

MUNICIPAL BUILDING  
Middlesex, NJ 08846  
January 1, 2017

The 2017 Reorganization Meeting of the Mayor and Council was held at the above place on the above date at 12:00 p.m. Mayor DiMura stated under the provisions of NJSA 10:4-6 et seq. notice of the time and place of this meeting was given by way of the Annual Meeting Notice posted in the Municipal Building, Borough Website, Borough Sign, and forwarded to the Legal Newspapers

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Father Patrick Kuffner - Invocation

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Kevin Dotey and Dan Parenti were administered the Oath of Office by Superior Court Judge Michael Cresitello.

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The following responded to roll call of the 2017 Mayor and Council:

Mayor	Ronald DiMura
Council Member	Kevin Dotey
	Dan Parenti
	Corley
	John Madden
	Bob Schueler
	Jack Mikolajczyk

Others in Attendance: Administrator Goldberg, Attorney Aithal, and Chief Geist

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Comments were made by Councilman Kevin Dotey.

First of all I would like to thank my family especially my wife because she let me come back. Everybody that I worked with before it was a pleasure last time and I'm sure it will be this time. Everybody in town I worked for or with I appreciate everything you've done for me. That's why I got re-elected and hopefully this time around, I could be just as good for the citizens of this community as I was the last time. I appreciate it. Thank you!

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Comments were made by Councilman Dan Parenti

I would like to thank the Mayor and Council. I look forward to working with you and doing great things. I would also like to thank my wife and kids for all their

love and support, family and friends and all of Middlesex especially everybody who voted for me and put their trust in me. I won't let you down. Go Blue Jays!

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## Mayor DiMura's 2017 New Year Address

Father Pat, Superior Court Judge Cresitello, other Dignitaries, Members of the Governing Body, Borough Employees, Family, Friends and Fellow Residents of Middlesex Borough. I would like wish everyone a Happy, Healthy and Prosperous New Year!

I congratulate and welcome back Councilmen Kevin Dotey, Kevin's devotion to the people of Middlesex Borough is second to none and he will once again bring that devotion to the Governing Body. I congratulate and welcome Councilman Dan Parenti, Dan brings a wealth of civic commitment and energy to the Governing Body. I look forward to working with the both of them and the entire Governing Body to ensure that Middlesex Borough continues to be a safe, inviting and prosperous place to work, live and raise a family.

I would like to thank all of our Borough employees for their dedicated efforts in serving the residents of our Borough. I would like to thank the members of our Volunteer Fire Department, Rescue Squad and the Office of Emergency Management for their dedication and the many hours they have spent to keep the residents of our Borough safe. I also would like to thank the many volunteers, who contribute their time and energy in making Middlesex Borough a great place to live. 2016, was a very good year for Middlesex Borough.

We provided the highest standards of municipal services at the least possible cost. We established a sound financial management plan to maintain the Borough's strong AA stable bond rating. We implemented a road improvement program for our secondary roads throughout the Borough. We hired a Business Administrator to manage the day to day activities of the Borough.

We received more than \$600,000 in grants from the NJDOT to improve Warrenton Road and South Avenue, which will be completed later this year. We re-established our stream cleaning program which has successfully reduced flash flooding throughout the Borough.

We established a plan to improve and maintain our aging sewer system including the construction of a new pump station which will save taxpayer dollars in the future. Under the leadership of Police Chief Geist, we were able to put a Police Officer back at the High School, expand our Detective Bureau, and implement a strong Community Policing program, which together has helped make our community safer.

We restructured our Department of Public Works enabling us to do more projects "in-house" reducing the cost of those projects. We improved the lines of

communications between the Governing Body and the Business Community so we can work together to make Middlesex better.

We established several new Community Events including our Community Day event and the Fishing Derby which were big successes this year. We established the Middlesex Pride volunteer program to help keep our neighborhoods clean and safe. We improved and maintained our Parks and Recreation Facilities making sure they were clean and safe for our residents and their families.

We amended the Lincoln Boulevard Redevelopment Plan making it more flexible and reducing the amount of residential units throughout it.

And finally, we received a grant for \$1.5 million from Middlesex County to improve the Football field and other parts of Mountain View Park including putting new lights on the football field.

As you can see 2016 was an eventful year for Middlesex Borough and I believe if we continue to work together as a community, that 2017 will be even more significant. As I walk about town, I feel an excitement in the air. Residents feel safer. The business climate is heating up. Community spirit is on the rise. Wonderful things are coming. I am pleased, grateful, and privileged to share Middlesex Borough's achievements and its great future with all of you. May God bless you and may God bless the United States of America, Thank you and Happy New Year!

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Councilman Mikolajczyk offered the name of Councilman Schueler for Council President, seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Parenti, Corley, Madden, Schueler, and Mikolajczyk. No: None. Abstain: None

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Superior Court Judge Michael Cresitello administered the Oath of Office to the 2017 Fire Officials.

### **2017 Fire Officials**

Chief	James Rinker
First Asst. Chief	Dave Bird
Second Asst. Chief	Darren Lubetkin

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Superior Court Judge Michael Cresitello administered the Oath of Office to the ranking officials in the four fire companies.

#### **Company No. 1 – Lincoln Hose**

Captain	James Singer
Lieutenant	Shawn Young
Engineer	Tom Kurtz
Engineer T-25	Jeff Decker

Asst. Engineer Brian Mattox  
Honorary Assistant  
Captain Mark Colacci

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

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

Company No. 2 – Beechwood Heights

Captain Brian Chomen  
Lieutenant Steve Tarbous  
Engineer Eric Chomen  
Asst. Engineer Randy Rudnick

Approved Drivers Truck 22 & 18: Brian Chomen, Randy Rudnick, Robert Schneider, Sr., Darren Lubetkin, Dan DelSignore, Eric Chomen, Steve Tarbous, Rich Malt

Company No. 3 – Pierce

Captain Ken Bartok  
Lieutenant Stephen Bird  
Engineer 23 Chad Heulitt  
Asst. Engineer Dave Breen

Approved Drivers Truck 23 & 18: Jack Costa, Bill Smith, Bill Winkleman, Dave Bird, George Schroeder, Chad Heulitt, Colleen Dooley, Jim Rinker, Chris Dubois, Ken Bartok, Dave Breen, Stephen Bird, Rob Imbriaco

Company No. 4 - Parker

Lieutenant Mike Lane

Approved Drivers Truck 24 and 18: Robert Poltorak, Andy Castaldo, Jr., Ryan Zittel, Jake Kyrczenko, Kevin Mott, Robert Pollara, Nick Goldman, Joe Dudley, Mike Lane, John Pazar, Bob Soper, Al Kriney

Approved Drivers for 18 only: Jackie Giardino & Roger Talavera

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**MAYOR'S APPOINTMENTS FOR 2017 THAT REQUIRE NO CONFIRMATION**

**PLANNING BOARD**

James Green (Class II)

1-year

12/31/17

Robert Schueler (Class III)	1 year	12/31/17
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**RECREATION COMMITTEE**

Sherley Penrose	2-year	12/31/18
Steven Greco	1-year	12/31/17
Cassius Kennick	3-year	12/31/19
Robert May	2-year	12/31/18
Rich Tarbous	1-year	12/31/17
Lileen Schwarz	3-year	12/31/19
Christine DiNizo	3-year	12/31/19

**SHADE TREE**

Jim Gorman	5-year	12/31/21
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**BEAUTIFICATION COMMITTEE**

Sherley Penrose	1-year	12/31/17
John Yaniero	1-year	12/31/17
Nancy Avery	1-year	12/31/17
Pat Repenn	1-year	12/31/17

**HOUSING & COMMUNITY DEVELOPMENT**

Mike Jones	3-year	12/31/19
Andrea Corcoran	3-year	12/31/19
Bill Coyle	3-year	12/31/19

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**MAYOR'S APPOINTMENTS FOR 2017 THAT REQUIRE CONFIRMATION**

**BOARD OF HEALTH**

Amy Bigge	4-year	12/31/20
Amy Burke	4-year	12/31/20
Fran Benitz	4-year	12/31/20

**ECONOMIC DEVELOPMENT COMMITTEE**

Jim Delaney	5-year	12/31/21
Kim Keyes	5-year	12/31/21

**GREENBROOK FLOOD CONTROL**

John Sweeney	5-year	12/31/21
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**LIBRARY BOARD**

Melissa Fedosh	5-year	12/31/21
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**SWIM POOL COMMISSION**

Frank Terracciano	5-year	12/31/21
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**BOROUGH PHYSICIAN**

Dr. Zafir Shaheen	1-year	12/31/17
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**LEGAL NEWSPAPERS**

Courier News	1-year	12/31/17
Star Ledger	1-year	12/31/17
Home News Tribune	1-year	12/31/17

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**APPOINTMENTS BY COUNCIL FOR 2017 NOT REQUIRING MAYOR  
CONFIRMATION**

**BOARD OF ADJUSTMENT**

John Anello	4-year	12/31/20
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**ETHICS BOARD**

James Benson	5-year	12/31/21
Cindy Chomen	5-year	12/31/21
Karl Orth	4-year	12/31/20
Kim Keyes	3-year	12/31/19

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**2017 Councilmanic Committees**

- A. Administration, Legislation, and Department of Senior Services  
Patrick Corley\*, John Mikolajczyk, and Dan Parenti
- B. Fire, Office of Emergency Management, Board of Health and Rescue Squad  
John Madden\*, Patrick Corley and Bob Schueler
- C. Finance, Taxation, Real Estate, Insurance and Public Utilities  
Robert Schueler\*, John Madden, and Kevin Dotey
- D. Police, Municipal Court, Zoning, Legal, Code Enforcement and Construction  
John Mikolajczyk\*, Kevin Dotey and Dan Parenti

- E. Public Works, Recycling and Building and Grounds  
Kevin Dotey\*, Bob Schueler and John Madden
- F. Recreation, Recreation Fields, Swim Pool Commission and  
Community Celebrations  
Dan Parenti\*, John Mikolajczyk, and Patrick Corley

\*Underscore represents Council Liaison for each Committee

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Board of Education	Councilman Mikolajczyk
Board of Health	Councilman Dotey
County SWAC	Councilman Parenti
County Transportation	Councilman Corley
Housing & Community Development	Councilman Madden
OEM	Councilman Madden
Planning Board	Councilman Schueler
Recreation Committee	Councilman Parenti
Shade Tree Commission	Councilman Madden
Swim Pool Commission	Councilman Parenti
Fire	Councilman Madden
Police	Councilman Mikolajczyk
Zoning/Code Enforcement	Councilman Mikolajczyk
Recreation	Councilman Parenti
Public Works	Councilman Dotey
Finance	Councilman Schueler
Administration	Councilman Corley
Construction	Councilman Mikolajczyk

Rescue Squad	Councilman Madden
Senior Services	Councilman Corley
Buildings & Grounds	Councilman Dotey
IT	Councilman Dotey
Municipal Court	Councilman Mikolajczyk
Recycling	Councilman Dotey

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The Borough Clerk read the following resolution:

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

**RESOLUTION #1-17**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR LEGAL SERVICES AS BOROUGH ATTORNEY TO ARAVIND AITHAL, ESQ. OF 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, 2017 to December 31, 2017 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, 2017 through December 31, 2017 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.

Attorney Aithal was administered the Oath of Office by Superior Court Judge Michael Cresitello.

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The Borough Clerk read the following resolution:

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

**RESOLUTION #2-17**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR LEGAL SERVICES AS BOROUGH PROSECUTOR TO JEREMY SOLOMON, ESQ. OF THE FIRM BOB SMITH & ASSOCIATES FOR THE YEAR 2017**

**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, 2017 to December 31, 2017; 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, 2017 through December 31, 2017 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk's Office.
2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

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The Borough Clerk read the following resolution:

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

**RESOLUTION #3-17**

**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 2017**

**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, 2017 to December 31, 2017;

**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, 2017 through December 31, 2017 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.

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The Borough Clerk read the following resolution:

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

**RESOLUTION #4-17**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR LEGAL SERVICES AS SPECIAL ENVIRONMENTAL COUNSEL TO THE FIRM HOAGLAND, LONGO, MORAN, DUNST & DOUKAS, LLP FOR THE YEAR 2017**

**WHEREAS**, the Governing Body of the Borough of Middlesex wishes to appoint the firm of Hoagland, Longo, Moran, Dunst & Doukas, LLP whose office is located at 40 Paterson Street, New Brunswick, NJ 08901 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 firm of Hoagland, Longo, Moran, Dunst & Doukas, LLP 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, 2017 through December 31, 2017 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk's Office.
2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

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The Borough Clerk read the following resolution:

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

**RESOLUTION #5-17**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR  
ENGINEERING SERVICES TO TERENCE VOGT OF THE FIRM REMINGTON,  
VERNICK & VENA FOR THE YEAR 2017**

**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, 2017 to December 31, 2017.

**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, 2017 through December 31, 2017 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk's Office.
2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

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The Borough Clerk read the following resolution:

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

**RESOLUTION #6-17**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR  
AUDITING SERVICES TO ANDY HODULIK OF THE FIRM OF HODULIK &  
MORRISON, P.A. FOR THE YEAR 2017**

**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, 2017 to December 31, 2017.

**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, 2017 through December 31, 2017 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk's Office.

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

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The Borough Clerk read the following resolution:

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

**RESOLUTION #7-17**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR "BOND COUNSEL" SERVICES AS BOROUGH "BOND COUNSEL" TO MCCARTER & ENGLISH FOR THE YEAR 2017**

**WHEREAS**, the Governing Body of the Borough of Middlesex wished to retain the service for Bond Counsel to the firm McCarter & English for the Borough of Middlesex for the year 2017; 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. McCarter & English is hereby appointed as "Bond Counsel" for the Borough of Middlesex for the period from January 1, 2017 through December 31, 2017 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk's Office.
2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

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The Borough Clerk read the following resolution:

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

**RESOLUTION #8-17**

**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 2017**

**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 2017; 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, 2017 through December 31, 2017 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk's Office.
2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

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The Borough Clerk read the following resolution:

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

**RESOLUTION #9-17**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR ENVIRONMENTAL ENGINEERING SERVICES FOR THE BOROUGH TO NAJARIAN ASSOCIATES FOR THE YEAR 2017**

**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, 2017 to December 31, 2017; 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 is 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.
2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

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The Borough Clerk read the following resolution:

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

**RESOLUTION #10-17**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR  
BOROUGH PLANNER SERVICES FOR THE BOROUGH TO PAUL RICCI OF  
RICCIPLANNING, INC FOR THE YEAR 2017**

**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 2017; 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, 2017 through December 31, 2017 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk’s Office.
2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

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The Borough Clerk read the following resolution:

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

**RESOLUTION #11-17**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR  
“REDEVELOPMENT PLANNER” TO PAUL RICCI OF RICCIPLANNING FOR  
THE YEAR 2017**

**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 2017; 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, 2017 through December 31, 2017 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk’s Office.
  2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.
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The Borough Clerk read the following resolution:

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

**RESOLUTION #12-17**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR LEGAL SERVICES AS REDEVELOPMENT COUNSEL TO THE FIRM HOAGLAND, LONGO, MORAN, DUNST & DOUKAS, LLP FOR THE YEAR 2017**

**WHEREAS**, the Governing Body of the Borough of Middlesex wishes to appoint the firm Hoagland, Longo, Moran, Dunst & Doukas, LLP, whose office are located at 40 Paterson Street, New Brunswick, NJ 08901 as the Redevelopment Attorney for the Borough of Middlesex for the period from January 1, 2017 to December 31, 2017;

**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 Hoagland, Longo, Moran, Dunst & Doukas, LLP, having his office located at 40 Paterson Street, New Brunswick, NJ 08901 is hereby appointed as the Redevelopment Attorney for the Borough of Middlesex for the period from January 1, 2017 through December 31, 2017 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.

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The Borough Clerk read the following resolution:

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

**RESOLUTION #13-17**

**RESOLUTION RETAINING DENNIS FACKELMAN THE MUNICIPAL COURT JUDGE IN THE BOROUGH OF MIDDLESEX**

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

**WHEREAS**, the term of the present municipal court judge expires on January 1, 2017; and

**WHEREAS**, the governing body wishes to retain the services of Dennis Fackelman as the municipal magistrate for the Borough of Middlesex for three year term commencing as of January 1, 2017; and

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

1. The Borough of Middlesex hereby retains the services of Dennis Fackelman, as a municipal Judge for the Borough of Middlesex at a fee set forth in the salary ordinance.
2. This contract is made without competitive bidding as a “professional service” under the provisions of the local public contract law, because of the qualitative nature of the position.
3. This resolution shall take effect immediately.

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The Borough Clerk read the following resolution:

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

**RESOLUTION #14-17**

**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 2017.

**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, 2017 through December 31, 2017 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk’s Office.
2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

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The Borough Clerk read the following resolution:

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

**RESOLUTION #15-17**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR  
“APPRAISAL SERVICES” TO SOCKLER REALTY SERVICES FOR THE  
YEAR 2017**

**WHEREAS**, the Governing Body of the Borough of Middlesex wish to retain the services of the firm of Sockler Realty Services, 299 Ward Stree, Hightstown, NJ for “Appraisal Services” for the Borough of Middlesex for the year 2017; 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 Sockler Realty Services is hereby appointed for “Appraisal Services” for the Borough of Middlesex for the period from January 1, 2017 through December 31, 2017 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk’s Office.
2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

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Mayor DiMura asked for a motion to approve Resolution 1-17 through Resolution 15-17. Council President Schueler moved for adoption, seconded by Councilman Mikolajczyk and carried by the following roll call vote. Ayes: Dotey, Parenti, Corley, Madden, Schueler, and Mikolajczyk. No: None. Abstain: None

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

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

Respectfully yours,

Kathleen Anello  
Borough Clerk

**BOROUGH OF MIDDLESEX  
REGULAR MEETING MINUTES  
JANUARY 10, 2017**

**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	Ron DiMura
Council President	Bob Schueler
	Kevin Dotey
	Dan Parenti
	Patrick Corley
	John Madden
	Jack Mikolajczyk

Attorney: Aravind Aithal

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**PRESENTATIONS-NONE**

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**APPOINTMENTS**

Councilman Dotey made a motion to approve Mike Conahan to the Zoning Board seconded by Councilman Schueler and carried by a unanimous vote of Council.

Councilman Schueler made a motion to approve Al Lowande as a Class IV member to the Planning Board seconded by Councilman Madden and carried by a unanimous vote of Council.

Councilman Dotey made a motion to approve John Segarra to the Zoning Board seconded by Councilman Schueler and carried by a unanimous vote of Council.

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**PROCLAMATIONS-NONE**

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**NEW BUSINESS-NONE**

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**PUBLIC HEARING-NONE**

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**ADOPTION OF MINUTES**

Councilman Schueler moved to table the June 28, 2016 Regular Meeting Minutes and Executive Meeting Minutes seconded by Councilman Dotey and carried by a unanimous vote of Council.

Councilman Schueler moved to approve the December 27, 2016 Regular Meeting Minutes and Executive Meeting Minutes seconded by Councilman Corley and carried by the following roll call vote: Ayes: Corley, Madden, Schueler and Mikolajczyk. No: None. Abstain: Dotey & Parenti.

Councilman Mikolajczyk moved to approve the January 1, 2017 Reorganization Meeting Minutes seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Parenti, Corley, Madden, Schueler and Mikolajczyk. No: None. Abstain: None.

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## REPORTS

Mayor DiMura reported that this morning our Police Department made a drug bust and arrested someone in the Borough for distribution of marijuana, seized 65 grams of marijuana, packaging materials and cash. Mayor DiMura mentioned this because the manpower in the Detective Borough was discussed at the Reorganization Meeting, and if we did not have the manpower in the Detective Bureau that was put in place last year we would not be able to do this, as this whole process took over 3 ½ months. Mayor DiMura commended Chief Geist and the Detective Bureau for a job well done.

Councilman Dotey commended the DPW for keeping him up to date over the weekend on the storm and the stellar job that was done cleaning up the town.

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## REPORTS – STANDING COMMITTEES:

### 1. Police/Legal/Code Enforcement/Construction/Municipal Court

1. Councilman Mikolajczyk reported that he has reached out to his Police councilmanic committee members and will be meeting later this month to go over plans for 2017.

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The Borough Clerk read the following resolution:

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

### **Consent Agenda 2017(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 wish to remove Resolution #16-17, #18-17, #19-17 and #21-17 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 #17-17

Resolution #20-17

Councilman Dotey made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Parenti, Corley, Madden, Schueler 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 #16-17**

The Governing Body hereby approves the Middlesex Borough Recreation Committee Policy Guide effective immediately.

Councilman Schueler made a motion to table Resolution #16-17 seconded by Councilman Mikolajczyk and carried by the following roll call vote: Ayes: Dotey, Parenti, Corley, Madden, Schueler and Mikolajczyk. No: None. Abstain: None.

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The Borough Clerk read the following resolution:

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

**Resolution #17-17**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES FOR BOROUGH CONFLICT PUBLIC DEFENDER TO CARL A. TAYLOR III, ESQ. OF THE FIRM COOPER, COTTELL & TAYLOR, LLC**

**WHEREAS**, the Governing Body of the Borough of Middlesex wishes to appoint Carl A. Taylor III, Esq. of the firm Cooper, Cottell & Taylor, LLC, 25 West High Street, Somerville, New Jersey 08876 as the Conflict Public Defender for the Borough of Middlesex for the period from January 10, 2017 – December 31, 2017.

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

1. Carl A. Taylor III, Esq. of the firm Cooper, Cottell & Taylor, LLC whose office is located at 25 West High Street, Somerville, New Jersey 08876 is hereby appointed as the Conflict Public Defender for the Borough of Middlesex for the

period from January 10, 2017 through December 31, 2017 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk's Office.

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

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The Borough Clerk read the following resolution:

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

**Resolution #18-17**

**RESOLUTION AUTHORIZING SETTLEMENT OF 2014 TO 2016 TAX APPEALS FILED BY STANDEX INTERNATIONAL CORPORATION, FOR THE PROPERTY KNOWN AS 820 LINCOLN BOULEVARD AND IDENTIFIED AS BLOCK 286, LOT 3.01, ON THE TAX MAP OF THE BOROUGH OF MIDDLESEX**

**WHEREAS**, Standex International Corporation. ("Standex") is the owner of the property commonly known as 820 Lincoln Boulevard and identified as Block 286, Lot 3.01, on the Tax Map of the Borough of Middlesex ("Property"); and

**WHEREAS**, the assessed value of the Property for the 2014 to 2016 tax years was \$568,500.00; and

**WHEREAS**, Standex filed appeals of the 2014 to 2016 tax assessments in the Tax Court of the State of New Jersey under Docket Nos.: 007334-2014; 008633-2015 and 008225-2016; and

**WHEREAS**, a proposed settlement of the aforesaid tax appeals was negotiated between Standex, the Tax Assessor and the Tax Attorney as set forth in the Stipulation of Settlement annexed hereto; and

**WHEREAS**, pursuant to the proposed Stipulation of Settlement, the aforesaid tax appeals are to be resolved as follows:

- The 2014 assessment in the amount of \$568,500 shall be affirmed.
- The 2015 assessment in the amount of \$568,500 shall be reduced to \$450,000.
- The 2016 assessment in the amount of \$568,500 shall be reduced to \$430,000.
- The Assessor will set the 2017 and 2018 assessments at \$400,000.
- All refunds due as a result of this settlement shall be effectuated by way of credit against future taxes on the property commencing with the first quarterly tax bill due following the entry of Judgment by the Tax Court.
- Standex waives any claim to statutory interest provided the appropriate credits are provided by the Borough.

**WHEREAS**, the Tax Assessor agrees it is in the best interests of the Borough to resolve the aforesaid tax appeals pursuant to the terms and conditions set forth above and in the Stipulation of Settlement annexed hereto based on market conditions as well as the uncertainty and costs associated with continued litigation; and

**WHEREAS**, the aforesaid settlement is based on the specific and identifiable facts and circumstances pertaining to the Property and has no general application to other properties within the Borough; and

**WHEREAS**, the Mayor and Borough Council having reviewed and considered the pending tax appeals and the proposed settlement thereof agrees and confirms it is in the best interests of the Borough to resolve the tax appeals as set forth herein and in the Stipulation of Settlement attached hereto; and

**WHEREAS**, the Mayor and Borough Council hereby makes this settlement with Standex without prejudice to its dealings with any other taxpayer requests for tax assessment reductions.

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

1. The Borough's Tax Appeal Attorney is authorized to execute on behalf of the Borough of Middlesex the attached Stipulation of Settlement pertaining to the Tax Appeals filed by Standex International Corporation, under Docket Nos.: 007334-2014; 008633-2015 and 008225-2016 for the property known as 820 Lincoln Boulevard and identified as Block 286, Lot 3.01, on the Tax Map of the Borough of Middlesex.
2. This settlement shall be without prejudice to the Borough's dealings with any other taxpayer requests or appeals for tax assessment reductions.

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

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The Borough Clerk read the following resolution:

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

**Resolution #19-17**

**WHEREAS**, Chapter 254 of the Code of the Borough of Middlesex created the position of Private Property Maintenance Landscaping in the Borough of Middlesex; and

**WHEREAS**, the Zoning Officer has requested Basic Landscaping Services from any person who wishes to engage in business as a landscaper in the borough and to provide landscaping maintenance on private property in the borough; and

**WHEREAS**, the following applicant has met all the qualifications for this position:

Mario's Landscaping, LLC  
Amalio Armenti  
174 Mountain Avenue  
Warren, NJ 07059

**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 above applicant, as recommended by the Zoning Officer, to provide basic landscaping services on private property in the borough.
2. This resolution shall take effect immediately.

Councilman Schueler made a motion for approval seconded by Councilman Mikolajczyk and carried by the following roll call vote: Ayes: Dotey, Parenti, Corley, Madden, Schueler 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 #20-17**

**WHEREAS**, Jack De Angelis was issued a street opening permit on 10/1/15; and

**WHEREAS**, Jack De Angelis deposited \$2500.00 with the Borough of Middlesex to ensure proper repair and maintenance of the roadway; and

**WHEREAS**, said roadway at 402 First St. was inspected by Dan Niro, Plumbing Inspector and Bob Teutsch Public Works Director, 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 Jack De Angelis, 141 Union Ave, Middlesex, NJ 08846, for refund of Street Opening Permit No. 2015-013.

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The Borough Clerk read the following resolution:

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

**Resolution #21-17**

**A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR THE RECREATION COMMITTEE**

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

**WHEREAS**, NJSA 40A: 4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider;

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

1. The Borough Council hereby requests permission of the Director of the Division of Local Government Services to pay expenditures under the provisions of NJSA 40A: 4-39, as amended by PL 1999, c.292, for the exclusive purpose of depositing and expending funds related to the use of Recreation Programs, Instructor Fees, Sporting Equipment, Park Maintenance.
2. The Municipal Clerk of the Borough of Middlesex is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

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

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The Borough Clerk read the following resolution:

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

**Resolution #22-17**

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

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**PUBLIC COMMENTS**

Mayor DiMura opened the Public Portion of the Meeting for any public participation.

Nick Giardina, 541 Giles Avenue attended the meeting as a resident of Middlesex and also as Little League President. His concern for the council is that Middlesex Little League needs the usage of the two fields at Mauger School and also the baseball field at Watchung School at least 2 – 3 weeks before the baseball season starts. Mr. Giardina stated that he is aware that the Board of Education controls the fields and they choose to not spend money to rehab them and they will not be open to Little League. He realizes that the Borough and Board of Education are two separate entities, but he only pays one tax bill and is coming to the Council as Little League President for feedback on what the status will be and what channels will be taken to ensure that our kids will have a place to practice and play.

Mayor DiMura stated that he met last year with the Board of Education and the fields were in terrible condition, and we cleaned them up and asked the Board of Education to keep them up and it wasn't done. Mayor DiMura mentioned that they do not seem to have the manpower and was told that funds were not in their budget, but suggested that Mr. Giardina reach out to the Recreation Director to see if there are other fields that can be used. Mayor DiMura will be setting up a meeting with Dr. Madison about maintenance of fields, as we need them to work with us.

Mr Giardina's impression was that last year the Board of Education rehabbed Mauger 1 and 2 and did not get Watchung rehabbed. Mayor DiMura indicated that we did clean up all three fields, along with the Board of Education, but the biggest problem is crab grass and if it is not maintained, the crab grass grows back. Mr. Giardina stated that there is not enough fields for the recreation programs and Little League, and is aware that the Recreation teams come first and then Little League. He feels that there is nothing more important than keeping our kids busy and funds should be spent on keeping facilities up to date for our children. The Little League has volunteered to work on the field and was told they were not allowed to. Mayor DiMura will reach out to the Board of Education to see what can be done and get together with Mr. Giardina to discuss further.

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

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### **DISCUSSION ON AGENDA WORKSHOP ITEMS**

Mayor DiMura stated that he will be adding to the Executive Session discussion an update on GovPilot.

1. Request to extend Tom Moskal's 2016 Vacation Days until March 15, 2017 – Mayor DiMura stated that Tom Moskal has been on workman's compensation for approximately 4 months and is requesting to carry over between 12 – 15 vacation days this year. Council approved carrying over these days until March 15, 2017.

2. Hiring a Cleaning Employee – Council approved hiring a part time cleaning employee to work 20 – 25 hours per week at \$15.00 per hour to clean the Borough Hall, Police Station and Recreation Center.
3. Council Member Duties – Mayor DiMura informed council that with the Administrator in place all purchase orders will be e-mailed to him for his approval, and Council liaisons should still be copied on these requests to the Administrator. Any questions that council members have should be directed to the Administrator. All Department Heads have been informed of this change.
4. RFP for Police Labor Attorney – Chief Geist has requested the Council approve going out for a Police Labor Attorney to handle labor issues in the Police Department. Council approved the Clerk going out for an RFP for this Attorney.
5. Redevelopment Plan for Bound Brook Road & Baekeland Avenue – Mayor requested council's feedback regarding having the planner provide a cost analysis to put together a plan to redevelop both Bound Brook Road (from Mountain Avenue to Warrentville Road) and also Baekeland Avenue (In front of Dow Building). These will be separate plans. A consensus of council was taken and approval was given to move forward with this cost analysis.

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### **PUBLIC COMMENTS ON WORKSHOP ITEMS**

Mayor DiMura opened the Public Portion of the meeting for any comments on Agenda Workshop Items. Seeing that there was no public participation, Mayor DiMura closed the public portion of the meeting on the Agenda Workshop Items.

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The Borough Clerk read the following resolution:

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

#### **Resolution #23-17**

**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. Update on Piscataway Sewer Matters
-

Councilman Madden moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by the following roll call vote.

**ROLL CALL**

Mayor	Ron DiMura
Council President	Bob Schueler
	Dan Parenti
	Kevin Dotey
	Patrick Corley
	John Madden
	Jack Mikolajczyk

Attorney: Aravind Aithal

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**ADJOURNMENT**

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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  
JANUARY 24, 2017**

**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	Ron DiMura
Council President	Bob Schueler
	Kevin Dotey
	Dan Parenti
	Patrick Corley
	John Madden
	Jack Mikolajczyk
Attorney:	Aravind Aithal
Administrator:	Brandon Goldberg

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**PRESENTATIONS**

Mayor DiMura and the Borough Council recognized the Middlesex Blue Jay Cheerleaders that were third Place Champions at the American Youth Football National Cheer Competition D12 and American Youth Football National Cheer Competition D14. Also recognized were the Cheerleaders that placed as "National Champions" of the American Youth Football National Cheer Competition D8. Mayor DiMura praised all the girls for their accomplishments and awarded all participants a Middlesex Borough "Outstanding Citizen" Certificate.

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**APPOINTMENTS-NONE**

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**PROCLAMATIONS**

The Governing Body recognized Stella Domanski's 100 Year Birthday with the following Proclamation:

***PROCLAMATION***

**WHEREAS**, Stella Wojciechowski was born on January 24, 1917 in Bound Brook, New Jersey; and

**WHEREAS**, Stella Wojciechowski married Adam Domanski on May 3, 1941, 76 years ago; and

**WHEREAS**, Stella and Adam Domanski moved to Middlesex in September, 1967 and have lived on Pearl Place and continue to live there today; and

**WHEREAS**, Stella is noted for her needlework skills and many local people enjoy her afghans to this day.

**NOW, THEREFORE**, I, Ronald J. DiMura, Mayor of Middlesex Borough along with the Middlesex Borough Council and on behalf of the citizens of Middlesex wish to give special recognition to Stella Domanski as she celebrates her 100<sup>th</sup> 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 24<sup>th</sup> day of January, 2017.

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**NEW BUSINESS**

The Borough Clerk read Ordinance No. 1906-17 for introduction:

**ORDINANCE NO. 1906-17**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX -CHAPTER 407, VEHICLES AND TRAFFIC, ARTICLE IV PROHIBITED PARKING TO INCLUDE SECTION 407-11.2 JUDSON DRIVE; PROHIBITED PARKING; SIGNS; PENALTIES**

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

Amending Chapter 407, Vehicles and Traffic, Article IV Prohibited Parking to include Section 407-11.2 Judson Drive; Prohibited Parking; Signs; Penalties:

- A. Parking of motor vehicles shall be prohibited on the east side of Judson Drive for a distance of approximately thirty-eight (38) feet from the point of intersection with the northerly side of Union Avenue.
- B. No-parking signs in accordance with specifications as provided by statute of the State of New Jersey shall be posted in the appropriate areas.
- C. A fifty-dollar fine shall be imposed for violations of this section.

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

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**PUBLIC HEARING-NONE**

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**ADOPTION OF MINUTES**

Councilman Schueler made a motion to approve the December 27, 2016 Regular Meeting Minutes and Executive Meeting Minutes seconded by Councilman Mikolajczyk and carried by the following roll call vote: Ayes: Corley, Madden, Schueler and Mikolajczyk. No: None. Abstain: Dotey & Parenti.

Councilman Madden moved to approve the January 10, 2017 Regular Meeting Minutes seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Parenti, Corley, Madden, Schueler and Mikolajczyk. No: None. Abstain: None.

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## REPORTS-NONE

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### REPORTS – STANDING COMMITTEES:

1. Recreation/Recreation Fields/Swim Pool/Community Celebrations
  1. Councilman Parenti moved the approval of the Recreation Director's Report seconded by Councilman Schueler and carried by a unanimous vote of members present.
  2. June 4, 2017 – Swim Pool Grand Opening – Councilman Parenti reported that the Swim Pool Commission discussed that the Grand Opening celebration for the new lap pool will be on June 4, 2017 from 1pm – 5pm, rain or shine.
2. Fire/OEM/Rescue Squad
  1. Councilman Madden thanked the Fire Department for the great evening at their Annual Awards Banquet which was held at the Radisson in Piscataway on Saturday.
  2. Councilman Madden moved the approval of the Fire Department Report for January, 2017 seconded by Councilman Dotey and carried by a unanimous vote of Council.
  3. Councilman Madden moved the approval of Lincoln Fire House's request for permission to take Engine 21 to Somerville for the St. Patrick's Day Parade on March 12, 2017 and also Beechwood Heights request to take Engine 22 to South Plainfield for a wetdown seconded by Councilman Dotey and carried by a unanimous vote of members present.
  4. Council accepted the resignation of Rich Reedy, Jr. from Parker Fire House and the Middlesex Fire Department.
  5. Rich Scott has submitted a letter advising the Fire Department that he will be taking Life Membership.
  6. Councilman Madden made a motion to approve George Schroeder, Dave Breen, Colleen Dooley, Jim Rinker, Dave Bird, Stephen Bird, Ken Bartok, Mike Lane, Andy Castaldo, Jr., Kevin Mott, Rob Pollara, Jake Kyryczenko, John Hommas and Bob Soper as drivers of Truck 25 and John Hommas, Andy Klein, Shawn Young and Nick Lally as drivers of Truck 18 seconded by Councilman Mikolajczyk and carried by a unanimous vote of Council.
3. Public Works/Buildings & Grounds/Recycling/Board of Health

1. Councilman Dotey reported that the Board of Health has recommended that the governing body approve the new contract with Middlesex County for borough health services. A resolution has been put on tonight's Agenda for approval.
  
4. Police/Legal/Code Enforcement/Construction/Municipal Court
  1. Councilman Mikolajczyk recognized perfect attendance in the Police Department.
  2. Councilman Mikolajczyk discussed the Opiate Outreach Initiative which provides assistance through the Police Department to our residents affected by addiction to heroin and opioid drugs.
  3. Councilman Mikolajczyk moved the approval of the Municipal Court Report seconded by Councilman Dotey and carried by a unanimous vote of Council.
  4. Councilman Mikolajczyk moved the approval of the Year End Construction Report seconded by Councilman Dotey and carried by a unanimous vote of Council.

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The Borough Clerk read the following resolution:

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

**Consent Agenda 2017(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 wish to remove Resolution #27-17, #29-17, #30-17 and #32-17 from this Consent Agenda. Resolution #32-17 will be tabled until discussed under Agenda Workshop Items.

**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 #24-17 – Resolution #26-17  
Resolution #28-17  
Resolution #31-17  
Resolution #33-17 – Resolution #34-17

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

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The Borough Clerk read the following resolution:

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

**Resolution #24-17**

**RESOLUTION APPOINTING JOHN MADDEN AS THE MAYOR'S REPRESENTATIVE AND VIC CAPOLUNGI AS THE GOVERNING BODY REPRESENTATIVE TO THE HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE FOR 2017**

**WHEREAS**, it is necessary for the Borough of Middlesex to appoint a representative to the Middlesex County Housing & Community Development for the year 2017; 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 John Madden as his Class I representative to the Housing and Community Development Committee for 2017; 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 John Madden 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 2017.
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 2017.
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 #25-17**

The Tax Collector is hereby authorized to issue a credit towards the 2017 tax bill on Block 39 Lot 39, 402 First Street. As per the Tax Assessor, an over calculation error occurred in the assessment for the 2016 Added Bill, therefore, the first half billing of 2017 taxes are incorrect. The credit is in the amount of \$2298.73.

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The Borough Clerk read the following resolution:

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

### **Resolution #26-17**

The governing body hereby authorizes the Mayor to execute the Management Control Technology Services Agreement with the Middlesex Police Department to allow for the responsibility for management of security control to remain with the criminal justice agency.

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The Borough Clerk read the following resolution:

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

### **Resolution #27-17**

The governing body hereby approves the Mayor to execute the Contract with Middlesex County for Health Services effective January 1, 2017 – December 31, 2018.

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

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The Borough Clerk read the following resolution:

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

### **Resolution #28-17**

#### **GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FISCAL GRANT CYCLE JULY 2017 – JUNE, 2018**

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, the Borough of Middlesex 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 of Middlesex 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 of Middlesex 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 of Middlesex Council does hereby authorize submission of a strategic plan for the Middlesex Borough Municipal Alliance grant for fiscal year 2017-2018 in the amount of:

DEDR	\$20,965.00
Cash Match	\$ 5,241.25
In-Kind	\$15,723.75

2. The Borough of Middlesex Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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The Borough Clerk read the following resolution:

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

**Resolution #29-17**

**WHEREAS**, the governing body received a proposal from Remington & Vernick Engineers dated November 21, 2016 for the Mountainview Park Topographic Survey and Design/Inspection Services for the Running Track Repair/Refurbishing; and

**WHEREAS**, the proposal for this project include:

1. Topographic Survey \$25,000.00
2. Design/Permitting \$12,500.00
3. Inspection/Contract Administration \$15,000.00

**TOTAL COST \$52,500.00**

**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. The governing body hereby approves the proposal from Remington & Vernick Engineers dated November 21, 2016 for the topographic survey, design/permitting and inspection/contract administration in the total amount of \$52,500.00 for the Mountain View Park Running Track Repair and refurbishing at the Football/Multipurpose Field.
2. This resolution shall take effect immediately.

**NOW FURTHER BE IT RESOLVED**, that the Treasurer hereby certifies that funds in the amount of \$52,500.00 are available in Account No. G-02-17-100-000-101.

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

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The Borough Clerk read the following resolution:

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

**Resolution #30-17**

The application for a 2017 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
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
Ellery's Grill 701 Lincoln Boulevard	(3) Amusement Machines (1) Music Machine	\$450.00 \$100.00
	<b>TOTAL</b>	<b>\$2600.00</b>

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

Councilman Parenti mentioned that he spoke to a business owner in town and would like the Council to consider that the Borough collect a one-time fee for amusement licenses, to show them that we appreciate their business in town and the donations that they make. Mayor DiMura will forward that request to the Administrative Committee to consider and give a recommendation to Council.

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The Borough Clerk read the following resolution:

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

**Resolution #31-17**

The Mayor and Council hereby accept Robert Echol's retirement effective March 1, 2017 and agreed to reimburse him the amount of \$16,392.00 for the following benefits.

