Agencies, Offices and Officials, and also maintain liaison with the Board of Education. The Administrator shall be responsible for continually improving communications among the various Borough personnel, department, agencies, boards, and the Governing Body.
- D. Recommend the employment of experts and consultants to perform work and render advice in connection with the Borough projects or services.
- E. Make recommendations which may increase the efficiency of the operation of the Borough.
- F. Continually review and supervise the Borough's insurance program.
- G. Be responsible for the overall supervision and maintenance of real property owned by the Borough, except as modified through delegation by the Governing Body or ordinance to autonomous boards or commissions.
- H. Assign office space, furniture, telephone, computer and similar facilities, and other Borough resources among and within departments.

68-57 COMMUNICATION AND COMPLAINTS

The Borough Administrator shall:

- A. Study, recommend, implement and enforce procedures and policy of the Borough and its departments for receipt, dissemination and collection of responses to communications and request for information, after consultation with department heads and receive, distribute and follow up requests for information and complaints from citizens and keep the Governing Body informed of such matters.
- B. The Administrator or an officer designated by the Administrator shall investigate and dispose of such complaints and the Administrator shall keep written record of such complaints and when and what action was taken in response thereto and provide the Governing Body a copy thereof when requested to do so.

68-58 PUBLIC IMPROVEMENTS

The Borough Administrator shall make recommendations concerning the nature and location of public improvements and coordinate and expedite the execution of public improvements authorized by the Governing Body.

68-59 OTHER DUTIES

The Borough Administrator shall:

- A. Ensure that there is an up-to-date and coordinated filing system and records retention system for all Borough department, offices, boards and agencies.
- B. Represent the Borough and assert its proper interest in relation to Federal, State, County and other political subdivisions, and with respect to Borough contracts, franchises and interest.
- C. Monitor and evaluate state and federal legislation as to its impact on the Borough with recommendations for actions by the Governing Body. The Administrator must be prepared to testify on behalf of the Borough on issues affecting the community on behalf of the Governing Body.
- D. Study the Public Utilities rates and policies and evaluate same and recommend to the Governing Body an appropriate course of action.
- E. Attend all regular and work session meeting of the Governing Body, with the right to speak but not vote on agenda items, and attend other meetings as directed by the Governing Body. The Administrator shall receive notice of and may attend and participate in all regular and special meetings of the Governing Body and all advisory committees, boards, commissions, and other agencies of the Borough.
- F. Keep the Governing Body informed as to the conduct of the Borough affairs; submit periodic reports, either in writing or orally, on the condition of the Borough finances; and shall submit other reports, either in writing or orally, as deemed advisable or as the Governing Body shall request; and shall make recommendations to the Governing body necessary and advisable for the welfare and safety of the Borough.
- G. Submit to the Governing Body as soon as possible after the close of the fiscal year, a complete written report of the administrative activities of the Borough for the preceding year.
- H. Implement all policies formulated by the Governing Body unless specifically directed otherwise by a formal action of the Governing Body.
- I. Advise the Governing Body on all background matters as an aid to the creation of policy and recommend to the Governing Body adoption such measures as may be deemed necessary or expedient.
- J. Follow up acts of the Governing Body by correspondence, review of minutes and personal conferences.

68-60 PURCHASING

The Borough Administrator shall:

- A. Review, validate and recommend all bills and vouchers for payment prior final approval by the Governing Body, and shall establish procedures associated with the voucher process.
- B. Have no interest, directly or indirectly, in any contract job for work or materials or the profits thereof, to be furnished to or performed for the Borough.
- C. Require all department, boards, commissions, committees and programs to furnish annually a complete inventory of all fixed assets; and recommend the sale of any obsolete or surplus equipment, materials and supplies, and transfer to or between departments and offices and from central sores such supplies, material and equipment as need appears and arrange for the sale of surplus or obsolete items thereof.

68-61 DEROGATION OF POWERS

Nothing in this chapter shall delegate from or authorize the Borough Administrator to exercise powers of the elected officials.

68-62 SEVERABILITY CLAUSE

If any section, subsection, sentence, clause, phrase or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

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 shall take effect after passage and publication as provided by law.

Councilman Schueler made a motion for introduction of Ordinance No. 1883-15 seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

ADOPTION OF MINUTES

Councilman Greco moved to approve the September 22, 2015 Regular Meeting Minutes and Executive Session Meeting Minutes seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Madden, and Schueler. Nos: None. Abstain: Mikolajczyk.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance - Councilman Kaplan was absent.
2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco reported that the Fall Festival is this Saturday at Mt. View Park.
 - B. Councilman Greco reported on Travel Basketball and that the forms will be delivered to the schools ASAP. The deadline to register is 10/23/15. The girls will have a try out on 10/26/15 and boys on 10/28/15. There will be a \$10 nonrefundable registration fee. This will cover the fee from Ball-U-Man as they will evaluate the try outs. Each tryout will be 1.5 hours.
 - C. Councilman Greco reported that there are 264 children playing in the Soccer program, and that the games run through 11/21/15 and photo day will be held on 10/17/15.
 - D. The pool membership as of August 13, 2015 for the 2015 swim season was at 843. On Labor Day there were 685 people at the pool and Mr. Grimm mentioned that over all this season there were 5,221 guests at the pool, aqua zumba and long course brought in several new visitors/patrons to the facility. At this time the off season pool maintenance is being completed.
 - E. With regard to the swim pool project – We are working with the contractor and the DEP in order to complete the project.
3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Councilman Dotey reported that the Board of Health discussed the problem with the sale of tobacco to minors and is recommending that the ordinance be amended to state that it is unlawful to sell tobacco or any nicotine delivery products FDA approved excluding nicotine patches and chewing gum to a person under 21 years of age. Also, the Board of Health would like to revisit “No Smoking” in all the Borough parks. Council discussed both recommendations, but a concern was the enforcement of the ordinance and they would like to have the Board of Health research how this was done in other towns. Councilman Dotey will bring this back to the Board of Health to have them look into these amendments.
4. Public Works/Parks/Sanitation/Recycling

- A. Councilman Schueler reported on the Brine system – manufacturer training started, and the system with water etc. was all hooked up. They are replacing the park sign in Mountain View Park to be more users friendly. Lawn and Leaf bag shipment came in and they are ready for pick up by residents. The cleanup from the storm was done, and thankfully it was not more severe than anticipated, just branches.
 - B. Prior to the storm DPW did preemptive basin cleaning to prevent backups that would cause flooding. The DPW found 6 additional basins that need repair and have put them in the pipeline for getting them repaired. The DPW has ordered 200 retrofits for storm basins that prevent debris from blocking the basin.
 - C. Hot box that is used for pothole repair has been ordered and a new Garbage Truck is on the road and in service. The DPW has continued working on the path by Hazelwood School. The traffic sign replacement continues and Mountain View Park will be cleaned up before the Fall Festival.
5. Police/Legal/Code Enforcement/Construction/Municipal Court
- A. Councilman Madden made a motion to approve the September, 2015 Municipal Court Report seconded by Councilman Schueler and carried by a unanimous vote of Council.
 - B. Councilman Madden reported that the Court Administrator will be meeting with Chief Geist regarding the court security plan, which should be implemented soon.
6. Administration/Department of Senior Services/Legislation/Licensing
- A. Councilman Mikolajczyk reported that a letter has been sent to Dunellen regarding a shared service with the seniors and we are awaiting a response.
 - B. At the School Board of Education Meeting commendations for Mrs. Meyer, Mrs. Trower, Mrs. Lesniak, Mrs. Rettino, Ms. Smith, Mr. Murray and the Von Mauger Student Council for spearheading two events, Jump Rope and Hoops for Heart Health on behalf of the American Heart Association. Due to their efforts Parker raised \$1,298 and Von Mauger raised \$1,958 towards fighting heart disease and strokes.
 - C. Also, on August 4, 2015, Cat London, Vincent Inciong, Rich Aveo, and students from Middlesex High School taped a Spotlight NJ show with Della Crews for News 12 to spread the new kindness campaign, #The Right Way. Born from an anti-bullying song written by Cat London called, “The Right Way” and a collaboration with Mr. Inciong’s students from Middlesex High School, this show highlights the entire project from its inception, evolution, and plans for the future. The full video can be seen at: <https://www.youtube.com/watch?v=Qg11LWw7pg>.
 - D. Councilman Mikolajczyk reported that a resolution will be done this evening to purchase library doors with HUD funds. The canopy to be purchased with HUD

funds for the library has been put on hold for the time being. HUD funds were used to purchase signs for Daisy Park and Lincoln Park. Daisy Park will also be refurbished with a new entranceway and basketball court.

REPORTS

Mayor

1. 2016 Department of Transportation Grant – Mayor Dobies discussed reconstruction of Warrenton Road, George Avenue.
2. 2015 Mill and Overlay Project – Mayor Dobies discussed work needed to be done on George Avenue and the first block of Howard Avenue.
3. Edmunds Finance Program – The borough has been working on moving to Edmunds for the last two years and would like to approve a resolution at the next meeting. There may be a potential clause in our contract that we have to give Muidex 90 days' notice.

The Borough Clerk read the following resolution:

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

Consent Agenda 2014(ZS)

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 wish to remove Resolution #243-15 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 #232-15 – Resolution 242-15
Resolution #244-15

Councilman Schueler made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Greco, Dotey, Madden, Mikolajczyk 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 #232-15

The governing body hereby increases the stipend for the Qualified Purchasing Agent to \$7500.00 per year effective January 1, 2015.

The Borough Clerk read the following resolution:

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

Resolution #233-15

The governing body hereby hires the two individuals listed below as full time employees for the Department of Public Works at \$14.36 per hour for 40 hours per week, effective October 19, 2015, pending a satisfactory background and physical.

Francisco Camarillo
12 Eighth Street
New Brunswick, NJ 08901

Mark W. Stitt
553 Lorraine Avenue
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 #234-15

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 October 19, 2015, pending a satisfactory background and physical.

Christopher J. Howard
117 Dunellen Avenue
Piscataway, NJ 08854

Eduarde Camarillo
12 Eighth Street
New Brunswick, NJ 08901

Dylan S. Wyatt
15 Dayton 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 #235-15

Accepting the resignation of Kyle Brady as a part time employee with the DPW effective September 18, 2015.

The Borough Clerk read the following resolution:

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

Resolution #236-15

The DPW hereby declares a 1995 GMC Truck, Vin. No. 4V2DCFMEYSN694894 (License No. MG-7974) surplus.

The Borough Clerk read the following resolution:

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

Resolution #237-15

The Governing Body hereby approves the transfer of \$13,500 HUD Funds from 2011 HUD Account No. CD 1119 to be used to purchase Middlesex Library Doors from C&M Door Controls, Inc., 20 Markley Street, Port Reading, New Jersey.

The Treasurer certifies that funds in the amount of \$13,500 are available in the 2011 HUD Account.

The Borough Clerk read the following resolution:

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

Resolution #238-15

The governing body hereby approves to waive the \$10.00 fee for the Swim Pool to receive a certified list of property owners for the NJDEP Flood Hazard Area Permit Application for the construction of the new filter building.

The Borough Clerk read the following resolution:

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

Resolution #239-15

The Tax Collector is hereby authorized to issue a check in the amount of \$51,075.77 to redeem tax sale certificate #2012-1806 and a check in the amount of \$20,000 for a tax sale premium on Block 289, Lot 60, 200 Mountain Avenue. The check is to be made payable to:

The Tax Collector is hereby authorized to issue a check in the amount of \$42,847.03 to redeem tax sale certificate #2013-1819 and a check in the amount of \$17,000 for a tax sale premium on Block 291, Lot 14, 120 Wood Avenue. 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 #240-15

**RESOLUTION ESTABLISHING THE FISCAL POLICY FOR THE
APPROPRIATE LEVEL OF FUND BALANCE**

WHEREAS, it is important that government entities create fiscal policies to provide guidance in the management of fiscal operations; and

WHEREAS, in managing said fiscal operations it is essential that the Borough of Middlesex maintain adequate levels of Fund Balance to minimize current and future financial risks; and

WHEREAS, an adequate amount of Fund Balance will assist to ensure that the municipal tax rate is stabilized, that tax rates are managed over multiple fiscal years, cash flow is adequate to meet operating cost demands and funds are available for emergency response situations; and

WHEREAS, credit rating agencies monitor levels of Fund Balance in order to evaluate the Borough's creditworthiness and projected fiscal outlook; and

WHEREAS, predictability and volatility of revenues and expenditures must be considered when establishing the amount of revenue to be anticipated from Fund Balance in each budget year.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Middlesex, County of Middlesex, State of New Jersey that the Fund Balance remaining after determining an amount as anticipated budget revenue should be a minimum of one month's general revenues other than the current year anticipated amount to be raised by taxation.

BE IT FURTHER RESOLVED, that the minimum balance threshold be obtained at year-end 2015.

The Borough Clerk read the following resolution:

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

Resolution #241-15

The Tax Collector is hereby authorized to issue a check in the amount of \$109,840.06 to redeem tax sale certificate #2013-1826 and a check in the amount of \$36,000 for a tax sale premium on Block 349, Lot 8, 220 Lincoln Blvd. The check is to be made payable to:

The Tax Collector is hereby authorized to issue a check in the amount of \$30,051.09 to redeem tax sale certificate #2013-1827 and a check in the amount of \$11,000 for a tax sale premium on Block 349, Lot 10.01, 232 Lincoln Blvd. 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 #242-15

The Tax Collector is hereby authorized to cancel and/or amend 2012 Sanitary Sewer Use Charges on block 316, lot 10, 624 Lincoln Blvd. This is a restaurant with a residential apartment above that is serviced by a separate water meter.