25 Unused Vacation Days	\$ 6,830.00
35 Unused Sick Days	\$ 9,562.00
<b>TOTAL</b>	<b>\$ 16,392.00</b>

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The Borough Clerk read the following resolution:

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

**Resolution #33-17**

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

**WHEREAS**, On January 17, 2017 Chief Geist recommended Police Officer Paul Muldowney 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 Muldowney be and is hereby advanced in grade to Patrolman Class "F" effective January 27, 2017 at an annual salary of \$61,530.

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The Borough Clerk read the following resolution:

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

**Resolution #34-17**

The governing body hereby approves extending Tom Moskal's 2016 remaining vacation days until March 15, 2017.

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The Borough Clerk read the following resolution:

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

**Resolution #35-17**

THE DISBURSING OFFICERS BE AND THEY ARE HEREBY AUTHORIZED TO PAY THE ATTACHED CLAIM LIST AS PRESENTED, IF FOUND CORRECT, AND APPROVED BY THE FINANCE COMMITTEE. EXCLUDED VOUCHERS MAY BE PAID UPON BEING FOUND ACCEPTABLE.

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

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### **PUBLIC COMMENTS**

Mayor DiMura opened the Public Portion of the Meeting for any public participation. Seeing that there was no public participation, Mayor DiMura closed the public portion of the meeting.

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### **DISCUSSION ON AGENDA WORKSHOP ITEMS**

1. Towing Licenses – Chief Geist has sent his recommendation that the Borough towing ordinance be amended to allow that the borough does not approve more than 5 towing companies per year. The Mayor indicated that with more companies on the rotating towing list it becomes costly as it reduces the numbers of weeks that they would be on-call annually and would not be worth their while to be on-call so infrequently. The Police Department has given their approval for 4 companies located within the borough this evening, and the fifth companies' approval is pending. Council approved amending the present towing ordinance at the next meeting.

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The Borough Clerk read the following resolution:

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

#### **Resolution #32-17**

The following applications for Towing Licenses for the year 2017 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. Hart's Auto Body
2. Tierno's Automotive Inc.
3. M&W Towing Service
4. Mike's Towing

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

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The Governing Body resumed discussion on the Agenda Workshop Items:

1. Hiring CRS Coordinator – Mayor DiMura discussed the FEMA Community Rating System Program where the borough is able to accumulate points, and this would enable the residents in the borough to get a discount on their flood insurance. This program enables these residents to get a discount ranging from 5% to 45% on their annual premium, depending on the amount of points that are accumulated. In 2012 the Construction Official was the coordinator, but since he is no longer employed with the Borough we do not have a coordinator in Middlesex Borough now, and we are unable to qualify for this program. The towns of Brick and Manville are just two of the towns where their residents have received these discounts.

Mayor DiMura has requested that we hire a CRS Coordinator to handle the paperwork which is roughly 10 – 15 hours a month for between \$8,000 - \$10,000/year. This individual will work with the Police Department, OEM, and Fire Department to complete the requirements to get the residents the maximum discount on their flood insurance. Mayor DiMura will look further into this position and to see if we could hire as a consultant.

2. Website Link for the New Jersey Coalition against Human Trafficking – Mayor DiMura received a request to have this link added to our website. A majority of Council agreed that this link should not be added to the website.
3. Economic Development Committee Report – Discussion on this report was tabled until the February 14, 2017 Meeting.
4. Formation of a Redevelopment Committee – Mayor DiMura is recommending that the council consider appointing a Redevelopment Committee to streamline information that comes in from a redeveloper and enables them to first present their plan to a Redevelopment Committee. This would enable the Committee to do a thorough review and if the project fits the vision of our plan, the Director of the Committee would come before the governing body and make a presentation based on the recommendation of the Committee. This Committee would be an advisory committee which would act on behalf of the governing body. The Mayor indicated that the committee would consist of the Mayor, 2 members of Council, Chair of the Planning Board, Chair of the Zoning Board, Zoning Officer, one business owner, one resident and the Director. Both the business owner and resident would be appointed by the Mayor. Mayor DiMura feels that this would prevent wasting any time at the council level and would be a better way for us to review projects, and with the changes we made to the plan we can start to focus on getting redevelopment off the ground with projects that fit our borough. Council approved and Mayor DiMura will bring back more information at next meeting to discuss further.

5. Conflict Municipal Judge – Mayor DiMura stated that on occasion there are cases which conflict with our Judge, and we are forced to send these cases out of town. Mayor DiMura stated that Judge Fackelman has recommended that we hire a conflict Municipal Judge on a per diem basis for these occasions to keep the cases in town. A consensus of Council was to move forward and hire a Conflict Municipal Judge.
6. Ordinance for Development Parking – Mayor DiMura indicated that towns have developed ordinances for parking in a development, and by ordinance if they don't have the required amount of parking spaces they would require a fee to be paid that would be designated for infrastructure, which usually amount to approximately \$5,000 per space or whatever the governing body determines. This encourages developers to make sure that they have adequate parking at their site. Councilman Schueler mentioned that the Planning Board looks at parking very seriously and are hesitant to grant variances if they do not have appropriate parking, and are strict on making sure they are compliant. A Consensus of Council was to have the input of the Planning Board Chair on this matter. Councilman Mikolajczyk also requested the Borough Attorney look into a parking authority.

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### **PUBLIC COMMENTS ON WORKSHOP ITEMS**

Mayor DiMura opened the Public Portion of the meeting for any comments on Agenda Workshop Items.

Kim Keyes, 331 Dorn Avenue requested that the council have the Police Department put the link for the New Jersey Coalition against Human Trafficking on their website.

Ms. Keyes also requested that the Mayor consider having a woman on the Redevelopment Committee as either a member or business owner.

Seeing that there was no further public participation, Mayor DiMura closed the public portion of the meeting on the Agenda Workshop Items.

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### **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  
FEBRUARY 14, 2017**

**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	Ron DiMura
Council President	Bob Schueler
	Kevin Dotey
	Dan Parenti
	Patrick Corley (late)
	John Madden
	Jack Mikolajczyk
Attorney:	Aravind Aithal
Administrator:	Brandon Goldberg

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**PRESENTATIONS**

Mayor DiMura recognized Rich Rutkowski as an "Outstanding Citizen" and presented him with a Certificate in recognition of the services he provided to our residents and our community as a member of the Middlesex Recreation Commission for 30+ years.

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**APPOINTMENTS**

Mayor DiMura recommended that Mike Jones be moved to Alternate #1 on the Zoning Board of Adjustments. Councilman Madden made a motion to approve Mike Jones be moved to Alternate #1 on the Zoning Board of Adjustments seconded by Councilman Schueler and carried by a unanimous vote of Council.

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**PROCLAMATIONS**

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**NEW BUSINESS**

The Borough Clerk read Ordinance No. 1907-17 for introduction:

**ORDINANCE NO. 1907-17**

**BOND ORDINANCE PROVIDING FOR A SANITARY SEWER**

**REHABILITATION PROJECT FOR THE BOROUGH OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$2,450,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,327,500 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Borough Council of the Borough of Middlesex, New Jersey (the "Borough") has ascertained and hereby determines that it is necessary and desirable to raise money to finance the cost of the improvements described in Section 3 of this bond ordinance, which improvements are hereby authorized to be made or acquired by the Borough. For said improvements or purposes stated in said Section 3, there is hereby appropriated the sum of \$2,450,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$122,500 as the down payment for said improvements or purposes required by law and now available therefor by virtue of provisions for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$2,450,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$2,327,500 pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the New Jersey Revised Statutes (the "Local Bond Law"). In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in the principal amount not exceeding \$2,327,500 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are the rehabilitation of the Borough sanitary sewer system, including, but not limited to, the rehabilitation of approximately 9,600 linear feet (covering 11 streets) of various size sanitary sewer mains and 43 manholes, and the reconstruction of five manholes, together with all other work, materials and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes of the Borough to be issued for said purposes is \$2,327,500.

(c) The estimated cost of said purposes is \$2,450,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$122,500 down payment for said purposes.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and are properties or improvements which the Borough may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially benefited thereby.

(b) The period of usefulness of said purposes within the limitations of the Local Bond Law, according to the reasonable lives thereof computed from the date of said bonds or notes authorized by this bond ordinance, is 40 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a copy thereof has been electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs in the State of New Jersey (the "Division"), and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$2,327,500, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$120,000 for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost of said improvements.

Section 5. Any funds from time to time received by the Borough as contributions-in-aid of financing the improvements or purposes described in Section 3 of this bond ordinance, including any grant, shall be used for financing said improvements or purposes by application thereof either to direct payment of the cost of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Borough authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the cost of said improvements or purposes shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct and unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all of the taxable property within the jurisdiction of the Borough for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 7. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board of the Division showing all detail of the amended capital budget and capital program as approved by the Director of the Division, are on file with the Borough Clerk and are available for public inspection.

Section 8. The Borough intends to issue bonds or notes to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance. The Borough expects that the maximum principal amount of bonds or notes which will be issued to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance is \$2,327,500. If the Borough incurs any such costs prior to the issuance of the bonds or notes, the Borough intends to reimburse itself for such expenditures with the proceeds of the bonds or notes.

Section 9. The Borough hereby covenants to comply with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") applicable to any bonds or notes authorized pursuant to this bond ordinance and covenants not to take any action or to fail to take any action which would cause the interest on such bonds or notes to lose the exclusion from gross income for federal income tax purposes provided under Section 103 of the Code. Further, the Borough will take all actions within its power that are necessary to assure that interest on the bond and notes does not lose the exclusion from gross income for federal income tax purposes provided under Section 103 of the Code.

Section 10. All notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough (the "Chief Financial Officer"), provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

Section 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by the Local Bond Law.

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

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The Borough Clerk read Ordinance No. 1908-17 for introduction:

**ORDINANCE NO. 1908-17**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 387, TOWING, SECTION 387-3 LICENSE REQUIRED; TERM AND SECTION 387-8 ISSUANCE OF LICENSE**

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

**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 changes to Chapter 387, Towing, Section 387-3 License Required; Term and Section 387-8 Issuance of License:

**1. § 387-3 License Required; Term**

Any person who wishes to engage in business as a wrecker in the Borough to tow vehicles on public and private property at the request of the Police Department shall be licensed by the Borough pursuant to this chapter. Any license issued pursuant to this chapter shall be for a period of 12 months, subject to annual renewal, and shall be nontransferable. Notwithstanding any other provision of this chapter, no more than five (5) licenses pursuant to this chapter may be issued and outstanding during any twelve month period.

**2. § 387-8 Issuance of License**

Upon approval by the Borough Council, and payment of the annual license fee, the Borough Clerk shall issue a license to the applicant wrecker, with a copy to the Chief of Police. Notwithstanding any other provision of this chapter, no more than five (5) licenses pursuant to this chapter may be issued by the Clerk and outstanding during any twelve month period.

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

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The Borough Clerk read Ordinance No. 1909-17 for introduction:

**ORDINANCE NO. 1909-17**

**BOND ORDINANCE PROVIDING FOR THE RECONSTRUCTION OF A PORTION OF SOUTH AVENUE IN THE BOROUGH OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$400,000 THEREFOR AND AUTHORIZING**

**THE ISSUANCE OF \$400,000 BONDS OR NOTES OF THE BOROUGH  
FOR FINANCING PART OF SUCH APPROPRIATION**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Borough Council of the Borough of Middlesex, New Jersey (the "Borough") has ascertained and hereby determines that it is necessary and desirable to raise money to finance the cost of the improvements described in Section 3 of this bond ordinance, which improvements are hereby authorized to be made or acquired by the Borough. For said improvements or purposes stated in said Section 3, there is hereby appropriated the sum of \$400,000, said sum being inclusive of all appropriations heretofore made therefor and including a grant from the Transportation Trust Fund in the amount of \$400,000 (the "Grant"). No down payment is required for said improvements or purposes in accordance with Section 11(c) of the Local Bond Law, constituting Chapter 2 of Title 40A of the New Jersey Revised Statutes (the "Local Bond Law") as a result of the Grant.

Section 2. For the financing of said improvements or purposes, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$400,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in the principal amount not exceeding \$400,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are the reconstruction of South Avenue from Sherman to Hall Street, including the installation of curbs, sidewalks and handicap sidewalk ramps, restriping of the roadway and modification and improvement of the existing drainage system, together with all other work, materials and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes of the Borough to be issued for said purposes is \$400,000.

(c) The estimated cost of said purposes is \$400,000.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and are properties or improvements which the Borough may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially benefited thereby.

(b) The period of usefulness of said purposes within the limitations of the Local Bond Law, according to the reasonable lives thereof computed from the date of said bonds or notes authorized by this bond ordinance, is 10 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a copy thereof has been electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs in the State of New Jersey (the "Division"), and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$400,500, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$20,000 for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost of said improvements.

Section 5. Any funds from time to time received by the Borough as contributions-in-aid of financing the improvements or purposes described in Section 3 of this bond ordinance, including the Grant or any other grant, shall be used for financing said improvements or purposes by application thereof either to direct payment of the cost of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Borough authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the cost of said improvements or purposes shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct and unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all of the taxable property within the jurisdiction of the Borough for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 7. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board of the Division showing all detail of the amended capital budget and capital program as approved by the Director of the Division, are on file with the Borough Clerk and are available for public inspection.

Section 8. The Borough intends to issue bonds or notes to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance. The Borough expects that the maximum principal amount of bonds or notes which will be issued to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance is \$400,000. If the Borough incurs any such costs prior to the issuance of the bonds or notes, the Borough intends to reimburse itself for such expenditures with the proceeds of the bonds or notes.

Section 9. The Borough hereby covenants to comply with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") applicable to any bonds or notes authorized

pursuant to this bond ordinance and covenants not to take any action or to fail to take any action which would cause the interest on such bonds or notes to lose the exclusion from gross income for federal income tax purposes provided under Section 103 of the Code. Further, the Borough will take all actions within its power that are necessary to assure that interest on the bond and notes does not lose the exclusion from gross income for federal income tax purposes provided under Section 103 of the Code.

Section 10. All notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough (the "Chief Financial Officer"), provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

Section 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by the Local Bond Law.

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

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## **PUBLIC HEARING**

The Borough Clerk read ordinance No. 1906-17 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

## **ORDINANCE 1906-17**

### **AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX -CHAPTER 407, VEHICLES AND TRAFFIC, ARTICLE IV PROHIBITED PARKING TO INCLUDE SECTION 407-11.2 JUDSON DRIVE; PROHIBITED PARKING; SIGNS; PENALTIES**

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

Amending Chapter 407, Vehicles and Traffic, Article IV Prohibited Parking to include Section 407-11.2 Judson Drive; Prohibited Parking; Signs; Penalties:

- A. Parking of motor vehicles shall be prohibited on the east side of Judson Drive for a distance of approximately thirty-eight (38) feet from the point of intersection with the northerly side of Union Avenue.
- B. No-parking signs in accordance with specifications as provided by statute of the State of New Jersey shall be posted in the appropriate areas.
- C. A fifty-dollar fine shall be imposed for violations of this section.

Mayor DiMura opened the Public Hearing on Ordinance No. 1906-17. Seeing that there was no public participation, Mayor DiMura closed the Public Hearing on Ordinance No. 1906-17.

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

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### **ADOPTION OF MINUTES**

Councilman Dotey made a motion to approve the January 24, 2017 Regular Meeting Minutes seconded by Councilman Mikolajczyk and carried by the following roll call vote: Ayes: Dotey, Parenti, Madden, Schueler and Mikolajczyk. No: None. Abstain: None.

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### **REPORTS**

1. Update on Mountainview Park Project (Football Field) – Mayor DiMura indicated that on February 3 the electrical engineers inspected the football field area to be sure there is enough power for the lighting and the engineer’s report should be received by the end of the week. Also, Musco Lighting should have a plan prepared by the end of this week and the Engineer anticipates that the lighting should be installed by the start of the football season.
2. Warrenton Road Project – Mayor DiMura mentioned that the Borough received a NJDOT Grant in 2013 but we were not ready to do the project, and then the funds were subsequently frozen last year, which delayed the project. The Mayor indicated that the design is now done for the project and we hope to get State approval of the design by the Spring and completion of the project by the Fall.
3. Update on Sewer Project – Mayor DiMura stated that the first phase design of the project is done, and we are waiting for approval of the design and approval of the trust loan. We are hoping to be out to bid in the fall and work on this project by the end of this year, early 2018.
4. Update on Bonnie Brook Road – Mayor DiMura reported that all repairs on the road have been completed and the repaving of the road will be done in the Spring.
5. Clarification of Developer’s Publication in the Newspaper regarding Property Address 220-242 Lincoln Boulevard - Mayor DiMura reported that with regard to the project to come before the Planning Board for the Property Address 220-242 Lincoln Boulevard

the investor that is dealing with the project incorrectly advertised for a Planning Board Meeting on January 25 and February 16 in error. At no time was this project put on the Board Agenda for the meetings of January 25<sup>th</sup> or February 16<sup>th</sup> for a hearing. This project is scheduled to be heard by the Board on February 22<sup>nd</sup>.

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**REPORTS – STANDING COMMITTEES:**

1. Recreation/Recreation Fields/Swim Pool/Community Celebrations
  1. Councilman Parenti tabled discussion on the Recreation Report until the meeting of February 28, 2017.
  
4. Police/Legal/Code Enforcement/Construction/Municipal Court
  1. Councilman Mikolajczyk moved the approval of the Middlesex Borough Municipal Court 2017 Monthly Figures seconded by Councilman Madden and carried by a unanimous vote of Council.
  2. Councilman Mikolajczyk reported that a Councilmatic Committee Meeting was held with the Police and the committee reviewed the police plans for 2017.

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The Borough Clerk read the following resolution:

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

**Consent Agenda 2017(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 wish to remove Resolution #40-17 and Resolution #45-17 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 #36-17 – Resolution #39-17  
Resolution #41-17 - Resolution #44-17  
Resolution #46-17

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

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The Borough Clerk read the following resolution:

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

**Resolution #36-17**

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE ROAD IMPROVEMENTS PROJECT FOR HARRIS AVENUE & RUNYON AVENUE**

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

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2017-2017 Road Improvements Harris Avenue & Runyon Avenue-00557 for Middlesex Borough to the New Jersey Department of Transportation on behalf of the Borough of Middlesex.

**BE IT FURTHER RESOLVED** that the Mayor, and Clerk are hereby authorized to sign the grant agreement on behalf of 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.

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The Borough Clerk read the following resolution:

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

**Resolution #37-17**

**RESOLUTION OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY CANCELING ORDINANCE NO. 1902-16 FINALLY ADOPTED ON DECEMBER 13, 2016 AND CANCELING THE UNFUNDED APPROPRIATION BALANCES HERETOFORE PROVIDED THEREBY IN THE AMOUNT OF \$2,450,000**

**BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (THE "BOROUGH") , AS FOLLOWS:**

Section 1. The Borough Council previously adopted Ordinance No. 1902 entitled "Bond Ordinance Providing for a Sanitary Sewer Rehabilitation Project by and in the Borough of Middlesex, in the County of Middlesex, State of New Jersey; Appropriating \$2,450,000 Therefor and Authorizing the Issuance of \$2,450,000 Bonds or Notes to Finance the Cost Thereof" on December 13, 2016 (the "Ordinance").

Section 2. The Ordinance and the unfunded appropriation remaining as balance in the Ordinance are hereby canceled.

Section 3. This resolution shall take effect at the time and in the manner provided by law.

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The Borough Clerk read the following resolution:

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

**Resolution #38-17**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR POLICE LABOR ATTORNEY TO ARTHUR R. THIBAUT, JR. OF THE FIRM APRUZZESE, MCDERMOTT, MASTRO & MURPHY FOR THE PERIOD FROM FEBRUARY 15, 2017 – DECEMBER 31, 2017**

**WHEREAS**, the Governing Body of the Borough of Middlesex wishes to appoint Arthur R. Thibault, Jr. of the firm Apruzzese, McDermott, Mastro & Murphy, whose office are located at 25 Independence Boulevard, Warren, NJ 07059 as the Police Labor Attorney for the Borough of Middlesex for the period from February 15, 2017 to December 31, 2017;

**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. Arthur R. Thibault, Jr. of the firm of Apruzzese, McDermott, Mastro & Murphy, having his office located at 25 Independence Boulevard, Warren, New Jersey is hereby appointed as the Police Labor Attorney for the Borough of Middlesex for the period from February 15, 2017 through December 31, 2017 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.

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The Borough Clerk read the following resolution:

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

**Resolution #39-17**

The application for renewal of Junkyard Licenses for the year 2017 filed by Absolute Auto-truck Salvage. 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.

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The Borough Clerk read the following resolution:

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

**Resolution #40-17**

**WHEREAS**, Tomas Rozar, applied to the Construction Office for a Residential Resale Certificate for 524 Voorhees Avenue; and

**WHEREAS**, Tomas Rozar submitted Check #1072 in the amount of \$100.00 on 1/19/17 in payment of said Residential Resale Certificate for a single-family dwelling; and

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

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Middlesex that the disbursing officers be and they are hereby authorized to draw a check in the amount of \$100.00 in favor of Tomas Rozar, 1100 Dorn Avenue, Middlesex, NJ 08846, for refund of fee for Residential Resale Certificate.

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

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The Borough Clerk read the following resolution:

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

**Resolution #41-17**

**WHEREAS**, Metropolitan Communications was issued a street opening permit for trench work on 7/13/15; and

**WHEREAS**, Metropolitan Communications deposited \$2500.00 with the Borough of Middlesex to ensure proper repair and maintenance of the roadway; and

**WHEREAS**, twenty-five percent of said fee shall be taken out for administration charges; and

**WHEREAS**, said roadway at Cedar Ave was inspected by George Allan, Borough Engineer, 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 Metropolitan Communications, 910 Camaro Run Dr., West Chester, PA 19380, for refund of Street Opening Permit No. 2015-006.

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The Borough Clerk read the following resolution:

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

**Resolution #42-17**

The governing body hereby accepts the resignation of Jesse Cribb from the DPW effective February 7, 2017. Mr. Cribb was employed part time in the DPW Sanitation Department.

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The Borough Clerk read the following resolution:

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

**Resolution #43-17**

The governing body hereby hires Dylan Pearce Zebro, HillsBorough as a part time DPW Employee effective February 21, 2017 at \$12.00 per hour, 28 hours per week, pending a satisfactory physical and background check.

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The Borough Clerk read the following resolution:

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

**Resolution #44-17**

The governing body hereby accepts the resignation of Brandon Ortiz from the DPW effective February 17, 2017. Mr. Ortiz was employed part time in the DPW Sanitation Department.

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The Borough Clerk read the following resolution:

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

**Resolution #45-17**

The governing body hereby approves the Middlesex Borough Recreation Department Policy Guide.

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

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The Borough Clerk read the following resolution:

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

**Resolution #46-17**

The governing body hereby accepts the retirement of Dolores Fritzing from the Court Office effective January 13, 2017.

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The Borough Clerk read the following resolution:

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

**Resolution #47-17**

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

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**PUBLIC COMMENTS**

Mayor DiMura opened the Public Portion of the Meeting for any public participation.

Frank Ryan, 303 Maple Street stated that he was at the Board of Education Meeting last night and questioned if the council endorses the proposed school project discussed by the Board of Education. Mr. Ryan was not in favor of spending funds for the new school construction and was concerned about (1) the total cost of this project; (2) the amount of the tax increase with a \$50,000,000 project; (3) the additional busing needed by vacating Parker School; (4) The loss of the "small town feel" by relocating Parker School from its neighborhood; (5) The loss of senior citizens in town that cannot afford the increase; (6) The Borough is already getting a tax increase with the pump station and the tax revaluation; and (7) Mr. Ryan would rather give the Mayor and Council a raise.

Mayor DiMura stated that the ultimate decision for this project will be made by the taxpayers. The Mayor does hope that the pump station will be done in the next 3 – 4 years and will be paid by the sewer surcharge.

Councilman Schueler mentioned that the way the busing works in Middlesex Borough, we will not see a significant increase in the amount of kids that would be bused.

Rich Thomasey 109 Greene Avenue questioned why there isn't a public portion where the public can speak in the beginning of the meeting like they do on the Shade Tree Commission meetings. Mayor DiMura stated that is the structure of the meeting and if the governing body wants to change the structure they can.

Mr. Thomasey noted that Mayor DiMura was planning to look at the development of a committee to review the redevelopment plans. Mr. Thomasey would like to recommend adding

a Board of Ed member, the Tax Assessor, and maybe someone from the County government to be on this committee. Mayor DiMura indicated that he would take this recommendation into consideration.

Mr. Thomasey questioned if the work at Mountain View Park had been reviewed by the Park and Fields Committee established last February and the Mayor indicated that the committee is now going to be rolled into the new Parks & Recreation Committee and a member of that committee would be on the Special Committee formed for this project.

Mr. Thomasey also was concerned with the two legal notices that were inadvertently published by the developer with regard to the redevelopment plan and felt that it showed a lack of respect for the Middlesex residents and a lack of integrity by the people involved. Mayor DiMura suggested that Mr. Thomasey attend the Planning Board meeting to make his statement when they present the case.

Laura Thomasey, 109 Greene Avenue wondered if there was any idea of the date of the reassessment, as the school is looking for their project to start in 2019. Mayor DiMura indicated that our plan is to start the revaluation in 2021.

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

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### **DISCUSSION ON AGENDA WORKSHOP ITEMS**

1. Electronic Payments – Mr. Goldberg mentioned that he met with different companies regarding the use of electronic payments as a convenience to our residents and recommended First Data. This will be a merchant benefit and the convenience fee will be passed on to our resident at .35% per transaction, and will not cost the Borough any money. Council agreed to move forward to negotiate a contract with First Data.
2. Economic Development Committee Report – Mayor commended this committee for their hard work on the Report that was submitted. The Committee pointed out that we don't do a great job promoting our community and what we offer in the Borough. The Mayor indicated that we have been working on our website and looking to maybe expand what the webmaster does and bring in a PR company to promote what our community has to offer within the Borough and outside of the Borough. The Committee was on board with the changes made to the redevelopment plan and will continue to meet and give us examples of how we can improve economic development in the Borough. Mayor DiMura is looking forward to hearing more from this committee in the future.
3. Greenbrook Flood Control Project – Mayor DiMura updated Council on the meeting held last week at Borough hall about the Greenbrook Flood Control Project. The Army Corp. explained that the goal for completion of this project in Middlesex Borough is approximately 2028, dependent upon federal funding. They are working on the pump station behind the library parking lot, on the bridge on South Lincoln (installing a gate), and finishing up behind Starlit Drive.

4. Amendment to Chapter 359 Streets and Sidewalks to include Curb to Curb Restoration of Street Surface – Council discussed amending this chapter and a consensus of Council was taken to allow the Administrator to move forward with a proposed ordinance.

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### **PUBLIC COMMENTS ON WORKSHOP ITEMS**

Mayor DiMura opened the Public Portion of the meeting for any comments on Agenda Workshop Items. Seeing that there was no public participation, Mayor DiMura closed the public portion of the meeting on the Agenda Workshop Items.

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The Borough Clerk read the following resolution:

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

#### **Resolution #48-17**

**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. Landlocked Property at the End of William Street – Block 318/Lot 43

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Councilman Madden moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by the following roll call vote.

#### **ROLL CALL**

Mayor	Ron DiMura
Council President	Bob Schueler
	Dan Parenti
	Kevin Dotey
	Patrick Corley
	John Madden
	Jack Mikolajczyk

Attorney:

Aravind Aithal

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**ADJOURNMENT**

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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 14, 2017**

**This Meeting was cancelled due to a snow storm.**

Respectfully yours,

Kathleen Anello, RMC  
Borough Clerk

**BOROUGH OF MIDDLESEX  
REGULAR MEETING MINUTES  
MARCH 28, 2017**

**MAYOR'S STATEMENT:** Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of December 28, 2016, and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

**SALUTE TO THE FLAG**

**ROLL CALL**

Mayor	Ron DiMura
Council President	Bob Schueler
	Kevin Dotey
	Dan Parenti
	Patrick Corley (late)
	John Madden
	Jack Mikołajczyk
Attorney:	Aravind Aithal
Administrator:	Brandon Goldberg

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**PRESENTATIONS**

Mayor DiMura recognized the 2017 Elk's Youth Student Participants who shadowed the Mayor and Council this year.

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**APPOINTMENTS**

Mayor DiMura appointed John Tackach to the Sewer Appeal Committee.

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**PROCLAMATIONS**

The Borough Clerk proclaimed the week of March 13, 2017 as Elk's Youth Week

**WHEREAS**, the Benevolent and Protective Order of Elks has designated the week of March 13, 2017 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 J. DiMura**, Mayor of the Borough of Middlesex do hereby proclaim the week of March 13, 2017 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.

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The Borough Clerk proclaimed the month of March, 2017 as "American Red Cross Month"

### **PROCLAMATION**

In Middlesex Borough, we have a long history of helping our neighbors in need. American Red Cross Month is a special time to recognize and thank our Everyday Heroes – those selfless Red Cross volunteers and donors who give of their time and resources to help community members.

Those heroes help families find shelter after a home fire. They give blood to help trauma victims and cancer patients. They deliver comfort items to military members in the hospital. They use their lifesaving skills to save someone from a heart attack, drowning, or choking. They enable children around the globe to be vaccinated from measles and rubella.

The American Red Cross depends on local heroes to deliver help and hope during a disaster. We applaud our heroes here in Middlesex Borough who give of themselves to assist their neighbors when they need a helping hand.

Across the country and around the world, the American Red Cross responds to disasters big and small. In fact, every eight minutes the organization responds to a community disaster, providing shelter, food, emotional support and other necessities to those affected. It collects 40 percent of the nation's blood supply; provides 24-hour support to military members, veterans and their families; teaches millions lifesaving skills, such as lifeguarding and CPR; and through its Restoring Family Links program, connects family members separated by crisis, conflict, or migration.

We dedicate the month of March to all those who support the American Red Cross mission to prevent and alleviate human suffering in the face of emergencies. Our community depends on the American Red Cross, which relies on donations of time, money and blood to fulfill its humanitarian mission.

**NOW, THEREFORE, I MAYOR RON DIMURA**, Mayor of Middlesex Borough, by virtue of the authority vested in me by the Constitution and laws of Middlesex and State of New Jersey, do

hereby proclaim March, 2017 as American Red Cross Month. I encourage all Americans to support this organization and its noble humanitarian mission.

**IN WITNESS WHEREOF**, I now hereby set my hand and the Seal of the Borough of Middlesex on this 28.th day of March, 2017.

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**NEW BUSINESS**

The Borough Clerk read Ordinance No. 1910-17 for introduction

**ORDINANCE NO. 1910-17**

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

**CALENDAR YEAR 2017  
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 0.5% 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 2017 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 3.0 % increase in the budget for said year, amounting to \$380,915.97 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 2017 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 \$444,401.97 and that the CY 2017 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 Mikolajczyk made a motion for introduction seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Parenti, Madden, Schueler and Mikolajczyk. No: None. Abstain: None.

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The Borough Clerk read Ordinance No. 1911-17 for introduction

**ORDINANCE NO. 1911-17**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 359, STREET AND SIDEWALKS; TO INCLUDE SECTION 359-1A – 359-1D PERMIT REQUIRED FOR STREET EXCAVATIONS; EXCEPTION**

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

Section 359-1 shall be amended to read as follows:

**§ 359-1 Permit required for street excavations; exception.**

- A. Subject to the provisions of this section, it shall be unlawful for any person, firm or corporation to remove, excavate, dig up or in any way disturbed, or cause or suffer to be removed, excavated, dug up or in any way disturbed, the surface of any public street, road or highway within the Borough of Middlesex, or any sidewalk, gutter or pavement therein, for any purpose whatsoever, without first having obtained from the Construction Office, in writing, a permit for so doing; provided, however, that this article shall not apply to any public utility company, under the regulation of the State Board of New Jersey Public Utility Commissioners, whose duty it is to furnish gas, water, electric and telephone service to consumers within the limits of the Borough of Middlesex when said public utility authority is engaged in cases of emergency, such as water breaks, gas leaks and other similar situations. In all other instances, public utility companies shall be

expected to and are required to abide by all of the provisions of this article. When any such person, firm or corporation shall apply for such a permit, the applicant shall state, in writing, the place or places in said borough where said work is to be done, the character and extent of the work and the time within which it is to be completed.

- B. Notwithstanding anything to the contrary herein, no public street, road or highway excavations, dig ups or disturbances shall be permitted upon a public street, road or highway in the Borough of Middlesex if such public street, road or highway has been previously paved within the immediately preceding five (5) years. However, subject to the conditions of a Developer's Agreement to be entered into between a developer and the Borough, street excavations, dig ups or disturbances upon a public street, road or highway located within a designated redevelopment area of the Borough of Middlesex may occur upon public streets, roads or highways paved within the immediately preceding five (5) year period with the approval of the Governing Body.
- C. Any excavation, dig up or disturbance of the surface of any public street, road or highway within the Borough of Middlesex must be fully restored by the person, firm or corporation who removed, excavated, dug up or in any way disturbed such public street, road or highway, at the sole direction and to the satisfaction of the Borough Engineering Consultants, which shall include, at minimum, milling and paving such public street, road or highway from curb-to-curb, across the entire width of the public street, road or highway, to fully encompass the area of such excavation, dig up or disturbance along the length of the public street, road or highway. If, in the sole and independent judgment of the Borough Engineer, the restoration of any public street, road or highway as required hereunder should not immediately occur, the person, firm or corporation who removes, excavates, digs up or in any way disturbs a public street, road or highway hereunder shall be required to pay to the Borough, an amount equal to the anticipated costs of such restoration, as determined by the Borough Engineering Consultant.
- D. All persons, firms or corporations requesting to excavate, dig up or disturb the surface of any public street, road or highway within the Borough of Middlesex must post a bond for the maintenance of the restoration of such public street, road or highway in an amount not less than 120% of the estimated cost of the restoration. Such maintenance bond shall be in a form acceptable to the Borough Engineering Consultant and must be in place for not less than two (2) years from the date of the completion of such restoration.

This ordinance shall take effect upon final adoption and publication as required by law.

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

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The Borough Clerk read Ordinance No. 1912-17 for introduction

**ORDINANCE NO. 1912-17**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 407, VEHICLES AND TRAFFIC, ARTICLE VIII COMMERCIAL VEHICLES, SECTION 407-25 VIOLATIONS AND PENALTIES**

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

Section 407-25 shall be amended to read as follows:

**§ 407-25 Violations and Penalties**

**Violations and penalties.** For a violation of any provision of this article, the offender shall be liable to a penalty of not less than \$250 nor more than \$500 for a first violation or imprisonment not exceeding 15 days, or both. Any offender committing a second or subsequent violation shall be subject to a penalty of not less than \$500 nor more than \$750 or imprisonment not exceeding 15 days, or both.

This ordinance shall take effect upon final adoption and publication as required by law.

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

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**PUBLIC COMMENTS**

Mayor DiMura opened the Public Portion of the Meeting for any public participation.

Rich Rutkowski, 211 Maple Street questioned why Resolution #56-17 Dedication by Rider for Recreation Committee is being done. Mayor DiMura stated because we went from a commission to a committee we needed to set up a new trust account. Mr. Rutkowski also noted the problems with parking on A,B,C, and D streets and questioned whether we can make that no parking between 12:00 am. and 6:00 am. Mayor DiMura stated he is aware of the issue and is working with Chief Geist for resolution.

Barbara Borkowski, 53 George Ave. questioned what is being done with the ongoing issues and paving of George Avenue. Mayor DiMura stated that the engineer is putting together the design for storm sewer to address the flooding before milling and paving the road. Once that is done it will come before the Mayor and Council for approval in an upcoming meeting.

Seeing that there was no other public participation, Mayor DiMura closed the public portion of the meeting.

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**ADOPTION OF MINUTES**

Councilman Mikolajczyk made a motion to approve the February 28, 2017 Regular Meeting Minutes seconded by Council President Schueler and carried by the following roll call vote: Ayes: Dotey, Parenti, Madden, Schueler and Mikolajczyk. No: None. Abstain: None.

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**REPORTS**

1. Mayor DiMura reported that PSE&G will be starting to pave on April 11, 2017 for the work they did replacing gas pipes last year. The goal is to get it paved by the end of April. PSE&G will repave all the areas torn up from the curb to the middle of the road so the Borough is not stuck with patches.

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## **REPORTS – STANDING COMMITTEES:**

1. Finance/Taxation/Real Estate/Insurance/Public Utilities

- A. Budget Meeting review

Councilman Schueler reported his committee worked hard to review the budget and came to an agreement as to what would be introduced. We looked at opportunities to find savings from the initially proposed O/E ticket items while still maintaining the progress we have started with making visible improvements to the town, specifically infrastructure maintenance in roads while providing our DPW and emergency services with the supplies and equipment that they need to adequately carry on their roles in the municipality.

We sought input from the departments as well as the mayor and administrator. We looked to make this a responsible budget that had the taxpayer's interests at heart as well. We had to make tough choices and everyone felt a little pain, but where there was a true need, we recommended what needed to be done so that Middlesex continues to move forward and the taxpayers are not left holding the bag.

As we introduce this budget there may be tweaks we can make to improve it further. We continue to search for opportunities to improve the services we provide while maintaining our expenditures as tight as we can.

2. Recreation/Recreation Fields/Swim Pool/Community Celebrations

- A. Councilman Parenti reported that the Easter Egg Hunt is on April 8<sup>th</sup> at 3:00 pm with a rain date of April 9<sup>th</sup>.

3. Fire/OEM/Rescue Squad/Shade Tree

- A. Councilman Madden read the following fire report into the minutes:

On March 19, 2017 shortly before 8 am, the Middlesex Borough Police, Rescue Squad, and multiple fire departments responded to a house fire on Main Street. When police arrived they were unable to reach a 74 year old woman trapped on the 2<sup>nd</sup> floor due to heavy smoke. Within several minutes the Fire Department arrived and rescued the woman and her dog. I'd like to thank the Middlesex Police, Middlesex Rescue Squad, the area Fire Departments for their rapid coordinated response in which a life was saved.

B. Shade Tree Report – The Shade Tree Commission met on Tuesday, March 7<sup>th</sup> as a Special Meeting. Several issues were discussed about tree work around town. Ms. Katie Meckleler, the Americorps Watershed Ambassador with NJ Department, offered her services free of charge to perform a stream assessment of Ambrose Brook in our town. This assessment entails a visual and biological evaluation of the stream and adjacent riparian zones. As part of our CFMP, these areas must be looked at this year to see the condition of the trees and how they relate to water quality.

4. Police/Legal/Code Enforcement/Construction/Municipal Court

A. Councilman Mikolajczyk moved the approval of the February, 2017 Police Report seconded by Council President Schueler and carried by a unanimous vote of Council. Councilman Mikolajczyk noted that in the February report there were 20 Larsony Thefts where individuals were robbing unlocked cars. Chief Geist reported that during the month of February the Police Department had a 100% closing rate. Councilman Mikolajczyk and Mayor DiMura noted that it was our goal last year to reinvest in the Police Department and we are seeing the payback for our investment.

B. Councilman Mikolajczyk thanked the Police Department and residents who attended “Coffee with a Cop.” The Police Dept. looks forward to seeing everyone at the Fishing Derby.

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The Borough Clerk read the following resolution:

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

**Consent Agenda 2017(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 wish to remove Resolution #49-17, #63-17, #66-17, #73-17, 75-17 – 80-17 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 #56-17 – 62-17
- Resolution 64-17 – 65-17
- Resolution 67-17 – 72-17
- Resolution 74-17
- Resolution 81-17 – 84-17

Resolution #75-17 through #80-17 were tabled and removed from the consent agenda.

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

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The Borough Clerk read the following resolution:

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

**Resolution #49-17**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MIDDLESEX**

**WHEREAS**, New York SMSA Limited Partnership d/b/a Verizon Wireless, (“Verizon Wireless”), is a provider of commercial mobile service subject to regulation by the Federal Communications Commission; and

**WHEREAS**, Verizon Wireless has entered into agreements with parties that have the lawful right to maintain poles in the public right-of-way pursuant to which Verizon Wireless may use such poles erected within the public right-of-way in the Borough of Middlesex; and

**WHEREAS**, New Jersey law permits such use provided that there is the consent of the relevant municipality;

**NOW THEREFORE BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY THAT:**

1. Permission and authority are hereby granted to Verizon Wireless and its successors and assigns, to use poles erected by parties that have the lawful right to maintain poles within the public right-of-way in the Borough of Middlesex, subject to the following:

A. Verizon Wireless, and its successors and assigns, shall adhere to all applicable Federal, State, and Local laws regarding safety requirements related to the use of the public right-of-way.

B. Verizon Wireless, and its successors and assigns, shall comply with all applicable Federal, State, and Local laws requiring permits prior to beginning construction, and shall obtain any applicable permits that may be required by the Borough of Middlesex.

C. Such permission be and is hereby given upon the condition and provision that Verizon Wireless, and its successors and assigns, shall indemnify, defend and hold harmless the Borough of Middlesex, its officers, agents, and servants, from any claim of liability or loss or bodily injury or property damage resulting from or arising out of the acts or omissions of Verizon Wireless or its agents in connection with the use and occupancy poles located

within the public right-of-way, except to the extent resulting from acts or omissions of the Borough of Middlesex.