The 2012 incorrect billing added the two meters usage together and one bill was generated. The usage for the apartment was 225,896 gallons, which is below the 240,000 that was allowed at the time.

The previous 2012 billing was \$3,693.54. The new 2012 bill is \$2,877.75.

The Borough Clerk read the following resolution:

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

Resolution #244-15

The Mayor is hereby authorized to sign the Agreement between Property Pilot, LLC and the Borough of Middlesex which will provide the Borough with internal municipal data management and external public GIS map and e-commerce capabilities.

The Borough Clerk read the following resolution:

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

Resolution #243-15

The Governing Body hereby authorizes the Mayor and Borough Clerk to execute the Memorandum of Understanding with the County of Middlesex for the provision of flood evacuation equipment and training and which will provide one (1) Flood Evacuation boat with trailer, together with miscellaneous related equipment and the training of ten (10) personnel to the FEMA Type 4 Flood Evacuation Team.

Councilman Schueler made a motion for approval pending the review of the borough attorney seconded by Councilman Greco and carried by the following roll call vote: Ayes: Greco, Dotey, Madden, Mikolajczyk 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 #245-15

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 Councilman Greco and carried by the following roll call vote: Ayes: Greco, Dotey, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Best Practices – Mayor Dobies reviewed the CY 2015/SFY2016 Best Practice Inventory Worksheet with the Council.
2. Hazelwood School Dumpster & Fence – Mayor Dobies was notified by the Zoning Officer that the Board of Education had not obtained permits for the fence in the back of Hazelwood School. Mayor Dobies met with the construction official and he had to issue a violation notice to the BOE. The Construction Official has spoken with Mr. Mulvey (BOE Director of Facilities), and he was notified that the fence is 7' high, and it is against the zoning laws. At this time we are awaiting a response to the violation notice that was issued to the school.

PUBLIC COMMENTS

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

John Mrofchak, 128 Wood Avenue questioned how streets are picked to be put on the list to be repaved with the DOT funding and Mayor Dobies indicated that the governing body should address this street, but money is not yet available and a mill and overlay will not solve this problem.

John Ellery, 701 Lincoln Boulevard indicated that he is still awaiting a response from Councilman Kaplan about sewer questions and would like the council to just rewrite the sewer ordinance. Mayor Dobies requested that Mr. Ellery give him his list of suggestions for the sewer ordinance to move forward.

Rich Malt, 309 D Street said he has spent countless evenings with Councilman Schueler, Councilman Greco and Councilman Kaplan discussing this sewer issue and was told he would get answers in 2 weeks to his questions, which he did not receive. Mayor Dobies requested

that Mr. Malt get his questions to him tomorrow and if the Committee cannot meet, he will take the place of any absent member of the committee and meet with the Association to discuss these questions.

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 #246-15

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. Chief of Police's Contract
2. Piscataway Sewer User Charges & Potential Suit
3. Part Time Salaries & Stipends
4. DPW Employee Reprimand

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

Councilman Madden 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
	John Madden
	Bob Schueler

Jack Mikolajczyk

Attorney: Aravind Aithal

The Borough Clerk read the following resolution:

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

Resolution #247-15

WHEREAS, the Governing Body met to discuss the recommendations from the Public Works Manager for the charges against DPW employee Joseph Green; and

WHEREAS, the three charges are (1) Unexcused Absence, (2) Falsifying a Record, and (3) Insubordination.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey hereby finds that the following action be taken.

(1) Unexcused Absence – Docked a day’s pay which has already been done. No further action.

(2) Falsifying a Record – Insufficient Evidence.

(3) Insubordination – Failed to obey a direct order from his supervisor that he wouldn’t be able to take the class. A permanent written reprimand will be placed in his file with a copy provided to the employee.

The Borough Clerk read the following resolution:

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

Resolution #248-15

WHEREAS, NJSA 26:8-13 it states that if the local registrar is the municipal clerk, his/her term of office shall be concurrent with his/her term of office as clerk; and

WHEREAS, the municipal clerk is tenured in her position as municipal clerk thereby providing that the position as registrar shall remain with the clerk until the end of her employment as stated in NJSA 28:8-13; and

WHEREAS, the municipal clerk has requested that her stipend for registrar be included in her base salary as she performs the duty as Registrar during working hours.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey hereby approves that the stipend the municipal clerk receives for registrar be included in the municipal clerk's base salary for 2015.

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 27, 2015**

MAYOR'S STATEMENT: Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of January 2, 2015 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 (late)
	Kevin Dotey (absent)
	Stephen Greco
	John Madden
	Bob Schueler (absent – sick)
	Jack Mikolajczyk
Attorney:	Aravind Aithal

APPOINTMENTS-NONE

PROCLAMATIONS-NONE

PRESENTATIONS-NONE

PUBLIC HEARING

The Borough Clerk read Ordinance No. 1881-15 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1881-15

**AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY
OF MIDDLESEX, NEW JERSEY, CHAPTER 420,**

ZONING, SECTION 420-15 ACCESSORY STRUCTURES

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:

420-15 Accessory Structures

C. Area restrictions. The size of all accessory structures in residential zones shall be limited to no more than 50% of the size of the principal structure's footprint with a maximum of 800 square feet.

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. 1881-15. Seeing that there was no public participation, Mayor Dobies closed the hearing on Ordinance No. 1881-15.

Councilman Madden made a motion for adoption of Ordinance No. 1881-15 seconded by Councilman Greco and carried by the following roll call vote: Ayes: Greco, Kaplan, Madden, and Mikolajczyk. No: None. Abstain: None.

The Borough Clerk read Ordinance No. 1882-15 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1882-15

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 420, ZONING, SECTION 420-62 FENCES

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:

420-62 Fences

F. The side of the fence that shall face the exterior property boundary shall be "finished". The "unfinished" side of a fence has all the support columns, posts, beams, brackets and/or

hardware exposed. In the event of “two sided fences” where both sides of the fence are identical in appearance, the columns and posts shall be installed between each fence section. In the event a fence is attached to a column or post in a manner so as to allow that three (3) sides of the column or post (or more than 25%) are visible, then this installation shall be deemed to have only one finished side.

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. 1882-15. Seeing that there was no public participation, Mayor Dobies closed the hearing on Ordinance No. 1882-15.

Councilman Greco made a motion for adoption of Ordinance No. 1882-15 seconded by Councilman Madden and carried by the following roll call vote: Ayes: Greco, Kaplan, Madden, and Mikolajczyk. No: None. Abstain: None.

The Borough Clerk read Ordinance No. 1883-15 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1883-15

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY CHAPTER 68, OFFICERS AND EMPLOYEES, REPEALING ARTICLE X BOROUGH ADMINISTRATOR, AND REPLACING IT WITH ARTICLE X, SECTION 68-40 OFFICE CREATED THROUGH SECTION 68-62 SEVERABILITY CLAUSE

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

SECTION ONE. The Code of the Borough of Middlesex, Middlesex County, New Jersey is hereby amended to the following:

68-40 OFFICE CREATED

The office of Borough Administrator is hereby created in and for the Borough of Middlesex by and subject to the provisions of this article and in accordance with N.J.S.A. 40A:9-136, 40A:9-137 and 40A:9-138, inclusive.

68-41 APPOINTMENT

The Borough Administrator shall be appointed by the Mayor with the advice and consent of the Borough Council. Said appointment shall be made within 120 days after the office becomes vacant unless this time is extended by resolution of the Borough Council. If the Mayor fails to make such appointment within said 120 days and agreed upon time frame, or the Borough Council fails to consent to the appointment made by the Mayor within thirty (30) days, the Borough Council shall appoint said Borough Administrator. Any vacancy which may occur in said position, whether the same occurs by death, resignation, or otherwise, shall be filled in the same manner. A vacancy shall be deemed to commence upon cessation of duties of the duly appointed Borough Administrator.

68-42 QUALIFICATIONS

- A. The appointment of a Borough Administrator shall be solely based on the administrative qualification of the appointee, with special regard to his/her education, training and actual experience in governmental affairs. Bachelor's or Master's degree in government or a related field, and at least three (3) years of direct experience in government are the minimum requirements. Completion of a certified public administration program is desirable and is consider a plus to the above qualifications
- B. The person appointed to the Office of Borough Administrator need not be a resident of the Borough at the time of their appointment and may reside outside the municipality.

68-43 TERM OF OFFICE

The Borough Administrator shall serve at the pleasure of the Mayor and Borough Council. During such term, the Administrator shall be subject to periodic review and evaluation of performance.

68-44 REMOVAL

The Borough Administrator may be removed by a 2/3 vote of the Governing Body (Mayor and Council). The Resolution of Removal shall become effective 3 months after its adoption by the Governing Body. However, the Governing Body may provide that the Resolution have immediate effect, in which case, the Administrator shall be paid forthwith any unpaid balance of his salary and his salary for the next 3 calendar months following of the Resolution.

68-45 TEMPORARY APPOINTMENT DURING ABSENCE OR DISABILITY

During any approved absence or disability of the Borough Administrator, the Mayor may appoint, subject to confirmation by the Borough Council, another individual or any employee or officer of the Borough to temporary perform the duties and responsibilities of the Borough Administrator. After three (3) months of such absence or disability, the position may be deemed vacant after recommendation by the Mayor and confirmed by the resolution of the Borough Council. Compensation, if any, for duties performed for an appointment under this section will

be determined by the by recommendation of the Mayor and approved by the Borough Council. Section 68-41 of this Ordinance shall not apply to any appointment made pursuant to this section.

68-46 COMPENSATION

The Borough Administrator shall receive such compensation as shall be prescribed by annual salary resolution or ordinance of the Borough Council. The Borough Administrator shall be reimbursed for all reasonable expenses incurred in the performance of the office. The salary of an incumbent Administrator may not be reduced without the Administrator being advised of the reasons for the reduction and being afforded an opportunity to meet with the elected officials to respond to their concerns.

68-47 FULL TIME POSITION

The Administrator shall perform the duties hereafter enumerated and such other duties as may be assigned by the Governing Body. The Administrator's entire time and effort shall be devoted to the performance of duties and functions of the position of Administrator and the Administrator shall not engage in any other occupation or employment while employed by Middlesex Borough, except as approved by the Governing Body.

68-48 POLITICAL ACTIVITY

The Borough Administrator shall not engage in any political activity, nor shall make any financial or other contributions to any local campaign, nor lobby the elected officials on behalf of a political party or campaign. However, nothing contained herein shall be deemed to prohibit the Borough Administrator from providing recommendations to the elected officials of Middlesex Borough on issues of concern to the municipality or from appearing before any other governmental body on behalf of the Borough when authorized or directed to do so.

68-49 DUTIES AND RESPONSIBILITIES

- A. The borough Administrator shall act as the chief administrative officer of the Borough. Duties shall include the development of rule and regulations for administrative procedures governing purchasing practices, operations of all departments, personnel management and general coordination of all departments, offices, boards, and agencies of the Borough, all for the purpose of increasing the effectiveness and efficiency of the Borough government and promoting its economic operation. All rules and regulations promulgated and implemented by the Borough Administrator shall be filed with the Governing Body and shall become the Borough's organization policy unless specifically amended or rescinded by the Governing Body.
- B. The Borough Administrator shall perform the duties hereafter enumerated and such other duties as may be assigned by the Governing Body.

- C. The Borough Administrator shall report annually to the Governing Body on the progress of each department; shall initiate goals and objectives to be reviewed on an annual basis with special emphasis on critical problems and deterrents to the achievement thereof.
- D. The Borough Administrator shall be responsible for the organization and management of the work, personnel and programs in all departments, for the development and operation of a personnel program for all employees; and he/she shall be accountable for the planning, organization, delegation, staffing, operation control, evaluation and correction in all departments to achieve maximum results.
- E. The Borough Administrator is given broad authority with the approval of the Governing Body to combine or eliminate functions, to redesign and reorganize work effort and to assign personnel to achieve maximum productivity.
- F. The Borough Administrator shall make assessments of Borough programs and operations reporting to the Governing Body on his/her findings, setting forth a remediation action plan if necessary or required changes in Borough ordinances and procedures.

68-50 PERSONNEL

The Borough Administrator shall:

- A. Supervise all personnel of the Borough through the respective department heads unless otherwise provided by law or this ordinance.
- B. Advise the Governing Body on all matters of personnel administration and organization and assign personnel the performance of all duties in all departments.
- C. Study, recommend, implement and enforce personnel organization and policy of the Borough and implement personnel leave policies as established by the Governing Body for all departments, except as otherwise provided by law for Police and Fire Departments.
- D. Maintain comprehensive personnel files and evaluation systems of job performance and duties.
- E. Administer and negotiate on behalf of the Borough all labor contracts.
- F. Serve as the personnel officer of the Borough and, with the concurrence of the Mayor, have the authority to hire, evaluate, transfer, promote, discipline and/or discharge all employees to the extent not prohibited by law or provided for elsewhere in the ordinances of the Borough. In those instances where the final authority rests with the

Governing Body, the Borough Administrator shall assist that agency by recommending personnel actions which are consistent with those applied to other Borough employees.

- G. Investigate the affairs of any employee, officer, department, agency or authority of the Borough when necessary or directed by the Mayor or Council and submit a report relating thereto.