D. Verizon Wireless shall, at its own cost and expense, maintain commercial general liability insurance with limits not less than \$1,000,000 for injury to or death of one or more persons in any one occurrence and \$500,000 for damage or destruction to property in any one occurrence. Verizon Wireless shall include the Borough of Middlesex as an additional insured.

E. Verizon Wireless shall be responsible for the repair of any damage to paving, existing utility lines, or any surface or subsurface installations, arising from its construction, installation or maintenance of its facilities.

F. Notwithstanding any provision contained herein, neither the Borough of Middlesex nor Verizon Wireless shall be liable to the other for consequential, incidental, exemplary, or punitive damages on account of any activity pursuant to this instrument.

G. This instrument shall be adopted on behalf of the Borough of Middlesex by the Borough Council of the Borough of Middlesex and attested to by the Borough of Middlesex Clerk who shall affix the Borough of Middlesex Seal thereto.

H. The permission and authority hereby granted shall allow Verizon Wireless to utilize up to ten (10) poles for its equipment. If Verizon Wireless wishes to install its equipment on more than ten (10) poles, it shall formally request permission from the Borough.

I. The permission and authority hereby granted shall continue for the same period of time as the grant to parties whose poles Verizon Wireless is using.

### **STATEMENT**

This resolution authorizes Verizon Wireless to use poles erected within the public right-of-way of the Borough of Middlesex by parties that have the lawful right to maintain such poles.

Councilman Mikolajczyk questioned whether this equipment will be placed on existing poles and how many will be placed on new or existing poles.

Richard Komissar the Site Acquisition Specialist from the contracted company Tislon that Verizon is using for this project throughout the state was at the meeting and explained that they try to use existing poles, but sometimes they can't due to primary wires on existing poles. Mr. Komissar felt that for our size town he thinks we will be using 4-5 poles, even though put 10 in the resolution, which would be on the higher end. Mr. Komissar stated that this equipment is more for capacity not coverage.

Councilman Madden questioned the maintenance of this equipment in 3-5 years. Mr. Komissar noted that they don't know because it is so new but compared it to putting a power plug into your wall.

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

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The Borough Clerk read the following resolution:

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

**Resolution #56-17**

**A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR THE RECREATION COMMITTEE**

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

**WHEREAS**, NJSA 40A: 4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider;

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

1. The Borough Council hereby requests permission of the Director of the Division of Local Government Services to pay expenditures under the provisions of NJSA 40A: 4-39, as amended by PL 1999, c.292, for permitted activities including receipts and payments for bus trips and event ticket costs, and the cost for non-salaried instructors for programs that are offset by the fees paid.
2. The Municipal Clerk of the Borough of Middlesex is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

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The Borough Clerk read the following resolution:

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

**Resolution #57-17**

The governing body hereby hires Thomas J. Rusczyk, Freehold, NJ as a part time DPW Employee effective April 3, 2017 at \$12.00 per hour, 28 hours per week, pending a satisfactory physical, drug/alcohol test and background check.

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The Borough Clerk read the following resolution:

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

**Resolution #58-17**

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 2017 Grant Funds:

Senior Coordinator Salary	\$11,075
Senior Van Driver	\$7,500
Code Enforcement	\$7,500
Nutritional Program	\$7,500
Handicapped Railings, Sidewalks Ramps & Lighting	\$15,346

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<b>TOTAL</b>	<b>\$48,921</b>
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The Borough Clerk read the following resolution:

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

**Resolution #59-17**

**WHEREAS**, the Borough of Middlesex is establishing a partnership with Provident Bank

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the Treasurer is authorized to establish a depository account with Provident Bank (Borough of Middlesex Merchant Services Account)

**NOW FURTHER BE IT RESOLVED** that Corporate Cash Management online banking will be established in conjunction with the deposit account to provide the necessary components to facilitate the acceptance of online payments and credit card payments to the Borough of Middlesex.

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The Borough Clerk read the following resolution:

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

**Resolution #60-17**

The governing body hereby hires Judith Cosentino, Middlesex, NJ as a part time Violations Clerk effective April 13, 2017 at \$15.00 per hour, 28 hours per week, pending a satisfactory drug/alcohol test and background check.

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The Borough Clerk read the following resolution:

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

**Resolution #61-17**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR CONFLICT BOND  
ATTORNEY TO ROBERT BEINFELD OF THE FIRM HAWKINS DELAFIELD & WOOD LLP  
FOR THE PERIOD FROM MARCH 29, 2017 – DECEMBER 31, 2017**

**WHEREAS**, the Governing Body of the Borough of Middlesex wishes to appoint Robert Beinfield of the firm Hawkins Delafield & Wood LLP, whose office are located at One Gateway Center, Newark, New Jersey 07102-5311 as the Conflict Bond Attorney for the Borough of Middlesex for the period from March 29, 2017 to December 31, 2017;

**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 Beinfield of the firm Hawkins Delafield & Wood LLP, having his office located at One Gateway Center, Newark, New Jersey 07102-5311 is hereby appointed as the Conflict Bond Attorney for the Borough of Middlesex for the period from March 29, 2017 through December 31, 2017 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.

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The Borough Clerk read the following resolution:

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

**Resolution #62-17**

The governing body hereby terminates Dylan Pearce Zebro, (Part time DPW Laborer) effective February 28, 2017.

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The Borough Clerk read the following resolution:

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

**Resolution #63-17**

The governing body hereby rescinds Resolution #53-17, adopted at the February 28, 2017 Regular Meeting hiring Panagis Parameritis as a part time DPW Employee due to a failed drug test.

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

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The Borough Clerk read the following resolution:

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

**Resolution #64-17**

**WHEREAS**, the governing body received a proposal from Remington & Vernick Engineers dated July 25, 2016 for the Design, Inspection and Construction Administrative Services for the Milling and Paving of Shephard Avenue; and

**WHEREAS**, the proposal for this project include:

1. Design (5%)	\$13,786.20
2. Inspection/Contract Administration (10%)	\$27,572.40
<b>TOTAL COST</b>	<b>\$41,358.60</b>

**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 Remington & Vernick Engineers dated July 25, 2016 for the Design, Inspection and Construction Administrative Services for the Milling and Paving of Shephard Avenue in the total amount of \$41,358.60.
2. This resolution shall take effect immediately.

**NOW FURTHER BE IT RESOLVED**, that the Treasurer hereby certifies that funds in the amount of \$41,358.60 are available in Account No. C-04-16-893-000-096.

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The Borough Clerk read the following resolution:

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

**Resolution #65-17**

**WHEREAS**, the governing body received a proposal from Remington & Vernick Engineers dated May 2, 2016 for the Design, Inspection and Construction Administrative Services for the 2016 NJDOT Municipal Aid Program Grant for Warrentville Road; and

**WHEREAS**, the proposal for this project include:

1. Inspections/Material/Testing	\$46,135.00
2. Design	\$30,750.00
3. Contract Administration	\$ 5,000.00
<b>TOTAL COST</b>	<b>\$81,885.00</b>

**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 Remington & Vernick Engineers dated May 2, 2016 for the Design, Inspection and Construction Administrative Services for the 2016 NJDOT Municipal Aid Program Grant for Warrenton Road in the total amount of \$81,885.00.
2. This resolution shall take effect immediately.

**NOW FURTHER BE IT RESOLVED**, that the Treasurer hereby certifies that funds in the amount of \$45,904.50 are available in Account No. C-04-16-893-000-095 and funds in the amount of \$35,980.50 are available in Account No. C-04-16-893-000-094.

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The Borough Clerk read the following resolution:

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

**Resolution #66-17**

**WHEREAS**, the governing body received a proposal from Remington & Vernick Engineers dated February 7, 2017 for the Engineering Design and Oversight Services for the Irrigation Wells and Irrigation System at Simchock Field & Mountainview Park; and

**WHEREAS**, the proposal for this project include:

- |                          |             |
|--------------------------|-------------|
| 1. Design                | \$24,500.00 |
| 2. Construction Services | \$23,000.00 |

<b>TOTAL COST</b>	<b>\$47,500.00</b>
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**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 Remington & Vernick Engineers dated February 7, 2017 for the Engineering Design and Oversight Services for the Irrigation Wells and Irrigation System at Simchock Field & Mountainview Park in the total amount of \$47,500.
2. This resolution shall take effect immediately.

**NOW FURTHER BE IT RESOLVED**, that the Treasurer hereby certifies that funds in the amount of \$47,500.00 are available in Account No. G-02-17-100-000-101.

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

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The Borough Clerk read the following resolution:

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

**Resolution #67-17**

**WHEREAS**, the governing body received a proposal from Remington & Vernick Engineers dated February 7, 2017 for the Preliminary Assessment Report for the Former PARSA Property; and

**WHEREAS**, the proposal for this project is to perform a Preliminary Assessment in accordance with current Technical Requirements for Site Remediation for environmental site assessments for all appropriate inquires and to satisfy NJDEP requirements for a fee of \$3,950.00.

**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. The governing body hereby approves the proposal from Remington & Vernick Engineers dated February 7, 2017 for the Preliminary Assessment Report for the Former PARSA Property in the total amount of \$3,950.00.
2. This resolution shall take effect immediately.

**NOW FURTHER BE IT RESOLVED**, that the Treasurer hereby certifies that funds in the amount of \$3,950.00 are available in Account No. G-02-17-100-000-101.

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The Borough Clerk read the following resolution:

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

**Resolution #68-17**

**WHEREAS**, the governing body received a proposal from Remington & Vernick Engineers dated June 13, 2016 for the Design, Inspection and Construction Administrative Services, including the Design Fee for the Electrical Service Upgrade to Support the Proposed Sports Lighting for Mountainview Park; and

**WHEREAS**, the proposal for this project include:

- |                                  |             |
|----------------------------------|-------------|
| 1. Design Fee/Electrical Upgrade | \$12,240.00 |
| 2. Design/Permitting             | \$40,000.00 |

3. Inspection/Contract Administration	\$30,000.00
<b>TOTAL COST</b>	<b>\$82,240.00</b>

**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 Remington & Vernick Engineers dated June 13, 2016 for the Design, Inspection and Construction Administrative Services, including the Design Fee for the Electrical Service Upgrade to Support the Proposed Sports Lighting for Mountainview Park in the total amount of \$82,240.00
2. This resolution shall take effect immediately.

**NOW FURTHER BE IT RESOLVED**, that the Treasurer hereby certifies that funds in the amount of \$82,240.00 are available in Account No. G-02-17-100-000-101.

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The Borough Clerk read the following resolution:

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

**Resolution #69-17**

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

**WHEREAS**, On March 8, 2017 Chief Geist 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 "D" effective March 12, 2017 at an annual salary of \$79,605.

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The Borough Clerk read the following resolution:

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

**Resolution #70-17**

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

**WHEREAS**, On March 8, 2016 Chief Geist 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 “D” effective March 12, 2017 at an annual salary of \$79,605.

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The Borough Clerk read the following resolution:

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

**Resolution #71-17**

**WHEREAS**, an emergent condition has arisen with respect to providing temporary appropriations sufficient to cover commitments made during the period of January 1, 2017 to the date of adoption of the annual budget and no adequate provision has been made in the 2017 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 2017 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A: 4-20) including this resolution total \$11,498,205.70 for the Current Fund Budget, \$105,000.00 for the Swimming Pool Utility Budget;

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

<b>Appropriations Current Fund</b>	<b>Salaries &amp; Wages</b>	<b>Other Expenses</b>
<b>General Government</b>		
Administrator	\$30,000.00	\$500.00
Mayor & Council	\$3,000.00	\$2,500.00
Municipal Clerk	\$41,000.00	\$1,000.00
Printing & Advertising		
Postage		
Elections		\$3,000.00
Finance Administration	\$17,000.00	\$14,000.00
Computer Services	\$20,000.00	\$30,000.00
Revenue Administration	\$16,700.00	\$2,000.00
Assessment of Taxes	\$6,000.00	\$1,300.00
Legal Services		\$20,000.00
Engineering Services		\$35,000.00

Environmental Services		
Planning Board	\$900.00	\$25,000.00
Zoning Board	\$900.00	\$1,000.00
Code Enforcement	\$15,000.00	\$2,000.00
Liability Insurance		\$20,000.00
Worker's Comp Insurance		
Group Insurance		\$600,000.00
Temp Disability Insurance		\$10,000.00
Long-term Disability Insure		\$1,500.00
<b>Public Safety</b>		
Police	\$900,000.00	\$25,000.00
Juvenile	\$640.00	\$250.00
Emergency Management		\$4,000.00
Fire Department		\$36,000.00
Fire Hydrants		\$45,000.00
Prosecutor	\$5,000.00	
<b>Public Works</b>		
Streets & Roads	\$205,000.00	\$39,000.00
Shade Tree	\$500.00	\$5,000.00
Solid Waste	\$37,000.00	
Garbage	\$105,000.00	\$5,000.00
Building & Grounds		\$30,000.00
Rescue Squad Rental		\$1,200.00
Sewers	\$35,000.00	\$8,000.00
Stormwater Regulations		
<b>Health &amp; Human Services</b>		
Board of Health	\$750.00	\$15,000.00
Animal Control		\$8,000.00
<b>Parks &amp; Recreations</b>		
Recreation	\$27,000.00	\$4,000.00
Celebration of Public Events		\$20,000.00
Parks & Playgrounds	\$92,000.00	\$20,000.00
Sr Citizen Bus Transportation		
Sr Nutrition	\$4,000.00	
Title III	\$8,000.00	
Medical Transportation		
Sr Citizen Coordinator	\$15,000.00	\$500.00
Beautification Committee		\$500.00

<b>Utility Expenses</b>		
Electricity		\$40,000.00
Street Lighting		\$35,000.00
Telephone		\$25,000.00
Water		\$15,000.00
Natural Gas		\$5,000.00
Fuel Oil (Diesel)		
Gasoline		
<b>Other Operating</b>		
Landfill		\$175,000.00
Construction	\$25,000.00	
Municipal Court	\$30,000.00	
Library		\$90,000.00
Utility Authority		\$150,000.00
Piscataway Sewer		\$285,000.00
Curbside Recycling		\$32,000.00
<b>Statutory Expenses</b>		
Social Security		\$65,000.00
DCRP CoMatch		\$6,000.00
Contingent		\$14,000.00
<b>State &amp; Federal Grants</b>		
Drug Alliance		\$20,965.00
Older American	\$16,500.00	
Body Armor		
<b>TOTAL CURRENT FUND</b>	<b>\$1,656,890.00</b>	<b>\$1,993,215.00</b>
<b>Swim Pool Utility</b>		
Operating Appropriations	\$10,000.00	\$15,000.00
<b>TOTAL SWIM POOL</b>	<b>\$10,000.00</b>	<b>\$15,000.00</b>

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The Borough Clerk read the following resolution:

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

**Resolution #72-17**

The governing body hereby hires Bryan Tiede Woldin, Middlesex as a part time DPW Employee effective April 3, 2017 at \$12.00 per hour, 28 hours per week, pending a satisfactory physical, drug/alcohol test and background check.

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The Borough Clerk read the following resolution:

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

**Resolution #73-17**

The governing body hereby Judge James Hoebich as the Borough Conflict Judge at \$200.00 per session as needed.

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

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The Borough Clerk read the following resolution:

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

**Resolution #74-17**

The Tax Assessor hereby authorizes the Tax Collector to credit 2017 taxes based on Middlesex County Board of Taxation judgments on the following property:

<u>BLOCK/LOT</u>	<u>NAME &amp; ADDRESS</u>	<u>AMOUNT</u>
286/3.01	Standex International Corp 820 Lincoln Blvd	\$ 9, 695.67
286/3.01	Standex International Corp 820 Lincoln Blvd	\$ 11,577.22

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The Borough Clerk read the following resolution:

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

**Resolution #75-17**

The tax collector is hereby authorized to refund partial 2015 Sanitary Sewer Use Charges on Block 54 Lot 18. The appeal committee reviewed the documentation provided and recommends

a refund in the amount of \$307.24.

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The Borough Clerk read the following resolution:

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

**Resolution #76-17**

The Tax Collector is hereby authorized to adjust 2015 Sanitary Sewer Use Charges. The appeal committee reviewed the documentation provided and recommended the fees to be adjusted on the following properties:

Block 306	Lot 8
Block 375	Lot 4
Block 74	Lot 9
Block 63	Lot 11
Block 231	Lot 8
Block 123	Lot 10
Block 176	Lot 31
Block 239	Lot 21
Block 80	Lot 37
Block 54	Lot 18

---

The Borough Clerk read the following resolution:

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

**Resolution #77-17**

The Tax Collector is hereby authorized to refund partial 2015 Sanitary Sewer Use Charges on Block 306 Lot 8. The appeal committee reviewed the documentation provided and recommends a refund in the amount of \$570.52

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The Borough Clerk read the following resolution:

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

**Resolution #78-17**

The Tax Collector is hereby authorized to refund 2015 Sanitary Sewer Use Charges on Block 180 Lot 4. The appeal committee reviewed the documentation provided and recommends a refund in the amount of \$157.64.

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The Borough Clerk read the following resolution:

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

**Resolution #79-17**

The Tax Collector is hereby authorized to waive 2015 Sanitary Sewer Use Charges. The appeal committee reviewed the documentation provided and recommended the fees to be waived on the following properties:

Block 314	Lot 31	Block 22	Lot 3.09
Block 145	Lot 1	Block 22	Lot 3.08
Block 123	Lot 8	Block 7.04	Lot 5
Block 133	Lot 9	Block 7.01	Lot 3
Block 297	Lot 11.01	Block 7.04	Lot 6
Block 201	Lot 35	Block 70.10	Lot 2
Block 108	Lot 13	Block 136	Lot 4.01
Block 108	Lot 14	Block 71.01	Lot 17.01
Block 117	Lot 14	Block 75	Lot 4.01
Block 152	Lot 10.01	Block 61	Lot 30
Block 135	Lot 1	Block 70	Lot 1.02
Block 117	Lot 8	Block 16	Lot 7
Block 81	Lot 13	Block 167.02	Lot 2
Block 174	Lot 39	Block 191	Lot 29.01
Block 167.3	Lot 22	Block 293	Lot 3.02
Block 167.03	Lot 11	Block 209	Lot 62
Block 114	Lot 12	Block 80	Lot 8
Block 115	Lot 5	Block 100	Lot 22
Block 329	Lot 28	Block 25	Lot 19
Block 180	Lot 4	Block 339	Lot 18
Block 312	Lot 56	Block 38	Lot 28.01
Block 87	Lot 9	Block 80	Lot 22
Block 329	Lot 33	Block 111	Lot 9
Block 329	Lot 20	Block 328	Lot 13
Block 92	Lot 22	Block 175	Lot 40
Block 330	Lot 9.01	Block 86.06	Lot 4
Block 22	Lot 3.37	Block 150	Lot 12
Block 71.01	Lot 6		

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The Borough Clerk read the following resolution:

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

**Resolution #80-17**

The Tax Collector is hereby authorized to refund 2015 Sanitary Sewer Use Charges on Block 339 Lot 18 C 002. The appeal committee reviewed the documentation provided and recommends a refund in the amount of \$67.56.

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The Borough Clerk read the following resolution:

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

**Resolution #81-17**

The Tax Collector is hereby authorized to issue a refund in the amount of \$1811.21 for payment of 1<sup>st</sup> Quarter taxes on Block 314 Lot 9, 619 Lincoln Boulevard. The property was sold and the previous owner mailed in payment in error after the closing date. The check is to be made payable to:

Patricia Ianniello  
112 Hidden Hollow Road  
Hawley, PA 18428

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The Borough Clerk read the following resolution:

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

**Resolution #82-17**

**RESOLUTION RELEASING THE PERFORMANCE BOND COVERING  
116 South Avenue, Application #P2015-11**

**WHEREAS**, Morris Fairmount Associates Urban Renewal, LLC has requested a release of the performance bond upon acceptance of the Maintenance Bond; and

**WHEREAS**, the Zoning Official and 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 Zoning Official and Borough Engineer the governing body hereby approves the release of the performance bond.

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The Borough Clerk read the following resolution:

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

**Resolution #83-17**

The Tax Collector is hereby authorized to issue a check in the amount of \$14,390.58 to redeem tax sale certificate #14-01833 and a check in the amount of \$1,700.00 for a tax sale premium, Block 283 Lot 7.01, 715 Drake Avenue, check is made payable to:

US Bank Cust PC4 Firstrust  
50 South 16<sup>th</sup> St  
Suite 2050  
Philadelphia, PA 19102

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The Borough Clerk read the following resolution:

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

**Resolution #84-17**

The Governing Body hereby waives the Permit fees for a shed for the Middlesex Borough Rescue Squad.

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The Borough Clerk read the following resolution:

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

**Resolution #55-17**

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

Municipal Budget of the Borough of Middlesex, County of Middlesex for the Year 2017.

**BE IT RESOLVED**, that the following statement of revenues and appropriations shall constitute the Municipal Budget for the year 2017;

**BE IT FURTHER RESOLVED** that said Budget be published in the Courier News, New Jersey in the issue of April 11, 2017.

The governing body of the Borough of Middlesex does hereby approve the following as the Budget for the year 2017:

General Appropriations:	
Appropriations Within "CAPS"	\$13,568,736.00
Municipal Purposes	
Appropriations Excluded from "CAPS"	5,356,468.00
Municipal Purposes	
Reserve for Uncollected Taxes – Based on	
Estimated 98+ Percent of Taxes Collections	<u>875,000.00</u>

Total General Appropriations	19,800,204.00
Less: Anticipated Revenues Other Than Current Property Taxes	<u>7,093,590.58</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>\$12,221,626.42</u>
b) Municipal Library Tax	<u>\$ 484,987.00</u>
<u>Swimming Pool Utility Operating Fund</u>	
Total Swimming Pool Revenues	<u>\$ 527,510.00</u>
Total Swimming Appropriations	<u>\$ 527,510.00</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 28, 2017.

A hearing on the Budget and Tax Resolution will be held at the Municipal Building on April 25, 2017 at 7:00 o'clock P.M. at which time and place objections to said Budget and Tax Resolution for the year 2017 may be presented by taxpayers or other interested persons.

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

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The Borough Clerk read the following resolution:

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

**Resolution #85-17**

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

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**DISCUSSION ON AGENDA WORKSHOP ITEMS**

1. 407-22 Trucks Restricted – Dogwood Drive – Mayor DiMura stated at the next meeting Dogwood Drive will be added on to the light traffic streets by recommendation of Police Chief Geist. It is the only street in the area that is not restricted and trucks in excess of four tons making deliveries or pickup will be allowed.
2. Public Relations Marketing Group – Administrator Goldberg met with several marketing firms and from the recommendation of the Economic Development Committee met with these firms to see how they can help promote Middlesex Borough. Administrator Goldberg is recommending that we hire Direct Development. The cost would be \$2,500 per month. Some of the project goals would be raise awareness about events and initiatives in Middlesex, stimulate interest in Middlesex business and home ownership, developing the brand for Middlesex, press releases, social media, webmaster, etc. Council agreed to have the Administrator move forward and at the next meeting approve a contract.
3. Proposal from RVE to Upgrade the Generator at Borough Hall – Mayor recommended to the council that we get a proposal from our engineer to hook up the generator to the front of the building. Right now the generator is only hooked up to the old police side of the building. Council approved getting the proposal.
4. Possible Ordinance to Secure Structures after a Fire – A recommendation came from the Fire Chief to pass an ordinance where we can secure the house after a fire and recoup the cost after the homeowner gets insurance to rehab the house. A lien will be put on the property if the cost is not paid. Council approved the Administrator move forward with putting together this ordinance.
5. Garbage Ordinance – Mayor DiMura is looking to amend our garbage ordinance. Some of the changes to the ordinance will include (1) residents being required to have a garbage container with a lid, (2) If the DPW has to pick up bulk on absentee landlord properties, we charge the landlord and if necessary put a lien on the property if unpaid., and (3) revisit the cost of the fines. Mayor DiMura will send out the changes for the council to review and will discuss at the next meeting. Mayor did state that we would educate the public so they are aware of the new changes before we implement fines noting that the reason we are doing this is so that our neighborhoods are kept clean.
6. Lead Man for Roads – Mayor stated that there has been a vacant spot for a lead man in roads that hasn't been filled for years that's in the DPW contract. Every other department has a lead man. Filling this vacancy will help make the DPW run more efficiently. Council agreed and the Mayor will review with the DPW Manager to post the position and move forward.

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### **PUBLIC COMMENTS ON WORKSHOP ITEMS**

Mayor DiMura opened the Public Portion of the meeting for any comments on Agenda Workshop Items.

Rich Rutkowski, 211 Maple Avenue questioned the marketing group and why we are hiring and if we are going to see tangible results and how long the contract would be. Mr. Rutkowski also questioned if we were hiring another part-timer for the recreation department.

Debra DeVuyst, 73 Ramsey Road questioned when we repave South Avenue will we put in new sewers for future use. Mayor DiMura stated that we along with Piscataway as this is a joint venture putting in new sewers which is a \$2 million project. Ms. DeVuyst also questioned the Block/Lot of the landlocked property aka Block 318 Lot 43.

Barbara Borkowki, 57 George Avenue questioned the marketing group and thought that was what the Economic Director was going to do. Mayor DiMura noted that the marketing group is here to help promote the town and get out the services we have to offer. They will also be handling social media, the website and getting out press releases. Next meeting we will have a contract breaking down what they will do and the council will review along with the administrator. Ms. Borkowski also wanted to let the Mayor know that there are people who build things to house their garbage pails by the curb and some residents leave the garbage pails out all week long. Mayor DiMura stated that he directed the DPW and the Police Department to make us aware of these issues out there.

Kim Keyes, 313 Dorn Avenue applauded the governing body on getting a marketing firm stating that as she is on the Economic Development Committee and she is tasked because she is younger and more computer savvy with doing a power point and other computer work which takes time from her family and job. Ms. Keyes also stated that she appreciates getting information from the source and not other residents when meetings are happening and reminders. She stated that she knows people who have media relation companies and it does help set an image for the community.

Sharon Smigel, 27 Washington Avenue stated that at tonight meeting we approved paying the company RVV \$256,933 and wants to know when we do the generator do they get all the work or is there a blanket contract. The Mayor explained that RVV is our appointed engineers they will do the design work and if over \$40,000 we will go out to closed bids on the project and they will prepare the specs. The work just approved tonight is for the design, inspection, and construction cost.

Seeing that there was no further public participation, Mayor DiMura closed the public portion of the meeting on the Agenda Workshop Items.

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The Borough Clerk read the following resolution:

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

**Resolution #86-17**

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

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

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

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

1. Personnel Upgrade – Administrative Assistant – Office of Senior & Disabled Services/Recreation & Senior Technical Assistant
2. Update on PARSA
3. Update on Piscataway Sewer

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Councilman Madden moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by a unanimous vote of council members.

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#### **ADJOURNMENT**

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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 11, 2017**

**MAYOR'S STATEMENT:** Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of December 28, 2016 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

**SALUTE TO THE FLAG**

**ROLL CALL**

Mayor	Ron DiMura
Council President	Bob Schueler
	Kevin Dotey
	Dan Parenti
	Patrick Corley
	John Madden
	Jack Mikolajczyk

Attorney:	Aravind Aithal
Administrator:	Brandon Goldberg

Mayor DiMura added to Executive Session a change to the Personnel Policy and also potential litigation regarding 172 Baekeland Avenue. Also added were 2 appointments to the Ethics Board and also a Council Committee to review the curbside recycling program.

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**PRESENTATIONS**

Dr. Madison, Superintendent of the Middlesex School System, along with Mr. Greg Somjen of Parette Somjen Architects attended the Public Meeting to present to the governing body the Middlesex Public School Referendum Presentation for the concept plans proposed for all of the individual schools in the school district. Discussion and comments from the public included Rich Thomasey, Betty Platten, Frank Terracciano, Sean Kaplan, Kathy Lombardi, Debbie DeVuyst, and Bob Edwards. For more information regarding the Referendum, please see the Middlesex Board of Education Website [www.middlesex.k12.nj.us](http://www.middlesex.k12.nj.us).

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**APPOINTMENTS**

Mayor DiMura appointed Father Kuffner and Edward Johnson to the Ethics Board.

Mayor DiMura has received numerous complaints about the Middlesex County Recycling Program and appointed Councilman Dotey (Chair), Councilman Madden and Councilman Parenti to a Council Committee which will review and evaluate the curbside recycling program and present their findings to the Council in September.

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## PROCLAMATIONS

The Borough Clerk proclaimed the month of March as “Arbor Day 2017”

### 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 J. DIMURA**, Mayor of the Borough of Middlesex, do hereby proclaim April 28, 2017, 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.

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## NEW BUSINESS

The Borough Clerk read Ordinance No. 1913-17 for introduction

### ORDINANCE NO. 1913-17

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX CHAPTER  
80 POLICE DEPARTMENT, CHAPTER 80-75 ADMINISTRATIVE FEE FOR USE OF POLICE  
OFFICERS AND/OR VEHICLES ON EXTRA-DUTY JOBS**

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**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:

Amending Chapter 80-75A - 80-75C to read as follows:

**Administrative fee for use of police officers and/or vehicles on extra-duty jobs.**

A. The Middlesex Borough Police Department shall charge a fee as provided hereunder when providing off-duty police officers and/or police vehicles for police extra-duty jobs to assist contractors or other persons or companies in need of such services. This section shall not apply to work done by nonprofit religious and/or charitable organizations or to the Middlesex Fire Department, Rescue Squad or the Middlesex Board of Education, and there shall be no charge imposed on these organizations.

B. The charge for use of off-duty police officers to provide this type of service is \$80 per hour for road jobs. All other extra-duty jobs shall be charged at the police officer's regular time and ½ (1.5) rate. There shall be a four hour minimum charge for all extra-duty road jobs hereunder. Cancellations must be received by the Middlesex Borough Police Department not less than two hours prior to the scheduled start of any extra-duty job. Failure to cancel at least two hours prior to the scheduled start of any extra-duty job shall result in a four hour minimum charge hereunder.

C. Rate of compensation for usage of a Department vehicle shall be \$15 per hour, except that if the Borough is paying for any road improvement job, such fee shall be waived.

**SECTION II.** This ordinance shall take effect upon final adoption and publication as required by law.

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

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The Borough Clerk read Ordinance No. 1914-17 for introduction

**ORDINANCE NO. 1914-17**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER  
407, VEHICLES AND TRAFFIC; ARTICLE VIII, COMMERCIAL VEHICLES, SECTION 407-22  
TRUCKS RESTRICTED**

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

Section 407-22 shall be amended to include the following street:

**§ 407-22 Trucks restricted.**

All trucks having a combined gross weight of vehicle plus load in excess of four tons are prohibited from traversing the following roadways except for the purpose of making pickups or deliveries along such roadways:

Dogwood Drive

This ordinance shall take effect upon final adoption and publication as required by law.

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

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**PUBLIC HEARING**

The Borough Clerk read Ordinance No. 1910-17 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

**ORDINANCE NO. 1910-17**

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

**CALENDAR YEAR 2017**

**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 0.5% 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 2017 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 3.0 % increase in the budget for said year, amounting to \$380,915.97 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 2017 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 \$444,401.97 and that the CY 2017 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 DiMura opened the Public Hearing on Ordinance No. 1910-17. Seeing that there was no public participation, Mayor DiMura closed the Public Hearing on Ordinance No. 1910-17.

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

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The Borough Clerk read Ordinance No. 1911-17 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

**ORDINANCE NO. 1911-17**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER  
359, STREET AND SIDEWALKS; TO INCLUDE SECTION 359-1A – 359-1D PERMIT  
REQUIRED FOR STREET EXCAVATIONS; EXCEPTION**

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

Section 359-1 shall be amended to read as follows:

**§ 359-1 Permit required for street excavations; exception.**

- A. Subject to the provisions of this section, it shall be unlawful for any person, firm or corporation to remove, excavate, dig up or in any way disturbed, or cause or suffer to be removed, excavated, dug up or in any way disturbed, the surface of any public street, road or highway within the Borough of Middlesex, or any sidewalk, gutter or pavement therein, for any purpose whatsoever, without first having obtained from the Construction Office, in writing, a permit for so doing; provided, however, that this article shall not apply to any public utility company, under the regulation of the State Board of New Jersey Public Utility Commissioners, whose duty it is to furnish gas, water, electric and telephone service to consumers within the limits of the Borough of Middlesex when said public utility authority is engaged in cases of emergency, such as water breaks, gas leaks and other similar situations. In all other instances, public utility companies shall be expected to and are required to abide by all of the provisions of this article. When any such person, firm or corporation shall apply for such a permit, the applicant shall state, in writing, the place or places in said borough where said work is to be done, the character and extent of the work and the time within which it is to be completed.
- B. Notwithstanding anything to the contrary herein, no public street, road or highway excavations, dig ups or disturbances shall be permitted upon a public street, road or highway in the Borough of Middlesex if such public street, road or highway has been previously paved within the immediately preceding five (5) years. However, subject to the conditions of a Developer's Agreement to be entered into between a developer and the Borough, street excavations, dig ups or disturbances upon a public street, road or highway located within a designated redevelopment area of the Borough of Middlesex may occur upon public streets, roads or highways paved within the immediately preceding five (5) year period with the approval of the Governing Body.
- C. Any excavation, dig up or disturbance of the surface of any public street, road or highway within the Borough of Middlesex must be fully restored by the person, firm or corporation who removed, excavated, dug up or in any way disturbed such public street, road or highway, at the sole direction and to the satisfaction of the Borough Engineering Consultants, which shall include, at minimum, milling and paving such public street, road or highway from curb-to-curb, across the entire width of the public street, road or highway, to fully encompass the area of such excavation, dig up or disturbance along the length of the public street, road or highway. If, in the sole and independent judgment of the Borough Engineer, the restoration of any public street, road or highway as required hereunder should not immediately occur, the person, firm or corporation who removes, excavates, digs up or in any way disturbs a public street, road or highway hereunder shall be required to pay to the Borough, an amount equal to the anticipated costs of such restoration, as determined by the Borough Engineering Consultant.

- D. All persons, firms or corporations requesting to excavate, dig up or disturb the surface of any public street, road or highway within the Borough of Middlesex must post a bond for the maintenance of the restoration of such public street, road or highway in an amount not less than 120% of the estimated cost of the restoration. Such maintenance bond shall be in a form acceptable to the Borough Engineering Consultant and must be in place for not less than two (2) years from the date of the completion of such restoration.

This ordinance shall take effect upon final adoption and publication as required by law.

Mayor DiMura opened the Public Hearing on Ordinance No. 1911-17. Seeing that there was no public participation, Mayor DiMura closed the Public Hearing on Ordinance No. 1911-17.

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

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The Borough Clerk read ordinance No. 1912-17 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

#### **ORDINANCE NO. 1912-17**

#### **AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 407, VEHICLES AND TRAFFIC, ARTICLE VIII COMMERCIAL VEHICLES, SECTION 407-25 VIOLATIONS AND PENALTIES**

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

Section 407-25 shall be amended to read as follows:

#### **§ 407-25 Violations and Penalties**

**Violations and penalties.** For a violation of any provision of this article, the offender shall be liable to a penalty of not less than \$250 nor more than \$500 for a first violation or imprisonment not exceeding 15 days, or both. Any offender committing a second or subsequent violation shall be subject to a penalty of not less than \$500 nor more than \$750 or imprisonment not exceeding 15 days, or both.

This ordinance shall take effect upon final adoption and publication as required by law.

Mayor DiMura opened the Public Hearing on Ordinance No. 1912-17. Seeing that there was no public participation, Mayor DiMura closed the Public Hearing on Ordinance No. 1912-17.

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

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### **ADOPTION OF MINUTES**

Councilman Corley made a motion to approve the March 28, 2017 Regular Meeting Minutes seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Parenti, Corley, Madden, Schueler and Mikolajczyk. No: None. Abstain: None.

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### **REPORTS**

#### Mayor's Report

1. Mayor DiMura commended the Recreation Director on the successful Easter Egg Hunt.
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### **REPORTS – STANDING COMMITTEES:**

1. Finance/Taxation/Real Estate/Insurance/Public Utilities – Nothing to report
  2. Recreation/Recreation Fields/Swim Pool/Community Celebrations
    1. Councilman Parenti moved the approval of the Recreation Director's Report for February, March & April, 2017 seconded by Councilman Corley and carried by a unanimous vote of members present.
    2. Councilman Parenti reported that the Easter Egg Hunt that was held on Saturday was a success.
  3. Fire/OEM/Rescue Squad
    1. Councilman Madden moved the approval to have Beechwood Height's take Engine 22 to Hillsborough for the Flagtown wet down on June 10, 2017 seconded by Councilman Schueler and carried by a unanimous vote of Council.
    2. Councilman Madden moved to approve the resignation of Andy Castaldo, Jr. as a member of the Middlesex Fire Police effective March 20, 2017 seconded by Councilman Schueler and carried by a unanimous vote of Council.
  4. Public Works/Buildings & Grounds/Recycling/Board of Health – Nothing to report
  5. Police/Legal/Code Enforcement/Construction/Municipal Court – Nothing to report
  6. Administration/Department of Senior Services/Legislation/Licensing – Nothing to report
- 

### **PUBLIC COMMENTS**

Mayor DiMura opened the Public Portion of the Meeting for any public participation.

Rich Rutkowski, 211 Maple Street questioned if the developer on Lincoln Boulevard had rescinded his application, any resolution to the problem with parking on A, B, C and D Street, the status of hiring an employee at Recreation, and the changing of the Recreation Department Policy Guide. Mayor DiMura responded to Mr. Rutkowski that he believes that the developer for Lincoln Boulevard had submitted a revised plan. Also, the Mayor stated that he will be meeting with Chief Geist next week and reach out to the residents regarding the parking situation on A, B, C and D Street. The hiring of a new employee in Recreation will be posted after the adoption of the budget and the Recreation Department Policy Guide was reviewed and approved by the Recreation Committee.

Rich Thomasey, 109 Green Avenue indicated that this is the third time things have been added to the agenda the night of the meeting and feels it is not fair that it is not posted for residents to see to determine if they want to attend the meeting. Mayor DiMura agreed with Mr. Thomasey and indicated that the issues that came up are things that we have to address this evening to get to the state or is an issue for something we have to move forward with.

Seeing that there was no other public participation, Mayor DiMura closed the public portion of the meeting.

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The Borough Clerk read the following resolution:

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

**Consent Agenda 2017(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 wish to remove Resolution #91-17 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 #87-17 – Resolution #90-17  
Resolution #92-17 – Resolution #96-17

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

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The Borough Clerk read the following resolution:

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

**Resolution #87-17**

**WHEREAS**, the 2014 Capital Budget appropriated funds for the purchase of a new OEM Pick-up Truck,

**NOW THEREFORE BE IT RESOLVED**, that a portion of the unused balance be re-appropriated for electronic equipment for the Emergency Management Command Center.

**NOW FURTHER BE IT RESOLVED** that the Treasurer hereby certifies that the funds in the amount of \$5,000 are available in Account No. C-04-14-855-000-073.

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The Borough Clerk read the following resolution:

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

**Resolution #88-17**

The Governing Body hereby approves the Recreation Department Policy Guide effective immediately.

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The Borough Clerk read the following resolution:

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

**Resolution #89-17**

**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 **2016 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.

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The Borough Clerk read the following resolution:

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

**Resolution #90-17**

At the request of the Zoning Officer the borough approves the hiring of the following individuals as backup inspectors to cover in the event of emergencies, conflicts or vacations at the current prevailing wages being paid for these positions:

**Plumbing Subcode**

Mike Krupsky  
Middlesex, NJ

**Electrical Subcode**

Brian McLarnon  
Piscataway, NJ

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The Borough Clerk read the following resolution:

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

**Resolution #91-17**

The Governing Body hereby approves the Municipal Marketing/PR/Design Services Contract with Direct Development effective May, 2017 – April, 2018.

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

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The Borough Clerk read the following resolution:

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

### **Resolution #92-17**

The governing body hereby approves increasing Eduardo Camarillo, New Brunswick, New Jersey from a part time laborer to a full time laborer in the Department of Public Works at \$15.12 per hour, 40 hours per week effective April 12, 2017.

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The Borough Clerk read the following resolution:

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

### **Resolution #93-17**

The governing body hereby approves increasing Alberto Garcia, South Bound Brook, New Jersey, New Jersey from a part time laborer to a full time laborer in the Department of Public Works at \$15.12 per hour, 40 hours per week effective April 12, 2017.

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The Borough Clerk read the following resolution:

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

### **Resolution #94-17**

**WHEREAS**, the developer of 150 Lincoln Boulevard, LLC is requesting a reduction of the performance guarantee for the project on Block 129, Lot 122 and Block 348, Lot 1-3 (Application No. P2011-05); and

**WHEREAS**, the Borough Engineer has indicated that upon their observation the bonded improvements are 70% completed at this time; and

**WHEREAS**, the Borough Engineer is recommending the following:

1. Performance Bond-Bond Portion \$774,821.72 – Recommending a reduction of the bond portion by \$542,375.20 to an amount no less than \$232,446.52
2. Performance Bond-Cash Portion \$ 86,091.30 – Recommending a reduction of the cash portion by \$60,263.91 to an amount no less than \$25,827.39.

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

1. At the recommendation of the Borough Engineer the governing body hereby agrees to reduce the Performance Bond – Bond Portion to an amount not less than \$232,446.52 and the Performance Bond – Cash Portion to an amount not less than \$25,827.39.
  2. This resolution shall take effective immediately.
-

The Borough Clerk read the following resolution:

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

**Resolution #95-17**

**WHEREAS**, John Manrique was issued a street opening permit on 9/15/16; and

**WHEREAS**, John Manrique deposited \$2500.00 with the Borough of Middlesex to ensure proper repair and maintenance of the roadway; and

**WHEREAS**, said roadway at 145 Chestnut St. was inspected by Dan Niro, Plumbing Inspector and Bob Teutsch Public Works Director, 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 John Manrique, 145 Chestnut St, Middlesex, NJ 08846, for refund of Street Opening Permit No. 2016-007.

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The Borough Clerk read the following resolution:

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

**Resolution #96-17**

The Governing Body hereby approves Provident Bank as a legal depository effective immediately for the Borough of Middlesex for the year 2017.

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The Borough Clerk read the following resolution:

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

**Resolution #97-17**

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

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**DISCUSSION ON AGENDA WORKSHOP ITEMS – No Agenda Workshop**

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The Borough Clerk read the following resolution:

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

**Resolution #98-17**

**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. CRS Coordinator Position

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

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Councilman Madden moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by the following roll call vote.

**ROLL CALL**

Mayor	Ron DiMura
Council President	Bob Schueler
	Dan Parenti
	Kevin Dotey
	Patrick Corley
	John Madden
	Jack Mikolajczyk

Attorney: Aravind Aithal

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The Borough Clerk read the following resolution:

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

**Resolution #99-17**

**AUTHORIZING AN AMENDMENT OF SECTION 10 OF THE PERSONNEL POLICY OF THE BOROUGH OF MIDDLESEX ENTITLED "SICK LEAVE AND BEREAVEMENT LEAVE"**

**WHEREAS**, the Borough of Middlesex, (hereinafter the "Borough") previously adopted the "Borough of Middlesex Personnel Policy" (hereinafter the "Personnel Policy") on August 18, 1999, and subsequently as amended; and

**WHEREAS**, pursuant to Section 1 of the Personnel Policy, the Governing Body is authorized to amend the Personnel Policy, from time to time as deemed necessary by Resolution; and

**WHEREAS**, as provided in Section 1 of the Personnel Policy, the purpose of the Personnel Policy is to set forth regulations and policies applicable to all employees of the Borough and to provide for the administration of such regulations and policies; and

**WHEREAS**, the Governing Body has deemed it necessary to amend Section 10 of the Personnel Policy, in the form attached, entitled "Sick Leave and Bereavement Leave", to reflect the policy of the Borough to recognize the needs of employees who are absent as a result of undergoing surgical procedures resulting from disease-related health issues; and

**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. Section 10 of the Personnel Policy is hereby amended with the addition of the attached language in the new sections 10.5 (o) (1) to be created hereby; and
2. This Resolution shall take effect immediately

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

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The Borough Clerk read the following resolution:

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

**Resolution #100-17**

The Governing Body hereby appoints Sean Kaplan as the CSR Coordinator for the Borough of Middlesex at an annual stipend of \$15,000 effective immediately.

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

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**ADJOURNMENT**

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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 25, 2017**

**MAYOR'S STATEMENT:** Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of December 28, 2016 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

**SALUTE TO THE FLAG**

**ROLL CALL**

Mayor	Ron DiMura
Council President	Bob Schueler
	Kevin Dotey
	Dan Parenti
	Patrick Corley
	John Madden
	Jack Mikolajczyk
Attorney:	Aravind Aithal
Administrator:	Brandon Goldberg

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Mayor DiMura pulled Ordinance No. 1916-17 and Ordinance No. 1917-17 off of tonight's Agenda.

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**PRESENTATIONS**

Mayor DiMura recognized the retirement of Captain Michael Colacci. Expressing his sincere thanks and gratitude for Captain Colacci's 28+ years of dedicated service stating his commitment to Middlesex Borough and our residents have long inspired all of us and will be remembered for many years to come and wishing him good health, happiness and continued success in his retirement.

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**APPOINTMENTS - NONE**

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**PROCLAMATIONS**

The Borough Clerk proclaimed the month of March as "Arbor Day 2017"

**WHEREAS**, May, 2017 has been designated National Older Americans Month; and

**WHEREAS**, the Director of the Office on Aging has designated “Age out Loud” as the theme for Older Americans Month; and

**WHEREAS**, Middlesex Borough recognizes the value and contributions of our older citizens.

**NOW THEREFORE, I, RONALD J. DIMURA**, Mayor of the Borough of Middlesex, hereby proclaim May, 2017 to be Older Americans Month and urge citizens of this community to honor and celebrate this special event.

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**PUBLIC HEARING – 2017 Budget**

BOROUGH OF MIDDLESEX  
COUNTY OF MIDDLESEX

RESOLUTION TO ADOPT 2017 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:

purposes	(a)	\$ 12,221,626.42	(Item 2 below) for municipal
Library Tax	(e)	\$ 484,987.00	(Item 5 below) Minimum

Recorded Vote  
 (Insert last name)

	( Dotey	Abstained	(
	( Parenti	(	(
Ayes	( Madden	Nays	(
	( Schueler	(	(
	( Mikolajczyk	Absent	( Corley
	(	(	(

Current Fund:

SUMMARY OF REVENUES

#	General Revenues		
	Surplus Anticipated	\$	2,022,988.00
	Miscellaneous Revenues Anticipated		4,422,914.58
	Receipts from Delinquent Taxes		650,000.00
#	Amount to be Raised by Taxation for Municipal Purposes		
	(Item 6[a], Sheet 11)		12,221,626.42
#	Amount to be raised by taxation minimum library levy		
	484,987.00		
	Total Revenues	\$	19,802,516.00

SUMMARY OF APPROPRIATIONS

#	General Appropriations:		
	Within "CAPS"		
	(a&b) Operations Including Contingent		12,255,370.00
	(e) Deferred Charges and Statutory Expenditures - Municipal		
	1,314,478.00		
	(f) Judgments		
	Excluded from "CAPS"		

Mayor DiMura opened the public hearing on the 2017 municipal budget. Seeing that there was no public participation, Mayor Di Mura closed the hearing on the 2017 municipal budget.

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

Mayor DiMura stated that the 2017 municipal budget which is under the state mandated 2% cap and reflects an average annual increase of approximately \$65.00. By working together, the Governing Body was once again able to produce a cost effective budget that not only keeps spending under control, but continues to provide and improve the high quality municipal services the residents of our community deserve. This budget enables us to continue to maintain and improve our community's infrastructure, such as our roads, parks and buildings. It also continues to protect and improve our community's quality of infrastructure, such as our roads, parks and buildings and continues to protect and improve our community's quality of life.

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

**RESOLUTION #101-17**

BOROUGH OF MIDDLESEX  
MIDDLESEX COUNTY, NEW  
JERSEY

RESOLUTION TO AMEND  
BUDGET

WHEREAS, the local municipal budget for the year 2017 was approved on the 28th day of March, 2017, and;

WHEREAS, the public hearing on said budget has been held as advertised, and;

WHEREAS, it is desired to amend said approved budget;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Middlesex, County of Middlesex, that the following amendments to the approved budget of 2017 be made:

	<u>Ayes</u>	<u>Nays</u>	<u>Abstained</u>
	(Dotey	(	(
Recorded Vote	(Parenti	(	(
(Insert last names)	(Madden	(	(
	(Schueler		
	(Mikolajczyk		<u>Absent</u>
	(		(Corley
	(		(
			(

**CURRENT FUND -  
ANTICIPATED REVENUES**

	<u>From</u>	<u>To</u>
<b>1. Surplus Anticipated</b>	<u>2,038,376.0</u> 0	<u>2,022,988.00</u>
<b>3. Miscellaneous Revenues - Section F: Special</b>		
<b>Items Offset with Appropriations</b>		
<b>Public and Private Revenues</b>		
Older American Act - I.A. & Trans Assistance	0.00	<u>17,700.00</u>
<b>Total Section F: Special Items Offset with</b>		
<b>Appropriations-Public &amp; Private Revenue</b>	<u>69,886.00</u>	<u>87,586.00</u>

<b>5. Subtotal General Revenues</b>	<u>7,093,590.5</u> 8	<u>7,095,902.58</u>
<b>7. Total General Revenues</b>	<u>19,800,204.</u> <u>00</u>	<u>19,802,516.0</u> <u>0</u>

**CURRENT FUND**  
**APPROPRIATIONS**

	<u>From</u>	<u>To</u>
<b>(E) Deferred Charges and Statutory Expenditures -</b>		
<b>Municipal within "CAPS"</b>		
<b>(2) STATUTORY EXPENDITURES</b>		
Public Employees' Retirement System	<u>327,004.00</u>	<u>328,116.00</u>
Total Deferred Charges and Statutory Expenditures -		
Municipal within "CAPS"	<u>1,313,366.0</u> <u>0</u>	1,314,478.00
<b>(H-1) Total General Appropriations for Municipal</b>		
<b>Purposes within "CAPS"</b>	<u>13,568,736.</u> <u>00</u>	<u>13,569,848.0</u> <u>0</u>
<b>Public and Private Programs Offset by Revenue</b>		
Older American Act - Info & Trans Assistance	<u>16,500.00</u>	<u>17,700.00</u>
<b>Total Public and Private Programs Offset</b>		
<b>by Revenues</b>	<u>86,386.00</u>	<u>87,586.00</u>
<b>Total Operations Excluded from "CAPS"</b>	<u>2,600,967.0</u> <u>0</u>	<u>2,602,167.00</u>
<b>(H-2) Total General Appropriations for Municipal</b>		
<b>Purposes Excluded from "CAPS"</b>	<u>5,356,468.0</u> <u>0</u>	<u>5,357,668.00</u>
<b>(O) Total General Appropriations-Excluded</b>		
<b>from "CAPS"</b>	<u>5,356,468.0</u> <u>0</u>	<u>5,357,668.00</u>

**(L) Subtotal General Appropriations**

<b>{Items (H-1) and (O)}</b>	<u>18,925,204.</u> <u>00</u>	<u>18,927,516.0</u> <u>0</u>
<b>9. Total General Appropriations</b>	<u>19,800,204.</u> <u>00</u>	<u>19,802,516.0</u> <u>0</u>

BE IT FURTHER RESOLVED, that two (2) certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services for certification of the 2017 local municipal Budget so amended.

It is hereby certified that this is a true copy of a resolution amending the Budget, adopted by the governing body on the 25th day of April, 2017.

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

The Borough Auditor noted that the amendment was to add the Older American Act – Info & Transportation Assistance into the audit as reflected above in the amount of \$17,700.

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The Borough Clerk read the following resolution:

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

**NEW BUSINESS**

The Borough Clerk read Ordinance No. 1915-17 for introduction.

**ORDINANCE NO. 1915-17**

**AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING THE CODES OF THE BOROUGH OF MIDDLESEX CHAPTER 420-15, ACCESSORY STRUCTURES**

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

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

**SECTION ONE.** The Code of the Borough of Middlesex, Middlesex County, New Jersey Section 420-15 is hereby amended as follows:

**420-15 Accessory Structures.**

I. Membrane Structures.

Membrane structures, also referred to as hoop garages, are prohibited.

**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.

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

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**PUBLIC HEARING**

The Borough Clerk read Ordinance No. 1913-17 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

**ORDINANCE NO. 1913-17**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX CHAPTER 80 POLICE DEPARTMENT, CHAPTER 80-75 ADMINISTRATIVE FEE FOR USE OF POLICE OFFICERS AND/OR VEHICLES ON EXTRA-DUTY JOBS**

**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:

Amending Chapter 80-75A - 80-75C to read as follows:

**Administrative fee for use of police officers and/or vehicles on extra-duty jobs.**

A. The Middlesex Borough Police Department shall charge a fee as provided hereunder when providing off-duty police officers and/or police vehicles for police extra-duty jobs to assist contractors or other persons or companies in need of such services. This section shall not apply to work done by nonprofit religious and/or charitable organizations or to the Middlesex Fire Department, Rescue Squad or the Middlesex Board of Education, and there shall be no charge imposed on these organizations.

B. The charge for use of off-duty police officers to provide this type of service is \$80 per hour for road jobs. All other extra-duty jobs shall be charged at the police officer's regular time and ½ (1.5) rate. There shall be a four hour minimum charge for all extra-duty road jobs hereunder. Cancellations must be received by the Middlesex Borough Police Department not less than two hours prior to the scheduled start of any extra-duty job. Failure to cancel at least two hours prior to the scheduled start of any extra-duty job shall result in a four hour minimum charge hereunder.

C. Rate of compensation for usage of a Department vehicle shall be \$15 per hour, except that if the Borough is paying for any road improvement job, such fee shall be waived.

**SECTION II.** This ordinance shall take effect upon final adoption and publication as required by law.

Mayor DiMura opened the Public Hearing on Ordinance No. 1913-17. Seeing that there was no public participation, Mayor DiMura closed the Public Hearing on Ordinance No. 1913-17.

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

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The Borough Clerk read Ordinance No. 1914-17 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

**ORDINANCE NO. 1914-17**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 407, VEHICLES AND TRAFFIC; ARTICLE VIII, COMMERCIAL VEHICLES, SECTION 407-22 TRUCKS RESTRICTED**

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

Section 407-22 shall be amended to include the following street:

## **§ 407-22 Trucks restricted.**

All trucks having a combined gross weight of vehicle plus load in excess of four tons are prohibited from traversing the following roadways except for the purpose of making pickups or deliveries along such roadways:

Dogwood Drive

This ordinance shall take effect upon final adoption and publication as required by law.

Mayor DiMura opened the Public Hearing on Ordinance No. 1914-17. Seeing that there was no public participation, Mayor DiMura closed the Public Hearing on Ordinance No. 1914-17.

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

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## **ADOPTION OF MINUTES**

Council President Schueler made a motion to approve the March 28, 2017 Executive Meeting Minutes and the April 11, 2017 Regular and Executive Meeting Minutes seconded by Councilman Corley and carried by the following roll call vote: Ayes: Dotey, Parenti, Corley, Madden, Schueler and Mikolajczyk. No: None. Abstain: None.

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## **REPORTS**

### **REPORTS – STANDING COMMITTEES:**

1. Finance/Taxation/Real Estate/Insurance/Public Utilities
2. Recreation/Recreation Fields/Swim Pool/Community Celebrations
3. Fire/OEM/Rescue Squad
  1. Councilman Madden made a motion to accept Carlos Elizer Lopez as a new member of the Middlesex Fire Department, seconded by Council President Schueler and carried as a unanimous vote of Council.
4. Public Works/Buildings & Grounds/Recycling/Board of Health
5. Police/Legal/Code Enforcement/Construction/Municipal Court
  1. Councilman Mikolajczyk made a motion to accept the March, 2017 Police Department Monthly Report seconded by Councilman Madden and carried by a unanimous vote of Council.

2. Councilman Mikolajczyk announced that the Police Department will participate in the National Highway Traffic Safety Administration's Border-to-Border kickoff event Click or Ticket on May 22, 2017 between the hours of 4pm-8pm. The event is a national, multi-state, 4-hour event designed to highlight the importance of seat belt use.
3. Councilman Mikolajczyk also announced that on Saturday, April 29<sup>th</sup> between 10am – 2pm the Middlesex Police Department will participate in National Prescription Drug Takeback Day. Residents can drop their unwanted prescriptions at the Police Station.

6. Administration/Department of Senior Services/Legislation/Licensing

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**PUBLIC COMMENTS**

Mayor DiMura opened the Public Portion of the Meeting for any public participation.

Rich Rutkowski, 211 Maple Street questioned if there were any movement on the parking issues related to 150 Lincoln Blvd. Mayor DiMura stated that it is on the Agenda Workshop meeting tonight.

Seeing that there was no other public participation, Mayor DiMura closed the public portion of the meeting.

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The Borough Clerk read the following resolution:

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

**Consent Agenda 2017(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 wish to remove Resolution #91-17 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 #75-17 - #80-17  
Resolution #106-17-17 – Resolution #107-17  
Resolution #110-17- – Resolution #111-17  
Resolution #113-17

Councilman Corley made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Parenti, Corley, Madden, Schueler 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 #75-17**

The tax collector is hereby authorized to refund partial 2015 Sanitary Sewer Use Charges on Block 54 Lot 18. The appeal committee reviewed the documentation provided and recommends a refund in the amount of \$307.24.

---

The Borough Clerk read the following resolution:

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

**Resolution #77-17**

The Tax Collector is hereby authorized to refund partial 2015 Sanitary Sewer Use Charges on Block 306 Lot 8. The appeal committee reviewed the documentation provided and recommends a refund in the amount of \$570.52.

---

The Borough Clerk read the following resolution:

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

**Resolution #78-17**

The Tax Collector is hereby authorized to refund 2015 Sanitary Sewer Use Charges on Block 180 Lot 4. The appeal committee reviewed the documentation provided and recommends a refund in the amount of \$157.64.

---

The Borough Clerk read the following resolution:

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

**Resolution #80-17**

The Tax Collector is hereby authorized to refund 2015 Sanitary Sewer Use Charges on Block 339 Lot 18 C 002. The appeal committee reviewed the documentation provided and recommends a refund in the amount of \$67.56.

---

The Borough Clerk read the following resolution:

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

**Resolution #103-17**

The Governing Body hereby hires Gregg Steffen, Middlesex, New Jersey as a substitute Senior Driver for the Office of Aging at \$12.00 per hour effective immediately, pending a satisfactory drug screening and driver's abstract.

Councilman Dotey made a motion as amended to state temporary not substitute Senior Driver for approval seconded by Council President Schueler and carried by the following roll call vote: Ayes: Dotey, Parenti, Corley, Madden, Schueler 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 #104-17**

The governing body hereby approves to hire Elizer Garcia, South Bound Brook, New Jersey as a part time laborer in the Department of Public Works at \$12.00 per hour, 28 hours per week effective May 1, 2017, pending a satisfactory physical and background check.

Councilman Dotey made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Parenti, Corley, Madden, Schueler 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 #105-17**

The governing body hereby approves to hire Jonathan T. Parreno, Middlesex, New Jersey as a part time laborer in the Department of Public Works at \$12.00 per hour, 28 hours per week effective May 1, 2017, pending a satisfactory physical and background check.

Councilman Dotey made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Parenti, Corley, Madden, Schueler 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 #106-17**

The Mayor and Council hereby accept Captain Michael Colacci's retirement effective May 1, 2017 and authorize the Treasurer to pay Captain Colacci his full allowance of \$70,331.48 in accordance with his PBA Contract in the next regular borough payroll of April 28, 2017. The benefits include the following:

3 Months Terminal Leave	\$32,672.50
32 Unused Vacation Days	\$16,084.80
319.50 Compensation Hours	\$20,074.18
2017 Clothing Allowance	\$1,500.00
TOTAL	\$70,331.48

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The Borough Clerk read the following resolution:

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

**Resolution #107-17**

The governing body hereby approves the refund of \$20.00 from the Borough Clerk's Account to be forwarded to the PTO Middlesex Parker School, 150 South Lincoln Avenue, Middlesex, New Jersey for a Raffle License which was rejected by the New Jersey Legalized Games of Chance Control Commission.

---

The Borough Clerk read the following resolution:

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

**Resolution #108-17**

**RESOLUTION AUTHORIZING A SELF-EXAMINATION OF THE  
2017 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 2017 budget year.

**NOW THEREFORE BE IT RESOLVED**, by the governing body of the Borough of Middlesex that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement and content as required by 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.

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

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The Borough Clerk read the following resolution:

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

**Resolution #109-17**

**A RESOLUTION OF THE BOROUGH OF MIDDLESEX IN MIDDLESEX COUNTY, NEW JERSEY AUTHORIZING A SHARED SERVICES AGREEMENT WITH MIDDLESEX COUNTY TO PROVIDE AERIAL PHOTOGRAMMETRIC, GIS, NEW CERTIFIED TAX MAP AND OTHER GIS BASED SERVICES TO THE BOROUGH OF MIDDLESEX**

**WHEREAS**, the New Jersey Division of Taxation prescribes a uniform system of creating and maintaining real estate tax map information for municipalities and counties throughout the State, and

**WHEREAS**, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., (the "Act") permits units of local government to share services for particular purposes and to effectuate agreements for any service or circumstance that will aid and encourage a reduction of local expenses; and

**WHEREAS**, the Borough of Middlesex and County of Middlesex are public bodies corporate and politic of the State of New Jersey and are authorized to enter into a Shared Services Agreement pursuant to the Act; and

**WHEREAS**, the County has committed to the implementation of a Centralized Property Tax Map Administration Project [CPT-MAP] utilizing Professional Photogrammetry and Land Surveying services for aerial photogrammetric, GIS and new certified tax mapping services to be linked to the existing digital tax assessment database to be accessible and potentially utilized by all municipalities in the County of Middlesex; and

**WHEREAS**, the CPT-MAP will extend technical and financial assistance to Municipalities in

order to identify issues of inequity and inefficiencies in the tax administration process in compliance with all statutory and regulatory mandates, which will result in a significant reduction in operational expenditures; and

**WHEREAS**, the County of Middlesex and the Borough of Middlesex have negotiated a Shared Services Agreement, a copy of which is annexed hereto as EXHIBIT A, and the terms of which are incorporated into this resolution as if set forth at length herein; and

**WHEREAS**, the MIDDLESEX Tax Assessor has recommended the proposed agreement in a communication dated April 20, 2017 as representing the best value for MIDDLESEX taxpayers; and

**WHEREAS**, the Mayor and Municipal Council have indicated their desire to accept the recommendation of the Tax Assessor.

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

1. The above recitals are hereby incorporated into the body of this Resolution as if set forth at length herein.
2. The Shared Services Agreement shall be open to public inspection in the Clerk's office and shall take effect upon the adoption of a resolution and execution of the agreement by both parties.
3. The Mayor and Township Clerk are hereby authorized to execute the Shared Services Agreement annexed hereto as EXHIBIT A.

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

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The Borough Clerk read the following resolution:

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

**Resolution #110-17**

**WHEREAS**, the residents of 300 Greene Avenue have requested to have a block party on Delaware Avenue between Greene Avenue & Melrose Avenue on May 27, 2017 between the hours of 11 a.m. and 10 p.m.; and

**WHEREAS**, all the designated officials have given approval for this block party.

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

1. The Governing Body hereby grants approval to the residents of 300 Greene Avenue, to conduct a block party on Delaware Avenue between Greene Avenue & Melrose Avenue on May 27, 2017 between the hours of 11 a.m. and 10 p.m.
2. This resolution shall take effect immediately.

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The Borough Clerk read the following resolution:

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

**Resolution #111-17**

**WHEREAS** Joseph and Christine Mazze applied to the Zoning Office for Landlord Registration for 409 Market Street and 41 Greenbrook Road; and

**WHEREAS**, Joseph and Christine Mazze submitted Check #235 in the amount of \$150.00 on February 2, 2016 for payment of the Landlord Registration for 3 rental units; and

**WHEREAS**, 409 Market Street did not change tenancy and 41 Greenbrook Road is owner occupied, no fees were required.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Middlesex that the disbursing officers be and they are hereby authorized to draw a check in the amount of \$150.00 in favor of Joseph and Christine Mazze, PO Box 373, Piscataway, NJ 08855 for refund of fee for Landlord Registration.

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The Borough Clerk read the following resolution:

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

**Resolution #112-17**

At the recommendation of the DPW Manager, the governing body hereby advances Leonard Vidal to Road Department Lead Person in the DPW at an hourly rate of \$35.84 effective immediately.

Councilman Dotey made a motion for adoption seconded by Council President Schueler and carried by the following roll call vote: Ayes: Dotey, Parenti, Madden, Schueler and Mikolajczyk. No: None. Abstain: Corley.

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The Borough Clerk read the following resolution:

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

**Resolution #113-17**

**AWARDING THE BID FOR THE MOUNTAIN VIEW PARK LIGHTING PROJECT**

**WHEREAS**, bids were received on April 25, 2017 for the Mountain View Park Lighting Project; and

**WHEREAS**, the following bids listed below were received for this project:

Faigon Electrical Contractors Piscataway, NJ	\$455,259.50	Base Bid
Quality Electrical Const. Co. Keansburg, NJ	\$463,150.00	Base Bid

**WHEREAS**, the Borough Engineer recommends awarding the bid to Faigon Electrical Contractors in the amount of \$455,259.50 contingent upon the Borough Attorney's review and availability of funds for this project.

**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, the governing body hereby awards the bid for the Mountain View Park Lighting Project to Faigon Electrical Contractors in the amount of \$455,259.50 contingent upon the Borough Attorney's review and availability of funds for this project.
2. This resolution shall take effect immediately.

**NOW FURTHER BE IT RESOLVED**, that the Treasurer hereby certifies that funds in the amount of \$455,259.50 are available in Account No. C04-16-893-000-078.

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The Borough Clerk read the following resolution:

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

**Resolution #114-17**

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 adoption seconded by Council President Schueler and carried by the following roll call vote: Ayes: Dotey, Parenti, Madden, Schueler and Mikolajczyk. No: None. Abstain: Corley.

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**DISCUSSION ON AGENDA WORKSHOP ITEMS**

1. Engineer's design for George Avenue Drainage – Consensus of the Council was to move forward on the George Avenue Drainage proposal from our Engineer, Terry Vogt. The total cost of the project is \$571,250.00. A resolution will be put on the next meeting for the engineer to move forward with the Design and Inspection Costs.
2. Additional Inspector for Zoning Department – Mayor DiMura stated that he received an email from our Zoning Official requesting an additional part-time zoning inspector for 10-12 hours per week. The salary would come from the landlord vacancy registration money. Council approved.
3. Parking Issues due to 150 Lincoln Blvd. - Mayor DiMura reviewed the parking plan that was recommended by the Police Department along Chestnut, A,B,C, D, and E Street. The parking plan calls for residential parking permits along with some restricted parking and no parking in certain areas. Mayor DiMura will have a meeting with all the residents affected by these changes before they are put in place. An ordinance will be put on the May 23, 2016 meeting for introduction.
4. Economic Development Specialist – Administrator Goldberg asked for permission to advertise for this position. The Economic Development Committee shall appoint, upon terms approved by the Borough Council a person in this position. An ordinance will be introduced at the next meeting to establish the committee; establish membership including terms of office and vacancies; and define the Economic Development Specialist position. Council agreed to have Administrator Goldberg advertise for the position.
5. Fire Truck for Pierce Fire Company – Mayor DiMura stated that Chief Rinker and former Chief Bird are in attendance tonight. They are here looking for permission to go out to bid for the new pumper truck. The cost of the truck should be \$650,000-\$675,000. The

recommendation was to lease for either 5 years @ \$131,000, 7 years @ \$96,200 or 10 years @ \$70,000. At the end of the lease, we could then purchase for \$1.00. Consensus of the Council was to add a resolution to the next meeting to go out to bid.

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### **PUBLIC PORTION ON AGENDA WORKSHOP ITEMS**

Rich Rutkowski, 211 Maple Street thanked the Mayor for taking care of the parking issues related to the Lofts apartment development of 150 Lincoln. Mr. Rutkowski also questioned whether the real estate signs at the Loft Apts. At 150 Lincoln are exempt from the law/ordinance. Mayor DiMura will check on it and get back to Mr. Rutkowski.

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The Borough Clerk read the following resolution:

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

#### **Resolution #115-17**

**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. Converting OLMV School into a Community Center

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

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Councilman Madden moved to reconvene the Regular Meeting seconded by Council President Schueler and carried by the following roll call vote.

### **ROLL CALL**

Mayor  
Council President

Ron DiMura  
Bob Schueler  
Dan Parenti  
Kevin Dotey  
Patrick Corley  
John Madden  
Jack Mikolajczyk

Attorney:

Aravind Aithal

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**ADJOURNMENT**

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Council President 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 9, 2017**

**MAYOR'S STATEMENT:** Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of December 28, 2016 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

**SALUTE TO THE FLAG**

**ROLL CALL**

Mayor	Ron DiMura
Council President	Bob Schueler
	Kevin Dotey
	Dan Parenti (absent)
	Patrick Corley (absent)
	John Madden
	Jack Mikolajczyk
Attorney:	Aravind Aithal
Administrator:	Brandon Goldberg

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**PRESENTATIONS-NONE**

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**APPOINTMENTS**

Mayor DiMura accepted the resignation of Ceil Slauson from the Board of Health.

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**PROCLAMATIONS-NONE**

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**NEW BUSINESS**

The Borough Clerk read Ordinance No. 1916-17 for introduction.

**ORDINANCE NO. 1916-17**

**AN ORDINANCE OF THE BOROUGH OF MIDDLESEX , COUNTY OF MIDDLESEX, STATE  
OF NEW JERSEY AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX CHAPTER  
351 TO RESCIND AND REPLACE ARTICLE 1 GARBAGE AND REFUSE COLLECTION**

**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, Article I, Section 351 is hereby amended as follows:

§ 351-1

Provision for removal of garbage; cost.

The Council of the Borough of Middlesex may provide for the collection, removal and disposal of ashes, garbage, rubbish and other refuse matter in such manner as it deems necessary and establish such reasonable rules and regulations in conformity with the provisions of this article as circumstances may require, and all costs in connection therewith and incidental thereto shall be paid by general taxation.

A. Solid waste. All nonresidential properties including those of mixed commercial and residential uses in the Borough shall assume full responsibility for adequate collection, recycling and disposal of refuse. No junk or solid waste shall be permitted to accumulate on the property.

B. All nonresidential properties including those of mixed commercial and residential uses shall provide the Borough with proof of collection service on an annual basis, to be received by the Borough no later than January 31 of each calendar year, or within seven days of a written request from the Borough.

351-2

Definitions and word usage.

A. For the purpose of this article, the following words and terms shall be deemed to have the meanings herein given to them:

ASHES: Burned fuel of every nature and description derived from any burning process.

Bulk items: Household items consist of Furniture, Storm Windows and Screens, Rolled/Tied Carpeting in 4 ft. lengths, 7 ft. Household Doors, Mattresses, Box Springs, Cabinets and Ceramic Fixtures

GARBAGE: Waste or decayed animal and/or vegetable matter that has been used as food or was intended to be used as food and the waste therefrom, and dead animal or plant life or parts of the same.

OCCUPANT: An occupant, owner, agent, tenant, lessee, caretaker or other person or corporation in charge of the dwelling or other premises affected by this article.

PERSON: Any person, partnership, corporation or association of persons.

**PROOF OF COLLECTION SERVICE:** A written record, log, bill, or document(s) evidencing receipt of service for collection of solid waste for the preceding month from a person lawfully engaging in private solid waste collection services with the Borough of Middlesex.

**REFUSE:** Garbage, ashes and rubbish as herein separately defined.

**RUBBISH:** All broken crockery, glassware, furniture, household receptacles and utensils, house sweepings, bottles, tin cans, lawn cuttings, hedge trimmings, garden growth, old clothing and all discarded and waste material of every nature and description not elsewhere herein defined, including paper, cardboard or containers made of either paper or cardboard; provided, however, that all paper or cardboard must be separated from other rubbish material and must be secured in packages to permit easy handling and prevent the contents of the same from being scattered.

B. The singular shall include the plural, and the plural, the singular; the masculine shall include the feminine or neuter; and the words "and" and "or" shall be interpreted to apply interchangeably for the greatest effectiveness of this article.

351-3

Nonapplicability.

This article shall not apply to any collection of earth, stone, plaster, wood or other material from excavating or from constructing, altering or repairing any building.

351-4

Placement of garbage in suitable receptacles.

The occupant of any residential building or premises covered by the terms of this article shall place, keep and make readily accessible for collection and removal of garbage, ashes and rubbish placed in plastic bags inside covered receptacles with detachable lids, such as may be specified in rules and regulations to be adopted by the Mayor and Council of the Borough of Middlesex pertaining to the subject matter of this article. No loose garbage or debris shall be inside the approved receptacle. Acceptable receptacles are metal or plastic containers with handles and tight-fitting lids weighing less than sixty-five (65) pounds when filled and thirty-five (35) gallons in size. The use of individual plastic bags, cardboard boxes, paper bags, crates, drums, pails, or similar containers as receptacles is not permitted. Garbage in these containers will not be collected.

351-5

Removal.

All residential occupants or users of buildings which are furnished garbage and refuse service by the Borough of Middlesex must remove all receptacles and uncollected items from the front areas of the property within twenty-four (24) hours after the scheduled pickup.

351-6

Household appliances and bulk items.

- A. All owners of residential households are permitted one (1) curbside bulk item collection in a calendar year at no charge. No more than five (5) cubic yards are permitted to be placed outside for bulk pickup. All bulk items will be collected on Wednesdays by appointment only. Appointments must be scheduled at least seven (7) days prior to that Wednesday's pickup. Items cannot be placed at the curb for pick up more than seventy-two (72) hours prior to that Wednesday's requested pickup. There will be no bulk pickup November 1<sup>st</sup> thru January 31<sup>st</sup>.
- B. Construction debris, wood, branches, leaves, paint, metal, computers, televisions, and stereos will not be picked up.
- C. Household appliances, i.e., stoves, dryers, refrigerators, freezers, hot-water tanks and dishwashers can be picked up throughout the year by appointment only. All doors must be removed from the appliance.
- D. An additional or special pick up may be available for owner-occupied one and two-family residential dwellings only at a fee of \$150 per pick up.
- E. Any approved items not collected at curbside can always be brought to Middlesex Borough Recycling center during normal business hours.

351-7

Accessibility.

All covered refuse receptacles to be collected by the municipality must be kept or placed, before the collector calls, where they will be readily accessible to him at the curb adjoining the street, and the same shall be sufficiently protected from the weather to prevent freezing fast in place. The occupant must keep all receptacles clean and in condition for safe handling.

351-8

Depositing of garbage in streets, vacant lots, etc., prohibited.

No person shall throw, lay, deposit or leave or cause to be thrown, laid, deposited or left in or upon any vacant lot or open space, street, avenue, alley, highway, sidewalk, parking space or lot any garbage, ashes, rubbish or substances of a like nature in any manner contrary to the provisions of this article; provided, however, that nothing herein contained shall prevent the accumulation of any compost or manure for fertilization of the soil in cases where the same shall be stored, kept or placed in conformity with local and state health regulations and so that the same will not become a nuisance to any person or persons living within the area where such compost or manure is kept or maintained; and provided, further, that all such accumulation must be kept at least 100 feet from any dwelling house or store owned by another occupant.

351-9

Violations and penalties.

Any person violating any of the provisions of this article shall, upon conviction therefor, forfeit and pay a minimum fine of \$500 or be imprisoned in the county jail for not exceeding 90 days, and the Magistrate of the Borough of Middlesex, before whom any such person shall be brought, may impose such punishment by fine or imprisonment in the county jail, or both, as he may see fit, not exceeding the maximum established herein.

351-10

Disposal buildings.

The disposal buildings may be erected and equipped with all appliances necessary for the cremation, destruction or other disposal of garbage or refuse matter, said buildings to be erected either on lands owned by the Borough of Middlesex and suitable for the purposes aforesaid, or on lands to be acquired by the Borough of Middlesex by purchase, gift or condemnation.

351-11

Purchase, maintenance and sale of equipment.

The Borough of Middlesex may purchase, maintain and operate the necessary equipment for the collection and removal of garbage, ashes and other refuse matter, and to sell and otherwise dispose of all unnecessary and used equipment from time to time.

351-12

Contracts.

If in the opinion of the Borough Council, it is more advantageous for the Borough of Middlesex to have the ashes, garbage and other refuse matter or any part thereof in the Borough of Middlesex, collected, removed and disposed of by any person or persons other than employees of the Borough of Middlesex, the Council may make a contract or contracts for such work, or any portion thereof, with any individual or individuals, corporation or corporations, municipality or municipalities, in accordance with specifications to be adopted for the doing of such work in a sanitary and inoffensive manner, which specifications may provide for alternative methods of doing said work and are to be filed in the office of the Clerk of the Borough of Middlesex.

351-13

Bids.

Said contract or contracts shall be entered into and made only after bids therefor shall have been advertised for in a newspaper and circulated in the Borough of Middlesex at least 15 days prior thereto, and the Mayor and Council shall have the right to reject any and all bids. All bidders shall give satisfactory bonds or security for the faithful performance of the work.

351-14

Supervision.

The collection, removal and disposal of garbage, ashes, rubbish and refuse matter shall be supervised by the Sanitation Committee of Borough Council, which shall have power to make, amend and repeal regulations for the conduct of work.

351-15

Power of Mayor and Council.

The Mayor and Council of the Borough of Middlesex shall have power at any time hereafter to adopt by resolution, rules and regulations pertaining to the subject matter of this article and by resolution have the power at any time hereafter to revise, modify, vacate or repeal any of the provisions of the within article.

**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 upon final passage and publication according to law.

Councilman Schueler made a motion to introduce Ordinance No. 1916-17 as amended seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Madden, Schueler and Mikolajczyk. No: None. Abstain: None.

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The Borough Clerk read Ordinance No. 1917-17 for introduction.

**ORDINANCE NO. 1917-17**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 26, ECONOMIC DEVELOPMENT COMMITTEE, CHAPTER 26-1 ESTABLISHMENT, CHAPTER 26-2 MEMBERSHIP, CHAPTER 26-3 ECONOMIC DEVELOPMENT SPECIALIST, AND CHAPTER 26-5 QUORUM**

**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:

Chapter 26-1 shall be deleted in its entirety and replaced with:

**§ 26-1. Establishment.**

Borough of Middlesex, Economic Development Advisory Committee. For the purpose of advising and assisting the Mayor in promulgating economic development strategies, there shall be a Borough of Middlesex, Economic Development Advisory Committee, hereinafter referred to as the "Economic Development Committee", which shall form advisory subcommittees as it deems necessary. The Economic Development Committee shall:

1. Make periodic recommendations to the Mayor concerning areas of economic growth that would be suitable for the Borough.

2. Make periodic recommendations to the Mayor concerning programs that maintain and improve the existing residential, commercial and industrial base.
3. Make periodic recommendations to the Mayor concerning strategies that will help beautify residential, commercial and industrial properties within the Borough and promote same through the use of awards and other means.
4. Submit an annual report to the Mayor.

Chapter 26-2 shall be deleted in its entirety and replaced with:

**§ 26-2. Membership.**

**Membership; appointment; terms of office; vacancies.** The Economic Development Committee shall consist of ten (10) members, who shall be appointed by the Mayor. The Mayor and one (1) member of the Borough Council, to be appointed by the Mayor, shall serve as members. The Chairman of the Zoning Board shall serve as a member. Six members shall be appointed by the Mayor, who shall be either residents of the Borough or owners/operators of businesses located within the Borough. The Economic Development Specialist shall serve as a member during his/her tenure in such position. All members shall serve for a term of one (1) year. Vacancies in the membership of the Economic Advisory Council occurring for whatever reason shall be promptly filled by appointment by the Mayor. The Mayor shall designate the member of the Economic Advisory Council who shall serve as Chair. The Economic Advisory Council shall meet at least four (4) times (i.e., quarterly) each year. Additional meetings shall be held as required and deemed necessary by the Chair of the Economic Advisory Council.

Chapter 26-3 shall be deleted in its entirety and replaced with:

**§ 26-3. Economic Development Specialist.**

**Economic Development Specialist.** The Economic Development Committee shall appoint, upon terms approved by the Borough Council, an individual to act as an Economic Development Specialist. The Economic Development Specialist shall:

1. Assess the availability of vacant lands in the Borough for economic development purposes and classify such vacant lands according to their adaptability for development thereon of various types of residential, industrial, professional, commercial and other business enterprises.
2. Advertise and promote the economic advantages and opportunities of the Borough and the availability of real estate within the Borough for economic development.
3. Act as a liaison on behalf of existing local business owners and potential business owners in obtaining various permits and approvals from the Planning Board, Zoning Board of Adjustment, Construction Inspection, Code Enforcement and any other area of Municipal Government deemed applicable.

4. Advise the Economic Development Committee and the Borough Council as needed on all matters related to the goals of the Economic Development Committee.
5. Undertake such other activities that may result in the retention, improvement and attraction of residential, professional, commercial, industrial and other business development to the Borough.

Chapter 26-5 shall be amended to read:

**§ 26-5. Quorum.**

A majority of the members (6 of 10) shall constitute a quorum of the Committee.

**SECTION II.** This ordinance shall take effect upon final adoption and publication as required by law.

Councilman Dotey made a motion to introduce Ordinance No. 1917-17 seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Madden, Schueler and Mikolajczyk. No: None. Abstain: None.