68-51 BUDGET

The Borough Administrator shall:

- A. Prepare the temporary budget for presentation in accordance with the state statutes.
- B. Prepare the annual capital and operating budget to be presented to the Governing Body. In preparing these budgets, the Administrator or an officer designated by the Administrator shall obtain from the department heads, committee, board, commission, agency, officers or authority estimates of anticipated expenditures and supporting data as requested.
- C. Prepare and complete budget studies, analysis, and schedules; assist in the conduct of public, departmental, board, committee and commission budget hearings; and in conjunction with the Chief Financial Officer, shall assist the Governing Body in such manner as they shall require in the review and adoption of the annual budget.
- D. Prepare and submit to the Governing Body an explanatory budget message, including a comparison of prior year's revenues, appropriations and expenditures as well as an analysis of the proposed revenues and expenditures.

68-52 FISCAL AFFAIRS

The Borough Administrator shall:

- A. Upon the adoption of the budget, insure that current accounts of the expenditures shall be kept on a monthly basis based upon the supplemental details if the adopted budget.
- B. Administer the budget after its adoption by the Governing Body, shall maintain a continuing review and analysis of the budget operation, work progress and costs of municipal services; and shall assess the attainment of the Borough budget and service goals, reporting the same regularly to the Governing Body.
- C. See that all money owed the Borough is promptly paid, and that proper proceedings are taken for the security and collection of all Borough claims.

- D. Study, recommend, implement, and enforce the financial procedures and policy of the Borough and its departments, after consultation with department heads and approval of the Governing Body.
- E. Supervise the disbursement of all Borough funds and review all purchases, vouchers and bills before submitting same to the Governing Body for final approval.
- F. Be responsible for the cash needs of the Borough and for the conduct of a sound investment and debt management program subject to the governing board policy and report such actions and results to the Governing Body semi-annually or more frequently when directed.

68-53 COLLECTIVE BARGAINING AND EMPLOYEE CONTRACTS

The Borough Administrator shall be responsible for the negotiation of collective bargaining contracts with agencies representing Borough employees, subject to the approval of the Governing Body, and administration and enforcement of such contracts and the Personnel Policies and Procedures of the Borough.

68-54 CONTRACTS

The Borough Administrator shall:

- A. See the provisions of all franchises, leases, permits and privileges granted by the Borough are compiled and provide periodic reports of said compliance upon request.
- B. Negotiate contracts for the Borough upon request of the Governing Body and subject to the approval of the Governing Body.
- C. Attend to letting of contracts, in due form of law and supervise their performance and faithful execution except insofar as such duties are expressly imposed upon some other Borough officer or official by statute.
- D. See that all terms and conditions imposed in favor of the Borough or its inhabitants in any statute, public utility, franchise or other contract are faithfully kept and performed, and upon knowledge of any violation, call the same to the attention of the Governing Body.
- E. Advise the Governing Body if professional or other outside resources should be utilized.

68-55 GRANTS

The Borough Administrator shall be responsible for researching, initiating action for, applying for and supervising the implementation of funding grants from various sources for the improvement and development of the Borough capital projects and need as well as for services to the Borough and its residents.

68-56 ADMINISTRATION

The Borough Administrator shall:

- A. Study the governmental and administrative operations and needs of the Borough, and prepare and recommend to the Governing Body necessary and desirable plans and programs to meet present and foreseeable needs.
- B. Develop, prescribe and enforce rules and regulations for the efficient management of the Borough for the avoidance of any duplication or overlapping effort among the departments or among the units within a department, and for the improvement of methods and procedures of administration.
- C. Integrate and coordinate the functions of all departments, Boards, Agencies, Offices and Officials, and also maintain liaison with the Board of Education. The Administrator shall be responsible for continually improving communications among the various Borough personnel, department, agencies, boards, and the Governing Body.
- D. Recommend the employment of experts and consultants to perform work and render advice in connection with the Borough projects or services.
- E. Make recommendations which may increase the efficiency of the operation of the Borough.
- F. Continually review and supervise the Borough's insurance program.
- G. Be responsible for the overall supervision and maintenance of real property owned by the Borough, except as modified through delegation by the Governing Body or ordinance to autonomous boards or commissions.
- H. Assign office space, furniture, telephone, computer and similar facilities, and other Borough resources among and within departments.

68-57 COMMUNICATION AND COMPLAINTS

The Borough Administrator shall:

- A. Study, recommend, implement and enforce procedures and policy of the Borough and its departments for receipt, dissemination and collection of responses to communications and request for information, after consultation with department heads and receive,

distribute and follow up requests for information and complaints from citizens and keep the Governing Body informed of such matters.

- B. The Administrator or an officer designated by the Administrator shall investigate and dispose of such complaints and the Administrator shall keep written record of such complaints and when and what action was taken in response thereto and provide the Governing Body a copy thereof when requested to do so.

68-58 PUBLIC IMPROVEMENTS

The Borough Administrator shall make recommendations concerning the nature and location of public improvements and coordinate and expedite the execution of public improvements authorized by the Governing Body.

68-59 OTHER DUTIES

The Borough Administrator shall:

- A. Ensure that there is an up-to-date and coordinated filing system and records retention system for all Borough department, offices, boards and agencies.
- B. Represent the Borough and assert its proper interest in relation to Federal, State, County and other political subdivisions, and with respect to Borough contracts, franchises and interest.
- C. Monitor and evaluate state and federal legislation as to its impact on the Borough with recommendations for actions by the Governing Body. The Administrator must be prepared to testify on behalf of the Borough on issues affecting the community on behalf of the Governing Body.
- D. Study the Public Utilities rates and policies and evaluate same and recommend to the Governing Body an appropriate course of action.
- E. Attend all regular and work session meeting of the Governing Body, with the right to speak but not vote on agenda items, and attend other meetings as directed by the Governing Body. The Administrator shall receive notice of and may attend and participate in all regular and special meetings of the Governing Body and all advisory committees, boards, commissions, and other agencies of the Borough.
- F. Keep the Governing Body informed as to the conduct of the Borough affairs; submit periodic reports, either in writing or orally, on the condition of the Borough finances; and shall submit other reports, either in writing or orally, as deemed advisable or as the

Governing Body shall request; and shall make recommendations to the Governing body necessary and advisable for the welfare and safety of the Borough.

- G. Submit to the Governing Body as soon as possible after the close of the fiscal year, a complete written report of the administrative activities of the Borough for the preceding year.
- H. Implement all policies formulated by the Governing Body unless specifically directed otherwise by a formal action of the Governing Body.
- I. Advise the Governing Body on all background matters as an aid to the creation of policy and recommend to the Governing Body adoption such measures as may be deemed necessary or expedient.
- J. Follow up acts of the Governing Body by correspondence, review of minutes and personal conferences.

68-60 PURCHASING

The Borough Administrator shall:

- A. Review, validate and recommend all bills and vouchers for payment prior final approval by the Governing Body, and shall establish procedures associated with the voucher process.
- B. Have no interest, directly or indirectly, in any contract job for work or materials or the profits thereof, to be furnished to or performed for the Borough.
- C. Require all department, boards, commissions, committees and programs to furnish annually a complete inventory of all fixed assets; and recommend the sale of any obsolete or surplus equipment, materials and supplies, and transfer to or between departments and offices and from central sores such supplies, material and equipment as need appears and arrange for the sale of surplus or obsolete items thereof.

68-61 DEROGATION OF POWERS

Nothing in this chapter shall delegate from or authorize the Borough Administrator to exercise powers of the elected officials.

68-62 SEVERABILITY CLAUSE

If any section, subsection, sentence, clause, phrase or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be

deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

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 shall take effect after passage and publication as provided by law.

Mayor Dobies opened the public hearing on Ordinance No. 1883-15. Seeing that there was no public participation, Mayor Dobies closed the hearing on Ordinance No. 1883-15.

Councilman Madden expressed that he would like to look further into the possibility of a shared service agreement with another municipality for the administrator position before moving ahead with the adoption of this ordinance.

Councilman Greco made a motion for adoption of Ordinance No. 1883-15 seconded by Councilman Madden and carried by the following roll call vote: Ayes: Greco, Kaplan, and Mikolajczyk. No: Madden. Abstain: None.

NEW BUSINESS

The Borough Clerk read Ordinance No. 1884-15 for introduction.

ORDINANCE NO. 1884-15

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 420, ZONING, SECTION 420-67 VIOLATIONS AND PENALTIES

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:

§ 420-67 Violations and penalties.

For each and every violation of the provisions of this chapter, the owner, contractor or other person or persons interested as lessee, tenant or otherwise in any building or premises where such violation has been committed or shall exist and who refuses to abate said violation be subject to a fine of not more than \$1250 or imprisonment for a period not exceeding 30 days, or both, at the discretion of the court or judicial officer before whom the conviction was prosecuted. Each and every day that such violation continues after such notice shall be considered a separate and specific violation of this chapter

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 Madden made a motion for introduction of Ordinance No. 1884-15 seconded by Councilman Mikolajczyk and carried by the following roll call vote: Ayes: Greco, Kaplan, Madden and Mikolajczyk. No: None. Abstain: None.

ADOPTION OF MINUTES

Councilman Mikolajczyk moved to approve the October 13, 2015 Regular Meeting Minutes and Executive Session Meeting Minutes seconded by Councilman Madden and carried by the following roll call vote: Ayes: Greco, Kaplan, Madden, and Mikolajczyk. No: None. Abstain: None.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance - Councilman Kaplan has begun the 2016 budget process and sent e-mails to the Department Heads to get their packets in by November 15, 2015. He is looking to bring the department heads in before the council on Saturdays.
2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco reported that the Fall Festival was held on October 17th and thanked everyone that donated to it.
3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Councilman Kaplan reported a new tent was purchased to house the command center.
 - B. Councilman Kaplan also reported that there was a Hazmat fire call on River Road and Chief Bird has completed reports needed for billable recovery. These reports will be forwarded to the County and in turn to the insurance company and we should recoup the costs to offset this incident.

4. Public Works/Parks/Sanitation/Recycling

- A. Councilman Kaplan reported on behalf of Councilman Schueler that the clean up of the Mountain View Park grove area has been completed, the DPW has remulched the playground area for the fall festival, worked on finished up Dorn Avenue pathway with a very positive resident response. They also build two new sitting benches and will install when advised on locations and also the complete installation of the brine station (training scheduled for this Friday) and the aerators have been removed from the lake for the winter.
- B. Councilman Kaplan also reported that the DPW continues to implement pot hole repairs and are finishing up the street sign, including stop sign replacement.
- C. Also, it was reported that they maintained the Mountain View Park Sports Complex for the high school homecoming event and line striping was done on all soccer fields and baseball fields. The basin cleaning and repair continues. The basins that were repaired recently are the Greenbrook Road extension and Greenbrook Road, Judson to Route 28, Ramsey Road, the cul-de-sac on Mountain View Terrace and the small basin behind Mauger School.
- D. Basins cleaned in the last couple of weeks included the Cap Lane section (36 basins cleaned) and the Washington Avenue section (25 basins cleaned), Giles – Fisher to route 28 (14 basins cleaned), Market Street & Main Street (6 basins cleaned) and the Greenbrook Road intersection (4 basins cleaned).

5. Police/Legal/Code Enforcement/Construction/Municipal Court

- A. Councilman Madden made a motion to approve the September, 2015 Police Department Report seconded by Councilman Greco and carried by a unanimous vote of Council.
- B. Councilman Madden addressed the status of the metal detectors and it was reported by the Borough Attorney that this metal detector only comes in one size, 8 feet tall. The ceiling is less than 8 feet and we have to either make adjustments where they are going to locate it or work out a plan as to what doors will be secured and how people that are scanned won't leave and come back in. The staff is working with the Chief to work out alternatives.
- C. Chief Geist also requested to hire a temporary part time clerk for the Police Department, as the clerk is going to be out for surgery. The clerk is requesting 6 weeks before the surgery and 6 weeks after. Council is requesting that there is a 16 week maximum for this part time employee and that it is reflected in the resolution. Councilman Madden made a motion to advertise for this part time employee seconded by Mr. Mikolajczyk and carried by a unanimous vote of Council.

6. Administration/Department of Senior Services/Legislation/Licensing

- A. Councilman Mikolajczyk reported that the schools have started their project on the windows and they are cleaning up the other existing projects. They will be starting on the windows in Hazelwood School in January, 2016.
- B. Councilman Mikolajczyk stated that the HUD Committee reported at their last meeting on the signs for Lincoln Park, Daisy Park and the layout proposed for Daisy Park. They have put a hold on the canopy for the library, ordered the library doors and have a request from the library for an A/V system which HUD approved on Monday night. The Library is also looking for a video security system, but the committee would like more details brought forth for their meeting in January and discuss this further.
- C. Councilman Kaplan also requested status of the wooden enclosure that was erected at Hazelwood School. Mayor Dobies reported that the Construction Official has issued a violation notice and we are awaiting a response. Mayor Dobies stated that he would follow up with Dr. Madison, the School Superintendent.

REPORTS

Mayor

1. 2016 Mill & Overlay - Mayor Dobies recommended that we progress with the first block of Howard Avenue, George Street and Voorhees Avenue (between Madison and Mountain Ave.) and would like council to approve forwarding this project to the engineer at this time.
2. Mayor Dobies is consolidating money from old ordinances for the next council to decide on what they want to use the funds for. The borough is already being billed for the funds. Also, the Mayor reminded the council that they have to decide what to do with the 1.5 million dollars, and he is recommending it be used for roads and infrastructure.
3. 2015 Mill and Overlay Project – Councilman Kaplan recommended that Louis Avenue be considered for this project, as the street has caved in near the wall that was erected by the Greenbrook Flood Control Commission.
4. Construction Office Revenue Report – Mayor Dobies reported that the permits are lower than they were in 2013, but the fees that were collected are far more. We are at \$400,000 collected over 10 months.
5. Recognition of OEM, Police, Rescue, Fire & DPW – Money is available for pins to recognize these emergency squads and the Mayor will provide more information to council on this recognition.