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**PUBLIC HEARING**

The Borough Clerk read Ordinance No. 1915-17 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

**ORDINANCE NO. 1915-17**

**AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING THE CODES OF THE BOROUGH OF MIDDLESEX CHAPTER 420-15, ACCESSORY STRUCTURES**

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

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

**SECTION ONE.** The Code of the Borough of Middlesex, Middlesex County, New Jersey Section 420-15 is hereby amended as follows:

**420-15 Accessory Structures.**

I. Membrane Structures.

Membrane structures, also referred to as hoop garages, are prohibited.

**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 DiMura opened the Public Hearing on Ordinance No. 1915-17. Seeing that there was no public participation, Mayor DiMura closed the Public Hearing on Ordinance No. 1915-17.

Councilman Schueler made a motion for adoption of Ordinance No. 1915-17 as amended seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Madden, Schueler and Mikolajczyk. No: None. Abstain: None.

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### **ADOPTION OF MINUTES**

Councilman Schueler made a motion to approve the April 25, 2017 Regular and Executive Meeting Minutes seconded by Councilman Mikolajczyk and carried by the following roll call vote: Ayes: Dotey, Madden, Schueler and Mikolajczyk. No: None. Abstain: None.

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### **REPORTS - NONE**

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### **REPORTS – STANDING COMMITTEES-NONE**

1. Finance/Taxation/Real Estate/Insurance/Public Utilities
2. Recreation/Recreation Fields/Swim Pool/Community Celebrations
3. Fire/OEM/Rescue Squad
4. Public Works/Buildings & Grounds/Recycling/Board of Health
5. Police/Legal/Code Enforcement/Construction/Municipal Court
6. Administration/Department of Senior Services/Legislation/Licensing

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### **PUBLIC COMMENTS**

Mayor DiMura opened the Public Portion of the Meeting for any public participation.

Rich Rutkowski, 211 Maple Street requested an update on the parking issue at 150 Lincoln Boulevard. Mayor DiMura indicated that an ordinance would be introduced at the May 23, 2017 Regular Meeting.

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

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The Borough Clerk read the following resolution:

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

## Consent Agenda 2017(I)

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

**WHEREAS**, the Mayor and Council of the Borough of Middlesex 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 #116-17 – Resolution #128-17

Councilman Schueler made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Madden, Schueler 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 #116-17**

At the request of the Electrical Sub Code Official the governing body hereby refunds Ms. Susan Jones, 440 Howard Avenue, Middlesex, New Jersey \$152.00 for the refund of a Fire & Electrical Permit for a wireless alarm system which was issued in error, as it is not required per the UCC Code.

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The Borough Clerk read the following resolution:

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

#### **Resolution #117-17**

**WHEREAS**, John Caruso applied to the Construction Office for a Residential Resale Certificate for 213 Sherman Ave; and

**WHEREAS**, John Caruso submitted Check #1105 in the amount of \$100.00 on 3/9/17 in payment of said Residential Resale Certificate for a single-family dwelling; and

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

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Middlesex that the disbursing officers be and they are hereby authorized to draw a check in the amount of \$100.00 in favor of John Caruso, 351 Market St, Middlesex, NJ 08846, 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 #118-17**

**WHEREAS**, the residents of 237 B Street have requested to have a block party on B Street between Walnut Street and Maple Street on May 27, 2017 between the hours of 2 p.m. and 10 p.m.; and

**WHEREAS**, all the designated officials have given approval for this block party.

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

1. The Governing Body hereby grants approval to the residents of 237 B Street to conduct a block party on B Street between Walnut Street and Maple Street on May 27, 2017 between the hours of 2 p.m. and 10 p.m.
2. This resolution shall take effect immediately.

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The Borough Clerk read the following resolution:

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

**Resolution #119-17**

The Tax Collector is hereby authorized to issue a check in the amount of \$19, 046.14 to redeem Tax Sale Certificate # 15-01852 and a check in the amount of \$24,600.00 for a tax sale premium, Block 306 Lot 27.01, 567 W Pershing Avenue , check is made payable to:

US Bank Cust for BV001 Trust  
50 South 16<sup>th</sup> St  
Suite 2050  
Philadelphia, PA 19102

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The Borough Clerk read the following resolution:

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

**Resolution #120-17**

The Tax Collector is hereby authorized to refund payments made on 2015 Sewer accounts. The appeal committee reviewed the documentation provided and waived the amounts and recommends refunds for the following properties.

BLOCK

LOT

AMOUNT

48	1	\$56.30
72	6	\$281.50
138	15	\$146.38

---

The Borough Clerk read the following resolution:

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

**Resolution #121-17**

The Tax Collector is hereby authorized to waive 2015 Sanitary Sewer Use Charges. The appeal committee reviewed the documentation provided and recommended the fees to be waived on the following properties:

<u>Block</u>	<u>Lot</u>	<u>Amount</u>
314	31	\$90.08
145	1	\$1092.22
123	8	\$405.36
133	9	\$181.16
297	11.01	\$2353.34
201	35	\$1092.22
108	13	\$236.46
108	14	\$641.82
117	14	\$247.72
152	10.01	\$213.94
135	1	\$191.42
117	8	\$1261.12
81	13	\$394.10
174	39	\$315.28
167.3	22	\$664.34
167.03	11	\$349.06
114	12	\$1384.98
115	5	\$574.26
329	28	\$191.42
180	4	\$157.64
312	56	\$33.78
87	9	\$788.20
329	33	\$1677.74
329	20	\$90.08
92	22	\$1396.24
330	9.01	\$1002.14
22	3.37	\$698.12
71.01	6	\$382.84
22	3.09	\$157.64
22	3.08	\$67.56
7.04	5	\$1092.22

7.01	3	\$326.54
7.04	6	\$461.62
70.10	2	\$270.24
136	4.01	\$225.20
71.01	17.01	\$619.30
75	4.01	\$653.08
61	30	\$45.04
70	1.02	\$202.68
16	7	\$360.32
167.02	2	\$1035.92
191	29.01	\$416.62
293	3.02	\$1351.20
209	62	\$123.86
100	22	\$360.32
25	19	\$382.84
339	18	\$67.56
38	28.01	\$56.30
80	22	\$1452.54
111	9	\$506.70
328	13	\$90.08
175	40	\$371.58
86.06	4	\$821.98
150	12	\$1193.56
245	10	\$461.66
108	7	\$416.62
300	33	\$2173.18
298	3	\$540.48
239	24.01	\$9469.66
91	26	\$619.30
22	3.05	\$2668.62
72	6	\$563.00
70.08	11.10	\$382.54
4.01	11	\$225.20
168	9	\$337.80
329	10	\$427.88
86.05	4	\$33.78
48	1	\$56.30
150	22	\$225.20
91	21	\$889.54
138	15	\$292.76
161	5.01	\$304.02
293	3.04	\$551.74
199	7	\$112.60
167	17	\$168.90

---

The Borough Clerk read the following resolution:

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

**Resolution #122-17**

The Tax Collector is hereby authorized to adjust 2015 Sanitary Sewer Use Charges. The appeal committee reviewed the documentation provided and recommended the fees to be adjusted on the following properties:

<u>BLOCK</u>	<u>LOT</u>	<u>ORIGINAL AMOUNT</u>	<u>ADJUSTED AMOUNT</u>
306	8	\$1351.20	\$780.68
375	4	\$1216.08	\$307.41
74	9	\$698.12	\$591.17
63	11	\$517.96	\$148.00
231	8	\$323.53	\$181.77
123	10	\$923.32	\$405.60
176	31	\$934.58	\$557.38
239	21	\$472.92	\$264.10
80	37	\$743.16	\$84.86
54	18	\$1407.50	\$1100.26
213	3	\$754.42	\$120.75

---

The Borough Clerk read the following resolution:

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

**Resolution #123-17**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MIDDLESEX  
ACKNOWLEDGING THE CHANGE IN STATUS FOR CERTAIN PROPERTIES  
UNDER THE SENIOR CITIZEN / DISABLED PERSON TAX DEDUCTIONS**

**WHEREAS**, certain Senior Citizens/ Disabled Persons were the owners of the property in the Borough of Middlesex on or before October 1, 2016, and

**WHEREAS**, said Senior Citizens / Disabled Persons did file their claims for the Senior Citizen/ Disabled Person deduction with the proper official of the Borough of Middlesex, Middlesex County prior to December 31, 2016; and

**WHEREAS**, the Tax Collector has disallowed the following Senior Citizen/ Disabled Person deduction for the 2016 year totaling \$2750.00.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>	<u>Reason</u>	<u>Year</u>
Petiya, George & Tsukiko	10	21	\$250.00	Form Not Returned	2016

Dodds, Douglass & Joan	6	2.02/C034B	\$250.00	Form Not Returned	2016
Serra, Debbie	187	25	\$250.00	Form Not Returned	2016
Carovillano, Adeline	82	7	\$250.00	Over Income Limit	2016
Donahue, Evelyn LE	29	21	\$250.00	Over Income Limit	2016
Cortese, Michael & Mary	4.01	1	\$250.00	Over Income Limit	2016
Chittenden, JFW & FM	7.01	2	\$250.00	Over Income Limit	2016
Cakir, Linda & Isa	51	5	\$250.00	Over Income Limit	2016
Clarkson, Marlene	86.01	10	\$250.00	Over Income Limit	2016
Necina, Irma	239.01	14	\$250.00	Over Income Limit	2016
Danyov, Nancy	262	1.01/C039B	\$250.00	Over Income Limit	2016

---

The Borough Clerk read the following resolution:

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

**Resolution #124-17**

**RESOLUTION AUTHORIZING APPLICATION FOR LOAN FROM THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE FINANCING PROGRAM**

**WHEREAS**, the Borough of Middlesex has filed or is about to file applications with the New Jersey Department of Environmental Protection and the New Jersey Environmental

Infrastructure Trust Fund Loan Program for the Various Sanitary Sewer Main Improvements project; and

**WHEREAS**, Remington, Vernick & Vena Engineers, the Borough's Consultant Engineer, has been engaged to prosecute the said applications on behalf of the Borough; and

**WHEREAS**, the Mayor and Council wish to formally confirm the authority of Brandon Goldberg, Business Administrator to represent the Borough for the said purposes;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Middlesex that Brandon Goldberg, Business Administrator of the Borough of Middlesex is designated agent of the Borough of Middlesex for the purpose of prosecuting the Borough's applications for funds under the New Jersey Environmental Infrastructure Trust Fund Loan Program Application; and

**BE IT FURTHER RESOLVED** that a true copy of this Resolution be forwarded with said application to the New Jersey Department of Environmental Protection for their review and final action.

---

The Borough Clerk read the following resolution:

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

**Resolution #125-17**

**WHEREAS**, Beechwood Heights Fire Company No. 2 has requested to hold fund raising within the borough of Middlesex by conducting a coin tosses within the borough at the intersections of Greenbrook Road and Route 28 between the hours of 9 A.M. and 1 P.M.; and

**WHEREAS**, Beechwood Heights Fire Company No. 2 would like to conduct this coin toss on October 7, 2017 with an alternate date of October 14, 2017; 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 a coin toss on October 7, 2017 with an alternate date of October 14, 2017 at the above location, 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 #126-17**

The governing body hereby approves the mayor execute the Network Installation and Maintenance Agreement with TK1 Solutions, LLC of Woodbridge, New Jersey.

---

The Borough Clerk read the following resolution:

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

**Resolution #127-17**

**WHEREAS**, the governing body received a proposal from Remington & Vernick Engineers dated April 12, 2017 for the Design, Inspection and Construction Administrative Services for the George Avenue Drainage; and

**WHEREAS**, the proposal for this project include:

- |   |              |
|---|--------------|
| 1. Design & Survey (10%)                    | \$ 45,700.00 |
| 2. Inspection/Contract Administration (15%) | \$ 68,550.00 |

<b>TOTAL COST</b>	<b>\$114,250.00</b>
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**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 Remington & Vernick Engineers dated April 12, 2017 for the Design, Inspection and Construction Administration Services for the George Avenue Drainage in the total amount of \$114,250.00.
2. This resolution shall take effect immediately.

**NOW FURTHER BE IT RESOLVED**, that the Treasurer hereby certifies that funds in the amount of \$114,250.00 are available in Account No. C-04-17-907-000-050.

---

The Borough Clerk read the following resolution:

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

**Resolution #128-17**

The governing body hereby permits the Fire Department to go out to bid for a Pumper Engine Truck for Pierce Fire Company.

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The Borough Clerk read the following resolution:

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

**Resolution #129-17**

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

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**DISCUSSION ON AGENDA WORKSHOP ITEMS**

1. Capital Budget – A consensus of council was taken to move forward and introduce the capital budget at the May 23, 2017 Regular Meeting.

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**PUBLIC COMMENTS ON WORKSHOP ITEMS-NONE**

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The Borough Clerk read the following resolution:

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

**Resolution #130-17**

**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. Update on Landlord Registration Litigation
2. Landlocked Property – Block 318, Lot 43 & 44

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

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Councilman Madden moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by the following roll call vote.

**ROLL CALL**

Mayor	Ron DiMura
Council President	Bob Schueler
	Dan Parenti (absent)
	Kevin Dotey
	Patrick Corley (absent)
	John Madden
	Jack Mikolajczyk

Attorney: Aravind Aithal

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**ADJOURNMENT**

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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 23, 2017**

**MAYOR'S STATEMENT:** Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of December 28, 2016 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

**SALUTE TO THE FLAG**

**ROLL CALL**

Mayor	Ron DiMura
Council President	Bob Schueler
	Kevin Dotey
	Dan Parenti
	Patrick Corley
	John Madden
	Jack Mikolajczyk
Attorney:	Aravind Aithal
Administrator:	Brandon Goldberg

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**PRESENTATIONS-NONE**

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**APPOINTMENTS-NONE**

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**PROCLAMATIONS-NONE**

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**NEW BUSINESS**

The Borough Clerk read Ordinance No. 1918-17 for introduction.

**ORDINANCE NO. 1918-17**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 317, PROPERTY MAINTENANCE, ARTICLE II USE AND CARE STANDARDS, TO INCLUDE ARTICLE III STRUCTURES DAMAGED OR DESTROYED BY FIRE, SECTION 317-16 TEMPORARY SAFEGUARDS**

**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:

Chapter 317 shall be amended to include the following:

**ARTICLE III  
STRUCTURES DAMAGED OR DESTROYED BY FIRE**

**§317-16 Temporary safeguards:** Notwithstanding any other provisions of this Chapter, whenever, in the opinion of the Fire Chief or his designee, any structure in the Borough has sustained damage due to a fire, immediately upon response to such fire, the Fire Chief or his designee may order the necessary work to be done to secure the structure from entry by persons, including the boarding-up of openings and/or fencing the perimeter of the structure(s), to render such structure temporarily safe as deemed necessary to meet such emergency. All costs incurred by the Borough in the performance of such emergency work, including labor and materials for boarding and/or fencing, shall be paid by the owner of the property upon demand thereof. Any unpaid amounts of such costs shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate as provided in Article II, §317-14, hereof.

**SECTION II.** This ordinance shall take effect upon final adoption and publication as required by law.

Councilman Schueler made a motion to amend "Fire Commissioner" to "Fire Chief" seconded by Councilman Madden and carried by a unanimous vote of Council.

Councilman Schueler made a motion for introduction as amended seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Parenti, Corley, Madden, Schueler and Mikołajczyk. No: None. Abstain: None.

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The Borough Clerk read Ordinance No. 1919-17 for introduction.

**ORDINANCE NO. 1919-17**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 332, SEWERS TO REPLACE ARTICLE II SERVICE CONNECTIONS AND CHARGES, SECTION 332-35D CONNECTION REQUIREMENTS**

**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:

Chapter 332-35D shall be amended to read as follows:

**ARTICLE III  
SERVICE CONNECTIONS AND CHARGES**

§332-35

D. All business and/or residences serviced in whole or in part by well water shall install a suitable device for continuously recording the flow of discharge to the municipal sewer system. Plans for complete metering installation shall be submitted to the municipality for approval.

**SECTION II.** This ordinance shall take effect upon final adoption and publication as required by law.

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

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The Borough Clerk read Ordinance No. 1920-17 for introduction.

**ORDINANCE NO. 1920-17**

**BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS IN, BY  
AND FOR THE BOROUGH OF MIDDLESEX, NEW JERSEY,  
APPROPRIATING \$1,837,500 THEREFOR AND AUTHORIZING THE  
ISSUANCE OF \$1,745,625 BONDS OR NOTES OF THE BOROUGH FOR  
FINANCING PART OF SUCH APPROPRIATION**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than twothirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Borough Council of the Borough of Middlesex, New Jersey (the "Borough") has ascertained and hereby determines that it is necessary and desirable to raise money to finance the cost of the improvements described in Section 3 of this bond ordinance, which improvements are hereby authorized to be made or acquired by the Borough. For said improvements or purposes stated in said Section 3, there is hereby appropriated the sum of \$1,837,500, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$91,875 as the down payment for said improvements or purposes required by law and now available therefor by virtue of provisions for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$1,837,500 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,745,625 pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the New Jersey Revised Statutes (the "Local Bond Law"). In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in the principal amount not exceeding \$1,745,625 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are the following: (i) government meeting software for the Municipal Clerk's office; (ii) revaluation of real property for the Tax Assessor's office; (iii) improvements to the Community Center; (iv) acquisition and/or improvements to County radio system; (v) acquisition of various equipment for the Police Department including L-3 mobile vision recording system, defibrillators, oxygen tanks, rifle plates and carriers, riot shields and batons, ballistic helmets, ammunition cabinet and shelving and radio/computer equipment for new cars; (vi) computer for Prosecutor's office; (vii) padlock system for hallway door of Municipal Court; (viii) bunker gear and water rescue gear for the Fire Department; (ix) acquisition of garbage trucks; (x) acquisition of various equipment for Roads Department including bobcat skid steerer with attachments, F250 pick up truck and a new utility body and compressor; (xi) acquisition of various equipment for the Parks Department including F350 mason dump truck, grounds master 360 quad

steer mower, broadcast spreader, york rake and new goal post for Cook Field; (xii) upgrades for Municipal Building; (xiii) acquisition of various computer equipment including computers for the Police Department, barracuda backup servers for the Police Department and computers for Borough Hall; and (xiv) mill and overlay for various roads in the Borough, together with all other work, materials and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes of the Borough to be issued for said purposes is \$1,745,625.

(c) The estimated cost of said purposes is \$1,837,500, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$91,875 down payment for said purposes.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and are properties or improvements which the Borough may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially benefited thereby.

(b) The period of usefulness of said purposes within the limitations of the Local Bond Law, according to the reasonable lives thereof computed from the date of said bonds or notes authorized by this bond ordinance, is 10.87 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete duplicate thereof has been electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs in the State of New Jersey (the "Division"), and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$1,745,625, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$2,021 for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:220 of the Local Bond Law is included in the estimated cost of said improvements.

Section 5. Any funds from time to time received by the Borough as contributions in aid of financing the improvements or purposes described in Section 3 of this bond ordinance, including any grants, shall be used for financing said improvements or purposes by application thereof either to direct payment of the cost of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Borough authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the cost of said improvements or purposes shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct and unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all of the taxable property within the jurisdiction of the

Borough for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 7. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board of the Division showing all detail of the amended capital budget and capital program as approved by the Director of the Division, are on file with the Borough Clerk and are available for public inspection.

Section 8. The Borough intends to issue bonds or notes to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance. The Borough expects that the maximum principal amount of bonds or notes which will be issued to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance is \$1,745,625. If the Borough incurs any such costs prior to the issuance of the bonds or notes, the Borough intends to reimburse itself for such expenditures with the proceeds of the bonds or notes.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by the Local Bond Law.

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

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The Borough Clerk read Ordinance No. 1921-17 for introduction

**ORDINANCE NO. 1921-17**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 407, VEHICLES AND TRAFFIC, TO INCLUDE ARTICLE XXII PERMIT PARKING ONLY, SECTION 407-78 PROHIBITED PARKING; ISSUANCE OF PERMITS; SIGNS**

**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:

Chapter 407 shall be amended to include the following:

**ARTICLE XXII  
PERMIT PARKING ONLY**

**§407-78 Prohibited parking; issuance of permits; signs**

A. In accordance with the provisions hereof, and subject to any other provision of this Chapter, parking of vehicles not displaying a Residential Parking Permit or Guest Parking Permit as required herein shall be prohibited at any time on the following streets:

- (1) Chestnut Street between A Street and E Street.
- (2) A Street from Lincoln Boulevard to Chestnut Street.

- (3) B Street from Lincoln Boulevard to Chestnut Street.
- (4) C Street from Lincoln Boulevard to Chestnut Street.
- (5) D Street from Lincoln Boulevard to Chestnut Street.
- (6) E Street from Lincoln Boulevard to Chestnut Street.

- B. The residential parking permit program shall be administered and enforced by the Middlesex Borough Police Department. Each eligible resident shall be issued Residential Parking Permits for each vehicle registered to a residential address in Section A, above, and two (2) Guest Parking Permits per residence.
- C. All residents shall be required to complete the necessary documentary requirements and submit same to the Middlesex Borough Clerk's Office, Monday through Friday during normal working hours.
- a. As a condition to obtaining a parking permit, all residents shall be required to provide the following proof of residency:
    1. Proof of a valid New Jersey motor vehicle registration; the presented registration shall reflect an address in the Borough of Middlesex; and
    2. Proof of a valid automobile insurance card; the presented insurance card shall reflect an address in the Borough of Middlesex; and
    3. Proof of a valid New Jersey driver's license; the presented New Jersey driver's license shall reflect an address in the Borough of Middlesex; or
    4. Proof of ownership of property or legal tenancy in a residential dwelling unit located in the Borough of Middlesex.
  - b. Guest Parking Permits shall be effective for a period of not more than three (3) consecutive calendar days, excluding designated State holidays. Any individual seeking to extend Guest Parking Permit privileges beyond the consecutive limit herein must first obtaining consent from the Middlesex Borough Police Department.
  - c. Residential Parking Permits and/or Guest Parking Permits may not be sold or transferred and are valid only to the individual to whom such Permits are issued. Any misuse of permits will result in the immediate revocation of the permit plus fines. Misuse shall include but not be limited to the following occurrences:
    1. Transfer of permit from an authorized (permit purposes only) to an unauthorized vehicle.
    2. Misrepresentation in the permit application process.
- D. The appropriate signs, in accordance with specifications provided by the State of New Jersey shall be exhibited on the streets which are hereby designated for the purposes of advising the public as to the restrictions of parking on said streets.

- E. Residential Parking Permits and Guest Parking Permits shall expire on June 1st of each year of issue.

**§407-79 Violations and penalties.** For a violation of any provision of this article, the offender shall be liable to a penalty of not less than \$75 nor more than \$150 for a first violation. Any offender committing a second or subsequent violation shall be subject to a penalty of not less than \$150 nor more than \$200. The registered owner of the vehicle which is parked in violation of this article shall be liable for such violation, regardless of whether he/she caused the vehicle to be parked in violation of this article.

**SECTION TWO.** This ordinance shall take effect upon final adoption and publication as required by law.

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

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### **PUBLIC HEARING**

The Borough Clerk read Ordinance No. 1916-17 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

### **ORDINANCE NO. 1916-17**

#### **AN ORDINANCE OF THE BOROUGH OF MIDDLESEX , COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX CHAPTER 351 TO RESCIND AND REPLACE ARTICLE 1 GARBAGE AND REFUSE COLLECTION**

**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, Article I, Section 351 is hereby amended as follows:

#### **§ 351-1**

Provision for removal of garbage; cost.

The Council of the Borough of Middlesex may provide for the collection, removal and disposal of ashes, garbage, rubbish and other refuse matter in such manner as it deems necessary and establish such reasonable rules and regulations in conformity with the provisions of this article as circumstances may require, and all costs in connection therewith and incidental thereto shall be paid by general taxation.

A. Solid waste. All nonresidential properties including those of mixed commercial and residential uses in the Borough shall assume full responsibility for adequate collection, recycling and disposal of refuse. No junk or solid waste shall be permitted to accumulate on the property.

B. All nonresidential properties including those of mixed commercial and residential uses shall provide the Borough with proof of collection service on an annual basis, to be received by the Borough no later than January 31 of each calendar year, or within seven days of a written request from the Borough.

351-2

Definitions and word usage.

A. For the purpose of this article, the following words and terms shall be deemed to have the meanings herein given to them:

ASHES: Burned fuel of every nature and description derived from any burning process.

Bulk items: Household items consist of Furniture, Storm Windows and Screens, Rolled/Tied Carpeting in 4 ft. lengths, 7 ft. Household Doors, Mattresses, Box Springs, Cabinets and Ceramic Fixtures

GARBAGE: Waste or decayed animal and/or vegetable matter that has been used as food or was intended to be used as food and the waste therefrom, and dead animal or plant life or parts of the same.

OCCUPANT: An occupant, owner, agent, tenant, lessee, caretaker or other person or corporation in charge of the dwelling or other premises affected by this article.

PERSON: Any person, partnership, corporation or association of persons.

PROOF OF COLLECTION SERVICE: A written record, log, bill, or document(s) evidencing receipt of service for collection of solid waste for the preceding month from a person lawfully engaging in private solid waste collection services with the Borough of Middlesex.

REFUSE: Garbage, ashes and rubbish as herein separately defined.

RUBBISH: All broken crockery, glassware, furniture, household receptacles and utensils, house sweepings, bottles, tin cans, lawn cuttings, hedge trimmings, garden growth, old clothing and all discarded and waste material of every nature and description not elsewhere herein defined, including paper, cardboard or containers made of either paper or cardboard; provided, however, that all paper or cardboard must be separated from other rubbish material and must be secured in packages to permit easy handling and prevent the contents of the same from being scattered.

B. The singular shall include the plural, and the plural, the singular; the masculine shall include the feminine or neuter; and the words "and" and "or" shall be interpreted to apply interchangeably for the greatest effectiveness of this article.

351-3

Nonapplicability.

This article shall not apply to any collection of earth, stone, plaster, wood or other material from excavating or from constructing, altering or repairing any building.

351-4

Placement of garbage in suitable receptacles.

The occupant of any residential building or premises covered by the terms of this article shall place, keep and make readily accessible for collection and removal of garbage, ashes and rubbish placed in plastic bags inside covered receptacles with detachable lids, such as may be specified in rules and regulations to be adopted by the Mayor and Council of the Borough of Middlesex pertaining to the subject matter of this article. No loose garbage or debris shall be inside the approved receptacle. Acceptable receptacles are metal or plastic containers with handles and tight-fitting lids weighing less than sixty-five (65) pounds when filled and thirty-five (35) gallons in size. The use of individual plastic bags, cardboard boxes, paper bags, crates, drums, pails, or similar containers as receptacles is not permitted. Garbage in these containers will not be collected.

351-5

Removal.

All residential occupants or users of buildings which are furnished garbage and refuse service by the Borough of Middlesex must remove all receptacles and uncollected items from the front areas of the property within twenty-four (24) hours after the scheduled pickup.

351-6

Household appliances and bulk items.

- A. All owners of residential households are permitted one (1) curbside bulk item collection in a calendar year at no charge. No more than five (5) cubic yards are permitted to be placed outside for bulk pickup. All bulk items will be collected on Wednesdays by appointment only. Appointments must be scheduled at least seven (7) days prior to that Wednesday's pickup. Items cannot be placed at the curb for pick up more than seventy-two (72) hours prior to that Wednesday's requested pickup. There will be no bulk pickup November 1<sup>st</sup> thru January 31<sup>st</sup>.
- B. Construction debris, wood, branches, leaves, paint, metal, computers, televisions, and stereos will not be picked up.
- C. Household appliances, i.e., stoves, dryers, refrigerators, freezers, hot-water tanks and dishwashers can be picked up throughout the year by appointment only. All doors must be removed from the appliance.
- D. An additional or special pick up may be available for owner-occupied one and two-family residential dwellings only at a fee of \$150 per pick up.
- E. Any approved items not collected at curbside can always be brought to Middlesex Borough Recycling center during normal business hours.

351-7

Accessibility.

All covered refuse receptacles to be collected by the municipality must be kept or placed, before the collector calls, where they will be readily accessible to him at the curb adjoining the street, and the same shall be sufficiently protected from the weather to prevent freezing fast in place. The occupant must keep all receptacles clean and in condition for safe handling.

351-8

Depositing of garbage in streets, vacant lots, etc., prohibited.

No person shall throw, lay, deposit or leave or cause to be thrown, laid, deposited or left in or upon any vacant lot or open space, street, avenue, alley, highway, sidewalk, parking space or lot any garbage, ashes, rubbish or substances of a like nature in any manner contrary to the provisions of this article; provided, however, that nothing herein contained shall prevent the accumulation of any compost or manure for fertilization of the soil in cases where the same shall be stored, kept or placed in conformity with local and state health regulations and so that the same will not become a nuisance to any person or persons living within the area where such compost or manure is kept or maintained; and provided, further, that all such accumulation must be kept at least 100 feet from any dwelling house or store owned by another occupant.

351-9

Violations and penalties.

Any person violating any of the provisions of this article shall, upon conviction therefor, forfeit and pay a minimum fine of \$500 or be imprisoned in the county jail for not exceeding 90 days, and the Magistrate of the Borough of Middlesex, before whom any such person shall be brought, may impose such punishment by fine or imprisonment in the county jail, or both, as he may see fit, not exceeding the maximum established herein.

351-10

Disposal buildings.

The disposal buildings may be erected and equipped with all appliances necessary for the cremation, destruction or other disposal of garbage or refuse matter, said buildings to be erected either on lands owned by the Borough of Middlesex and suitable for the purposes aforesaid, or on lands to be acquired by the Borough of Middlesex by purchase, gift or condemnation.

351-11

Purchase, maintenance and sale of equipment.

The Borough of Middlesex may purchase, maintain and operate the necessary equipment for the collection and removal of garbage, ashes and other refuse matter, and to sell and otherwise dispose of all unnecessary and used equipment from time to time.

351-12

Contracts.

If in the opinion of the Borough Council, it is more advantageous for the Borough of Middlesex to have the ashes, garbage and other refuse matter or any part thereof in the Borough of Middlesex, collected, removed and disposed of by any person or persons other than employees of the Borough of Middlesex, the Council may make a contract or contracts for such work, or any portion thereof, with any individual or individuals, corporation or corporations, municipality or municipalities, in accordance with specifications to be adopted for the doing of such work in a sanitary and inoffensive manner, which specifications may provide for alternative methods of doing said work and are to be filed in the office of the Clerk of the Borough of Middlesex.

351-13

Bids.

Said contract or contracts shall be entered into and made only after bids therefor shall have been advertised for in a newspaper and circulated in the Borough of Middlesex at least 15 days prior thereto, and the Mayor and Council shall have the right to reject any and all bids. All bidders shall give satisfactory bonds or security for the faithful performance of the work.

351-14

Supervision.

The collection, removal and disposal of garbage, ashes, rubbish and refuse matter shall be supervised by the Sanitation Committee of Borough Council, which shall have power to make, amend and repeal regulations for the conduct of work.

351-15

Power of Mayor and Council.

The Mayor and Council of the Borough of Middlesex shall have power at any time hereafter to adopt by resolution, rules and regulations pertaining to the subject matter of this article and by resolution have the power at any time hereafter to revise, modify, vacate or repeal any of the provisions of the within article.

**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 upon final passage and publication according to law.

Mayor DiMura opened the Public Hearing on Ordinance No. 1916-17. Seeing that there was no public participation, Mayor DiMura closed the Public Hearing on Ordinance No. 1916-17.

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

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The Borough Clerk read Ordinance No. 1917-17 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

**ORDINANCE NO. 1917-17**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 26, ECONOMIC DEVELOPMENT COMMITTEE, CHAPTER 26-1 ESTABLISHMENT, CHAPTER 26-2 MEMBERSHIP, CHAPTER 26-3 ECONOMIC DEVELOPMENT SPECIALIST, AND CHAPTER 26-5 QUORUM**

**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:

Chapter 26-1 shall be deleted in its entirety and replaced with:

**§ 26-1. Establishment.**

Borough of Middlesex, Economic Development Advisory Committee. For the purpose of advising and assisting the Mayor in promulgating economic development strategies, there shall be a Borough of Middlesex, Economic Development Advisory Committee, hereinafter referred to as the "Economic Development Committee", which shall form advisory subcommittees as it deems necessary. The Economic Development Committee shall:

1. Make periodic recommendations to the Mayor concerning areas of economic growth that would be suitable for the Borough.
2. Make periodic recommendations to the Mayor concerning programs that maintain and improve the existing residential, commercial and industrial base.
3. Make periodic recommendations to the Mayor concerning strategies that will help beautify residential, commercial and industrial properties within the Borough and promote same through the use of awards and other means.
4. Submit an annual report to the Mayor.

Chapter 26-2 shall be deleted in its entirety and replaced with:

## **§ 26-2. Membership.**

**Membership; appointment; terms of office; vacancies.** The Economic Development Committee shall consist of ten (10) members, who shall be appointed by the Mayor. The Mayor and one (1) member of the Borough Council, to be appointed by the Mayor, shall serve as members. The Chairman of the Zoning Board shall serve as a member. Six members shall be appointed by the Mayor, who shall be either residents of the Borough or owners/operators of businesses located within the Borough. The Economic Development Specialist shall serve as a member during his/her tenure in such position. All members shall serve for a term of one (1) year. Vacancies in the membership of the Economic Advisory Committee occurring for whatever reason shall be promptly filled by appointment by the Mayor. The Mayor shall designate the member of the Economic Advisory Committee who shall serve as Chair. The Economic Advisory Committee shall meet at least four (4) times (i.e., quarterly) each year. Additional meetings shall be held as required and deemed necessary by the Chair of the Economic Advisory Committee.

Chapter 26-3 shall be deleted in its entirety and replaced with:

## **§ 26-3. Economic Development Specialist.**

**Economic Development Specialist.** The Economic Development Committee shall appoint, upon terms approved by the Borough Council, an individual to act as an Economic Development Specialist. The Economic Development Specialist shall:

1. Assess the availability of vacant lands in the Borough for economic development purposes and classify such vacant lands according to their adaptability for development thereon of various types of residential, industrial, professional, commercial and other business enterprises.
2. Advertise and promote the economic advantages and opportunities of the Borough and the availability of real estate within the Borough for economic development.
3. Act as a liaison on behalf of existing local business owners and potential business owners in obtaining various permits and approvals from the Planning Board, Zoning Board of Adjustment, Construction Inspection, Code Enforcement and any other area of Municipal Government deemed applicable.
4. Advise the Economic Development Committee and the Borough Council as needed on all matters related to the goals of the Economic Development Committee.
5. Undertake such other activities that may result in the retention, improvement and attraction of residential, professional, commercial, industrial and other business development to the Borough.

Chapter 26-5 shall be amended to read:

## **§ 26-5. Quorum.**

A majority of the members (6 of 10) shall constitute a quorum of the Committee.

**SECTION II.** This ordinance shall take effect upon final adoption and publication as required by law.

Attorney Aithal indicated that minor amendments were required on Page 2 of this ordinance as it should state “Economic Advisory Committee” rather than “Economic Advisory Council”.

Mayor DiMura opened the Public Hearing on Ordinance No. 1917-17.

Rich Rutkowski, 211 Maple Street asked if the above ordinance was available on the website. Mayor DiMura indicated that we are working on posting the ordinances.

Seeing that there was no further public participation, Mayor DiMura closed the Public Hearing on Ordinance No. 1917-17.

Councilman Dotey made a motion for adoption of Ordinance No. 1917-17 as amended seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Parenti, Corley, Madden, Schueler and Mikolajczyk. No: None. Abstain: None.

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## **ADOPTION OF MINUTES**

Councilman Mikolajczyk made a motion to approve the May 9, 2017 Regular and Executive Meeting Minutes seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Madden, Schueler and Mikolajczyk. No: None. Abstain: Corley & Parenti.

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## **REPORTS**

1. Mayor DiMura appointed Patrick Corley as the liaison to the DPW
2. Mayor DiMura appointed Kevin Dotey as the liaison to Administration
3. Middlesex Borough Person of the Year – Mayor DiMura will be awarding a “Middlesex Borough Person of the Year” in September which will be sponsored by the Middlesex Borough Business Association. Mayor DiMura requested any recommendations be e-mailed to him, as he will make the final decision.
4. Middlesex Borough received the New Jersey Smart Workplaces Outstanding Achievement Bronze Award for 2017 from Keep Middlesex Moving and will be receiving \$2500 in merchandise from Keep Middlesex Moving to help educate the public as part of the street smart campaign. Mayor DiMura thanked the Borough Administrator who spearheaded this program with the help of Barbara Benson and Sherley Penrose.
5. Middlesex Certified with the Sustainable New Jersey Program – As of June 4 the Borough will be submitting an application for grants for this program, and we will be forming a “green team” which will include appointed members participating from the school, borough residents, businesses, health and social services, recreation, churches and civic groups. The Borough will be accumulating points to qualify for grants to do

sustainable energy projects throughout the borough. Mayor DiMura requested that he be sent an e-mail if you are interested in participating.

6. Mayor DiMura stated that now that the Economic Development Committee has been formed he will be asking the committee to look at the parking in the Redevelopment Plan and re-evaluate the 1.5 spaces per unit and also re-evaluate shared parking. The Mayor feels that we need to tighten up this area within the plan and also requested any ideas from the Council that he will forward to the committee, as this plan is a work in progress and we need to listen and hear the issues as projects are done and make sure any issues with the plan are corrected.

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### **REPORTS – STANDING COMMITTEES-NONE**

1. Finance/Taxation/Real Estate/Insurance/Public Utilities – Nothing to report
2. Recreation/Recreation Fields/Swim Pool/Community Celebrations – Nothing to report
3. Fire/OEM/Rescue Squad
  1. Councilman Madden made a motion to table accepting Joseph Richard Eckert as a Member of the Middlesex Fire Department seconded by Councilman Schueler and carried by a unanimous vote of Council.
4. Public Works/Buildings & Grounds/Recycling/Board of Health – Nothing to report
5. Police/Legal/Code Enforcement/Construction/Municipal Court
  1. Councilman Mikolajczyk reported that Lt. Frank DeNick graduated from the New Jersey State Association of Chiefs of Police (NJSACOP) Command & Leadership Academy. The participants attend class once a week for fourteen (14) weeks of academia geared towards leadership in the field of law enforcement. The training recognizes and identifies the challenges that law enforcement will face in the present as well as the future. The primary component of that commitment is the development of future police leaders. Lt. DeNick also received the New Jersey State Association of Chiefs of Police Command and Leadership Chief Harry Wilde Academic Achievement Award for Academic Excellence for receiving the highest academic average in his class.
  2. Councilman Mikolajczyk reported that Members of the Middlesex Borough Police Department, PBA Local 181, and the Mayor and Council invite you to join us for a Fishing Derby on Saturday, June 3rd, 2017. 9am-12pm. Registration will begin at 8:30am at Victor Crowell Park. This event is for all children in grades K-8th and spectators are welcome. Additional Details are available on the Middlesex Police Department website.
6. Administration/Department of Senior Services/Legislation/Licensing – Nothing to report

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### **PUBLIC COMMENTS**

Mayor DiMura opened the Public Portion of the Meeting for any public participation.

Helen McCrone, 202 Chestnut Street questioned the permit parking ordinance, how it will effect having visitors park and the blocks affected? Mayor DiMura indicated that he will be reaching out to the residents to discuss this permit parking, but visitor parking passes will be given out. The blocks that will be affected include Chestnut Street between A Street and E Street.

Rich Rutkowski, 211 Maple Street commented on the following (1) That it should state in the ordinance that residents of 150 Lincoln Boulevard cannot park on the permitted parking street. Attorney Aithal clarified the parking permit ordinance is correct as written. (2) Requested clarification of Ordinance 1919-17 and felt that the residents are getting hit with an additional sewer charge. Mayor DiMura explained that properties that use more than 120,000 gallons will pay a charge and because we have properties that have well water, we cannot regulate these properties like the properties with city water that are regulated by their water bill. Mayor DiMura explained that everyone has to pay their fair share of their surcharge. (3) Mr. Rutkowski questioned if the Planning Board was covered by state statute or local ordinance. Attorney Aithal stated that they are covered by Chapter 40 of the New Jersey State Statutes. (4) Mr. Rutkowski indicated that during the last election cycle Mayor DiMura and Councilman Schueler promised to keep our community safe, but he stated that in the past most town problem were in the apartments and feels that it is not a good idea to add more apartments. (5) Mr. Rutkowski felt that the Planning Board Attorney was one sided and horrible and threatened an ethics complaint. Attorney Aithal stated that it is troubling that there is a threat to file an attorney ethics complaint, as the Planning Board Attorney did her job as attorney for the board by advising the board what the law permits and prohibits. (6) Mr. Rutkowski questioned how the registered letter from Marshall Moran on the Pathmark property was handled by the Clerk's Office that put the property in receivership. Attorney Aithal indicated that it was handled as it should have been.