6. Code Inspector – Mayor Dobies will provide information to council for the November 17 meeting to hire this inspector for approximately 10 – 14 hours/week, with a majority of the hours on the weekend. Mayor Dobies would like to hire in December.
7. Mayor Dobies spoke with Rich Malt, and he indicated that Beechwood Heights Fire Co. was offered as a donation the property behind their Fire House and they must decide whether to accept the offer. Beechwood Heights Fire Co. now parks cars on the property, which is located to the right of Prospect Road. Mayor Dobies reported that he did not see any indication where environmental samples were taken, although it was used as a dump and rumored to be hazardous and requested input from the borough attorney regarding protection if this property were accepted. Attorney Aithal indicated that Beechwood Heights Fire Company would need to get an indemnification clause in the contract to protect them if any environmental issues arose in the future if they assume ownership of this property. Also, the mayor stated that this property would be removed from the tax rolls if donated to the Fire Company, and the council would need to approve this donation.
8. Lincoln Boulevard Pilot Program – Attorney Aithal indicated that the pilot program is part of a menu of options to abate taxes for property owners and to encourage development. The payment in lieu of taxes (PILOT) is to give the borough financial incentives that warrant collecting a portion of what they would collect in taxes. (95% stays with the borough and 5% goes to county) This encourages development and increases the amount of money in the municipality's budget. A pilot program can range from 5 – 30 years. The Borough's program is for 20 years, and can be revisited after 5 years. Outside council reviewed this program and did a fiscal analysis and determined that the benefit of this pilot is that the amount of funds received is greater than what we would receive by collecting taxes. In regard to affordable housing, we will receive \$100,000 and there will be no affordable housing, as we will have met our commitment.
9. Mayor Dobies reported on the PARSA property at the rear of Mountain View Park, and that there are 8 vats that are dangerous. There was just an incident last week with a teenager, and the Mayor has forwarded a letter to the DEP Director Martin, along with a letter from the Police Chief. The Borough Attorney did make an attempt to contact the attorney for PARSA, but did not receive a response.

The Borough Clerk read the following resolution:

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

Consent Agenda 2015(T)

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

WHEREAS, the Mayor and Council of the Borough of Middlesex wish to remove Resolution #251-15 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 #249-15 – Resolution 250-15
Resolution #252-15

Councilman Kaplan made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Greco, Kaplan, Madden, and Mikolajczyk. 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 #249-15

WHEREAS, Maria A. Torres applied to the Construction Office for a Residential Resale Certificate at 605 Cook Ave; and

WHEREAS, Maria A. Torres submitted Check #159 in the amount of \$100.00 on 8/25/15 in payment of said Residential Resale Certificate; and

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

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex that the disbursing officers be and they are hereby authorized to draw a check in the amount of \$100.00 in favor of Maria A. Torres, 12 B John St, New Brunswick, NJ 08901 for refund of fee for Residential Resale Certificate.

The Borough Clerk read the following resolution:

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

Resolution #250-15

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

WHEREAS, On October 9, 2015 Chief Geist 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 "A" effective October 24, 2015 at an annual salary of \$102,324.

The Borough Clerk read the following resolution:

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

Resolution #252-15
Borough of Middlesex

Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Warrenville Road Improvements Project

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

BE IT FURTHER RESOLVED that the Mayor, Borough Council and Clerk are hereby authorized to submit an electronic grant application identified as MA-2016-Warrenville Road Improvements-00640 for Middlesex Borough to the New Jersey Department of Transportation on behalf of the Borough of Middlesex.

BE IT FURTHER RESOLVED that the Mayor, Borough Council and Clerk are hereby authorized to sign the grant agreement on behalf of Borough of Middlesex 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 #251-15

WHEREAS, the contract with Munidex, Inc. for the Finance, Clerk and Tax software expires on December 31, 2015

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that Edmunds and Associates will provide the software for the Finance, Clerk and Tax offices for a contract length of four years commencing on January 1, 2016

NOW FURTHER BE IT RESOLVED that the Treasurer hereby certifies that the funds for the initial setup of \$54,231.50 are available as follows:

04-1605-00-1605-54 \$14,495.63
04-1605-00-1605-55 \$ 820.25
04-1687-00-1687-54 \$ 5,207.24
04-1687-00-1687-70 \$ 624.41
04-1832-00-1832-54 \$ 10,000.00
04-1832-00-1832-55 \$ 4,694.97
01-2010-20-1302-138\$ 6,000.00

The annual maintenance fee of \$12,389.00 will be budgeted for in the 2016 Operating Budget.

Councilman Mikolajczyk made a motion to table Resolution #251-15 seconded by Councilman Madden 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 #253-15

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: Greco, Kaplan, Madden, and Mikolajczyk. 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 questioned Ordinance No. 1884-15 and the reasoning for that ordinance. Mayor Dobies indicated that this ordinance gives the judge a little wider parameter by increasing the penalty fees.

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 #254-15

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. Chief of Police's Contract
2. Piscataway Sewer User Charges & Potential Suit
3. Part Time Salaries

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

Councilman Madden 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
	John Madden
	Bob Schueler (absent)
	Jack Mikolajczyk

Attorney: Aravind Aithal

ADJOURNMENT

Councilman Madden 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
NOVEMBER 17, 2015**

MAYOR'S STATEMENT: Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of January 2, 2015 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
	John Madden
	Bob Schueler
	Jack Mikolajczyk (absent – work)
Attorney:	Aravind Aithal

APPOINTMENTS

The Borough Clerk read the following resolution:

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

Resolution #255-15

WHEREAS, Sergeant Frank DeNick has successfully completed all phases of the promotional testing procedures; and

WHEREAS, Chief Matthew Geist has recommended that Sergeant DeNick be promoted to the rank of Lieutenant.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, New Jersey, that Sergeant be promoted to the rank of Lieutenant effective November 18, 2015 at an annual salary of \$117,697.00.

Councilman Schueler made a motion for adoption seconded by Councilman Greco and carried by the following roll call vote: Ayes: Greco, Dotey, Madden 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 #256-15

WHEREAS, Sergeant Daniel O'Connor has successfully completed all phases of the promotional testing procedures; and

WHEREAS, Chief Matthew Geist has recommended that Sergeant O'Connor be promoted to the rank of Lieutenant.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, New Jersey, that Sergeant be promoted to the rank of Lieutenant effective November 18, 2015 at an annual salary of \$117,697.00.

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

Police Chief Geist congratulated the new Lieutenants and thanked the Mayor and Council for their continued support of the Police Department.

Mayor Dobies appointed Peyton Yanchurak to the Board of Health effective immediately.

PROCLAMATIONS

The Borough Clerk read the following Proclamation Celebrating the 100 Year Birthday of Borough Resident Amelia Zuccarelli:

PROCLAMATION

WHEREAS, Amelia Zuccarelli was born December 6, 1915 in New York City; and

WHEREAS, Amelia Zuccarelli 95 years ago moved to Drake Avenue (aka the Lincoln Section of Middlesex Borough) with her parents and three brothers Chris, John, and Benny; and

WHEREAS, Amelia Zuccarelli went to both Parker and Pierce Schools; and

WHEREAS, Amelia Zuccarelli as a young girl worked for a lamp shade factory on Lincoln Boulevard; and

WHEREAS, Amelia Zuccarelli married the former Mayor Joseph Zuccarelli on May 25, 1935 and they were married for 77 years; and

WHEREAS, Amelia Zuccarelli still enjoys crocheting afghans for family and friends.

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 give special recognition to Amelia Zuccarelli as she celebrates her 100th Birthday by presenting to her this Proclamation and hereby set my hand and the Seal of the Borough of Middlesex to be affixed on this 17th day of November, 2015.

The Borough Clerk read the following Proclamation commemorating Robert Poltorak's 50 Years of Service with the Middlesex Fire Department:

PROCLAMATION

WHEREAS, Robert J. Poltorak was born November 17, 1940 and is a lifelong resident of Middlesex Borough; and

WHEREAS, Robert J. Poltorak is the son of John J. Poltorak Sr., a member of Parker Engine & Hose Co. #4, a former Assistant Chief of Middlesex Fire Department and President of Parker Engine & Hose; and

WHEREAS, Robert J. Poltorak joined Parker Engine & Hose Co. #4 on September 27, 1965; and

WHEREAS, Robert J. Poltorak served as a Grand Marshall for the Middlesex Fire Department's 100th Anniversary celebration; and

WHEREAS, Robert J. Poltorak in his 50 years of service has served a total of 36 years as a line officer for Parker Engine & Hose; and

WHEREAS, Robert J. Poltorak has served 6 years as Assistant Engineer (1967, 1968, 1969, 1973, 2008, 2009), 20 years as Engineer (1970-1972, 1974, 1996-2005, 2010-2015), 2 years as Lieutenant (1975, 1976), and 8 years as Captain (1977-1982, 1984, 1985); and

WHEREAS, Robert J. Poltorak is the Engineer-elect for the 2016 year, his 51st year of service.

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 Robert J. Poltorak for all of his service and sacrifice to our community, by presenting to him this Proclamation and hereby set my hand and the Seal of the Borough of Middlesex to be affixed on this 14th day of November, 2015.

PRESENTATIONS-NONE

PUBLIC HEARING

The Borough Clerk read Ordinance No. 1884-15 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1884-15

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 420, ZONING, SECTION 420-67 VIOLATIONS AND PENALTIES

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:

§ 420-67 Violations and penalties.

For each and every violation of the provisions of this chapter, the owner, contractor or other person or persons interested as lessee, tenant or otherwise in any building or premises where such violation has been committed or shall exist and who refuses to abate said violation be subject to a fine of not more than \$1250 or imprisonment for a period not exceeding 30 days, or both, at the discretion of the court or judicial officer before whom the conviction was prosecuted. Each and every day that such violation continues after such notice shall be considered a separate and specific violation of this chapter

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. 1884-15. Seeing that there was no public participation, Mayor Dobies closed the public hearing on Ordinance No. 1884-15.

Councilman Dotey made a motion for adoption of Ordinance No. 1884-15 seconded by Councilman Greco and carried by the following roll call vote: Ayes: Greco, Dotey, Madden and Schueler. No: None. Abstain: None.

NEW BUSINESS - NONE

ADOPTION OF MINUTES

Councilman Madden made a motion to approve the October 27, 2015 Regular Meeting Minutes and Executive Session Meeting Minutes seconded by Councilman Greco and carried by the following roll call vote: Ayes: Greco, Madden, and Schueler. Nos: None. Abstain: Dotey.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance - Councilman Kaplan was absent
2. Recreation/Recreation Fields/Water & Light – Nothing to report
3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Councilman Dotey made a motion to accept the resignation of Joe Eckert and Diamante Stewart as active members of the Middlesex Fire Department.
 - B. Councilman Dotey reported that the elections for the Fire Department were held last week and Ryan Zittel has been elected Fire Chief, Andrew Castaldo, Jr. was elected First Assistant Chief and Darren Lubetkin was elected Second Assistant Chief.
4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler reported on the following regarding the DPW:
 - 1) Bulk pick up ended Oct. 28 and will resume 1st Wed. in Feb. 2016
 - 2) Leaf pick up is in full swing (bags only) Wed. , Thurs. , and usually Fri. – Bags can still be picked up at Recycle center with a coupon which was included in your tax bill along with bulk coupons
 - 3) Completed a major cleanup of the Tot lot (playground) at Victor Crowell Park (lake) edged, cleaned, trimmed, mulched. (We had supervised labor from county prisoners.)
 - 4) Removed goal posts down on Cook Field.
 - 5) Repaired or replaced 17 signs (various) throughout Borough
 - 6) As of Nov. 9 , 2015 all Middlesex Borough Street signs were replaced to meet MUTCD regulations in which letters had to be 6” reflective letters, 430 signs were constructed and replaced by the DPW Sign Dept.
 - 7) Completed work for Ordinance No. 1805-11 installation of 32 new stop signs around town.
 - 8) Removed , cleaned , repaired , and stored away Aerators from Victor Crowell Lake for winter

- 9) Made and filled Brine Tank with 5000 gals of Brine for use during winter season to Brine Main Roads , Bridges , Parking areas, and other various locations.
- 10) Purchased shipping container for Electronics (from recycle trust fund) to restart electronics recycle program, TV's, computers monitors, printers, and other various electronic components.
- 11) Installed new A/C – heater unit in conference room at Borough Hall , Painted exterior doors on back of Borough Hall, and did general repairs and maintenance.
- 12) finishing up punch list for Dorn Ave. project. The pathway has hard surface with rolled millings , dead or dangerous trees were removed , all overgrown brush was removed , and large areas have been mulched with chips used from trees that were taken down, project should be 100% completed very shortly.
5. Police/Legal/Code Enforcement/Construction/Municipal Court
- A. Councilman Madden made a motion to approve the October, 2015 Municipal Court Report seconded by Councilman Dotey and carried by a unanimous vote of Council.
- B. Councilman Madden also recognized Chief Geist and invited him to address the Council at the Executive Session Meeting to discuss his contract.
6. Administration/Department of Senior Services/Legislation/Licensing
- A. The Borough Clerk reported on behalf of Councilman Mikolajczyk reported that the schools have authorized an agreement with their architects to survey the five school buildings and update the floor plans. These floor plans will be shared with the Middlesex Borough Police.
- B. The borough organizational chart will be updated for the recent restructure in the police department and we will look to bring this to the council in December.
- C. The Borough Clerk stated that at this time we only have one quote for the A/V System for the library and expect that within the next 2 weeks we should have received a second quote for approval by the Purchasing Agent. The HUD Committee would like to put a resolution to transfer funds for this A/V System on the December 8, 2015 Regular Meeting for council approval.

REPORTS

Mayor

1. DPW Union Request – Mayor Dobies received a request from the DPW union to fill the job openings for lead person and chief mechanic. This request will be turned over to the Finance Committee for the 2016 Budget.

2. Code Enforcement Inspector – A resolution for the job description has been put on the Agenda for approval this evening. The Council approved moving forward with this position at \$13.00 per hour.
3. Carpaccio's Sewer Fee - Mayor Dobies has forwarded to council his recalculations for the Carpaccio's Sewer Fee. Based upon the calculations in the ordinance, they are entitled to a credit of 242,800 gallons. They have been given a credit of 300,000 gallons, and therefore will owe the borough the difference. Based upon the review by the Tax Assessor, there is a total of 6496 square feet of total area, with approximately 38.42% used for the apartment and 61.58% for the restaurant. The Mayor is directing Tonya Hubosky to proceed with the calculations for the 2014 billing.
4. Mayor's Ethics Charge - Mayor Dobies read the following regarding his ethics charge:

I am presenting the following information on the Borough Council's ethics complaint because I was told the State Ethics Board was 3 years behind. Since I have not received any monetary loss or reputation loss I am using this as a learning process for the Borough Council since there were several transparency issues and a violation of my Constitutional Rights of due process. I bear no ill-feelings toward anyone on this issue.

On February 11, 2014 at 6:31 p.m. an email was sent by the Borough Attorney informing me and CP Kaplan of an alleged violation and what as attorney he has to do. Unfortunately I did not see the email until after the meeting because I was getting ready for the 7:00 p.m. meeting.

During the Executive Session of the 2/11/14 a Council member added the following item to the session – Allegation of interference with Court Proceedings. This is a transparency issue as any addition to the agenda must be brought up during the beginning of the meeting. The same Council member then read a letter from my accuser, incidentally I still haven't received a copy of that email, after which the Council agreed to have Borough Attorney forward the allegation of a violation of the Code of Ethics to the State Local Finance Board for the investigation or dismissal.

I explained verbally and in written form that a neighbor came in and said he couldn't make the Monday Court date and wanted a postponement. He also gave me a copy of the violation notice that he violated the rental ordinance. He said he does not rent the home out, but I told him he had to deal with the Zoning Officer.

I then walked him down to the Court and explained that he couldn't make the Court Date. Ms. Fritizinger said that was ok and went to some file. There was a discussion about his violation and I said I was in touch with the Zoning Officer and she would investigate the property rental. It is unfortunate that the owner's home is still vacant from the 2/11/14 to 11/16/15. So he was justified in challenging the violation notice, but again that has to be taken up with the Zoning Officer.

The M & C then went back into open session and the following resolution (70-14) authorizing the Borough Attorney, based on information by the Code Enforcer/Zoning Officer, Barrie Palumbo, to forward that information to the State Ethics Committee. There are two basic problems with this in that it did not specify who the accused person and what he/she was being accused of (Transparency). It was not until I was questioned by former Councilwoman Elizabeth Platen at a subsequent meeting that I said it was me. The major and more serious problem with the passage of that resolution is that I was denied my Constitution Right of Due Process of Law (Rice Notice). I think by now the Council is aware of this because I correctly went to the process of Law including notification of the Rice Notice. At the time I didn't expect the Council to know, but I felt the Borough Attorney should have advised them before the poor resolution was passed.

I now wonder if the Borough Attorney ever circulated the letter from the Court Administrator that addressed the situation. I also found it strange that the Borough Attorney move the trial of the rental property violation, that I was accused of interfering with, without mine or councils authority as far as I know.

I am asking this Council, since there are still four members from the February 11th meeting, to dismiss the ethic allegation or retract the previous proposal by a resolution tonight before I leave office. I realize this may not resolve the issue with the Ethic Board and I am prepared to attend the meeting with my attorney on the alleged ethic violation. – Ron Dobies, Mayor

The Borough Attorney stated that he does not have the authority to move a case out of a jurisdiction. This decision would be made with the Superior Court when there is a conflict, and they decide if is appropriate. Attorney Aithal did indicate that he has an ethical obligation to request that the case be moved.

Also, the Borough Attorney mentioned that the Mayor believes he was entitled to a rice notice. He has looked into case law that a part time mayor receiving a stipend is considered to be an employee and could not find a single case to support that claim. Also, with regard to the possibility of council passing a resolution to dismiss the case, Attorney Aithal mentioned that he acts at the pleasure of council and cannot withdraw a complaint without council's request to write a letter or adjudicate the matter. Mayor Dobies stated that he is fighting for his reputation and will take any action necessary to protect his reputation.

Councilman Schueler made a motion to have the Borough Attorney forward a letter to the Ethics Board to request an expedited adjudication in regard to this Ethics Charge seconded by Councilman Dotey and carried by a unanimous vote of members present.

5. Parking along Baekeland Avenue – Mayor Dobies discussed that there are cars parked on borough property (grass and pavement) on Baekeland Avenue, and he needs directions from council on how they would like to handle this matter as there is concern of liability involved. Council would like to discuss any suggested proposals from the

property owners, and at this time will request that the Police Chief enforce “No Parking”, and the DPW Supervisor measure the area in question and count the cars that are parking in the area. Also, the Borough Attorney will forward a letter to the business owners to put them on notice that they are parking on borough property, and Mayor Dobies will confirm with the Borough Assessor that this area is borough property.

6. Administrative Offices Closed on Christmas Eve – Councilman Schueler made a motion to have the employees take a vacation day or personal day on December 24 to allow them to be off on Christmas Eve seconded by Councilman Greco and carried by a unanimous vote of council present.
7. 2016 Mill & Overlay – Mayor Dobies is recommending George Avenue, Warrentville Road (Blocks 3 & 4) and the first block of Howard Avenue and is requesting council’s permission to authorize the engineer to move forward. Councilman Schueler made a motion to have the engineer begin an assessment on George Avenue, Warrentville Road and Howard Avenue seconded by Councilman Dotey and carried by a unanimous vote of Council.
8. Street Name Changes – Honoring Residents – Mayor Dobies mentioned that he was approached about renaming a street from a member of a former mayor’s family and also a fireman. Mayor Dobies suggested possibly naming Mohawk from Fairview Avenue to Victor Crowell Park where there are no homes involved. He stated that he would never change a street name with houses involved. A consensus of council was to not change any names of streets. Rather than renaming a street, Councilman Schueler suggested that the council might want to consider putting a banner on a light post on Willow Drive in Victor Crowell Park to honor certain individuals.

The Borough Clerk read the following resolution:

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

Consent Agenda 2015(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 wish to remove Resolution #267-15 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 #257-15 – Resolution #266-15

Resolution #268-15 - #271-15

Councilman Greco made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Madden, 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 #257-15

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

WHEREAS, On October 23, 2015 Chief Geist 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 "D" effective November 21, 2015 at an annual salary of \$76,327.

The Borough Clerk read the following resolution:

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

Resolution #258-15

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

WHEREAS, On October 23, 2015 Chief Geist recommended Police Officer Jamie Marczak be advanced in grade.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that Police Officer Jamie Marczak be and is hereby advanced in grade to Patrolman Class "F" effective November 19, 2015 at an annual salary of \$58,997.

The Borough Clerk read the following resolution:

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

Resolution #259-15

WHEREAS, the contract with Munidex, Inc for the Finance, Clerk and Tax software expires on December 31, 2015

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the Mayor is authorized to execute a contract with Edmunds and Associates to provide the software for the Finance, Clerk and Tax offices for a contract length of four years commencing on January 1, 2016

NOW FURTHER BE IT RESOLVED that the Treasurer hereby certifies that the funds for the initial setup of \$49,731.50 are available as follows:

04-1605-00-1605-54	\$14,495.63
04-1605-00-1605-55	\$ 820.25
04-1687-00-1687-54	\$ 5,207.24
04-1687-00-1687-70	\$ 624.41
04-1832-00-1832-54	\$ 10,000.00
04-1832-00-1832-55	\$ 4,694.97
01-2010-20-1302-138	\$ 1,500.00

The annual maintenance fee of \$12,389.00 will be budgeted for in the 2016 Operating Budget.

The Borough Clerk read the following resolution:

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

Resolution #260-15

Authorizing the Mayor and Borough Clerk to execute the Solid Waste Disposal Agreement between the Borough of Middlesex and the Middlesex County Utilities Authority for a three year term effective January 1, 2016 – December 31, 2018.

The Borough Clerk read the following resolution:

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

Resolution #261-15

Hiring Robyn Seif, 78 Ramsey Road, Middlesex, NJ as Temporary Part-Time Administrative Assistant in the Police Department for approximately 12 weeks but no longer than 16 weeks at \$13.00/hr. 20 hours a week effective November 30, 2015 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 #262-15

The Tax Collector is hereby authorized to issue a check in the amount of \$22.00 to record tax sale certificates acquired at the October 22, 2015 tax sale. The check should be made payable to:

Middlesex County Clerk
P O Box 1110
New Brunswick, NJ 08903-1110

The Borough Clerk read the following resolution:

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

Resolution #263-15

**RESOLUTION AUTHORIZING STATE CONTRACT
PURCHASE OF UPGRADE TO VMWARE & SUPPORT FOR NEW BOROUGH HALL
SERVERS**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase upgrade VMware vCenter Standard and VMware Support for Borough Hall servers 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. 89851 for the year 2015; and

WHEREAS, the cost for the purchase of VMware & support is \$4,505.62; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of VMware & support is ordered under State Contract No. 89851 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount of \$4,505.62 are available in Account No. 04-1879-00-1879-90.

The Borough Clerk read the following resolution:

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

Resolution #264-15

RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF

EMAIL MESSAGE ARCHIVER

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase Email Message Archiver 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. NJ Barracuda WSCA AR069 for the year 2015; and

WHEREAS, the cost for the purchase of the Email Message Archiver is \$4,776.73; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of Email Message Archiver is ordered under State Contract No. NJ Barracuda WSCA AR069 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount of \$4,776.73 are available in Account No. 04-1879-00-1879-90.

The Borough Clerk read the following resolution:

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

Resolution #265-15

RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF RADIO PROGRAMMING CABLE

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase radio programming cable 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 is under State Contract No. 83909 for the year 2015; and

WHEREAS, the cost for the purchase of radio programming cable is \$392.00; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of radio programming cable is ordered under State Contract No. 83909 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount of \$392.00 are available in Account No. 04-1879-00-1879-90.

The Borough Clerk read the following resolution:

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

Resolution #266-15

WHEREAS, Jeffrey Buccellato was issued a street opening permit on 10/27/15; 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 758 Voorhees Avenue was never opened and no work has taken place or will take place.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that the disbursing officers be and they are hereby authorized to draw a check in the amount of \$2500 in favor of Jeffrey Buccellato, 313 Beechwood Ave, Middlesex, NJ 08846, for refund of Street Opening Permit No. 2015-015.

The Borough Clerk read the following resolution:

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

Resolution #268-15

The Treasurer hereby authorizes the transfer of funds for the Current Budget of 2015:

ACCOUNT NAME	TO:	FROM:
Administration S/W		\$ 60,785
Assessment of Taxes	\$ 500	
Construction O/E	\$ 1,000	
Group Insurance	\$ 15,000	
Buildings & Grounds	\$ 5,000	
Parks & Playgrounds O/E	\$ 2,000	
Senior Transportation	\$37,285	

The Borough Clerk read the following resolution:

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

Resolution #269-15

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE LIGHTING
EQUIPMENT & MOUNTING FOR NEW FIRE CHIEF CAR**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase lighting equipment and mounting for new fire chief car 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, East Coast Emergency Lighting Inc. is under State Contract No. 81338 for the year 2015; and

WHEREAS, the cost for the purchase of lighting equipment and mounting is \$14,526.76; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of lighting equipment and mounting is ordered under State Contract No. 81338 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount not to exceed \$14,526.76 are available in Account No. 04-1879-1879-75.

The Borough Clerk read the following resolution:

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

Resolution #270-15

WHEREAS, the 2013 Capital Budget appropriated funds for the purchase of new fire trucks,

NOW THEREFORE BE IT RESOLVED, that the unused balance be re-appropriated and used for Building Repairs to Parker Fire House, Repairs to the Firehouse Doors for Beechwood Fire House and a Generator for Pierce Fire House

NOW FURTHER BE IT RESOLVED that the Treasurer hereby certifies that the funds in the amount of \$24,000.00 are available in Account No. 04-1832-00-1832-74.

The Borough Clerk read the following resolution:

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

Resolution #271-15

WHEREAS, the Crossing Guard salary is currently \$13.77/hr. and the Police Chief requested an increase to \$14.25/hr; and

WHEREAS, the Chief has done a comparison with other towns and there has been no increase in the Crossing Guard Salary since 2010;

NOW THEREFORE BE IT RESOLVED the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey hereby approves the increases for Crossing Guards to \$14.25/hr. effective November 16, 2015.