Lauri Smego, 311 Walnut Street (1) Discussed manager of apartments purchasing a house to install parking spots across Lincoln Boulevard and how it will effect residents crossing the street and traffic; (2) Concerned about permits as parking is weaning up B and C from Chestnut to Walnut; and (3) Discussed a possible drug issue on the first floor of the apartments; and (4) Not in favor of the apartments on the first floor of this building. Mayor DiMura mentioned that if they see that the parking issue extends further down the streets noted in the Ordinance, they will extend the parking permits. Also, Mayor DiMura recommended that if Ms. Smego feels that there is a drug issue a complaint should be made to the Police Department.

Claire Levourne, 809 Grandview Street thanked the Mayor for putting the Sustainable Green Team on the Agenda and has additional information about the green team. Mayor DiMura recommended that Ms. Levourne meet with the Borough Administrator to discuss her suggestions.

Rich Thomassey, 109 Green Avenue questioned if the Economic Development Committee is the Redevelopment Committee and also who wrote the matching grant that was obtained from the county for the athletic fields. Mayor DiMura indicated that the Economic Development Committee is the Redevelopment Committee and that the grant was sent by him in a letter

submitted to the County. Mayor DiMura stated that they will be on the field this week doing work on the lighting to have it ready for September.

Amy Flood, 351 Grant Avenue commented on the following (1) Would like to see Council kept abreast of what is going on regarding abatement applications in order to make good decisions in the future. Mayor DiMura indicated that the Tax Assessor and Redevelopment Attorney will address this for the governing body and if Ms. Flood has any information regarding this matter, please give to him for them to review. (2) Ms. Flood was concerned with the parking ordinance, resident's notification prior to the hearing, the management of permits and enforcement. Mayor DiMura indicated that this is the first step dealing with a problem that needs to be resolved and he noted her concern regarding notifying residents and mentioned that there will be a procedure that the Administrator, Chief and Clerk have worked on to implement this ordinance and what they will require. Mayor DiMura stated that we will do as much as we can to make sure that this runs smoothly, but it is a work in progress, and the Chief does not have any problem with regard to enforcement. We will work with the residents so that we make sure it accomplishes what we are trying to do. (3) Ms. Flood is concerned about the amount of times that Redevelopment Committee is scheduled to meet per year because there are many issues to address in the Redevelopment Plan. Mayor DiMura stated that he will recommend that the committee meet more than four times per year because there are many issues to address in the Redevelopment Plan. (4) Would like Redevelopment Committee to address Plan to change the number of parking spaces and be specific requiring more parking spaces per apartment, also reduce number of floors. (5) How does a resident make a request for the Committee to consider, and (6) Felt that a neutral traffic study should have been at the Planning Board for the Lincoln Boulevard Project. Mayor DiMura requested that Ms. Flood e-mail him with any recommendations and he will suggest them to the committee.

Lauri Smego, 311 Walnut Street – Expressed her concerned that Council should be aware of what will be put in the old Pathmark building, so that they are sure that it is something good for the community.

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

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The Borough Clerk read the following resolution:

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

**Consent Agenda 2017(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 wish to remove Resolution #133-17, Resolution #134-17 and Resolution #135-17 from this Consent Agenda.

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

Resolution #131-17 – Resolution #132-17  
Resolution #136-17 – Resolution #138-17

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

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The Borough Clerk read the following resolution:

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

**Resolution #131-17**

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

**WHEREAS**, On May 12, 2017 Chief Geist 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 "D" effective June 11, 2017 at an annual salary of \$79,605.

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The Borough Clerk read the following resolution:

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

**Resolution #132-17**

The Tax Collector is hereby authorized to refund payments made on 2015 Sewer accounts. The appeal committee reviewed the documentation provided and waived the amounts and recommends refunds for the following properties.

<u>Block</u>	<u>Lot</u>	<u>Amount</u>
71	3	\$258.98

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The Borough Clerk read the following resolution:

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

**Resolution #133-17**

The Tax Collector is hereby authorized to waive 2015 Sanitary Sewer Use Charges. The appeal committee reviewed the documentation provided and recommended the fees to be waived on the following properties:

<u>Block</u>	<u>Lot</u>	<u>Amount</u>
86.02	5	\$1542.62
166	37	\$90.09
22.02	2	\$22.52
196	27	\$315.28
22	3.36	\$146.38
99	13	\$123.86
40	48	\$765.68
71	3	\$258.98
86.08	1.01	\$934.58

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

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The Borough Clerk read the following resolution:

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

**Resolution #134-17**

The governing body hereby terminates Joe Galietti from the DPW (part time laborer) effective May 17, 2017.

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

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The Borough Clerk read the following resolution:

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

**Resolution #135-17**

The governing body hereby hires Kyle James Dotey, Middlesex as a part time DPW Employee effective June 5, 2017 at \$12.00 per hour, 28 hours per week, pending a satisfactory physical and background check.

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

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The Borough Clerk read the following resolution:

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

**Resolution #136-17**

The governing body approves the Mayor executing the Settlement of Grievance between the Borough of Middlesex and Local 255, United Services Workers Union regarding the grievance/pending arbitration (AR-2017-197) for Sally Lynch.

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The Borough Clerk read the following resolution:

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

**Resolution #137-17**

The governing body approves the Mayor executing an Agreement between the Borough of Middlesex and Local 255, United Services Workers Union regarding Michele Galek.

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The Borough Clerk read the following resolution:

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

**Resolution #138-17**

The governing body hereby hires Bertha Gonzalez Ospina as Custodian effective June 5, 2017 at \$15.00 per hour, 28 hours per week, pending a satisfactory physical and background check.

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The Borough Clerk read the following resolution:

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

**Resolution #139-17**

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

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## DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Clerical Staff for Police Department – A consensus of council was taken to approve the Police Department hiring a full time clerical employee.
2. Promotions for the Police Department – A consensus of council was taken to approve the Police Department beginning the process of police department promotions.
3. Warrentville Road Project – Mayor DiMura indicated that he has received many calls about the condition of Warrentville Road recently. The Borough has received a \$400,000 Grant from the NJDOT, but because of the hold on the road projects by the NJDOT, we are still waiting for the design of this project to be approved by the State, and unable to start the project until the design is approved.

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## PUBLIC COMMENTS ON WORKSHOP ITEMS-NONE

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The Borough Clerk read the following resolution:

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

### **Resolution #140-17**

**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. Purchasing Agent Position

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

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Councilman Madden moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by the following roll call vote.

## **ROLL CALL**

Mayor	Ron DiMura
Council President	Bob Schueler
	Dan Parenti (absent)

Kevin Dotey  
Patrick Corley (absent)  
John Madden  
Jack Mikołajczyk

Attorney: Aravind Aithal

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**ADJOURNMENT**

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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  
JUNE 13, 2017**

**MAYOR'S STATEMENT:** Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of December 28, 2016 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

**SALUTE TO THE FLAG**

**ROLL CALL**

Mayor	Ron DiMura
Council President	Bob Schueler
	Kevin Dotey (absent)
	Dan Parenti
	Patrick Corley (late)
	John Madden
	Jack Mikolajczyk
Attorney:	Aravind Aithal
Administrator:	Brandon Goldberg

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**PRESENTATIONS-NONE**

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**APPOINTMENTS-NONE**

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**PROCLAMATIONS-NONE**

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**NEW BUSINESS-NONE**

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**PUBLIC HEARING**

The Borough Clerk read Ordinance No. 1918-17 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

**ORDINANCE NO. 1918-17**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 317, PROPERTY MAINTENANCE, ARTICLE II USE AND CARE STANDARDS, TO INCLUDE ARTICLE III STRUCTURES DAMAGED OR DESTROYED BY FIRE, SECTION 317-16 TEMPORARY SAFEGUARDS**

**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:

Chapter 317 shall be amended to include the following:

**ARTICLE III  
STRUCTURES DAMAGED OR DESTROYED BY FIRE**

**§317-16 Temporary safeguards:** Notwithstanding any other provisions of this Chapter, whenever, in the opinion of the Fire Chief or his designee, any structure in the Borough has sustained damage due to a fire, immediately upon response to such fire, the Fire Chief or his designee may order the necessary work to be done to secure the structure from entry by persons, including the boarding-up of openings and/or fencing the perimeter of the structure(s), to render such structure temporarily safe as deemed necessary to meet such emergency. All costs incurred by the Borough in the performance of such emergency work, including labor and materials for boarding and/or fencing, shall be paid by the owner of the property upon demand thereof. Any unpaid amounts of such costs shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate as provided in Article II, §317-14, hereof.

**SECTION II.** This ordinance shall take effect upon final adoption and publication as required by law.

Mayor DiMura opened the Public Hearing on Ordinance No. 1918-17. Seeing that there was no public participation, Mayor DiMura closed the Public Hearing on Ordinance No. 1918-17.

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

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The Borough Clerk read Ordinance No. 1919-17 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

**ORDINANCE NO. 1919-17**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 332, SEWERS TO REPLACE ARTICLE II SERVICE CONNECTIONS AND CHARGES, SECTION 332-35D CONNECTION REQUIREMENTS**

**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:

Chapter 332-35D shall be amended to read as follows:

**ARTICLE II  
SERVICE CONNECTIONS AND CHARGES**

§332-35

D. All business and/or residences serviced in whole or in part by well water shall install a suitable device for continuously recording the flow of discharge to the municipal sewer system. Plans for complete metering installation shall be submitted to the municipality for approval.

**SECTION II.** This ordinance shall take effect upon final adoption and publication as required by law.

Mayor DiMura opened the Public Hearing on Ordinance No. 1919-17.

Rich Malt, 309 D Street questioned if this meter would go on the actual well, and this is not a cheap fix. If you meter water into the residence from the well it does the same thing and you could require them to put a seal and you would be doing the same thing you will do for residents now with city water. Mr. Malt felt that he would rather see the residents put a water meter on the well because that would be a lot less of an expense to the homeowner than what the ordinance is requiring.

Seeing that there was no further public participation, Mayor DiMura closed the Public Hearing on Ordinance No. 1919-17.

Mayor DiMura recommended to the governing body to table the ordinance as written and amend it to put a meter on the well rather than the sewer line. Council discussed amending this ordinance, and referred to the attorney who recommended that the he look at the verbiage, but based on dealing with the professionals they would prefer to have more accurate readings based on the outflow, as that is what we require of the businesses. Attorney Aithal recommended that council pull the ordinance and review the entire ordinance to see how to best address this issue.

Councilman Mikolajczyk made a motion to table Ordinance No. 1919-17 seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Parenti, Corley, Madden, Schueler and Mikolajczyk. No: None. Abstain: None.

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The Borough Clerk read Ordinance No. 1920-17 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

**ORDINANCE NO. 1920-17**

**BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS IN, BY  
AND FOR THE BOROUGH OF MIDDLESEX, NEW JERSEY,  
APPROPRIATING \$1,837,500 THEREFOR AND AUTHORIZING THE  
ISSUANCE OF \$1,745,625 BONDS OR NOTES OF THE BOROUGH FOR  
FINANCING PART OF SUCH APPROPRIATION**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than twothirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Borough Council of the Borough of Middlesex, New Jersey (the "Borough") has ascertained and hereby determines that it is necessary and desirable to raise money to finance the cost of the improvements described in Section 3 of this bond ordinance, which improvements are hereby authorized to be made or acquired by the Borough. For said improvements or purposes stated in said Section 3, there is hereby appropriated the sum of \$1,837,500, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$91,875 as the down payment for said improvements or purposes required by law and now available therefor by virtue of provisions for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$1,837,500 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,745,625 pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the New Jersey Revised Statutes (the "Local Bond Law"). In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in the principal amount not exceeding \$1,745,625 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are the following: (i) government meeting software for the Municipal Clerk's office; (ii) revaluation of real property for the Tax Assessor's office; (iii) improvements to the Community Center; (iv) acquisition and/or improvements to County radio system; (v) acquisition of various equipment for the Police Department including L-3 mobile vision recording system, defibrillators, oxygen tanks, rifle plates and carriers, riot shields and batons, ballistic helmets, ammunition cabinet and shelving and radio/computer equipment for new cars; (vi) computer for Prosecutor's office; (vii) padlock system for hallway door of Municipal Court; (viii) bunker gear and water rescue gear for the Fire Department; (ix) acquisition of garbage trucks; (x) acquisition of various equipment for Roads Department including bobcat skid steerer with attachments, F250 pick up truck and a new utility body and compressor; (xi) acquisition of various equipment for the Parks Department including F350 mason dump truck, grounds master 360 quad steer mower, broadcast spreader, york rake and new goal post for Cook Field; (xii) upgrades for Municipal Building; (xiii) acquisition of various computer equipment including computers for the Police Department, barracuda backup servers for the Police Department and computers for Borough Hall; and (xiv) mill and overlay for various roads in the Borough, together with all other work, materials and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes of the Borough to be issued for said purposes is \$1,745,625.

(c) The estimated cost of said purposes is \$1,837,500, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$91,875 down payment for said purposes.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and are properties or improvements which the Borough may lawfully acquire or make as

general improvements, and no part of the cost thereof has been or shall be specially benefited thereby.

(b) The period of usefulness of said purposes within the limitations of the Local Bond Law, according to the reasonable lives thereof computed from the date of said bonds or notes authorized by this bond ordinance, is 10.87 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete duplicate thereof has been electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs in the State of New Jersey (the "Division"), and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$1,745,625, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$2,021 for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:220 of the Local Bond Law is included in the estimated cost of said improvements.

Section 5. Any funds from time to time received by the Borough as contributions in aid of financing the improvements or purposes described in Section 3 of this bond ordinance, including any grants, shall be used for financing said improvements or purposes by application thereof either to direct payment of the cost of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Borough authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the cost of said improvements or purposes shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct and unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all of the taxable property within the jurisdiction of the Borough for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 7. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board of the Division showing all detail of the amended capital budget and capital program as approved by the Director of the Division, are on file with the Borough Clerk and are available for public inspection.

Section 8. The Borough intends to issue bonds or notes to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance. The Borough expects that the maximum principal amount of bonds or notes which will be issued to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance is \$1,745,625. If the Borough incurs any such costs prior to the issuance of the bonds or notes, the Borough intends to reimburse itself for such expenditures with the proceeds of the bonds or notes.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by the Local Bond Law.

Mayor DiMura opened the Public Hearing on Ordinance No. 1920-17. Seeing that there was no public participation, Mayor DiMura closed the Public Hearing on Ordinance No. 1920-17.

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

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The Borough Clerk read Ordinance No. 1921-17 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

### **ORDINANCE NO. 1921-17**

#### **AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 407, VEHICLES AND TRAFFIC, TO INCLUDE ARTICLE XXII PERMIT PARKING ONLY, SECTION 407-78 PROHIBITED PARKING; ISSUANCE OF PERMITS; SIGNS**

**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:

Chapter 407 shall be amended to include the following:

#### **ARTICLE XXII PERMIT PARKING ONLY**

##### **§407-78 Prohibited parking; issuance of permits; signs**

- A. In accordance with the provisions hereof, and subject to any other provision of this Chapter, parking of vehicles not displaying a Residential Parking Permit or Guest Parking Permit as required herein shall be prohibited at any time on the following streets:
- (1) Chestnut Street between A Street and E Street.
  - (2) A Street from Lincoln Boulevard to Chestnut Street.
  - (3) B Street from Lincoln Boulevard to Chestnut Street.
  - (4) C Street from Lincoln Boulevard to Chestnut Street.
  - (5) D Street from Lincoln Boulevard to Chestnut Street.
  - (6) E Street from Lincoln Boulevard to Chestnut Street.
- B. The residential parking permit program shall be administered and enforced by the Middlesex Borough Police Department. Each eligible resident shall be issued Residential Parking Permits for each vehicle registered to a residential address in Section A, above, and two (2) Guest Parking Permits per residence.
- C. All residents shall be required to complete the necessary documentary requirements and submit same to the Middlesex Borough Clerk's Office, Monday through Friday during normal working hours.

- a. As a condition to obtaining a parking permit, all residents shall be required to provide the following proof of residency:
  1. Proof of a valid New Jersey motor vehicle registration; the presented registration shall reflect an address in the Borough of Middlesex; and
  2. Proof of a valid automobile insurance card; the presented insurance card shall reflect an address in the Borough of Middlesex; and
  3. Proof of a valid New Jersey driver's license; the presented New Jersey driver's license shall reflect an address in the Borough of Middlesex; or
  4. Proof of ownership of property or legal tenancy in a residential dwelling unit located in the Borough of Middlesex.
- b. Guest Parking Permits shall be effective for a period of not more than three (3) consecutive calendar days, excluding designated State holidays. Any individual seeking to extend Guest Parking Permit privileges beyond the consecutive limit herein must first obtaining consent from the Middlesex Borough Police Department.
- c. Residential Parking Permits and/or Guest Parking Permits may not be sold or transferred and are valid only to the individual to whom such Permits are issued. Any misuse of permits will result in the immediate revocation of the permit plus fines. Misuse shall include but not be limited to the following occurrences:
  1. Transfer of permit from an authorized (permit purposes only) to an unauthorized vehicle.
  2. Misrepresentation in the permit application process.
- D. The appropriate signs, in accordance with specifications provided by the State of New Jersey shall be exhibited on the streets which are hereby designated for the purposes of advising the public as to the restrictions of parking on said streets.
- E. Residential Parking Permits and Guest Parking Permits shall expire on June 1st of each year of issue.

**§407-79 Violations and penalties.** For a violation of any provision of this article, the offender shall be liable to a penalty of not less than \$75 nor more than \$150 for a first violation. Any offender committing a second or subsequent violation shall be subject to a penalty of not less than \$150 nor more than \$200. The registered owner of the vehicle which is parked in violation of this article shall be liable for such violation, regardless of whether he/she caused the vehicle to be parked in violation of this article.

**SECTION TWO.** This ordinance shall take effect upon final adoption and publication as required by law.

Mayor DiMura opened the Public Hearing on Ordinance No. 1921-17. He explained recommendations that were obtained from the Police Chief to relieve the parking issue with the tenants from 150 Lincoln Boulevard parking on the side streets rather than the parking lot. The Police Chief reviewed issues and proposed his recommendation. Three options included: 1) Prohibit parking on all the streets; 2) Require Permit Parking on Chestnut Street between A and E Street and A-E Streets from Lincoln Boulevard to Chestnut Street; or 3) Leave the parking the way that it is.

Rich Malt, 309 D Street stated that he does not have a problem with permit parking because as an employee at Pumping Stations and also a firefighter he sees the difficulty when tractor trailers come into the lot off of B Street and make a swing to turn into their lot and pull out of C Street. It is difficult to make the swing. Also as a resident of D Street he feels that residents from Chestnut Street down will suffer if this parking pass ordinance is not approved.

Dana Perone, 408 Raritan Avenue, was told in the past that permit parking was not done in Middlesex, and on Raritan Avenue they have 2 hour parking in front of her house. She feels that this is not enforced and questioned why Raritan Avenue is not included in this ordinance. She feels that this will affect her street and would like Council to hold off on this ordinance and make changes to the ordinance like they are doing to the prior ordinance that was tabled. Ms. Perone was also concerned about any possible cost to residents for this permit parking, if they would be done by sticker, guest parking pass, and how large holiday gatherings will be handled. She is requesting that they have unlimited guest passes and for holidays to be excluded.

Mayor DiMura stated that this ordinance will address parking only from A-E Streets, and Raritan Avenue is a County Road and would need County approval to make changes. Mayor DiMura feels that if the permit parking affects Ashland and Chestnut they will then address it. Mayor DiMura indicated that there is no cost for these permits, they will be done by sticker with guest passes will be a placard. If you are having a family gathering, you can notify the Police Department.

Amy Flood, 351 Grant Avenue questioned if any council lived in the affected area. Also she feels that the problem would not have existed without 150 Lincoln Boulevard, and the developer has not provided enough parking. Ms. Flood discussed the cost associated with implementing the ordinance, which she included to be 1 hour per day of police enforcement, signs, acceptance of tickets and processing of them, and registration and reregistration of residential parking passes. She feels that the council will be voting on this ordinance prematurely and should look further into it before it is voted on.

Mayor DiMura indicated that we reached out to police department to find an option that was fair, and Chief Geist felt that this can be done with our police officers, without any additional employment. Renewals will be processed via e-mail with the residents checking boxes and sending it back. Signs will be done in house, for approximately \$25. The Mayor indicated that we do not have that many options, either leave it as is, have "no parking" or do permit parking and make it workable for residents. We are limited as to what we can do to legally remedy the problem.

Laurie Smego, 311 Walnut Street stated that the quality of life went down when the second apartments were approved. She is concerned that resident's freedom to come and go is taken away because they will now need parking stickers. She thinks that the parking on A Street was due to factory workers, but at the last election the street was packed from Lincoln to Chestnut and further down. The developer did not provide enough parking for all cars in the lot and there is nowhere for the cars to go.

Pat Bond, 311 Chestnut Street indicated that she routinely turns down C Street to visit her mother who is elderly and has a health aide. She feels also that this is a horrible turn. She agrees with the permit parking, but feels that the renewal process should be made as easy as possible for residents there. She is concerned about visitors staying over 3 days, and feels that she should not be monitored for her visitors, because if appropriately registered they should not have to call and extend their parking with the Police Department. Also, she is concerned that when you have a large family gathering how do you insure that they are not going to be ticketed.

Rich Rutkowski, 211 Chestnut Street mentioned that it is hard to digest that you are trying to alleviate this parking problem when 2 – 3 weeks ago it was made much worse.

Sue Connor, 25 C Street questioned how many parking permits will be given to each resident? Mayor DiMura indicated that it is based on the registered vehicles registered to your property.

Martha Negri, 23 C Street indicated that she has lived in her beautiful neighborhood for 55 years and now she has to worry about parking, guest parking, and fines. She feels that the apartment building was built before the parking problem was addressed.

Seeing that there was no further public participation, Mayor DiMura closed the Public Hearing on Ordinance No. 1920-17.

Councilman Schueler made a motion to amend Ordinance No. 1921-17 to change Section B from (2) Guest Parking Permits to (4) Guest Parking Permits and remove Section C(b) and replace Section C(c) with C(b) seconded by Councilman Parenti and carried by a unanimous vote of Council.

Councilman Schueler made a motion to withdraw the previous motion to amend the ordinance seconded by Councilman Madden and carried by the following roll call vote: Ayes: Parenti, Corley, Madden, and Mikolajczyk. No: Schueler. Abstain: None.

Councilman Mikolajczyk made a motion to table the ordinance seconded by Councilman Madden and carried by the following roll call vote: Ayes: Parenti, Corley, Madden, Schueler and Mikolajczyk. No: None. Abstain: None.

Mayor DiMura stated that a letter will be sent out to the effected residents regarding the parking passes.

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**ADOPTION OF MINUTES-NONE**

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**REPORTS**

1. 2017 DOT Grant – Mayor DiMura reported that the Borough has received a NJDOT Grant for Harris Avenue and Runyon Avenue in the amount of \$280,000.00.
  2. Fishing Derby - Mayor DiMura congratulated the Police Department for the great job that was done at the fishing derby held on Saturday, June 3. A good time was had by all!
  3. Clean Communities Grant - Middlesex Borough received \$27,358.42 from the Clean Communities Grant, which was one of the largest grants received for the towns that are our size.
  4. Mayor DiMura congratulated the Middlesex High School Baseball Team for winning the Group I State Championship. They will be honored at the June 27 Council Meeting.
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### **REPORTS – STANDING COMMITTEES-NONE**

1. Finance/Taxation/Real Estate/Insurance/Public Utilities – Nothing to report
  2. Recreation/Recreation Fields/Swim Pool/Community Celebrations
    1. Councilman Parenti reported that the Swim Pool Commission Open House that was held on Sunday, June 4 was a success.
  3. Fire/OEM/Rescue Squad
    1. Councilman Madden made a motion to accept Joseph Richard Eckert as a Member of the Middlesex Fire Department seconded by Councilman Schueler and carried by a unanimous vote of Council.
    2. Councilman Madden moved the approval of the April, 2017 Fire Chief Report seconded by Councilman Schueler and carried by a unanimous vote of Council.
  4. Public Works/Buildings & Grounds/Recycling/Board of Health – Nothing to report
  5. Police/Legal/Code Enforcement/Construction/Municipal Court – Nothing to report
  6. Administration/Department of Senior Services/Legislation/Licensing – Nothing to report
- 

### **PUBLIC COMMENTS**

Mayor DiMura opened the Public Portion of the Meeting for any public participation.

Sal Amato, 237 Hazelwood Avenue is concerned that the borough is giving an abatement to a complete stranger and he wants residents in the apartments that have children to pay their fair share. He also feels that there are three apartment buildings nearby, the Meridian in Bound Brook, one near the Bound Brook Hotel and also one on Church Street and is concerned that once the rent prices go down because of all of these complexes, the service goes down, and it will turn into a slum in 30 years. He is also concerned about the revaluation and school budget.

Rich Rutkowski, 211 Maple Street questioned who are the certain employees that are getting increases in the Salary Resolution. Also, who will be reading the meters that they are

discussing in Ordinance No. 1919-17. Mayor DiMura indicated that non-union borough employees are getting increases and that members of the DPW will be reading the meters.

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

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The Borough Clerk read the following resolution:

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

**Consent Agenda 2017(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 wish to remove Resolution #146-17, Resolution #152-17 and Resolution #156-17 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 #141-17 – Resolution #145-17  
Resolution #147-17 – Resolution #151-17  
Resolution #153-17 – Resolution 155-77

Councilman Schueler made a motion for approval seconded by Councilman Corley and carried by the following roll call vote: Ayes: Parenti, Corley, Madden, Schueler and Mikolajczyk. Nos: None. Abstain: None.

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The Borough Clerk read the following resolution:

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

**Resolution #141-17**

The Tax Collector is hereby authorized to adjust 2015 Sanitary Sewer Use Charges. The appeal committee reviewed the documentation provided and recommended the fees to be adjusted on the following property:

<u>BLOCK</u>	<u>LOT</u>	<u>OLD AMOUNT</u>	<u>NEW AMOUNT</u>
42	5	\$6733.48	\$5735.04

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The Borough Clerk read the following resolution:

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

**Resolution #142-17**

The Tax Collector is hereby authorized to waive 2015 Sanitary Sewer Use Charges. The appeal committee reviewed the documentation provided and recommended the fees to be waived on the following properties:

<u>BLOCK</u>	<u>LOT</u>	<u>AMOUNT</u>
257	7	\$1126.00
329	27	\$585.82
86.01	9	\$236.46
213	3	\$754.42

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The Borough Clerk read the following resolution:

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

**Resolution #143-17**

The Tax Collector is hereby authorized to waive 2015 Sanitary Sewer Use Charges. The appeal committee reviewed the documentation provided and waived the amounts and recommends a refund for the following property:

<u>Block</u>	<u>Lot</u>	<u>Amount</u>
306	8	\$780.68

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The Borough Clerk read the following resolution:

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

**Resolution #144-17**

**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 2017, as follows:

James L Benson	\$630.00	Patricia A Benson	\$648.00
445 Harris Ave		445 Harris Ave	
Middlesex, NJ 08846		Middlesex, NJ 08846	
Archie J Blood Jr	\$578.40	Margie L Blood	\$629.40
54 Lincoln Ave		54 Lincoln Ave	
Barnegat, NJ 08005		Barnegat, NJ 08005	
Anthony Cole	\$578.40	Susan Cole	\$578.40
246 Oak Dr		246 Oak Dr	
Middlesex, NJ 08846		Middlesex, NJ 08846	
Dorothy Coren	\$663.00	Joseph Coren	\$1,069.80
20 Mead Ave		20 Mead Ave	
Middlesex, NJ 08846		Middlesex, NJ 08846	
John Giuliano	\$578.40	John A Haverstick	\$730.80
339 Second St		771 County Rt 16	
Middlesex, NJ 08846		Mexico, NY 13114-3193	
Judith Lynch	\$730.80	Thomas Lynch	\$629.40
359 Market St		359 Market St	
Middlesex, NJ 08846		Middlesex, NJ 08846	
Charlie Nash	\$578.40	Jerome Nowak	\$578.40
213 Melrose Ave		1886 East Fir Ave, Apt	
Middlesex, NJ 08846		104	
		Fresno, CA 93720	

Arthur Roberts	\$578.40	Erica Schaefer	\$629.40
305 Harris Ave		58 Joe-Ent Rd	
Middlesex, NJ 08846		Flemington, NJ 08822	
Jerry Schaefer	\$629.40	Charles Sebastian	\$768.00
58 Joe-Ent Rd		512 Clinton Ave	
Flemington, NJ 08822		Middlesex, NJ 08846	
Lorraine Smith	\$578.40	Earl S Thompson	\$624.00
5602 Gold Ct		6525 41 Ave North	
New Bern, NC		St Petersburg, FL	
28560-9747		33709-4907	
Karen Thompson	\$624.00	James Tolomeo	\$629.40
6525 41 Ave North		841 West Second St	
St Petersburg, FL		Middlesex, NJ 08846	
33709-4907			
Rita Wahler	\$599.40	Roger Wahler	\$629.40
16 Fitzsimmons Ave		16 Fitzsimmons Ave	
Middlesex, NJ 08846		Middlesex, NJ 08846	

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The Borough Clerk read the following resolution:

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

**Resolution #145-17**

The application for renewal of Liquor Licenses for the year 2017-2018 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

1211-33-001-004

425 Bound Brook Road	
Rikjo Liquors, Inc. t/a Middlesex Liquor Store 708 Union Avenue	1211-44-005-003
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	1211-33-002-010
Carpaccio Ristorante Inc. 651 Bound Brook Road	1211-33-010-004
Cahoots, Inc. 624 Lincoln Boulevard	1211-33-003-003
John W. Lupu Memorial Post 306 The American Legion 707 Legion Place	1211-31-013-001
Timothy Kerwin's Inc. 353 Bound Brook Road	1211-33-009-003

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The Borough Clerk read the following resolution:

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

**Resolution #146-17**

The Governing Body hereby approves the hiring of the 2017 Summer Playground Staff listed below and the 2017 Happy Camper Substitutes and agrees to pay these employees the hourly rate indicated.

## 2017 SUMMER PLAYGROUND STAFF

Bennelt, Kristin	10.00
Buckley, Haley	9.09
Carmody, Annanda	10.00
Chismar, Chris	16.09
Cresitello, Michael	9.24
Devine, Natalie	8.80
Eustace, Will	9.24
Kyllonen, Haley	8.80
Lester, Stewart	8.80
Maioriello, Sara	8.80
May, Jarrett	8.80
McCrone, Bridget	8.80
Penrose, Katie	9.54
Pettit, Audrey	8.80
Smyth, Noah	8.80
Tackach, Kristie	9.09

## 2017 HAPPY CAMPER'S CLUB (SUBS)

Devine, Mallory	8.40
Pholwattana, Veronica	8.40
Farley, Kaitlyn	8.40

Councilman Madden made a motion for approval seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Corley, Madden, Schueler and Mikolajczyk. Nos: None. Abstain: Parenti.

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The Borough Clerk read the following resolution:

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

**Resolution #147-17**

The Tax Collector is hereby authorized to refund and/or credit 2016 taxes for qualified Senior Citizen, Disabled Person and Veteran deductions:

<b>BLOCK &amp; LOT</b>	<b>NAME &amp; ADDRESS</b>	<b>AMOUNT</b>
71/12	Slattery, Stephen M & Margaret R 56 Louis Avenue	\$250.00
71.01/18.01	Komskis, June 5 Weiss Drive	\$250.00
97/5	Delmont, Robert 318 Ambrose Avenue	\$250.00
139/21	Linder, Eric & Longenhagen, Christine 408 Walnut St	\$250.00
170/46	Robertson, Edward 417 Clinton Avenue	\$250.00
187/44.01	Spencer, Margie 340 Giles Avenue	\$250.00
188/17	Smith, Edgar A & Carol Ann 337 Giles Ave	\$250.00
209/72	Jones, Alexandria 5 Hickory Ct	\$250.00
303/61	Paul, Elaine 505 Lorraine Ave	\$500.00

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The Borough Clerk read the following resolution:

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

**Resolution #148-17**

The governing body hereby hires Kelsey Meixner as a permanent part time Administrative Assistant for the Recreation Department at \$12.00 per hour, 28 hours per week, pending a satisfactory background check and satisfactory drug/alcohol test effective June 19, 2017.

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The Borough Clerk read the following resolution:

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

**Resolution #149-17**

**WHEREAS**, The governing body hires Carmen Modica as the full time Purchasing Agent/ Administrative Assistant effective immediately at a salary of \$37,000 annually; and

**WHEREAS**, upon her passing the Principals of Purchasing Class II she will receive a \$5,000 increase; and

**WHEREAS**, upon her passing the Principals of Purchasing Class III she will receive an additional \$5,000 increase; and

**WHEREAS**, after becoming certified as a Qualified

Purchasing Agent, the Governing Body will review Ms. Modica's salary.

**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 Carmen Modica as the full time Purchasing Agent/ Administrative Assistant effective immediately at a salary of \$37,000 annually.
2. Ms. Modica will receive an increase of \$5,000 upon passing the Principals of Purchasing Class II and an additional \$5,000 upon passing the Principals of Purchasing Class III.
3. Ms. Modica's salary will be reviewed upon becoming certified as a Qualified Purchasing Agent.

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The Borough Clerk read the following resolution:

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

**Resolution #150-17**

**WHEREAS**, the County of Middlesex has received a grant from the State of New Jersey – Governor's Council on Alcoholism and Drug Abuse; and

**WHEREAS**, the County of Middlesex has provided the sum of \$20,965 to the Borough of Middlesex to be used for municipal alliance activities; and

**WHEREAS**, the Borough of Middlesex must provide matching funds cash and in-kind services in order to receive the above sum.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Middlesex, County of Middlesex, State of New Jersey hereby recognizes the following:

1. The governing body hereby authorizes the Mayor and Borough Clerk to execute the FY2018 Municipal Alliance Agreement for calendar year 2017-2018 which provides \$20,965 to the Borough to be used for municipal alliance activities.
2. This resolution shall take effect immediately.

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The Borough Clerk read the following resolution:

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

**Resolution #151-17**

**WHEREAS**, Chapter 254 of the Code of the Borough of Middlesex created the position of Private Property Maintenance Landscaping in the Borough of Middlesex; and

**WHEREAS**, the Zoning Officer has requested Basic Landscaping Services from any person who wishes to engage in business as a landscaper in the borough and to provide landscaping maintenance on private property in the borough; and

**WHEREAS**, the following applicant has met all the qualifications for this position:

K & J Maintenance & Construction  
Kevin Sempervive  
200 South Avenue  
Middlesex, NJ

**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 above applicant, as recommended by the Zoning Officer, to provide basic landscaping services on private property in the borough.
2. This resolution shall take effect immediately.

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The Borough Clerk read the following resolution:

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

**Resolution #152-17**

The Governing Body hereby authorizes the Mayor to execute the Proposal for Right-of-Way Use Agreement between Crown Castle NG East LLC and the Borough of Middlesex, New Jersey.

This Agreement authorizes Crown Castle NG East LLC to conduct business as a telecommunications company operating with infrastructure located in the borough public ways.

Councilman Madden made a motion for approval seconded by Councilman Corley and carried by the following roll call vote: Ayes: Parenti, Corley, Madden, Schueler and Mikolajczyk. Nos: None. Abstain: None.

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The Borough Clerk read the following resolution:

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

**Resolution #153-17**

**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 2017 be hereby fixed respectively as follows:

<u>Title</u>	<u>2017 Salary</u>
Borough Clerk	\$85,355.00
Deputy Borough Clerk	\$53,575.00
Deputy Tax Collector	\$45,940.00
Tax Collector	\$25,625.00
Chief Financial Officer	\$21,115.00
Treasurer	\$51,965.00
Tax Assessor	\$20,000.00
Court Administrator	\$63,696.00
Municipal Judge	\$35,259.00
IT Supervisor	\$84,406.00
DPW Supervisor	\$100,000.00
DPW Assistant Supervisor	\$90,948.00
Police Chief	\$147,646.00
Recreation Director	\$61,500.00
Recreation Asst Director	\$11,695.00
Recreation Committee Secretary	\$1,197.00

Office On Aging Director	\$61,973.00
Zoning Officer/Code Enforcer	\$56,375.00
Construction Official	\$28,782.00
Electrical SubCode Official	\$12,889.00
Board of Health Secretary	\$2,939.00
Shade Tree Secretary	\$2,558.00
Juvenile Conference Secretary	\$2,135.00

Finance Clerk	\$15.40
Construction Admin Assistant	\$14.00
Resale Certificate Inspector	\$27.44
Public Works Part Time 1	\$12.66
Public Works Part Time 2	\$12.30
Code Enforcement Assistant	\$13.32
Fire Inspector	\$41.00
Plumbing Inspector	\$41.00
Meals on Wheels Driver	\$12.91
Meals on Wheels Driver (Alternate)	\$12.66
Senior Medical Driver	\$14.24
Senior Van Driver	\$13.90
Toddler Playgroup Instructor	\$12.66
Toddler Playgroup Assistant	\$11.78

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The Borough Clerk read the following resolution:

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

**Resolution #154-17**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MIDDLESEX  
AUTHORIZING THE ACQUISITION OF A FIRE TRUCK AND THE FINANCING THEREOF**

**WHEREAS**, N.J.S.A. 40A:11-15 authorizes the Borough Council of the Borough of Middlesex (the "Borough") to enter into a contract exceeding the fiscal year for the leasing of motor vehicles, machinery and other equipment primarily used to fight fires; and

**WHEREAS**, the Borough has a need to acquire a fire truck in order to fight fires within the Borough (the "Equipment"); and

**WHEREAS**, the Borough desires to acquire the Equipment through competitive bidding from vendors; and

**WHEREAS**, the Borough desires to obtain financing for the acquisition of the Equipment through competitive bidding.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough as follows::

Section 1. The Borough hereby authorizes the Mayor, the Business Administrator, the Chief Financial Officer and McCarter & English, LLP, the Borough's Bond Counsel, to proceed to draft documents and conduct such other activities as are necessary to accomplish (a) the acquisition of the Equipment through the receipt of bids from vendors and (b) the receipt of bids for financing the acquisition of the Equipment.

[Section 2. Upon receipt of bids and the approval of the successful bidder for the Equipment, the Borough hereby directs the Chief Financial Officer to process the necessary purchase orders to acquire the Equipment in advance of receipt of bids for financing the acquisition of the Equipment. Such purchase orders shall be expressly subject to the condition that the Borough receives and accepts one or more bids for the financing of such Equipment. The award for the financing of the Equipment shall be an encumbrance against the 2017 budget.

Section 3. The Mayor and the Chief Financial Officer are hereby authorized and directed to determine all matters in connection with the acquisition and financing of the Equipment not determined by this or subsequent resolution of the Borough, as permitted by law.

Section 4. A copy of this resolution shall be placed on file with the Clerk of the Borough.

Section 5. The Borough hereby appoints the law firm of McCarter & English, LLP to provide the specialized legal services necessary in connection with the financing of the Equipment. The Clerk of the Borough is hereby authorized to cause to be printed any notice required in connection with such appointment.

Section 6. This resolution shall take effect immediately.

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The Borough Clerk read the following resolution:

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

**Resolution #155-17**

The Governing Body hereby approves the Construction Department waive the plumbing inspections fees for O L M V Church.

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The Borough Clerk read the following resolution:

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

**Resolution #156-17**

**SPECIAL ITEMS OF REVENUE AND APPROPRIATION**

**WHEREAS**, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Middlesex, County of Middlesex, hereby requests that the Director of Local Government Services approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$27,358.42, which item is now available as a revenue from the Clean Communities Grant Program in the amount of \$27,358.42;

**BE IT FURTHER RESOLVED** that the like sum of \$27,358.42 is hereby appropriated under the caption of "Clean Communities Grant Program"; and

**BE IT FURTHER RESOLVED** that the above is a result of a State Grant of \$27,358.42 from the Clean Communities Grant Program.

Councilman Schueler made a motion for approval seconded by Councilman Parenti and carried by the following roll call vote: Ayes: Parenti, Corley, Madden, Schueler and Mikolajczyk. Nos: None. Abstain: None.

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The Borough Clerk read the following resolution:

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

**Resolution #157-17**

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 adoption seconded by Councilman Corley and carried by the following roll call vote: Ayes: Parenti, Corley, Madden, Schueler and Mikolajczyk. No: None. Abstain: None.

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### **DISCUSSION ON AGENDA WORKSHOP ITEMS**

1. Proposal from RVE for the Demolition of the former PARSA Treatment Plant – Council approved a resolution be put on the June 27, 2017 Regular Meeting.
2. Proposal from RVE for Electrical Engineering services for a Power System Study at Borough Hall – Council approved a resolution be put on the June 27, 2017 Regular Meeting
3. Approving Leonard Vidal to take the Public Works Manager Course – Council approved Leonard Vidal to begin to take the Public Works Manager Course.
4. Emergency Radio Agreement – Mayor DiMura indicated that late last year he sat down with the County and they made us a proposal to transfer our emergency radio system to the County. The Borough was looking to make changes to our system within 2- 3 years, and the cost for these changes could have been as much as 2 million dollars per year if done on our own, but the County updated their system and gave the borough an opportunity to update their system without a significant cost.