The Borough Clerk read the following resolution:

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

Resolution #274-15

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF
MINITOR VI PAGERS**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase radio programming cable 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 is under State Contract No. 83909 for the year 2015; and

WHEREAS, the cost for the purchase of Minitor VI Pagers is \$4039.20; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of radio programming cable is ordered under State Contract No. 83909 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount of \$4039.20 are available in Account No. 04-1879-00-1879-90.

Councilman Kaplan made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Greco, Kaplan, Madden, and Mikolajczyk. 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 #267-15

Approving the Job Description of the Code Enforcement Inspector which is listed below and filed in the Municipal Clerk's office.

Responsibilities

1. Under the direction of the Zoning Officer, performs field inspection work to ensure compliance with the housing and maintenance regulations, including conducting inspections to eliminate blight and and/or eliminate substandard housing accommodations. Photographs may be taken to provide the Zoning Officer with relevant information as well as providing a record of the potential violation(s).
2. Inspects and reports compliance with the following Code Enforcement Regulations to the Zoning Officer/Code Enforcer:
 - a. Section 317 Property Maintenance
 - b. Section 403 Abandoned Vehicles
 - c. Section 318 Abandoned Properties
 - d. Section 351 Solid Waste
 - e. Section 288 Numbering of Lots and Buildings
 - f. Section 320 Landlord Registration
 - g. Other duties that may be necessary as per the Zoning Officer/Code Enforcer

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

The Borough Clerk read the following resolution:

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

Resolution #272-15

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: Greco, Kaplan, Madden, and Mikolajczyk. Nos: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS-NONE

PUBLIC COMMENTS

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

Sharon Smigel, 23 Washington Avenue questioned Resolution No. 259-15 and if the \$49,731.50 was a one-time fee for the Edmunds software system. Mayor Dobies responded that this is the initial set up fee and that the annual fee is \$12,389.00.

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 #273-15

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. Chief of Police's Contract
2. Part Time Salaries
3. DPW Reprimand

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

Councilman Madden 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
John Madden
Bob Schueler
Jack Mikolajczyk (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
DECEMBER 8, 2015**

MAYOR'S STATEMENT: Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of January 2, 2015 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
	John Madden
	Bob Schueler
	Jack Mikolajczyk

Attorney: Aravind Aithal

APPOINTMENTS

The Borough Clerk read the following resolution:

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

Resolution #275-15

WHEREAS, Patrolman Chad Corner has successfully completed all phases of the promotional testing procedures; and

WHEREAS, Chief Matthew Geist has recommended that Patrolman Chad Corner be promoted to the rank of Sergeant.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, New Jersey, that Patrolman Chad Corner be promoted to the rank of Sergeant effective December 9, 2015 at an annual salary of \$110,079.00.

Councilman Madden made a motion for adoption seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Kaplan, Greco, Madden, Mikolajczyk 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 #276-15

WHEREAS, Patrolman James Bacon has successfully completed all phases of the promotional testing procedures; and

WHEREAS, Chief Matthew Geist has recommended that Patrolman James Bacon be promoted to the rank of Sergeant.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, New Jersey, that Patrolman James Bacon be promoted to the rank of Sergeant effective December 9, 2015 at an annual salary of \$110,079.00.

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

Police Chief Geist congratulated the new Sergeants and thanked the Mayor and Council for their continued support of the Police Department.

The Borough Clerk read the following resolution:

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

Resolution #297-15

The Mayor and Borough Clerk are hereby authorized to execute the Employment Agreement between the Borough of Middlesex and Matthew P. Geist to serve as Chief of Police effective July 14, 2015 - July 14, 2020.

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

PROCLAMATIONS-NONE

PRESENTATIONS

Mayor Dobies presented the following individuals within the community the "Middlesex Borough Outstanding Citizen Awards" and also former Fire Chiefs who have served in the borough:

Father Pat Kuffner
Al Lowande
Jim Gorman
Dan Gitler
Daniel Gilroy
Mark Kranz
Subhash Dani
Joseph Waide
Bruce Perone
Angelo Rossi
Guy Hoyt
Phil Lopa

Dr. Linda Madison
Cassius Kennick
Jason Bond
William Moore
Sharon Schueler
Frank Terracciano
Anthony Parente
Jim DiSalvo
Frank Bozzomo
Dawn VandeWiele
Joseph McNulty

Fire Chiefs

Ed Winters
Jack Costa
Andy Castaldo, Jr.
Kevin Mott
Louis Moscetti

George Taylor
Barry Proctor
Jim Rinker
David Bird

PUBLIC HEARING-NONE

NEW BUSINESS - NONE

ADOPTION OF MINUTES

Councilman Dotey made a motion to approve the November 17, 2015 Regular Meeting Minutes and Executive Session Meeting Minutes seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Madden, and Schueler. Nos: None. Abstain: Kaplan & Mikolajczyk..

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance - Nothing to report
2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco reported that the Christmas Tree Lighting is scheduled for Saturday, December 12, 2015 at 6pm in front of Borough Hall.
3. Fire/OEM/Board of Health/Rescue Squad/Flood – Nothing to report
4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler reported on the following regarding the DPW:

1. Fall clean up on all borough properties was done, including leaf removal from parks ball fields and buildings
 2. Repair and set up of Christmas Decorations at Borough hall in preparation for tree lighting
 3. Received delivery of new container for Electronics Recycling at recycle yard set in place with stone
 4. Updated and began work on pot hole list
 5. Inventoried the snow fighting equipment, plows, spreaders and blowers to make sure everything is in working order and running for the upcoming winter season
 6. Clean up and maintenance of Paper street, Pershing Place off Wilton and removed garbage and regarded the area that is a stone base.
 7. General maintenance at borough: painting, replacing light bulbs, ceiling tiles and exterior drain leaders and downspouts at borough hall. General repairs at Police HQ
 8. Continued Leaf pick up throughout the borough on Wednesday, Thursday and Friday. Leaf bags are still available at recycle yard with coupon from tax bill
 9. Bulk pickup season is over until first Wednesday in February. Any bulk items left out can be subject to violation. Reminder, currently bulk pickups require an appointment
 10. Closed and winterized the bathrooms at Mountainview Park, Haverstick Field and the snack shack at the football field. Note that a port a john has been placed in Mountainview Park to provide a comfort station to users of the park.
 11. While we should use the money in the capital budget for stream cleaning to clear blockages in streams, I suggest we have DPW manager create a plan including manpower to remove the other trees and debris that are not in the stream or hanging over the boundary of the stream.
5. Police/Legal/Code Enforcement/Construction/Municipal Court
 - A. Councilman Madden made a motion to approve the November, 2015 Municipal Court Report seconded by Councilman Greco and carried by a unanimous vote of Council.
 6. Administration/Department of Senior Services/Legislation/Licensing
 - A. Councilman Mikolajczyk reported that the Borough Clerk has prepared a borough organizational chart which will be forwarded to Council, and put on the December 22, 2015 Regular Meeting for council adoption.

- B. The signs for Daisy Park and Lincoln Park have come in. The DPW Supervisor will install these signs by the spring.
- C. A resolution will be approved this evening to transfer HUD funds to purchase A/V Equipment for the Middlesex Public Library.
- D. The DPW Assistant Supervisor met at Daisy Park with the HUD Committee Liaison and discussed what the committee would like regarding the driveway parking, fencing and basketball courts at the park. The committee is looking to have the parking and fencing done before winter, and then the basketball court done in the spring.

REPORTS

Mayor

1. Mayor Dobies stated that discussion on Baekeland Avenue Parking will be moved to Executive Session due to potential litigation. Councilman Mikolajczyk made a motion to move Baekeland Avenue Parking to Executive Session seconded by Councilman Greco and carried by a unanimous vote of council.
2. Stream Clearing – Mayor Dobies received an estimate for the stream clearing from Predator for \$24,000 for the next phase of cleaning blockages in the stream. Councilman Schueler is recommending that the DPW Supervisor create a plan to see what we can do with the wood and debris adjacent to the brook. Councilman Kaplan also is recommending that we clean the park out and move through other sections of town. Councilman Schueler will request a plan from DPW immediately to utilize our manpower in order to have it implemented between January and April.

The Borough Clerk read the following resolution:

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

Consent Agenda 2015(V)

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 do 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 #277-15 – Resolution #294-15

Councilman Kaplan made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #277-15

The Tax Collector is hereby authorized to refund 2015 property taxes on the following property. The finance/mortgage company overpaid.

BLOCK/LOT	NAME & ADDRESS	AMOUNT
257/15	Caamano, Joseph & Allison 420 Runyon Ave	\$1,502.92

Check is to be made payable to: Caamano, Joseph & Allison
420 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 #278-15

The Tax Collector is hereby authorized to amend the 2015 added assessment from \$5,432.85 to \$2,768.24 on Block 295, Lot 29, 460 Voorhees Ave. There was a computer calculation error that did not take into account the 1st & 2nd quarter payments billed and/or made.

The Borough Clerk read the following resolution:

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

Resolution #279-15

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF
2016 CHEVROLET SILVERADO 3500HD WORK TRUCK**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase a 2016 Chevrolet Silverado 3500HD Work Truck 4WD Regular Cab Mason Dump Truck w/Plow &

Sander 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, Hertrich Fleet Service is under State Contract No. A88759 for the year 2015; and

WHEREAS, the cost for the purchase of a 2016 Chevrolet Silverado 3500HD Work Truck is \$55,039.90; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of a 2016 Chevrolet Silverado 3500HD Work Truck is ordered under State Contract No. A88759 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount of \$55,039.90 are available in Account No. 04-1879-00-1879-77.

The Borough Clerk read the following resolution:

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

Resolution #280-15

The Tax Collector is hereby authorized to issue a check in the amount of \$7,288.72 to redeem tax sale certificate #2015-1854 and tax sale premium in the amount of \$17,100, Block 136, Lot 28, 241 Oak Dr. The check is to be made payable to:

US Bank Cust for BV001 Trust
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 #281-15

The Governing Body hereby approves the transfer of \$4,970.00 HUD Funds for the purchase of the Middlesex Public Library Audio Visual System. The Purchasing Agent approved of the purchase from Office Business Systems, 600M Ryerson Road, Lincoln Park, New Jersey. The HUD funds will be transferred out of the following Accounts:

CDRS 1119	\$1,795.00
CDRS 8831	\$1,694.61

CDRS 1221

\$1,480.39

The Treasurer hereby certifies funds are available in the above accounts.

The Borough Clerk read the following resolution:

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

Resolution #282-15

FY2017 (July 1, 2016 – June 30, 2017)

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for Prevention of Alcoholism and drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organization, 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 Committee grant for Fiscal year 2017 in the amount of:

DEDR	\$20,965.00
Cash Match	\$ 5,241.25
In-Kind	\$15,723.75

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 #283-15

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE
OF GLOBE TURNOUT GEAR**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase Globe 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, NJ Fire Equipment is under State Contract No. A71063 for the year 2015; and

WHEREAS, the cost for the purchase of turnout gear is \$36,335.32; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of turnout gear is ordered under State Contract No. A71063 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount not to exceed \$36,335.32 are available in Account No. 04-1879-1879-75.

The Borough Clerk read the following resolution:

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

Resolution #284-15

Accepting the resignation of Chris Howard, a part time employee from the DPW effective November 25, 2015.

The Borough Clerk read the following resolution:

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

Resolution #285-15

The governing body hereby hires Salvatore Dispenziere as a permanent part time employee for the Department of Public Works at \$12.00 per hour for 28 hours per week, effective December 14, 2015, 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 #286-15

WHEREAS, the Chief Financial Officer has recently performed a review of the unexpended balance of Improvement Authorizations; and

WHEREAS, as a result of this review of the various Improvement Authorizations, it was determined that various inactive, unexpended and unneeded Improvement Authorization balances exist that should be considered for cancellation; and

WHEREAS, the Borough Auditor has recommended the cancellation of certain inactive, unneeded and unexpended Improvement Authorizations; and

WHEREAS, the Chief Financial Officer has also reviewed the accounts and concur with the Auditor's recommendations.

NOW, THEREFORE, BE IT RESOLVED that the following Improvement Authorizations are hereby cancelled as follows.

Improvement Authorizations	Ordinance	Cancelled To	Cancelled To
	Number	Fund Balance	Deferred Unfunded
Park Construction	1473-99	\$3,220.75	
Victor Crowell Park	1474-99	\$1,562.45	
Borough Landfill	1476-99	\$1,997.72	
Mountainview Park	1480-99	\$1,892.25	
Building Improvements	1492-00	\$2,119.31	
Purchase of Senior Bus	1513-00	\$4,332.91	\$0.08
Victor Crowell Park Bridge	1524-01	\$8,157.71	
Reconstruction of Roads	1525-01	\$367.96	
Improvements to VC Park	1545-01	\$5,895.72	
Reconstruction of Roads	1548-01	\$370.18	\$0.19
Construction of Bikeway	1571-02	\$5,935.49	
Various Capital Improvements	1582-03	\$13,527.93	
Sanitary Sewer Improvements	1590-03	\$14,885.27	
New Sidewalks	1599-04	\$14,271.87	\$0.25
Improvements to Soccer Field	1600-04	\$960.22	
Various Capital	1605-04	\$4,182.53	

Middlesex, NJ 08846

Hanover Square Condo Association \$ 5,668.44
Alliance Property Management
PO Box 2207
Morrestown, NJ 07962-2207

Middlesex Village Condo Association \$ 23,477.63
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 #288-15

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, 2015, 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 08005	\$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 Di Bartolomio 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	Jerome Nowak 1886 East Fir Ave, Apt 104 Fresno, CA 93720	\$578.40
Arthur Roberts 305 Harris Ave Middlesex, NJ 08846	\$578.40	Erica Schaefer 58 Joe-Ent Rd Flemington, NJ 08822	\$629.40
Jerry Schaefer 58 Joe-Ent Rd Flemington, NJ 08822	\$629.40	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
James Tolomeo 841 West Second St Middlesex, NJ 08846	\$629.40	Rita Wahler 16 Fitzsimmons Ave Middlesex, NJ 08846	\$599.40

The Borough Clerk read the following resolution:

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

Resolution #289-15

The Treasurer hereby authorizes the transfer of funds for the Current Budget of 2015:

ACCOUNT NAME	TO:	FROM:
Police Overtime S/W		\$ 6,000

Police New Hires O/E	\$ 6,000	
Swim Pool S/W		\$ 20,000
Swim Pool O/E	\$ 20,000	

The Borough Clerk read the following resolution:

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

Resolution #290-15

The governing body hereby declares a 1999 Dodge Van, Vin No. 2B4HB15X8XK572352 surplus. This vehicle will be donated to the Middlesex Board of Education.

The Borough Clerk read the following resolution:

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

Resolution #291-15

The governing body hereby authorizes the Mayor and Borough Clerk to execute the Grant Agreement with the County of Middlesex Office of Aging and Disabled Services for Transportation and Information & Assistance for the term January 1, 2016 – 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 #292-15

The governing body hereby hires Jim Rinker as the Code Enforcement Inspector for 10 hours per week, at \$13.00 per hour effective January 1, 2016.

The Borough Clerk read the following resolution:

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

Resolution #293-15

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF
NEW SERVERS FOR BOROUGH HALL**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase new servers for Borough Hall 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, Ocean Computer Group is under WSCA/NASPO Contract #B27160 & WSCA/NASPO Contract #AR602 (networking) for the year 2015; and

WHEREAS, the cost for the purchase of new servers is \$51,615.70; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of new servers for Borough Hall is ordered under WSCA/NASPO Contract #B27160 & WSCA/NASPO Contract #AR602 (networking) be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount of \$51,615.70 are available in Account No. 04-1879-00-1879-90.

The Borough Clerk read the following resolution:

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

Resolution #294-15

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF MUNICIPAL CLERK
LAPTOP & IT PROJECT MANAGER LAPTOP**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to a laptop for the Municipal Clerk and a laptop for the IT Project Manager 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. 89967 for the year 2015; and

WHEREAS, the cost for the purchase of two laptops is \$4,487.66; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of two laptops is ordered under State Contract No. 89967 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount \$1,887.66 are available in Account No. 04-1605-00-1605-55 and in the amount of \$2,600.00 are available in Account No. 04-1715-00-1715-89.

The Borough Clerk read the following resolution:

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

Resolution #295-15

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, Kaplan, Madden, Mikolajczyk 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.

John Ellery, 701 Lincoln Boulevard stated that it has been two years and 11 months and now they mailed out more sewer bills, and in the last 3 years the sewer bills have tripled. He indicated that the bills that were just received must be paid by December 30 and the businesses must come up with these funds in this short amount of time. He feels that we need a proper ordinance for commercial and residential properties. He is requesting that the council work on these issues and move forward, as we are destroying our sewer system.

John Mrofchak, 128 Wood Avenue indicated that this sewer issue could have been settled 3 years ago, but no one wanted to settle it, and the Mayor and Council will not sit and work with the businesses.

Ed Johnson, 216 Hazelwood stated that he sent a letter to the Borough Attorney regarding the ethics violation against Mayor Dobies and requested he forward a copy of the letter to the governing body. Mr. Johnson explained the facts regarding this incident to council and after his explanation requested that if they agreed with his rationale, that they make a recommendation to the state ethics board to pull the summons for an adjournment.

Betty Platten, 4 Hooker Avenue questioned why the council is addressing the mayor's attorney regarding the ethics complaint filed against the Mayor. When Mrs. Platten was on council they were told they couldn't discuss any litigation which involved the plaintiff and or in this case the Mayor.

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 #296-15

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. Chief of Police's Contract
2. Employee Salaries/Request for Full Time Employees

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

Councilman Madden 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
	John Madden
	Bob Schueler
	Jack Mikolajczyk

Attorney: Aravind Aithal

At the direction of council, the Borough Clerk will put a resolution on the December 22, 2015 Public Agenda to authorize the Borough Attorney to write a letter to the Ethics Board to withdraw the ethics violation against Mayor Dobies.

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
SPECIAL MEETING MINUTES
DECEMBER 15, 2015
7:00 P.M.**

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 June 25, 2015 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

Mayor	Ronald Dobies	Absent
Council President	Sean Kaplan	
	Kevin Dotey	
	Stephen Greco	
	John Madden	
	Bob Schueler	
	Jack Mikolajczyk	
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 #301-15

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) Employee Increases and Adjustments

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

Councilman Madden moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by the following roll call vote.

ROLL CALL

Mayor	Ronald Dobies	Absent
Council President	Sean Kaplan	
	Kevin Dotey	
	Stephen Greco	
	John Madden	
	Bob Schueler	
	Jack Mikolajczyk	

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 #298-15

WHEREAS, the Department of Senior Services has been changed to Department of Senior & Disabled Services; and

WHEREAS, the Executive Director of Senior Services job now includes disabled services; and

WHEREAS, the Governing Body has agreed to increase the salary of the Executive Director of Senior and Disabled Services to \$12,600.00 of which \$6,300 was paid last year and the remaining \$6,300 has been appropriated in this year's salary.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the 2015 salary for the Executive Director of Senior and Disabled Services is \$58,701.00

Councilman Schueler made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #299-15

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 2015 be hereby fixed respectively as follows:

<u>Title</u>	<u>2015 Salary</u>	<u>Date of Increase</u>
Fire Sub-Code	\$35.88/hr.	8/1/2015
Construction Official	\$35.88/hr.	8/1/2015
Building Inspector	\$35.88/hr.	8/1/2015
Building Sub-Code Official & Building Inspector	\$33.83/hr.	8/1/2015
Plumbing Sub-Code Official	\$45.22/hr.	1/1/2015
Electrical Sub-Code Official	\$33.54/hr.	1/1/2015

NOW FURTHER BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that this resolution shall take effective immediately.

Councilman Schueler made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #300-15

WHEREAS, on July 14, 2015 the Mayor and Council appointed Matthew P. Geist as the new Police Chief; and

WHEREAS, on December 8 ,2015, the Mayor and Council approved the Employment Agreement between the Borough of Middlesex and Matthew P. Geist to serve as Police Chief of Middlesex Borough; and

WHEREAS, Chief Geist annual salary shall be \$139,850.00 prorated to July 14, 2015.

NOW FURTHER BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that Chief Geist's annual salary shall be \$139,850.00 prorated to July 14, 2015 effective immediately.

Councilman Schueler made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #302-15

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 2015 be hereby fixed respectively as follows:

<u>Title</u>	<u>Hourly Rate</u>	<u>Date of Increase</u>
Administrative Assistant	\$12.60	1/1/15
Construction Clerk	\$13.27	1/1/15

NOW FURTHER BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that this resolution shall take effective immediately.

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

Councilman Dotey recommended that the 2016 council re-evaluate these positions and the responsibilities to make sure they are properly compensated.

Council President Kaplan also noted that Mayor Dobies provided us with a baseline and these positions will be reviewed next year.

PUBLIC COMMENTS

Council President Kaplan opened the Public Portion of the meeting for any comments. Seeing that there was no public participation, Council President Kaplan closed the public portion of the meeting.

ADJOURNMENT

Councilman Madden 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
DECEMBER 22, 2015**

MAYOR'S STATEMENT: Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of January 2, 2015 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
	John Madden
	Bob Schueler
	Jack Mikolajczyk

Attorney: Aravind Aithal

APPOINTMENTS

The Borough Clerk read the following resolution:

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

Resolution #303-15

WHEREAS, Scott Mulford has successfully completed the psychological and medical examination required for the position of a Probationary Patrolman in the Borough of Middlesex; and

WHEREAS, Chief Geist is recommending that Scott Mulford be appointed to the position of Probationary Patrolman effective December 29, 2015 at an annual salary of \$50,332.00.

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 Mulford is hereby appointed a Probationary Patrolman for the Borough of Middlesex effective December 29, 2015 at an annual salary of \$50,332.00.

2. This resolution shall take effect immediately.

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

Police Chief Geist congratulated Scott Mulford on his appointment to the Middlesex Police Department and thanked the Mayor and Council for their continued support of the Police Department.

PROCLAMATIONS-NONE

PRESENTATIONS

Mayor Dobies awarded the following individuals that were present with the Middlesex Borough Outstanding Citizen Awards and also Distinguished Service Metals:

Matthew Adams	Charles Corcoran
Louis Curcio	Kenneth DeVuyst
Kevin Dotey	Jeffrey First
Stephen Greco	Michael Hompesch
Patricia Jenkins	Robert Kizis
Jack Mikolajczyk	Garrett Mulcahy
David Oliver	Michael Paff
Elizabeth Platten	Stephanie Quast
Timothy Sheehan	Robert Schueler
Michele Tackach	Laura Thomasey
Robert Woodward	Donald Coords
Al Gazik	H. Richard Heitman
Robert Hunter	Paul Laub
Richard Matuszkiewicz	Bruce Sadowski

Distinguished Service Awards

Vic Capolunghi	Gerald D'Angelo
Ron DiMura	John Fuhrmann
Sean Kaplan	John Madden
Sherley Penrose	Robert Sherr
John Sweeney	Kathleen Anello
Blanche Dobies	

PUBLIC HEARING-NONE

NEW BUSINESS - NONE

ADOPTION OF MINUTES

Councilman Schueler made a motion to approve the December 8, 2015 Regular Meeting Minutes and Executive Session Meeting Minutes and the December 15, 2015 Special Meeting Minutes and Executive Meeting Minutes seconded by Councilman Dotey and carried by the

following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk and Schueler. Nos: None. Abstain: None.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance - Nothing to report
2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco thanked the Middlesex Fire Department for transporting Santa to greet all the residents in the borough and wished everyone a Merry Christmas and Happy New Year.
3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Councilman Dotey reported that the Board of Health is writing a “No Smoking Ordinance” and this will be presented to the council next year.
4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler reported on the following regarding the DPW:
 - Completed 40 – 50 stops on pothole repair list.
 - Have received our new hot box for doing pothole and road repairs getting it registered to go on the road.
 - Worked with the Decorating committee to get everything ready for the Christmas tree lighting ceremony.
 - Had the street sweeper sweep the curb lines to remove any excess leaves, to keep them from going into the storm drains.
 - Have been cleaning the tops of storm drains to keep them clear of leaves and debris, and installing retrofits in areas that still require them.
 - Checking all the plows on all the trucks and making sure all snow equipment is working properly.
 - Made and/or repaired approx. 12 signs for different areas throughout the Borough.
5. Police/Legal/Code Enforcement/Construction/Municipal Court
 - A. Councilman Madden congratulated Officer Mulford on his appointment to the Middlesex Police Department, as there is incredible testing involved in the screening of officers.
 - B. Councilman Madden made a motion to approve the November, 2015 Municipal Court Report seconded by Councilman Mikolajczyk and carried by a unanimous vote of Council.

- C. Councilman Madden made a motion to approve the November, 2015 Police Department Report seconded by Councilman Greco and carried by a unanimous vote of Council.
6. Administration/Department of Senior Services/Legislation/Licensing
- A. Councilman Mikolajczyk reported that the signs obtained from the HUD Grant should be installed at Daisy Park and Lincoln Park shortly, weather permitting.
 - B. Councilman Mikolajczyk congratulated Judy Morrison and Catherine Perhach on their retirement from the Board of Education.
 - C. A resolution will be approved this evening to transfer HUD funds to purchase A/V Equipment for the Middlesex Public Library.

REPORTS – 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 2015(X)

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 wish to remove Resolution #304-15 and #306-15 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 #305-15
Resolution #307-15 – Resolution #330-15

Councilman Dotey made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #305-15

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 2014 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 #307-15

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 in 2016.

The Borough Clerk read the following resolution:

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

Resolution #308-15

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 for 2016.