Former Councilman Sean Kaplan attended the meeting and discussed the history of the radio system that has taken place over the last 7 years and the problems that have been encountered in the last few years with the radios. Mr. Kaplan discussed the Middlesex County Radio Network which will provide a P25 Phase II, 700/800 Megahertz, radio network with microwave redundancy for the purpose of improving public safety and public service communication and interoperability. The Middlesex County Radio Network will be controlled by the Middlesex County Department of Public Safety & Health, Radio Bureau Administrator. The County will provide the borough the infrastructure of the system at no cost, and the borough shall be responsible for their radio components (mobiles/portables//base station, etc.) and all associated costs for the maintenance, repair and upkeep of same. The Middlesex County P25 Public Safety Radio Communications Network is manufactured by Harris Corporation. Mr. Kaplan discussed all the benefits that are offered for the Fire Department, OEM and Police Department by utilizing the new P25 County Program and also by using the Harris Radios and the incentives that they are offering.

Mayor DiMura indicated that if Council approves this resolution this evening to execute the Agreement with Middlesex County, the borough will be able to place the order to Harris for radios and utilize the benefits that they are offering prior to July 1, 2017. Council agreed to move forward to vote on the Agreement.

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

### **Resolution #159-17**

The governing body hereby authorizes the Mayor and Borough Clerk to execute the Middlesex County Shared Radio Network Agreement between Middlesex County and the Borough of Middlesex for the purpose of improving public safety and public service communications and interoperability.

Councilman Mikolajczyk made a motion for approval seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Parenti, Corley, Madden, Schueler and Mikolajczyk. Nos: None. Abstain: None.

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### **PUBLIC COMMENTS ON WORKSHOP ITEMS-NONE**

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The Borough Clerk read the following resolution:

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

### **Resolution #158-17**

**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. Update on Piscataway Sewer
2. Per Diem Tax Collector
3. Deputy Registrar Stipend

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

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Councilman Madden moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by the following roll call vote.

### **ROLL CALL**

Mayor

Ron DiMura

Council President            Bob Schueler  
   Dan Parenti  
   Kevin Dotey (absent)  
   Patrick Corley  
   John Madden  
   Jack Mikolajczyk

Attorney:                      Aravind Aithal

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**ADJOURNMENT**

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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  
JUNE 27, 2017**

**MAYOR'S STATEMENT:** Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of December 28, 2016 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

**SALUTE TO THE FLAG**

**ROLL CALL**

Mayor	Ron DiMura
Council President	Bob Schueler
	Kevin Dotey
	Dan Parenti
	Patrick Corley (absent)
	John Madden
	Jack Mikolajczyk
Attorney:	Aravind Aithal
Administrator:	Brandon Goldberg

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**PRESENTATIONS**

Mayor DiMura recognized the Middlesex High School Baseball Team as the Central Jersey Group 1 State Champions.

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**APPOINTMENTS**

Mayor DiMura appointed James Celentano to the Economic Development Committee.

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**PROCLAMATIONS**

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**NEW BUSINESS**

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**PUBLIC HEARING**

The Borough Clerk read Ordinance No. 1919-17 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

**ORDINANCE NO. 1919-17**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER  
332, SEWERS TO REPLACE ARTICLE II SERVICE CONNECTIONS AND  
CHARGES, SECTION 332-35D CONNECTION REQUIREMENTS**

**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:

Chapter 332-35D shall be amended to read as follows:

**ARTICLE II  
SERVICE CONNECTIONS AND CHARGES**

§332-35

D. All business and/or residences serviced in whole or in part by well water shall install a suitable device for continuously recording the flow of discharge to the municipal sewer system. Plans for complete metering installation shall be submitted to the municipality for approval

**SECTION II.** This ordinance shall take effect upon final adoption and publication as required by law.

Mayor DiMura opened the Public Hearing on Ordinance No. 1919-17.

Richard Thomasey, 109 Greene Avenue questioned the time constraints on this ordinance, when does the ordinance take effect, and the cost to these residents to hook up and maintain these meters.

The Borough Attorney stated that the installation is an enforcement issue and shouldn't be enforceable until proper notice is given from the enforcement officer who has that discretion. Attorney Aithal did note that the Mayor can put a period by which all businesses and residences must be in compliance.

Mayor DiMura stated that the cost to put the meters on the sewer line would be costly. It would be a lot less expensive to put the meter where the water comes into the house but did not have the cost. Mayor DiMura discussed with Council and members all agreed to a 120 day compliance period.

Seeing that there was no further public participation, Mayor DiMura closed the Public Hearing on Ordinance No. 1919-17.

Councilman Madden made a motion to adopt Ordinance 1919-17 as amended seconded by Council President Schueler and carried by the following roll call vote: Ayes: Dotey, Parenti, Madden, Schueler and Mikolajczyk. No: None. Abstain: None.

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**ADOPTION OF MINUTES**

Council President Schueler made a motion to approve the May 23, 2017 and June 13, 2017 Regular & Executive Meeting Minutes seconded by Councilman Mikolajczyk and carried by the following vote: Ayes: Parenti, Madden, Schueler, and Mikolajczyk. No: None. Abstain: Dotey.

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## REPORTS

### Mayor's Report

1. Parking Permit Plan – Mayor stated that Councilman Mikolajczyk and his Council Committee will setup a meeting with the residents directly affected by Ordinance 1921-17 parking permits and get back to the Mayor within 45 days or August 15<sup>th</sup> for placement on the August 22, 2017 Regular Meeting Agenda.

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### REPORTS – STANDING COMMITTEES-NONE

1. Finance/Taxation/Real Estate/Insurance/Public Utilities
2. Recreation/Recreation Fields/Swim Pool/Community Celebrations
3. Fire/OEM/Rescue Squad
4. Public Works/Buildings & Grounds/Recycling/Board of Health
5. Police/Legal/Code Enforcement/Construction/Municipal Court

A. Councilman Mikolajczyk approval of the May, 2017 Police Report, seconded by Council President Schueler and carried by a unanimous vote of members present.

6. Administration/Department of Senior Services/Legislation/Licensing

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### PUBLIC COMMENTS

Mayor DiMura opened the Public Portion of the Meeting for any public participation.

Betty Platten, 4 Hooker Avenue stated that when looking at the agenda there has to be more going on then what's posted for the standing committees. She noted that she has no idea what's going on in town by this agenda.

Rich Rutkowski, 211 Maple Street questioned if the Borough on Jan. 26, 2016 gave Middlesex Fund One Limited Liability Corporation exclusive right to redevelop the Pathmark Properties.

Mayor DiMura stated that a resolution assigned them as the developer for redevelopment within the redevelopment plan per the requestor of the owner of the property at that time.

Mr. Rutkowski than noted that on April 26, 2016 Middlesex Fund One Limited Liability Corporation entered into an agreement with Naval Crest which is a bankrupt company. He questioned if the Governing Body knows anything about it. Mr. Rutkowski than stated a few months later in June there was a court order that Middlesex Fund One Limited Liability Corporation can't have anything to do with managing the property anymore and questioned if the Governing Body was aware of this.

Mayor DiMura stated that Mr. Rutkowski made us aware at previous meetings including the Planning Board meetings.

Mr. Rutkowski doesn't feel the Governing Body is taking this seriously if they don't know who the principles are in the Middlesex Fund One Limited Liability Corporation. He stated that everyone in this meeting knows it the Pinelli Brothers.

Mayor DiMura stated that he doesn't know everyone in the Corporation so he's not going to quote who they are. If Mr. Rutkowski wants him to find out, the Mayor will clearly do so and get back to him.

Mr. Rutkowski stated that he will keep digging and find out how we go from January 26, 2016 where we gave exclusive rights to where it winds up in a court order only a few months later.

Mr. Rutkowski also questioned if the Redevelopment Plan is a town ordinance and if it is why we are waiting for something else to happen. Why aren't we doing something about it? Why don't we rescind this ordinance and have another ordinance putting it on a hold for a while.

Mayor DiMura let our Borough Attorney explain but clarified that what Mr. Rutkowski is asking is if we could put a moratorium on the plan. Attorney Aithal explained the procedural changes so that redevelopment can take place explaining that the Governing Body makes a recommendation to the Planning Board and Planner to do a study in which the Planning Board has to act within 45 day. If they choose not to the Governing Body can do something unilaterally but they cannot do that until the Planning Board has an opportunity to study it. The law governing this is under 40:55D Municipal Land Use Law.

Rich Thomasey, 109 Greene Avenue questioned the timing from the Council to the Planning Board and then back to the Governing Body for final approval stating that there were only 8 days before the proposed change was made public and two weeks before adoption by council with the changes. Mr. Thomasey also sent a memo to the Governing Body with possible changes to the Lincoln Blvd. Redevelopment Plan which he requested made part of the minutes.

- 1. Parking Spaces    1 bedroom.....2 spaces  
                          up to 2 bedrooms.....2.3 spaces  
                          3 bedrooms.....3 spaces

- 2. All parking on site, with no shared parking.
- 3. Elimination of all possible Tax Abatement Programs.
- 4. Elimination of all 4 and 5 story apartment buildings.
- 5. Preference given to the development of owner occupied dwellings.
- 6. Every development in Middlesex, no matter the size, be reviewed by the new Economic Development Committee and Ethics Committee.

Amy Flood, 351 Grant Avenue questioned the procedure including the 45 day time period. She noted that if it did happen within the time period it would have taken place within a 4 week period. She also questioned if all changes will now go through the Economic Development

Committee and if the memo proposed by Rich Thomasey tonight will be sent to the Economic Development Committee and referred back to the Governing Body and then the Governing Body sends it to the Planning Board. Mayor DiMura agreed and also mentioned that there is a meeting on Wednesday night of this new ad hoc committee called the Economic Development Committee at the Library at 7:00 p.m.

Rich Thomasey, 109 Greene Avenue stated that having the Planning Board Meeting and the Economic Development Committee Meeting on the same night was not a good idea. Mayor DiMura noted that the Chairman Jim Benson will be discussing future dates at that meeting.

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

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The Borough Clerk read the following resolution:

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

**Consent Agenda 2017(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 wish to remove Resolution #160-17-17, Resolution #164-17 and Resolution #168-17 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 #161-17 – Resolution #163-17  
Resolution #165-17 – Resolution #167-17  
Resolution #169-17

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

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The Borough Clerk read the following resolution:

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

**Resolution #160-17**

The Governing Body hereby approves Leonard Vidal to enroll in the Certified Public Works Manager's Program offered by Rutter's Center for Government Services in an amount not to exceed \$2,500 for 2017.

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

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The Borough Clerk read the following resolution:

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

**Resolution #161-17**

The Governing Body hereby approves combining the Deputy Clerk and Deputy Registrar's position making the combined salary for 2017 at \$56,514 effective immediately.

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The Borough Clerk read the following resolution:

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

**Resolution #162-17**

**WHEREAS**, the governing body received a proposal from Remington & Vernick Engineers dated February 7, 2017 for the Demolition of the former Treatment Plant (PARSA property); and

**WHEREAS**, the proposal for this project include:

1. Engineering Design/Bid Documents	\$16,400.00
2. Bidding Phase Services	\$ 1,600.00
3. Construction Observation & Contract Mgmt.	\$10,500.00

**TOTAL COST** **\$28, 500.00**

**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. The governing body hereby approves the proposal from Remington & Vernick Engineers dated February 7, 2017 for the Demolition of the former Treatment Plant (PARSA property) in the total amount of \$28,500.00.
2. This resolution shall take effect immediately.

**NOW FURTHER BE IT RESOLVED**, that the Treasurer hereby certifies that funds in the amount of \$28,500.00 are available in Account No. 7-01-20-165-000-112.

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The Borough Clerk read the following resolution:

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

**Resolution #163-17**

**WHEREAS**, the governing body received a proposal from Remington & Vernick Engineers dated March 1, 2017 for the Electrical Engineering Services for a Power System Study at the Borough Hall; and

**WHEREAS**, the proposal for this project include:

1.	Onsite Survey & Inspection	\$ 9,200.00
2.	Assessment & Calculations	\$ 7,120.00
3.	Deliverables	\$16,280.00
	<b>TOTAL COST</b>	<b>\$32,600.00</b>

**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 Remington & Vernick Engineers dated March 1, 2017 for the Electrical Engineering Services for a Power System Study at Borough Hall in the total amount of \$32,600.00.
2. This resolution shall take effect immediately.

**NOW FURTHER BE IT RESOLVED**, that the Treasurer hereby certifies that funds in the amount of \$32,600.00 are available in Account No. 7-01-20-165-000-112.

---

The Borough Clerk read the following resolution:

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

**Resolution #164-17**

The governing body hereby hires Diane Roy as a full time secretary for the Police Department at an annual salary of \$38,164.37, pending a satisfactory background check and satisfactory drug/alcohol test effective July 10, 2017.

Councilman Dotey made a motion as amended to change the position to secretary and include the name hired Diane Roy for approval seconded by Councilman Mikolajczyk and carried by the following roll call vote: Ayes: Dotey, Parenti, Madden, Schueler and Mikolajczyk. No: None. Abstain: None.

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The Borough Clerk read the following resolution:

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

**Resolution #165-17**

**SPECIAL ITEMS OF REVENUE AND APPROPRIATION**

**WHEREAS**, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Middlesex, County of Middlesex, hereby requests that the Director of Local Government Services approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$20,965.00, which item is now available as a revenue from the Municipal Alliance Grant Program in the amount of \$20,965.00;

**BE IT FURTHER RESOLVED** that the like sum of \$20,965.00 is hereby appropriated under the caption of "Municipal Alliance Grant Program"; and

**BE IT FURTHER RESOLVED** that the above is a result of a State Grant of \$20,965.00 from the Municipal Alliance Grant Program.

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The Borough Clerk read the following resolution:

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

**Resolution #166-17**

**SPECIAL ITEMS OF REVENUE AND APPROPRIATION**

**WHEREAS**, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Middlesex, County of Middlesex, hereby requests that the Director of Local Government Services approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$64.34, which item is now available as a revenue from the Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund in the amount of \$64.34;

**BE IT FURTHER RESOLVED** that the like sum of \$64.34 is hereby appropriated under the caption of "Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund"; and

**BE IT FURTHER RESOLVED** that the above is a result of a State Grant of \$64.34 from the Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund.

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The Borough Clerk read the following resolution:

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

**Resolution #167-17**

**SPECIAL ITEMS OF REVENUE AND APPROPRIATION**

**WHEREAS**, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Middlesex, County of Middlesex, hereby requests that the Director of Local Government Services approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$2,000.00, which item is now available as a revenue from the Middlesex County Office of Aging Information & Assistance Grant in the amount of \$2,000.00;

**BE IT FURTHER RESOLVED** that the like sum of \$2,000.00 is hereby appropriated under the caption of "Middlesex County Office of Aging Information & Assistance Grant"; and

**BE IT FURTHER RESOLVED** that the above is a result of a County Grant of \$2,000.00 from the Middlesex County Office of Aging Information & Assistance Grant.

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The Borough Clerk read the following resolution:

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

**Resolution #168-17**

The Governing Body hereby approves hiring Anthony Vietri, Middlesex, New Jersey as a part time Code Enforcement Inspector for 10 hours per week at \$12.00 per hour pending a satisfactory background check and driving abstract.

Council President Schueler made a motion as amended to include a satisfactory background check for approval seconded by Councilman Mikolajczyk and carried by the following roll call vote: Ayes: Dotey, Parenti, Madden, Schueler and Mikolajczyk. Nos: None. Abstain: None.

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The Borough Clerk read the following resolution:

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

**Resolution #169-17**

The Governing Body hereby approves the hiring of the following 2017 Summer Playground Staff Substitutes:

Jones, Catherine	\$8.40 per hour
Zayle, Rebecca	\$8.40 per hour
Zayle, Jacquelyn	\$8.40 per hour

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The Borough Clerk read the following resolution:

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

**Resolution #170-17**

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 adoption seconded by Councilman Mikolajczyk and carried by the following roll call vote: Ayes: Dotey, Parenti, Madden, Schueler 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 #171-17**

**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 and action may be taken on any items listed below.

**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. Economic Development Specialist
2. OLMV

3. Fire Subcode Official

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

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**DISCUSSION ON AGENDA WORKSHOP ITEMS**

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**PUBLIC COMMENTS ON WORKSHOP ITEMS**

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Councilman Madden moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by the following roll call vote.

**ROLL CALL**

Mayor	Ron DiMura	
Council President	Bob Schueler	
	Dan Parenti	
	Kevin Dotey	
	Patrick Corley	Absent
	John Madden	
	Jack Mikolajczyk	
Attorney:	Aravind Aithal	

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The Borough Clerk read the following resolution:

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

**Resolution #172-17**

The Governing Body hereby approves Colin Driver as the Economic Development Specialist/ Consultant at an hourly rate of \$175.00 per hour for an amount not to exceed \$75,000.00 for year 2017 effective immediately.

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

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The Borough Clerk read the following resolution:

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

**Resolution #173-17**

The Governing Body hereby approves the Mayor and Borough Clerk executing the Shared Use Lease Agreement between Our Lady of Mount Virgin Parish and the Borough of Middlesex.

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

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The Borough Clerk read the following resolution:

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

**Resolution #174-17**

The Governing Body hereby terminates the Fire Sub-Code Official Bill Donnerstag effective immediately.

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

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**ADJOURNMENT**

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Council President 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  
JULY 11, 2017**

**MAYOR'S STATEMENT:** Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of December 28, 2016 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

**SALUTE TO THE FLAG**

**ROLL CALL**

Mayor	Ron DiMura
Council President	Bob Schueler
	Kevin Dotey
	Dan Parenti
	Patrick Corley (late)
	John Madden
	Jack Mikolajczyk
Attorney:	Aravind Aithal
Administrator:	Brandon Goldberg

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**PRESENTATIONS-NONE**

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**APPOINTMENTS-NONE**

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**PROCLAMATIONS-NONE**

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**NEW BUSINESS-NONE**

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**PUBLIC HEARING-NONE**

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**ADOPTION OF MINUTES**

Councilman Dotey moved the approval of the June 27, 2017 Regular & Executive Meeting Minutes seconded by Councilman Schueler and carried by a unanimous vote of Council.

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**REPORTS-NONE**

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**REPORTS – STANDING COMMITTEES**

1. Finance/Taxation/Real Estate/Insurance/Public Utilities
  - A. Councilman Schueler reported that the Finance committee reviewed the current budget as of the end of June 30, 2017. As a whole the salary and expense figures, we are at 54%. While this is greater than the 50% of the year that we are at, there are some expenses that we have already paid in full and will not have further money coming out for the year. Specifically the PFRS Police and Fire Pension contribution

which is over 700,000, and PERS Public Employee Pension contribution of over 300,000. Also the reserve for uncollected taxes nearly 800,000 has also been paid. We have some other line items that are over 50% including the Code Enforcement for Vacant Property. While we have spent over 18,000 and our budget was 10,000 we have received over 7K in repayments we will continue to receive receipts from tax liens

A few other line items appear to have been mislabeled. Specifically Parks where there appears to have been some items entered under miscellaneous when there was a specific line item for the purchase. It appears that infield mix was purchased and charged to miscellaneous. We need to make sure that items are properly charged to the appropriate line item so that in future budgets we can have a better idea of what the borough departmental needs are and budget more accurately. There is some concern with some of the DPW line items specifically tire purchases and vehicle maintenance, for Garbage and Roads. Garbage also has well overspent on miscellaneous. We need to make sure that if these are miscoded, these need to be adjusted, if not we need to determine what these expenses were so we can establish new line items. Sewers outside maintenance is 5800 over budget, also why have no basin repairs nor root control been utilized? Natural Gas is a concern, we have already used 83% of the authorization. Overall, we are operating well within our budget parameters. Our revenue is well within our projections.

It is recommended that the department head as well the administrator and the treasurer all be mindful of attributing expenses to the correct line items. Further the finance committee requests that in the PO folder on the front cover there be applied a list of all the department budget codes so we can have a better idea of where expenses are being attributed to.

2. Recreation/Recreation Fields/Swim Pool/Community Celebrations

1. Councilman Parenti moved the approval of the May and June, 2017 Recreation Director's Report seconded by Councilman Madden and carried by a unanimous vote of Council.
2. Summer Playground – June 26 – August 4
3. Movies in the Park – July 14 – Pete's Dragon
4. Soccer Registration – Due August 1
5. Community Day – August 19 – 4-9PM

3. Fire/OEM/Rescue Squad

1. Councilman Madden's made a motion to approve the Fire Chief's Report for May, 2017 and Fire Department Report seconded by Councilman Schueler and carried by a unanimous vote of Council.
2. Council approved the resignation of Roger Talavera from Parker Engine & Hose and accepted him as an active member of Beechwood Heights Fire Department.
3. Councilman Madden moved to accept the resignation of Holly Goldman from Parker Engine & Hose and the Middlesex Fire Department effective June 12, 2017.

4. Council approved accepting Cody Tindle as a junior member of the Middlesex Fire Department
  5. Council approved Sean Kaplan as a qualified driver of Truck 18 for 2017.
  6. Councilman Madden reported that Dan DeSignore is taking a 3 month leave of absence effective June 9, 2017 and Colleen Dooley is taking a 6 month leave of absence effective immediately.
  7. Councilman Madden reported that The Shade Tree Commission discussed amending Chapter 395-8 of the Borough Code entitled Violations and Penalties for removing a Shade Tree without the consent of the Commission and would like to increase the violation from \$200 to \$700 plus the cost to replace with a new tree. Also, they would like it stated in the ordinance that the Code Enforcer be listed as the enforcement officer issuing the violation. The Shade Tree Commission would like council to amend this ordinance. Mayor DiMura stated that this amendment would be discussed at the next meeting and requested back up from Councilman Madden.
- 
4. Public Works/Buildings & Grounds/Recycling/Board of Health
    - A. Councilman Corley moved the approval of the DPW Report seconded by Councilman Madden and carried by a unanimous vote.
    - B. DPW has been involved in renovation work at Borough Hall, removing and replacing old sidewalks going to front door entrance of Borough Hall, adding new roof drainage and basin, regrading side lawn area where trees were removed and installing new stone beds along new fencing and new sidewalk area.
    - C. DPW has also been involved in various room restorations in Borough Hall – moving furniture, painting and spackling and adding new base and chair rail molding in various rooms, and doing other various repairs in updating some of the old and out dated areas of the building.
    - D. DPW has been involved in maintaining Victor Crowell Park ( the lake ) for events such as the Memorial Day Parade, 9/11 Monument services, and the Fishing Derby held by Middlesex PD, and also of course for the daily use by the Borough Residents. We have trimmed bushes and trees put down new mulch and wood chips and also power washed all decks and dock areas with our new mobile power washing unit, we are also involved with installing and maintaining aerators in lake which involves removing them in the fall and reinstalling them in the Spring and maintaining electrical pump panels in the boat house.
    - E. DPW has Renovated the Horse shoe pits in Mt. View Park/we repaired all the cracks in the surface area/we repainted the surface area of the horse shoe pits to match the basketball and tennis courts/we did new striping of the entire horse shoe pit area (24 pits)/we also removed and installed new backboards for all the pits in each court.
    - F. DPW has been involved in Maintaining and Decorating the Gazebo in Mt. View Park for all Holidays and Special occasions.
    - G. DPW is involved in making and maintaining all signs throughout the Borough whether they be on Public Buildings or street signs of all various types, we work closely with the Police Dept.in the event that signs are damaged or gone missing so they can be replaced or fixed as soon as possible. The Public's help is also greatly appreciated if they notice damaged or missing signs .... Please call.
    - H. DPW as usual is involved with everyday services for Borough Residents such as Garbage pickup, Bulk pick up, grass bag and branch pick up, street sweeping,

pothole repair and up keep of all our Parks, Ballfields, and Public areas and Buildings, a list of our Services can be found on the Web Site but also feel free to call Public Works Dept. directly if there is a need or concern that needs to be addressed. Once again if you see something say something and we will do our best to HELP!

5. Police/Legal/Code Enforcement/Construction/Municipal Court
  - A. Councilman Mikolajczyk reported that National Night Out is scheduled for August 1.
  - B. Councilman Mikolajczyk stated that at the next meeting he will be providing the 6 month summary for the Police Department and Court
6. Administration/Department of Senior Services/Legislation/Licensing

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## PUBLIC COMMENTS

Mayor DiMura opened the Public Portion of the Meeting for any public participation.

Rich Rutkowski, 211 Maple Avenue questioned if there was anything that has come before the Economic Development Committee regarding the 5 items discussed last meeting with Mr. Thomasey. Mayor DiMura responded that this will be discussed with the Committee at their next meeting in July. Mr. Rutkowski also indicated that the ordinance adopted for the Economic Development Committee states that they are to advise and assist the Mayor, not the governing body, which would put everything in the Mayor's hands. Mayor DiMura said that the committee will make recommendations, and he will present the recommendations to the governing body, which will make decisions. Mr. Rutkowski also questioned the \$100,000 that Pinelli paid to take ownership for the low income housing for 150 Lincoln Boulevard, where is the money, and if Mayor DiMura can find out by the next meeting who are the principles of the Middlesex Fund 1 Limited Liability Corporation. Mayor DiMura indicated that the funds are being held in trust for affordable housing within the borough, and he would look into the principles of the Middlesex Fund 1 Limited Liability Corporation for Mr. Rutkowski. Also, on behalf of Amy Flood, he questions if members of the Economic Development Committee would be posted on the website shortly. Mayor DiMura stated that these members will be on the borough website within the next week.

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

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The Borough Clerk read the following resolution:

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

### Consent Agenda 2017(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 #176-17, Resolution #183-17, Resolution #184-17 and Resolution #185-17 from this Consent Agenda.

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

Resolution #175-17  
Resolution #177-182

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

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The Borough Clerk read the following resolution:

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

**Resolution #175-17**

The Governing Body hereby authorizes the Mayor to execute the Contract with Garden State Fireworks, Inc. for a Firework Display at the Community Day on August 19, 2017 in the amount of \$25,000.

The Treasurer certifies funds in the amount of \$25,000 are available in Account No. 7-01-30-420-001-138.

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The Borough Clerk read the following resolution:

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

**Resolution #176-17**

**WHEREAS**, two bids were received on June 20, 2017 for the proposal for tree removal/trimming and stump grinding; and

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

	Predator Tree Svc	Rich Tree Svc
Item #1 Tree Removal/Trimming	125.00	124.00
Item #2 Stump Grinding	3.00	10.00
Item #3 Daily Rate	800.00	1,000.00

**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 6/1/2017 – 5/31/2018, subject to the appropriation of funds in the 2017 and 2018 budget.
2. This resolution shall take effect immediately.

**NOW FURTHER BE IT RESOLVED**, that the Treasurer hereby certifies funds are appropriated in the 2017 adopted budget.

Councilman Dotey made a motion for approval as amended to change the term of the contract seconded by Councilman Parenti and carried by the following roll call vote: Ayes: Dotey, Parenti, Corley, Madden, Schueler and Mikolajczyk. Nos: None. Abstain: None.

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The Borough Clerk read the following resolution:

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

**Resolution #177-17**

The governing body hereby approves the closure of Pierrepont Avenue from Hancock Street to Wellington Street on July 29, 2017 for their Little League Picnic.

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The Borough Clerk read the following resolution:

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

**Resolution #178-17**

The governing body hereby hires Christine Curtis, Iselin, New Jersey as a per diem tax assistant for the Tax Office at \$40.00 per hour for a maximum of \$1000.00 per month effective immediately.

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The Borough Clerk read the following resolution:

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

**Resolution #179-17**

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MIDDLESEX  
AUTHORIZING THE EXTENSION OF THE GRACE PERIOD FOR THIRD QUARTER TAXES  
DUE ON AUGUST 1, 2017 TO AUGUST 23, 2017**

**WHEREAS**, 2017 Third Quarter Taxes are payable on August 1, 2017; and

**WHEREAS**, the grace period for payment without interest extends through August 23, 2017; and

**WHEREAS**, it is deemed that the grace period be extended due to the late mailing of the 2017 Final Tax Bills;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Middlesex, County of Middlesex, State of New Jersey, that the grace period for the payment of 2017 Third Quarter be extended through August 23, 2017; and

**BE IT FURTHER RESOLVED** that any Third Quarter Tax payments received after August 23, 2017 shall accrue interest from the statutory due date of August 1, 2017.

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The Borough Clerk read the following resolution:

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

**Resolution #180-17**

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

**WHEREAS**, On June 30, 2017 Chief Geist 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 "C" effective July 10, 2017 at an annual salary of \$88,643.

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The Borough Clerk read the following resolution:

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

**Resolution #181-17**

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

**WHEREAS**, On June 30, 2017 Chief Geist recommended Police Officer Anthony Painchaud 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 Anthony Painchaud be and is hereby advanced in grade to Patrolman Class "F" effective July 20, 2017 at an annual salary of \$61,530.

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The Borough Clerk read the following resolution:

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

**Resolution #182-17**

The Governing Body hereby approves removing Block 108, Lot 15 in the amount of \$341.54 from the scheduled Tax Sale on July 12, 2017 due to an error.

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The Borough Clerk read the following resolution:

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

**Resolution #183-17**

**RESOLUTION TO RESCIND RESOLUTION #102-17 ENTITLED "RESOLUTION TO ADOPT 2017 BUDGET" WHICH WAS ADOPTED AT THE APRIL 25, 2017 BOROUGH OF MIDDLESEX COUNCIL MEETING.**

**WHEREAS**, the Borough Council adopted Resolution #102-17 during the April 25, 2017 Borough Council Meeting; and

**WHEREAS**, because of procedural requirements in the adoption of municipal budgets, it is hereby necessary to rescind said Resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Middlesex, County of Middlesex and State of New Jersey, that Resolution #102-17 be and is hereby rescinded.

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

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The Borough Clerk read the following resolution:

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

**Resolution #184-17**

**BOROUGH OF MIDDLESEX  
MIDDLESEX COUNTY, NEW JERSEY  
RESOLUTION TO AMEND BUDGET**

WHEREAS, the local municipal budget for the year 2017 was approved on the 28<sup>th</sup> day of March,

2017, and;

WHEREAS, the public hearing on said budget has been held as advertised, and;

WHEREAS, it is desired to amend said approved budget;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Middlesex, County of Middlesex, that the following amendments to the approved budget of 2017 be made:

**CURRENT FUND -  
ANTICIPATED  
REVENUES**

	<u>From</u>	<u>To</u>
<b>1. Surplus Anticipated</b>	<u>2,022,988.00</u>	<u>1,886,616.88</u>
<b>5. Subtotal General Revenues</b>	<u>7,095,902.58</u>	<u>6,959,531.46</u>
<b>7. Total General Revenues</b>	<u>19,802,516.0</u> <u>0</u>	<u>19,666,144.8</u> <u>8</u>

**CURRENT FUND  
APPROPRIATION**  
**S**

	<u>From</u>	<u>To</u>
<b>(A) Operations - within "CAPS"</b>		
Employee Group Insurance	2,530,000.00	2,393,628.88
<b>Total Operations {Item 8(A)} within "CAPS"</b>	<u>12,227,370.0</u> <u>0</u>	<u>12,090,998.8</u> <u>8</u>
<b>B. Contingent</b>		
<b>Total Operations Including Contingent</b>		

<b>within</b>	<u>12,255,370.0</u>	<u>12,118,998.8</u>
<b>"CAPS"</b>	<u>0</u>	<u>8</u>
<b>(E) Deferred Charges and Statutory Expenditures -</b>		
<b>Municipal within "CAPS"</b>		
<b>(H-1) Total General Appropriations for Municipal</b>		
<b>Purposes within "CAPS"</b>	<u>13,569,848.0</u>	<u>13,433,476.8</u>
	<u>0</u>	<u>8</u>
<b>(L) Subtotal General</b>		
<b>Appropriations</b>		
<b>{Items</b>		
<b>(H-1)</b>		
<b>and</b>	<u>18,927,516.0</u>	<u>18,791,144.8</u>
<b>(O)}</b>	<u>0</u>	<u>8</u>
<b>(M) Reserve</b>		
<b>for</b>		
<b>Uncollected</b>		
<b>Taxes</b>		
<b>9. Total General Appropriations</b>	<u>19,802,516.0</u>	<u>19,666,144.8</u>
	<u>0</u>	<u>8</u>

BE IT FURTHER RESOLVED, that two (2) certified copies of this resolution be filed forthwith in

the Office of the Director of the Division of Local Government Services for certification of the 2017

local municipal budget so amended.

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

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The Borough Clerk read the following resolution:

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

**Resolution #185-17**

BOROUGH OF MIDDLESEX

COUNTY OF MIDDLESEX

RESOLUTION TO ADOPT 2017 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) \$12,221,626.42 (Item 2 below) for municipal purposes
- (e) \$ 484,987.00 (Item 5 below) Minimum Library Tax

Current Fund:

SUMMARY OF REVENUES

# General Revenues	
Surplus Anticipated	\$ 1,886,616.88
Miscellaneous Revenues Anticipated	4,422,914.58
Receipts from Delinquent Taxes	650,000.00
# Amount to be Raised by Taxation for Municipal Purposes	
(Item 6[a], Sheet 11)	12,221,626.42
# Amount to be raised by taxation minimum library levy	484,987.00
	<hr/>
Total Revenues	\$19,666,144.88
	<hr/>

SUMMARY OF APPROPRIATIONS

# General Appropriations:

    Within  
    "CAPS"

(a&b) Operations Including Contingent	12,118,998.88
(e) Deferred Charges and Statutory Expenditures - Municipal	1,314,478.00
(f) Judgments	
Excluded from "CAPS"	
(a) Operations - Total Operations Excluded from "CAPS"	2,602,167.00
(c) Capital Improvements	80,000.00
(d) Municipal Debt Service	2,310,501.00
(e) Deferred Charges - Municipal	365,000.00
(m) Reserve for Uncollected Taxes	875,000.00
	<hr/>
Total Appropriations	\$19,666,144.88
	<hr/>

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 11th day of July, 2017. 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 2017 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

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

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The Borough Clerk read the following resolution:

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

**Resolution #186-17**

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

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**DISCUSSION ON AGENDA WORKSHOP ITEMS-NONE**

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The Borough Clerk read the following resolution:

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

**Resolution #187-17**

**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 Interviews for Captain Position

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

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Councilman Madden moved to reconvene the Regular Meeting seconded by Council President Schueler and carried by the following roll call vote.

**ROLL CALL**

Mayor	Ron DiMura
Council President	Bob Schueler
	Dan Parenti
	Kevin Dotey
	Patrick Corley
	John Madden

Jack Mikolajczyk

Attorney:

Aravind Aithal

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The Borough Clerk read the following resolution:

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

**Resolution #188-17**

**WHEREAS**, the position of Captain at the Borough is vacant; and

**WHEREAS**, the Borough Council has authorized the interview of candidates to fill said position; and

**WHEREAS**, Lieutenant Frank DeNick has met the qualifications and standards to fill such position.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that Lieutenant Frank DeNick be and is hereby promoted and offered the position of Captain effective July 12, 2017 at an annual salary of \$130,690.00.

Council President Schueler made a motion for adoption seconded by Councilman Corley and carried by the following roll call vote: Ayes: Dotey, Parenti, Corley, Madden, Schueler and Mikolajczyk. No: None. Abstain: None.

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**ADJOURNMENT**

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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  
JULY 25, 2017**

**MAYOR'S STATEMENT:** Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of December 28, 2016 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

**SALUTE TO THE FLAG**

**ROLL CALL**

Mayor	Ron DiMura
Council President	Bob Schueler (absent)
	Kevin Dotey (absent)
	Dan Parenti
	Patrick Corley (late)
	John Madden
	Jack Mikolajczyk
Attorney:	Aravind Aithal
Administrator:	Brandon Goldberg

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**PRESENTATIONS**

Mayor DiMura presented Certificates of Appreciation to both Barbara Benson and Lee Poandl for their help in implementing and instructing the first Middlesex Borough OEM Teen Cert Program.

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**APPOINTMENTS**

Mayor DiMura swore in Lieutenant DeNick to the rank of Captain, Sergeant Comiskey to the rank of Lieutenant, and Patrolman Falk to the rank of Sergeant and congratulated all of them on their promotions. Chief Geist also congratulated these officers on their promotions and thanked the Mayor and Council for their continual support that they have given to the Middlesex Police Department and thanked all the retired officers for coming out tonight.

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The Borough Clerk read the following resolution:

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

**Resolution #189-17**

**WHEREAS**, Sergeant Craig Comiskey has successfully completed all phases of the promotional testing procedures; and

**WHEREAS**, Chief Matthew Geist has recommended that Sergeant Craig Comiskey 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 Craig Comiskey be promoted to the rank of Lieutenant effective immediately at an annual salary of \$122,751.00.

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

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The Borough Clerk read the following resolution:

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

**Resolution #190-17**

**WHEREAS**, Patrolman Thomas Falk has successfully completed all phases of the promotional testing procedures; and

**WHEREAS**, Chief Matthew Geist has recommended that Patrolman Thomas Falk 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 Thomas Falk be promoted to the rank of Sergeant effective immediately at an annual salary of \$114,806.00.

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

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**PROCLAMATIONS-NONE**

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**NEW BUSINESS**

The Borough Clerk read Ordinance No. 1922-17 for introduction.

**ORDINANCE NO. 1922-17**

**BOND ORDINANCE APPROPRIATING \$400,000 AND AUTHORIZING  
\$380,000 BONDS OR NOTES OF THE BOROUGH FOR THE  
RECONSTRUCTION OF A PORTION OF WARRENVILLE ROAD  
AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF  
MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY**

BE IT ORDAINED BY THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than twothirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Borough Council of the Borough of Middlesex, New Jersey (the "Borough") has ascertained and hereby determines that it is necessary and desirable to raise money to finance the cost of the improvements described in Section 3 of this bond ordinance, which improvements are hereby authorized to be made or acquired by the Borough. For said

improvements or purposes stated in said Section 3, there is hereby appropriated the sum of \$400,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$20,000 as the down payment for said improvements or purposes required by law and now available therefor by virtue of provisions for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$400,000 appropriation not provided for by application hereunder of said down payment and the Grant, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$380,000 pursuant to the Local Bond Law of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Revised Statutes (the "Local Bond Law"). In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$380,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are the reconstruction of a portion of Warrentville Road, including, without limitation, curbing, sidewalk and related drainage improvements, and also including all work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes of the Borough to be issued for said purposes is \$380,000.

(c) The estimated cost of said purposes is \$400,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor, if necessary, being the amount of the said \$20,000 down payment for said purposes.

Section 4. The following matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are each a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes, within the limitations of the Local Bond Law and taking into consideration the respective amounts of said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 10 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete electronic copy thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$380,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) Amounts not exceeding \$92,435 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and

permitted under Section 40A:220 of the Local Bond Law are included as part of the estimated costs of said improvements.

Section 5. Any funds from time to time received by the Borough as grants in aid of financing the improvements or purposes described in Section 3 of this bond ordinance, including the sum of \$353,700 to be received as a grant from the New Jersey Department of Transportation, shall be used for financing said improvements or purposes by application thereof either to direct payment of the costs of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Borough authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the costs of said improvements or purposes shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 7. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 8. The Borough intends to issue bonds or notes to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance. The Borough expects that the maximum principal amount of bonds or notes which will be issued to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance is \$380,000. If the Borough incurs any such costs prior to the issuance of the bonds or notes, the Borough intends to reimburse itself for such expenditures with the proceeds of the bonds or notes.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

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**PUBLIC HEARING-NONE**

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**ADOPTION OF MINUTES**

Councilman Madden moved the approval of the July 11, 2017 Regular & Executive Meeting Minutes seconded by Councilman Corley and carried by a unanimous vote of Council.

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**REPORTS-NONE**

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## REPORTS – STANDING COMMITTEES

1. Finance/Taxation/Real Estate/Insurance/Public Utilities
2. Recreation/Recreation Fields/Swim Pool/Community Celebrations
3. Fire/OEM/Rescue Squad
  - A. Councilman Madden made a motion to accept Jason Frank as a qualified driver of Truck 25 seconded by Councilman Parenti and carried by a unanimous vote of members present.
  - B. Councilman Madden made a motion to accept the resignation of Dave Breen from the position of Assistant Engineer for Pierce Fire House seconded by Councilman Parenti and carried by a unanimous vote of members present.
  - C. Councilman Madden made a motion to accept William Smith as the Assistant Engineer for Pierce seconded by Councilman Parenti and carried by a unanimous vote of members present.
  - D. Councilman Madden made a motion to accept Jake Kyryczenko as a replacement for Roger Talavera as Vice President for Parker seconded by Councilman Parenti and carried by a unanimous vote of members present.
  - E. Councilman Corley made a motion to accept the June, 2017 Fire Department Report and Fire Chief Report seconded by Councilman Mikolajczyk and carried by a unanimous vote of members present.
4. Public Works/Buildings & Grounds/Recycling/Board of Health
5. Police/Legal/Code Enforcement/Construction/Municipal Court
  1. Councilman Mikolajczyk made a motion to move the Semi-Annual Police Report, Semi-Annual Zoning/Code Enforcement Report, and the Court Report seconded by Councilman Madden and carried by a unanimous vote of members present. Below listed are the Semi-Annual Report for the Police Department and Annual Report for Zoning/Code Enforcement.
  2. Councilman Mikolajczyk moved the June, 2017 Police Department Report seconded by Councilman Corley and carried by a unanimous vote of members present.