The Borough Clerk read the following resolution:

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

Resolution #309-15

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 #310-15

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 #311-15

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 2016.
-

The Borough Clerk read the following resolution:

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

Resolution #312-15

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 #313-15

**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 #314-15

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 2015 Budget until the 2016 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 #315-15

“A RESOLUTION TO PROVIDE FOR A TEMPORARY BUDGET FOR PAYMENT OF CLAIMS UNTIL THE ADOPTION OF THE 2016 BUDGET

A Temporary Budget in the amount of \$ 7,662,822.08 to provide for the payment of claims and salaries including debt service payments between the first day of January 2016 and the adoption of the 2016 budget to be set up as follows:

GENERAL GOVERNMENT OPERATIONS:

Mayor & Council

Salary & Wage	\$3,000.00
Other Expenses	\$2,500.00

Administrator

Salary & Wage	\$40,000.00
Other Expenses	\$2,000.00

Municipal Clerk

Salary & Wage	\$41,000.00
Other Expenses	\$5,000.00

Rescue Squad Rental \$2,400.00

Printing & Advertising \$5,000.00
Postage \$10,000.00

Assessment of Taxes

Salary & Wage	\$4,000.00
Other Expenses	\$1,200.00

Collection of Taxes

Salary & Wage	\$18,300.00
Other Expenses	\$2,000.00

Financial Administration

Salary & Wage	\$28,000.00
Other Expenses	\$11,000.00

Legal Services \$30,000.00

Engineering Services \$10,000.00

Environmental Services \$10,000.00

Public Buildings & Grounds \$25,000.00

Computer Data Services

Salary & Wage	\$20,600.00
Other Expenses	\$60,000.00

Planning Board

Salary & Wage	\$1,500.00
Other Expenses	\$5,000.00

Zoning Board

Salary & Wage	\$1,500.00
Other Expenses	\$5,000.00

Code Enforcement

Salary & Wage	\$7,000.00
Other Expenses	\$4,000.00

Shade Tree Commission

Salary & Wage	\$700.00
Other Expenses	\$10,000.00

Board of Health

Salary & Wage	\$750.00
Other Expenses	\$20,000.00

Housing & Community Development

Salary & Wage	\$375.00
Other Expenses	\$25.00

Insurances

Group Insurance Plan	\$700,000.00
Workers Compensation	\$100,000.00
Temporary Disability	\$10,000.00
Long Term Disability	\$7,500.00
Other Insurances	\$125,000.00

PUBLIC SAFETY:

Fire Department

Other Expenses	\$30,000.00
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Police Department

Salary & Wage	\$800,000.00
Other Expenses	\$30,000.00

Juvenile Conference Committee

Salary & Wage	\$560.00
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Emergency Management

Other Expenses	\$3,000.00
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Road Repair & Maintenance

Salary & Wage	\$100,000.00
Other Expenses	\$30,000.00

Sewer Systems

Salary & Wage	\$0.00
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Other Expenses \$12,000.00

Solid Waste Management

Salary & Wage \$25,000.00

Garbage Removal

Salary & Wage \$125,000.00

Other Expenses \$20,000.00

Sanitary Landfill

\$75,000.00

Prosecutor's Office

\$7,000.00

RECREATION & EDUCATION:

Parks & Playgrounds

Salary & Wage \$50,000.00

Other Expenses \$15,000.00

Board of Recreation

Salary & Wage \$25,000.00

Other Expenses \$12,000.00

Senior Citizen Bus Transportation

\$2,000.00

Senior Coordinator

Salary & Wage \$10,000.00

Other Expenses \$2,500.00

Title III Clerk

\$8,000.00

Uniform Construction Code

Salary & Wage \$50,000.00

Other Expenses \$4,000.00

Utilities

Gasoline \$50,000.00

Fuel Oil \$40,000.00

Electricity \$50,000.00

Telephone \$15,000.00

Natural Gas \$10,000.00

Street Lighting \$50,000.00

Fire Hydrants \$60,000.00

Water	\$5,000.00
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Municipal Court

Salary & Wage	\$50,000.00
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Other Expenses	\$6,000.00
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Celebration of Public Events	\$10,000.00
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County Curbside Recycling	\$28,000.00
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Animal Control	\$7,000.00
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STATUTORY EXPENDITURES:

PERS	\$304,004.00
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DCRP CoMatch	\$1,500.00
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PFRS	\$655,824.00
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Social Security	\$70,000.00
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Pension - Fireman's Widow (NJSA 43:12-28.1)	\$5,000.00
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TOTAL	\$4,182,738.00
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26.25% of the 2015 General Appropriation in the Budget = \$4,582,300.03

Older Americans

Title III Salary	\$4,000.00
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Senior Transportation Salary	\$6,000.00
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Stormwater Management

Salary & Wage	\$286,664.00
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Other Expenses	\$3,000.00
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Maintenance of Free Public Library	\$150,000.00
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Middlesex County Utility Authority	\$500,000.00
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Piscataway Sewerage Authority	\$100,000.00
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Middlesex County Drug Alliance	\$7,000.00
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Municipal Debt Service

Bond Principal	\$927,000.00
Bond Interest	\$292,502.73
Green Acres Loan	\$34,784.86
Infrastructure Principal & Interest	\$112,423.04
MCIA Loan - Fire Truck	\$69,981.05
MCIA Loan - Multi Purpose	\$895,141.88

TOTAL **\$7,571,235.56**

DEDICATED SWIMMING POOL UTILITY

Swim Pool Utility

Salary & Wage	\$20,000.00
Other Expenses	\$60,000.00
Debt Service	\$11,586.52

TOTAL **\$91,586.52**

26.25% of the 2015 Swimming Pool Utility
Appropriation = \$103,510.05

The Borough Clerk read the following resolution:

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

Resolution #316-15

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, one in the Spring and one in the fall on either April 9 or April 16, 2016 and either October 8 or October 15, 2016; 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 either April 9, 2016 or April 16, 2016, and October 8, 2016 or October 15, 2016 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 #317-15

The Treasurer hereby authorizes the transfer of funds for the Current Budget of 2015:

ACCOUNT NAME	TO:	FROM:
Group Insurance	\$ 54,000	
Other Insurance		\$ 4,729.83
Temp Disability Insurance		\$ 2,752.14
Long Term Dis Insurance		\$ 1,342.09
Employee Sick Pay		\$ 4,368.93
Administrator S/W		\$ 40,807.01
Senior Coordinator S/W	\$ 6,300	
Finance S/W		\$ 6,300
Telephones	\$ 5,000	
Natural Gas		\$ 5,000
Municipal Court O/E	\$ 750	
Municipal Court S/W		\$ 750

The Borough Clerk read the following resolution:

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

Resolution #318-15

The Tax Collector is hereby authorized to refund and/or credit 2015 taxes for qualified Senior Citizen, Disabled Person and Veteran deductions:

BLOCK & LOT	NAME & ADDRESS	AMOUNT
12/25	Eloe, Margaret 23 Fitzsimmons Ave	\$ 250.00

49/18	Bennett, John E & Robin Ann 4 Milton Pl	\$ 250.00
52/23	Vidal, John M 307 Second St	\$ 250.00
71/25	D'Alessandro, Susan B 61 Greenbrook Rd	\$ 250.00
77/3	Telatnik, Michael & Ruth D 9 Lynn Ave	\$ 250.00
84/19	Hudson, John Jr & Shira R 24 Ramsey Rd	\$ 250.00
139/21	Lindner, Eric & Longenhagen, Christine 408 Walnut St	\$ 250.00
196/13	Palmer, Peter & Mary Lynn 425 Harris Ave	\$ 250.00
197/33	Kirk, Elmer J & Carol A 428 Cook Ave	\$ 250.00
231/11	McDonald, Bruce S II & Samatha E 218 First St	\$ 250.00
236/15	O'Brien, Robert L & Elsie 126 Third St	\$ 250.00
262/1.01/C024C	DiCecco, Nancy 24C Foxhall	\$ 250.00
262/1.01/C033B	Porta, Angelo V & Helen M 33B Foxhall	\$ 250.00

The Borough Clerk read the following resolution:

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

Resolution #319-15

The Tax Collector is hereby authorized to refund an overpayment of 2015 property taxes due to an overpayment by the finance/mortgage company on the following properties:

BLOCK/LOT	NAME & ADDRESS	AMOUNT
126/4.16	Fenchock, Dianne M 239 Raritan Ave	\$1,577.21
317/3	Sharay Properties LLC 646 Lincoln Blvd Check to be mailed to: 98 St Joseph Dr Stirling, NJ 07980	\$1,379.74
329/27	Zmigrodski, Benjamin & Tara 110 Osceola Ave	\$ 159.05

The Borough Clerk read the following resolution:

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

Resolution #320-15

The Tax Collector is hereby authorized to refund 2015 property taxes on the following property. The property was bought out by FEMA before the homestead rebate credits had been determined.

BLOCK/LOT	NAME & ADDRESS	AMOUNT
232/23	Borough of Middlesex 130 Seventh St	\$ 632.99

Check is to be made payable to: Cynthia Celentano
1088 Shadowlawn Dr
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 #321-15

The Tax Collector is hereby authorized to issue a check in the amount of \$86,407.12 to redeem tax sale certificate #2014-1834 and tax sale premium in the amount of \$49,000, Block 291, Lot 50, 105 William Street. The check is to be made payable to:

US Bank Cust FNA Jersey BOI
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 #322-15

The Tax Collector is hereby authorized to issue a check in the amount of \$3,101.10 to redeem tax sale certificate #2015-1843, Block 6, Lot 2.02/C026A, 26A Gramercy Gardens and a check in the amount of \$4,500.00 for a tax sale premium, checks are to be made payable to:

FWDSL & Associates LP
17 W Cliff St
Somerville, NJ 08876

The Borough Clerk read the following resolution:

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

Resolution #323-15

The Tax Collector is hereby authorized to issue a check in the amount of \$54,981.86 to redeem tax sale certificate #2012-1787 and a check in the amount of \$600.00 for a tax sale premium on Block 71.01, Lot 16, 14 Weiss Drive. The check is to be made payable to:

Stuart Lasher
P O Box 83
Milltown, NJ 08850-0083

The Borough Clerk read the following resolution:

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

Resolution #324-15

Tonya Hubosky be and is hereby appointed Official Tax Search Officer for the Borough of Middlesex for the year 2016.

The Borough Clerk read the following resolution:

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

Resolution #325-15

Kathleen Anello be and is hereby appointed Official Assessment Search Officer for the Borough of Middlesex for the year 2016.

The Borough Clerk read the following resolution:

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

Resolution #326-15

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. Caroline Benson hereby is appointed PACO Officer for the Borough of Middlesex for the year 2016.
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 #327-15

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 2015 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 #328-15

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 2016 Operating Budget in the amount of \$5,962 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 #329-15

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 2016:

January 12, 26	July 19
February 9, 23	August 16
March 8, 22	September 13, 27
April 12, 26	October 11, 25
May 10, 24	November 15
June 14, 28	December 13, 27

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 #330-15

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 in the table below located within the Borough of Middlesex has failed to comply with the standards and requirements for the maintenance and upkeep of that property; and

WHEREAS, the owner of record of such 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 listed in the table below 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; 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 in the table below for each property shall be added to and become and form part of the taxes next to be assessed and levied upon such lands.

PROPERTY	CUTTING 1 COST	CUTTING 2 COST	TOTAL COST	
Decatur Avenue -521	\$712.36		\$712.36	
Hazelwood Avenue - 1108	574.76		\$574.76	
Howard Avenue - 433	\$ 712.36		\$712.36	Wells Fargo 1 Home Campus Des Moines, IA 50328
Howard Avenue - 521	\$624.76	\$2,728.91	\$3,353.67	Ocwen Loan Servicing 1661 Worthington Rd West Palm Beach, FL 33409
Lincoln Blvd. - 206	\$762.36		\$762.36	

Lincoln Blvd. - 277	\$946.76	\$540.96	\$1,487.72	
Lorraine Avenue - 326	\$597.76		\$597.76	
Lorraine Avenue - 335	\$647.76		\$647.76	Flagstar 8201 Cypress Plaza Jacksonville, FL 32256
Shearn Drive - 24	\$629.96		\$629.96	Nationstar Mortgage 8950 Cypress Waters Blvd Dallas, TX 75063
South Lincoln Avenue -233	\$1,124.96		\$1,124.96	Wells Fargo 1 Home Campus Des Moines, IA 50328
TOTAL	\$7,333.80	\$3,269.87	\$10,603.67	

2. The Tax Collector 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 #304-15

The governing body hereby authorizes the Borough Attorney to notify the Ethics Board in writing to withdraw the ethics violation against Mayor Dobies.

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

The Borough Clerk read the following resolution:

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

Resolution #306-15

The Governing Body hereby approves and accepts the Corrective Action Plan on the 2014 Audit, according to Local Finance Board Directive 92-15.

Councilman Kaplan made a motion for approval as amended seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Kaplan, Madden, Mikolajczyk 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 #331-15

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

DISCUSSION ON AGENDA WORKSHOP ITEMS

2014 Sewer Bills – Discussion was held at the last regular meeting about the sewer bills that had been sent out with the payment due date being the end of December. Councilman Schueler requested if the council would consider permitting the tax collector to extend the due date for the sewer bills by an additional 60 days. Mayor Dobies endorsed this recommendation and the Borough Attorney indicated that legally the council can authorize the Tax Collector to extend the payment period for a good cause.

The Borough Clerk read the following resolution:

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

Resolution #332-15

Permit the Tax Collector upon showing of good cause to allow up to 60 days additional time to pay the sewer bills without additional interest or penalties.

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

PUBLIC COMMENTS

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

Ed Johnson, Jr. discussed his 50 year friendship with Mayor Dobies and his service with the Board of Education and ultimately the Mayor's 40 years of service with the Borough of Middlesex, as Councilman and Mayor. Mr. Johnson highlighted some of the major accomplishments of the Mayor which included (1) The approval of the Bond Ordinance which allowed for the expansion of the library; (2) How he fought the federal government in Washington and prevented the creation of a sewer utility in the borough; and (3) How he protected the integrity of the town by following the law. Mr. Johnson also thanked Mayor Dobies for being such a good mayor and for all he did for the residents of Middlesex.

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

Mayor Dobies stated that his wish is he got a lot of support from a lot of people over the years and hope the next administration enjoys the same support and help he got over the many years. He also wished the new mayor and the new council best of luck in the future.

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