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### Semi-Annual Zoning/Code Enforcement Report

Approved Zoning Permits – 155 Zoning approvals have been granted for various renovations, fences, sheds, signs, etc.

New Businesses – 25 new businesses or change in ownership of existing businesses were approved

Vacant Properties – 57 vacant properties registered with the office

Sold vacant properties – 31 vacant homes have been purchased, which is very positive

Landlord Registration – 1336 rental units registered with my office

Violation Notices – 108 Notices were issued for various Code violations such as overgrown conditions, inoperable vehicles, garbage, signage, etc.

Summonses – 50 summonses have been issued, collecting approximately \$6,000 in fines to date

#### Board Projects

- 201 Wilton will be constructing a new building for a line striping company
- The new McDonalds is currently under construction on Bound Brook Road
- The new catering facility at 294 Lincoln Boulevard has not started renovations because of Developers Agreement negotiations
- A new freestanding sign was approved at the shopping plaza on Union Avenue
- All 4 buildings are occupied at 150 Lincoln Blvd.
- The new building and site work has been completed for the pallet company at 116 South Ave.
- One house has been completed and 2 others are under construction on Drake/Voorhees/Cedar Avenues
- No applications have been submitted for the former Pathmark or Berger Tubing sites

#### Other projects

- 105 William Street has completed the new roof and windows after the fire that occurred 5 years ago
- 136 Coleman Road has removed the collapsing porch and installed a new roof
- the Borough cleaned up 287 Dorn Ave.

Ms. Palumbo reported that the Boro is growing and improving. The Construction, Zoning and Code Enforcement departments continue improved communications trying to provide a more positive impact on the process as well as the entire community.

#### Semi-Annual Police Report

- Current staffing of sworn personnel is 29.
- Current staffing of civilian personnel is 3.

- The Mayor and Council have approved staffing at 31 sworn officers this year. We will be swearing in 2 new officers at the August 8 meeting. (Full staff is at 32 sworn officers.)
- From January to June total calls for service 10,721 or approximately 1800 calls per month. Call volume is approximately 22% higher than last year at this time. This can be related to more calls for service and an increase in officer initiated calls for service.
- Current UCR (Uniform Crime Reporting) clearance rate is 68%. That is a very good clearance rate and can be directly related to the investment of staffing the police department responsibly.
- Community policing service calls have also increased in 2017. From January to June of 2017 MPD documented an over 211% increase in Community Policing calls compared to the entire year of 2015.

### **Community Policing Events**

Coffee with a Cop April 2017

Fishing Derby June 2017

Middlesex Police Youth Academy June 2017

Operation Chill July 2017

### **Upcoming Events**

1. National Night Out August 2017
2. We will be planning at least one more community policing event this year that is still in the planning phase and will be announced soon.

We continue to focus on a community caretaking approach to policing; focusing on crime prevention and quality of life issues throughout the Borough. We are also committed to community policing initiatives; concentrating on communication and personal contacts with the public that we serve.

6. Administration/Department of Senior Services/Legislation/Licensing

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## **PUBLIC COMMENTS**

Mayor DiMura opened the Public Portion of the Meeting for any public participation.

Frank Ryan, 303 Maple Street stated that it was his opinion that we need to do something on B Street with the permit parking because there is only one house facing B Street. Give them 10 or 20 stickers and put markings on the curb like the Fire Department on A Street and stop at Chestnut. It should take care of the problem for Pumping Services who as part of their approval was not allowed to have trucks going in and out on Lincoln Blvd. only on B Street.

Mayor DiMura stated that we will be discussing this further in the Agenda Workshop portion of the meeting but did note to Mr. Ryan that we have reached out to the residents affected to see how they feel about permit parking and we are waiting on their responses. Mayor DiMura stated that there is only three things we can do (1) do nothing; (2) no parking anywhere; and (3) permit parking. Police Chief Geist made a recommendation for permit parking.

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

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The Borough Clerk read the following resolution:

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

**Consent Agenda 2017(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 wish to remove Resolution #192-17 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 #191-17

Resolution #193-17 – Resolution #194-17

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

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The Borough Clerk read the following resolution:

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

**Resolution #191-17**

The Tax Collector is hereby authorized to refund payment made on a 2015 Sewer account. The appeal committee reviewed the documentation provided and waived the amount and recommends a refund for the following property:

<u>BLOCK</u>	<u>LOT</u>	<u>AMOUNT</u>
111	10	\$405.36

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The Borough Clerk read the following resolution:

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

**Resolution #192-17**

**WHEREAS**, sealed bids were received on July 18, 2017 for the proposal for One Custom Fire Pumper, and one bid was received which is listed below:

Absolute Fire Production Co., Inc. 2800 Hamilton Blvd. South Plainfield, NJ07080	\$667,862.00
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**WHEREAS**, this bid received from Absolute Fire Production, Co., Inc. includes the lease agreement with Tax-Exempt Leasing Corp., 203 E. Park Avenue, Libertyville, Illinois 60048 for the One Custom Fire Pumper. The total amount funded will be \$667,862.00 (at 2.89% for 5 years with a payment of \$145,373.01 per year commencing in 2018 subject to certification of the availability of funds); and

**WHEREAS**, the Middlesex Fire Department Truck Committee in concurrence with the Borough Attorney recommends to award the bid to Absolute Fire Production Co., Inc. in the amount of \$667,862.00.

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

1. At the recommendation of the Middlesex Fire Department Truck Committee and the Borough Attorney, the governing body hereby awards the bid for the One Custom Fire Pumper to Absolute Fire Protection Co., Inc. in the Amount of \$667,862.00. These funds will be paid by the lease agreement with Tax Exempt Leasing Corp., Libertyville, Illinois at 2.89% for 5 years with a payment of \$145,373.01 per year commencing in 2018, subject to the availability of funds.

**NOW FURTHER BE IT RESOLVED**, that this resolution is subject to the Treasurer certifying funds are available in the subsequent budget years.

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

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The Borough Clerk read the following resolution:

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

**Resolution #193-17**

The Tax Collector is hereby authorized to issue a check in the amount of \$195.16 to redeem Tax Sale Certificate #16-00018 and a check in the amount of \$200.00 for a Tax Sale Premium, Block 121 Lot 15, due to redemption prior to issuance of Certificate. Check is made payable to:

Trystone Capital Assets, LLC  
PO Box 1030  
Brick, NJ 08723

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The Borough Clerk read the following resolution:

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

**Resolution #194-17**

The Governing Body hereby hires Richard Ryllun, North Plainfield, New Jersey as a Senior Driver for the Office of Aging at \$12.00 per hour effective immediately, pending a satisfactory drug screening and driver's abstract.

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The Borough Clerk read the following resolution:

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

**Resolution #195-17**

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 adoption seconded by Councilman Corley and carried by the following roll call vote: Ayes: Parenti, Corley, Madden, and Mikolajczyk. No: None. Abstain: None.

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**DISCUSSION ON AGENDA WORKSHOP ITEMS**

1. Mountain View Park Project – Mayor DiMura received the proposal to provide design and permitting services from Remington, Vernick & Vena for the Mountain View Park – Phase 1. This project involved refurbishing existing football field, the existing easterly field, reconstruct the existing running track, reconstruct, reconstruct high jump, pole vault, long jump area, preserve and repair the existing irrigation system, replace the existing fence for the main field and the easterly field, install a new asphalt access path/

drive from the park entrance drive, install visitor's bleachers on the easterly side of the main field, install new ADA complaint home bleachers, new press box and public address system, new concession stand area, rest rooms, equipment storage area and as an alternate reconstruct the existing westerly field. A consensus of council was taken to approve a resolution at the next meeting.

2. Pumping Services Letter – Mayor DiMura discussed a letter from Pumping Services about a growing parking problem Pumping Services is experiencing on B and C Streets which at times affects their ability to conduct business as their customers, suppliers, and their own trucks enter and exit the property due to vehicles parking too close to the gates. Mayor DiMura asked for a consensus of the Council to put on the next meeting amendments to the ordinance as this is a safety issue and has no negative effects on the residents. Council agreed.

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Mayor DiMura opened the Public Portion of the Meeting for any public participation on the Agenda Workshop items.

Rich Thomasey, 109 Green Avenue discussed the Mountain View Park Project, questioned who will control the fields once they are developed, and gave Brandon a business card for a contractor that reconstructs tracks. He also mentioned that it is not unusual for a High School to lose access to their field during a single season due to reconstruction. Mayor DiMura mentioned that the Borough will control the fields and work with the BOE.

Frank Ryan expressed concern that there must be a maintenance program put in place for this field once it is reconstructed.

Amy Flood, 351 Grant Avenue questioned why the borough was not installing an artificial turf field. Mayor DiMura explained the financial reason with regard to the bonding for 10 years and the 5-7 year life of the field, before it is required to be replaced. Also, the field is located in a flood zone, and one flood would destroy the field. Ms. Flood also questioned if the ordinance that was discussed that is for eliminating parking on a portion of B Street would affect the resident house that is on the first block of B Street and Mayor DiMura indicated that there would be parking on that side of the road.

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

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### **ADJOURNMENT**

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Councilman Parenti 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  
AUGUST 8, 2017**

**MAYOR'S STATEMENT:** Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of December 28, 2016 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

**SALUTE TO THE FLAG**

**ROLL CALL**

Mayor	Ron DiMura
Council President	Bob Schueler
	Kevin Dotey
	Dan Parenti
	Patrick Corley
	John Madden
	Jack Mikolajczyk
Attorney:	Aravind Aithal
Administrator:	Brandon Goldberg

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**PRESENTATIONS-NONE**

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**APPOINTMENTS**

The Borough Clerk read the following resolution:

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

**Resolution #196-17**

**WHEREAS**, Robert Dangler 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 Robert Dangler be appointed to the position of Probationary Patrolman effective August 9, 2017 at an annual salary of \$52,494.00.

**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. Robert Dangler is hereby appointed a Probationary Patrolman for the Borough of Middlesex effective August 9, 2017 at an annual salary of \$52,494.00.
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, Parenti, Corley, Madden, Schueler and Mikolajczyk. Nos: None. Abstain: None.

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The Borough Clerk read the following resolution:

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

**Resolution #197-17**

**WHEREAS**, Paul Cerreto 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 Paul Cerreto be appointed to the position of Probationary Patrolman effective August 9, 2017 at an annual salary of \$52,494.00.

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

1. Paul Cerreto is hereby appointed a Probationary Patrolman for the Borough of Middlesex effective August 9, 2017 at an annual salary of \$52,494.00.
2. This resolution shall take effect immediately.

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

Police Chief Geist congratulated the new patrolmen and welcomed them to the Middlesex Police Department. Police Chief Geist also thanked the governing body for their continued support of the Police Department.

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## PROCLAMATIONS

The Borough Clerk proclaimed September, 2017 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 BE IT RESOLVED**, I, RONALD J. DIMURA, 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 2017 to be

## CHARCOT-MARIE-TOOTH AWARENESS MONTH

**NOW FURTHER BE IT RESOLVED** that the Borough of Middlesex urges 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.

Mayor DiMura presented this proclamation to Mr. Rex who explained this hereditary disease and thanked the Mayor and Council for their support on behalf of the Charcot-Marie Association.

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## NEW BUSINESS

The Borough Clerk read Ordinance No. 1923-17 for introduction.

**ORDINANCE NO. 1923-17**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 407, VEHICLES AND TRAFFIC TO INCLUDE ARTICLE IV PROHIBITED PARKING, SECTION 407-11.3 B STREET, PROHIBITED PARKING; SIGNS; PENALTY AND SECTION 407-11.4 C STREET; PROHIBITED PARKING; SIGNS; PENALTY**

**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:

Chapter 407 shall be amended to include Article IV, Section 407-11.3 and 407-11.4 as follows:

**ARTICLE IV  
PROHIBITED PARKING**

**§407-11.3 B Street; prohibited parking; signs, penalty**

- A. Parking of motor vehicles shall be prohibited at all times and on all days on the west side of B Street from the point of intersection with the northerly side of Lincoln Boulevard for One Hundred Thirty (130) feet towards the point of intersection with the southerly side of Chestnut Street.
- B. Parking of motor vehicles shall be prohibited at all times and on all days on the east side of B Street from the point of intersection with the northerly side of Lincoln Boulevard to the point of intersection with the southerly side of Chestnut Street.
- C. No-parking signs in accordance with specifications as provided by statute of the State of New Jersey shall be posted in the appropriate areas.
- D. A fifty-dollar fine shall be imposed for violations of this section.

**§407-11.4 C Street; prohibited parking; signs, penalty**

- A. Parking of motor vehicles shall be prohibited at all times and on all days on the east side of C Street from the point of intersection with the northerly side of Lincoln Boulevard for One Hundred Sixty (160) feet towards the point of intersection with the southerly side of Chestnut Street.
- B. Parking of motor vehicles shall be prohibited at all times and on all days on the west side of C Street from the point of intersection with the northerly side of Lincoln Boulevard to the point of intersection with the southerly side of Chestnut Street.
- C. No-parking signs in accordance with specifications as provided by statute of the State of New Jersey shall be posted in the appropriate areas.
- D. A fifty-dollar fine shall be imposed for violations of this section.

**SECTION II.** This ordinance shall take effect upon final adoption and publication as required by law.

Councilman Schueler made a motion for introduction seconded by Councilman Mikolajczyk and carried by the following roll call vote: Ayes: Dotey, Parenti, Corley, Madden, Schueler and Mikolajczyk. Nos: None. Abstain: None.

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**PUBLIC HEARING**

The Borough Clerk read Ordinance No. 1922-17 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

**ORDINANCE NO. 1922-17**

**BOND ORDINANCE APPROPRIATING \$400,000 AND AUTHORIZING \$380,000 BONDS OR NOTES OF THE BOROUGH FOR THE RECONSTRUCTION OF A PORTION OF WARRENVILLE ROAD AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY**

BE IT ORDAINED BY THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Borough Council of the Borough of Middlesex, New Jersey (the "Borough") has ascertained and hereby determines that it is necessary and desirable to raise money to finance the cost of the improvements described in Section 3 of this bond ordinance, which improvements are hereby authorized to be made or acquired by the Borough. For said improvements or purposes stated in said Section 3, there is hereby appropriated the sum of \$400,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$20,000 as the down payment for said improvements or purposes required by law and now available therefor by virtue of provisions for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$400,000 appropriation not provided for by application hereunder of said down payment and the Grant, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$380,000 pursuant to the Local Bond Law of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Revised Statutes (the "Local Bond Law"). In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$380,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are the reconstruction of a portion of Warrentville Road, including, without limitation, curbing, sidewalk and related drainage improvements, and also including all work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes of the Borough to be issued for said purposes is \$380,000.

(c) The estimated cost of said purposes is \$400,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor, if necessary, being the amount of the said \$20,000 down payment for said purposes.

Section 4. The following matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are each a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes, within the limitations of the Local Bond Law and taking into consideration the respective amounts of said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 10 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete electronic copy thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$380,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) Amounts not exceeding \$92,435 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law are included as part of the estimated costs of said improvements.

Section 5. Any funds from time to time received by the Borough as grants in aid of financing the improvements or purposes described in Section 3 of this bond ordinance, including the sum of \$353,700 to be received as a grant from the New Jersey Department of Transportation, shall be used for financing said improvements or purposes by application thereof either to direct payment of the costs of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Borough authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the costs of said improvements or purposes shall, be held and

applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 7. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 8. The Borough intends to issue bonds or notes to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance. The Borough expects that the maximum principal amount of bonds or notes which will be issued to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance is \$380,000. If the Borough incurs any such costs prior to the issuance of the bonds or notes, the Borough intends to reimburse itself for such expenditures with the proceeds of the bonds or notes.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor DiMura opened the Public Hearing on Ordinance No. 1922-17. Seeing that there was no public participation, Mayor DiMura closed the Public Hearing on Ordinance No. 1922-17.

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

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#### **ADOPTION OF MINUTES**

Councilman Mikolajczyk moved the approval of the July 25, 2017 Regular Meeting Minutes seconded by Councilman Corley and carried and carried by the following roll call vote: Ayes: Parenti, Corley, Madden, and Schueler. No: None. Abstain: Dotey and Mikolajczyk.

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#### **REPORTS-NONE**

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#### **REPORTS – STANDING COMMITTEES**

1. Finance/Taxation/Real Estate/Insurance/Public Utilities
2. Recreation/Recreation Fields/Swim Pool/Community Celebrations
  - A. Councilman Parenti made a motion to table the Approval of the Recreation Director's Report for the Months of August and July, 2017 seconded by Councilman Corley and carried by a unanimous vote of Council.
  - B. Soccer Registration – 200 participants registered
  - C. Summer Camp – Camp ran smoothly and I Play America was a success
  - D. Movie Night – There was a great turn out for this movie in Mountain View Park
  - E. Community Day – Scheduled for August 19<sup>th</sup>, with the rain date of August 20<sup>th</sup>
  - F. Upcoming Registrations – Look for all upcoming future registrations
3. Fire/OEM/Rescue Squad
4. Public Works/Buildings & Grounds/Recycling/Board of Health
5. Police/Legal/Code Enforcement/Construction/Municipal Court
  - A. National Night Out – Councilman Mikolajczyk reported that the National Night Out was a success with at least 750 people attending.
  - B. Permit Parking Update - Councilman Mikolajczyk reported out of 56 letters sent had received 3 responses. Roughly 5%. of the responses 2 were from Chestnut Street and one was from A Street. Of the 3 responses only one was interested in a permit program and only interested in permitting for overnight parking.

Some observations.

B and C Street have the most evidence of cars parking. A D E and Chestnut to a much lesser extent. There have been a couple of incidences of excessive street parking the most recent when the lofts were being paved.

The various times I have driven by I have noticed there are available spots in the lofts while cars are still being parked on the side streets.

Based on the low response to date, at this juncture I would say that we have a solution in search of a problem.

However, I do see potential for this situation to change based on the parking requirements being implemented for pumping services.

Next Steps -----

The permit parking program is to remain tabled.

Working with Brandon I will have a letter out this week setting up a meeting to be held at Pierce firehouse sometime during the week of August 28<sup>th</sup>.

Mayor DiMura recommended that a decision be made on this ordinance that had been tabled since mid-June.

Councilman Mikolajczyk made a motion to remove Ordinance No. 1921-17 from the table seconded by Councilman Parenti and carried by a unanimous vote of Council.

Council discussed this ordinance and were in favor of moving forward with a vote at this time.

Councilman Dotey made a motion to adopt Ordinance No. 1921-17 seconded by Councilman Mikolajczyk and carried and carried by the following roll call vote: Ayes: None. No: Dotey, Parenti, Corley, Madden, Schueler and Mikolajczyk. Abstain: None.

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

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### **PUBLIC COMMENTS**

Mayor DiMura opened the Public Portion of the Meeting for any public participation.

Rich Thomasey, 109 Green Avenue questioned if the borough received any other bids for the Windows and Design of the Track/Field. Also, he wanted to know if the windows were a need or a want. Mayor DiMura stated that there was only one window bid received and the windows are custom made and a need, which will make the building more efficient. The Borough has not yet gone out to bid for the Track/Field project and this resolution is only a proposal for the design and DEP approvals by our borough engineer, the engineering would not be bid out.

John Hrevnack, 219 Maple Street, spoke as a resident of the Borough and also as a member of the Board of Education. Mr. Hrevnack was disturbed about the article in the Community News that glossed over information about the school referendum and he felt did not give correct information. The article said that the Board did not know what the tax rate would be and what the board would get back from the state. Mr. Hrevnack quoted the percentage that he said was publicly available and stated the amounts quoted were for Question 1 – 15%, Question 2 – 10%, and Question 3 – 34% would be the funds that we get back from the state, at an interest rate of 2.4%. Mr. Hrevnack mentioned that if this referendum was done at a later time, we would spend more money on interest rates. The tax increase is based on the average assessment of \$90,000. The increase if the referendum was approved for Watchung School and Mauger would be \$299 per year (\$25 per month), Hazelwood School would be \$110 per year (\$9 per month) and the High School would be approximately \$72 per year (\$6 per month). Approval for all three questions would amount to \$465 per year on the average home assessment. Mr. Hrevnack gave an analogy of why the proposals were listed on the ballot separately and compared it to renovations of a house. He also mentioned that staffing and busing should remain stable. Mr. Hrevnack stated that community meetings were held and the community requested that the proposal be split into 3 questions. Mr. Hrevnack mentioned that the total costs are on the website and our taxes are going to go up, however it is an investment in our future. When stated that Real Estate salespeople have said that they bring people to Middlesex schools and they see overcrowding classrooms and do not want to move to Middlesex, and it devalues our property. There is extreme overcrowding in Watchung and Parker School, and the

district is unable to have any learning centers or reading centers. Mr. Hrevnack also stated that he worked in an 80 year old school in the past and there was an electrical fire, and he doesn't want to see this happen here. He stressed that we need to invest in our future.

Mayor Di Mura commented on Mr. Hrevnack's statement about real estate in Middlesex and he stated that that he has talked to many realtors in town and Middlesex houses are in demand, the values of houses have gone up the highest in Middlesex County in the last two years and there is not enough inventory for people who want to move to Middlesex. Mayor DiMura feels that the school system is great, and we are a thriving community that people want to live in.

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

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The Borough Clerk read the following resolution:

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

**Consent Agenda 2017(Q)**

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

**WHEREAS**, the Mayor and Council of the Borough of Middlesex wish to remove Resolution #198-17 from this Consent Agenda.

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

Resolution #199-17 – Resolution #205-17

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

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The Borough Clerk read the following resolution:

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

**Resolution #198-17**

**WHEREAS**, sealed bids was requested pursuant to a duly noticed and published Request for Proposals; and

**WHEREAS**, all bids were to be received on July 18, 2017 for the proposal for Replacement Windows for Borough Hall; and

**WHEREAS**, there was one bid received for this project which is listed below:

Panoramic Window & Door Systems, Inc.	\$149,500.00
712 Sergeantsville Road	
Stockton, NJ 08559	

**WHEREAS**, the Department of Public Works Supervisor recommends to award the bid to Panoramic Window & Door Systems, Inc. of Stockton, New Jersey, in the amount of \$149,500.00; and

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

1. Based upon the recommendation of the Department of Public Works Supervisor, the governing body hereby awards the bid for the Replacement Windows to

Panoramic Window & Door Systems, Inc. of Stockton, New Jersey, in the amount of \$149,500.00.

2. This resolution shall take effect immediately.

**NOW FURTHER BE IT RESOLVED**, that the Treasurer hereby certifies funds are available in account number C-04-17-920-000-083 in the amount of \$149,500.00.

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

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The Borough Clerk read the following resolution:

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

**Resolution #199-17**

Accepting the resignation of Anthony Vietri from the Zoning Board of Adjustment.

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The Borough Clerk read the following resolution:

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

**Resolution #200-17**

**WHEREAS**, the governing body received a proposal from Remington & Vernick Engineers dated July 10, 2017 for the Construction, Design and Permit, and Inspection for the Mountain View Park – Phase 1; and

**WHEREAS**, the proposal for this project include:

1. Construction	\$2,034,452.00
2. Design & Permit	\$250,000.00
3. Inspection	\$125,000.00

**TOTAL COST** **\$2,409,452.00**

**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. The governing body hereby approves the proposal from Remington & Vernick Engineers dated July 10, 2017 for the Design and Permit (\$250,000), and Inspection (\$125,000) for the Mountain View Park – Phase 1 project in the total amount of \$375,000.00.
2. This resolution shall take effect immediately.

**NOW FURTHER BE IT RESOLVED**, that the Treasurer hereby certifies that funds in the amount of \$375,000.00 are available in Account No. G-02-17-100-000-101.

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The Borough Clerk read the following resolution:

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

**Resolution #201-17**

Authorizing the Mayor and Borough Clerk to execute a Right of Entry to the Army Corps of Engineers for the Middlesex Municipal Landfill FUSRAP Site, Block 318 Lot 1 and Block 318 Lot 47 for the purposes of performing surveys and investigations, collecting samples and making test borings and remediating radiological, chemical, and metal contamination of soils, groundwater, and structures including, but not limited to, the right to store, move and remove

equipment and supplies; excavate and dispose of contaminated soil and water and backfill with suitable soil certified in accordance with applicable regulatory standards, and restore the property to its previous condition; construct, operate, maintain, repair, replace, and remove groundwater extraction, treatment and injection systems and monitoring wells; and perform such other work as may be necessary and incident to implementation of FUSRAP for a period not to exceed thirty-six (36) months and beginning on the date of execution of the executed document.

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The Borough Clerk read the following resolution:

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

**Resolution #202-17**

Authorizing the Mayor and Borough Clerk to execute a Right of Access to the properties known and designated as Block 319, Lot 47 and Block 318, Lot 44 to GZA GeoEnvironmental, Inc (“GZA”) to conduct wetlands delineation for a remedial investigation of the properties known and designated as Block 381, Lot 48, having a street address of 245 Mountain Avenue, Middlesex, NJ to address detected contaminants in accordance with the requirements of the NJDEP.

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The Borough Clerk read the following resolution:

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

**Resolution #203-17**

The Tax Collector is hereby authorized to issue a check in the amount of \$267.97 to redeem Tax Sale Certificate #16-00024 and a check in the amount of \$1000.00 for a Tax Sale Premium, Block 230 Lot 10, 210 Second St. Check is made payable to:

TWR as CST for Ebury Fund 1NJ  
PO Box 37695  
Baltimore, MD 21297-3695

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The Borough Clerk read the following resolution:

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

**Resolution #204-17**

**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, 2017 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 “C” effective August 15, 2017 at an annual salary of \$88,643.

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The Borough Clerk read the following resolution:

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

**Resolution #205-17**

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

**WHEREAS**, On July 31, 2017 Chief Geist recommended Police Officer Colin DeVincenzo 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 Colin DeVincenzo be and is hereby advanced in grade to Patrolman Class "F" effective August 17, 2017 at an annual salary of \$61,530.

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The Borough Clerk read the following resolution:

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

**Resolution # 206-17**

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

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**AGENDA WORKSHOP ITEMS**

1. Zero Plot Lines – Mayor DiMura reported that over the last 3 – 4 months a lot of homeowners with ½ of a duplex have been getting notification that mortgage and insurance companies are getting stricter on deciding whether they want to lend funds or insure these properties, which creates a problem if they want to sell or refinance in the future. After speaking with the Zoning Official and Borough Attorney they feel that a solution to this problem would be to have the homeowner get a zero plot line, which enables the property to be divided in half and it would be considered an attached single family. From an insurance and lending standpoint they will be treated like a regular home, and it will not be an issue if they want to sell or refinance their property. The property owners can do this now if they appear before the Zoning Board, but it would cost at a minimum \$10,000. Mayor DiMura requested Council's approval to have the Attorney and Administrator get more information on how this is being done in other towns. Council approved. Borough Administrator will report back to the governing body at the September 12, 2017 Regular Meeting.
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**DISCUSSION ON AGENDA WORKSHOP ITEMS**

Rich Thomasey, 109 Green Avenue questioned if we are telling the builders about problems and if doing zero plot lines would exasperate the problem and create more duplexes to be built. Mayor DiMura indicated that we cannot stop duplexes being built if they are in the designated zone.

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**ADJOURNMENT**

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

Respectfully yours,

Kathleen Anello, RMC  
Borough Clerk

**BOROUGH OF MIDDLESEX  
REGULAR MEETING MINUTES  
AUGUST 22, 2017**

**MAYOR'S STATEMENT:** Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of December 28, 2016 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

**SALUTE TO THE FLAG**

**ROLL CALL**

Mayor	Ron DiMura
Council President	Bob Schueler
	Kevin Dotey
	Dan Parenti (absent)
	Patrick Corley
	John Madden
	Jack Mikolajczyk (absent)
Attorney:	Aravind Aithal
Administrator:	Brandon Goldberg

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**PRESENTATIONS-NONE**

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**APPOINTMENTS-NONE**

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**PROCLAMATIONS-NONE**

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**NEW BUSINESS-NONE**

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**PUBLIC HEARING**

The Borough Clerk read Ordinance No. 1923-17 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

**ORDINANCE NO. 1923-17**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 407, VEHICLES AND TRAFFIC TO INCLUDE ARTICLE IV PROHIBITED PARKING, SECTION 407-11.3 B STREET, PROHIBITED PARKING; SIGNS; PENALTY AND SECTION 407-11.4 C STREET; PROHIBITED PARKING; SIGNS; PENALTY**

**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:

Chapter 407 shall be amended to include Article IV, Section 407-11.3 and 407-11.4 as follows:

**ARTICLE IV  
PROHIBITED PARKING**

**§407-11.3 B Street; prohibited parking; signs, penalty**

- A. Parking of motor vehicles shall be prohibited at all times and on all days on the west side of B Street from the point of intersection with the northerly side of Lincoln Boulevard for One Hundred Thirty (130) feet towards the point of intersection with the southerly side of Chestnut Street.
- B. Parking of motor vehicles shall be prohibited at all times and on all days on the east side of B Street from the point of intersection with the northerly side of Lincoln Boulevard to the point of intersection with the southerly side of Chestnut Street.
- C. No-parking signs in accordance with specifications as provided by statute of the State of New Jersey shall be posted in the appropriate areas.
- D. A fifty-dollar fine shall be imposed for violations of this section.

**§407-11.4 C Street; prohibited parking; signs, penalty**

- A. Parking of motor vehicles shall be prohibited at all times and on all days on the east side of C Street from the point of intersection with the northerly side of Lincoln Boulevard for One Hundred Sixty (160) feet towards the point of intersection with the southerly side of Chestnut Street.
- B. Parking of motor vehicles shall be prohibited at all times and on all days on the west side of C Street from the point of intersection with the northerly side of Lincoln Boulevard to the point of intersection with the southerly side of Chestnut Street
- C. No-parking signs in accordance with specifications as provided by statute of the State of New Jersey shall be posted in the appropriate areas.
- D. A fifty-dollar fine shall be imposed for violations of this section.

**SECTION II.** This ordinance shall take effect upon final adoption and publication as required by law.

Mayor DiMura opened the Public Hearing on Ordinance No. 1923-17. Seeing that there was no public participation, Mayor DiMura closed the Public Hearing on Ordinance No. 1923-17.

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

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**ADOPTION OF MINUTES**

Councilman Schueler moved the approval of the August 8, 2017 Regular Meeting Minutes seconded by Councilman Madden and carried and carried by the following roll call vote: Ayes: Dotey, Corley, Madden, and Schueler. No: None. Abstain: None.

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## REPORTS-NONE

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### REPORTS – STANDING COMMITTEES

1. Finance/Taxation/Real Estate/Insurance/Public Utilities
2. Recreation/Recreation Fields/Swim Pool/Community Celebrations
  - a. Councilman Schueler made a motion to approve the Recreation Director's Report for the month of July and August, 2017 seconded by Councilman Madden and carried by a unanimous vote of Council.
3. Fire/OEM/Rescue Squad
  - a. Councilman Schueler made a motion to approve Nicholas Lally as a qualified driver for Pierce Fire House seconded by Councilman Corley and carried by a unanimous vote of Council.
4. Public Works/Buildings & Grounds/Recycling/Board of Health
5. Police/Legal/Code Enforcement/Construction/Municipal Court
6. Administration/Department of Senior Services/Legislation/Licensing

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### PUBLIC COMMENTS

Mayor DiMura opened the Public Portion of the Meeting for any public participation.

Rich Rutkowski, 211 Maple Street requested clarification for Resolution #210-17 regarding rescinding the Recreation Commission DBR Trust. Mayor DiMura explained this resolution and that it was done at the request of the Division of Local Government Services.

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

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The Borough Clerk read the following resolution:

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

### Consent Agenda 2017(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 #207-17 – Resolution #210-17

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

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The Borough Clerk read the following resolution:

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

**Resolution #207-17**

The Tax Collector is hereby authorized to issue a check in the amount of \$105.08 to redeem Tax Sale Certificate #16-00017 and a check in the amount of \$300.00 for a Tax Sale Premium, Block 114 Lot 11, 213 Hazelwood Avenue. Check is made payable to:

Trystone Capital Assests, LLC  
PO Box 1030  
Brick, NJ 08723

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The Borough Clerk read the following resolution:

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

**Resolution #208-17**

The Tax Collector is hereby authorized to issue a check in the amount of \$486.71 to redeem Tax Sale Certificate #16-00025 and a check in the amount of \$1100.00 for a Tax Sale Premium, Block 236 Lot 22, 121 Second Street. Check is made payable to:

Trystone Capital Assests, LLC  
PO Box 1030  
Brick, NJ 08723

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The Borough Clerk read the following resolution:

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

**Resolution #209-17**

**WHEREAS**, the Middlesex American Youth Football and Cheer are requesting approval from the governing body to hold a pep rally and bon fire on Thursday, August 24, 2017 in the Parking lot in the back of Mountain View Park; and

**WHEREAS**, if approved by the governing body, Middlesex American Youth Football and Cheer can forward this request onto the fire marshal for the appropriate permits that are required to hold the bon fire.

**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 Middlesex American Youth Football and Cheer to hold a pep rally and bon fire on Thursday, August 24, 2017 in the Parking lot in the back of Mountain View Park.
2. This resolution shall take effect immediately.

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The Borough Clerk read the following resolution:

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

**Resolution #210-17**

The Governing Body hereby rescinds the resolution adopted by the Middlesex Borough Council which approved the Recreation Commission DBR Trust. This resolution was subsequently approved by the Division of Local Government Services on August 13, 1979.

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Mayor DiMura requested to add Executive Session to the Regular Meeting to discuss the Fire Inspector and also DPW Personnel. Councilman Madden made a motion to include the Executive Session seconded by Councilman Schueler and carried by a unanimous vote of Council.

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The Borough Clerk read the following resolution:

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

**Resolution # 211-17**

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

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## **AGENDA WORKSHOP ITEMS**

1. George Avenue Drainage Improvements Bond Ordinance – Mayor DiMura discussed the George Avenue Drainage Improvement project and advised council that we were told that we could use money out of the Infrastructure Trust Loan for sewers but that we could not use for the George Avenue Drainage because that is a storm sewer problem and not a sanitary sewer issue. The Mayor requested if the council wanted to go out to bond for \$571,000 in total for George Avenue at this time or wait until next year. This flooding problem with the storm drainage is something that the residents on George Avenue have dealt with for many years and Mayor DiMura recommended that this project get done now. A consensus of Council was taken to introduce this ordinance at this time.

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The Borough Clerk read Ordinance No. 1924-17 by title.

### **ORDINANCE NO. 1924-17**

#### **BOND ORDINANCE APPROPRIATING \$514,600 AND AUTHORIZING \$488,870 BONDS OR NOTES OF THE BOROUGH FOR DRAINAGE IMPROVEMENTS ALONG GEORGE AVENUE AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY**

BE IT ORDAINED BY THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Borough Council of the Borough of Middlesex, New Jersey (the “Borough”) has ascertained and hereby determines that it is necessary and desirable to raise money to finance the cost of the improvements described in Section 3 of this bond ordinance, which improvements are hereby authorized to be made or acquired by the Borough. For said improvements or purposes stated in said Section 3, there is hereby appropriated the sum of \$514,600, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$25,730 as the down payment for said improvements or purposes required by law and now available therefor by virtue of provisions for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$514,600 appropriation not provided for by application hereunder of said down payment and the Grant, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$488,870 pursuant to the Local Bond Law of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Revised Statutes (the “Local Bond Law”). In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$488,870 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are drainage improvements along George Avenue, including, without limitation, all work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes of the Borough to be issued for said purposes is \$488,870.

(c) The estimated cost of said purposes is \$514,600, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor, if necessary, being the amount of the said \$25,730 down payment for said purposes.

Section 4. The following matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are each a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes, within the limitations of the Local Bond Law and taking into consideration the respective amounts of said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 10 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete electronic copy thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$488,870, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) Amounts not exceeding \$46,775 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law are included as part of the estimated costs of said improvements.

Section 5. Any funds from time to time received by the Borough as grants in aid of financing the improvements or purposes described in Section 3 of this bond ordinance shall be used for financing said improvements or purposes by application thereof either to direct payment of the costs of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Borough authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the costs of said improvements or purposes shall, be held and applied by the

Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 7. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 8. The Borough intends to issue bonds or notes to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance. The Borough expects that the maximum principal amount of bonds or notes which will be issued to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance is \$488,870. If the Borough incurs any such costs prior to the issuance of the bonds or notes, the Borough intends to reimburse itself for such expenditures with the proceeds of the bonds or notes.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor DiMura stated the Public Hearing on this ordinance will be held on September 12, 2017.

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

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### **DISCUSSION ON AGENDA WORKSHOP ITEMS**

Rich Thomasey, 109 Green Avenue questioned why the borough only has one bid for the George Avenue Drainage project. Mayor DiMura mentioned that that is the only bid that was received for this project.

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Councilman Madden moved to reconvene the Regular Meeting seconded by Council President Schueler and carried by the following roll call vote.

### **ROLL CALL**

Mayor	Ron DiMura
Council President	Bob Schueler

Dan Parenti (absent)  
Kevin Dotey  
Patrick Corley  
John Madden  
Jack Mikolajczyk (absent)

Attorney: Aravind Aithal

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The Borough Clerk read the following resolution:

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

**Resolution #212-17**

**WHEREAS**, the position of Fire Sub-Code Official/Fire Inspector in the Borough is vacant; and

**WHEREAS**, the interviews for this position have been held; and

**WHEREAS**, William D. Boyle has met the qualifications and standards to fill this position.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that William D. Boyle be hired part time as the Fire Sub-Code Official/Fire Inspector in the Borough of Middlesex for 6 hours per week at an annual salary of \$12,000 per year effective September 5, 2017 pending a satisfactory background check.

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

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**ADJOURNMENT**

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

Respectfully yours,

Kathleen Anello, RMC  
Borough Clerk

**BOROUGH OF MIDDLESEX  
REGULAR MEETING MINUTES  
SEPTEMBER 19, 2017**

**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 September 7, 2017 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

**SALUTE TO THE FLAG**

**ROLL CALL**

Mayor	Ron DiMura
Council President	Bob Schueler
	Kevin Dotey
	Dan Parenti
	Patrick Corley (absent)
	John Madden
	Jack Mikolajczyk
Attorney:	Aravind Aithal
Administrator:	Brandon Goldberg

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**PRESENTATIONS**

Mayor DiMura presented the Parenti Family with the first annual Citizen of the Year Award for their dedication and support of our community and thanked them for their support of the PBA, Little League, American Youth Football League, and also various sports in the school system. Mayor DiMura stated that the Parenti Family awards the Brian Parenti Memorial Scholarship each year at the High School and are also very supportive of the residents in our community that are in need.

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**APPOINTMENTS-NONE**

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**PROCLAMATIONS-NONE**

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**NEW BUSINESS-NONE**

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**PUBLIC HEARING**

The Borough Clerk read Ordinance No. 1924-17 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

**ORDINANCE NO. 1924-17**

**BOND ORDINANCE APPROPRIATING \$514,600 AND AUTHORIZING  
\$488,870 BONDS OR NOTES OF THE BOROUGH FOR DRAINAGE**

**IMPROVEMENTS ALONG GEORGE AVENUE AUTHORIZED TO BE  
UNDERTAKEN BY THE BOROUGH OF MIDDLESEX, IN THE COUNTY  
OF MIDDLESEX, NEW JERSEY**

BE IT ORDAINED BY THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Borough Council of the Borough of Middlesex, New Jersey (the "Borough") has ascertained and hereby determines that it is necessary and desirable to raise money to finance the cost of the improvements described in Section 3 of this bond ordinance, which improvements are hereby authorized to be made or acquired by the Borough. For said improvements or purposes stated in said Section 3, there is hereby appropriated the sum of \$514,600, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$25,730 as the down payment for said improvements or purposes required by law and now available therefor by virtue of provisions for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$514,600 appropriation not provided for by application hereunder of said down payment and the Grant, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$488,870 pursuant to the Local Bond Law of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Revised Statutes (the "Local Bond Law"). In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$488,870 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are drainage improvements along George Avenue, including, without limitation, all work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes of the Borough to be issued for said purposes is \$488,870.

(c) The estimated cost of said purposes is \$514,600, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor, if necessary, being the amount of the said \$25,730 down payment for said purposes.

Section 4. The following matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are each a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes, within the limitations of the Local Bond Law and taking into consideration the respective amounts of said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 10 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete electronic copy thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$488,870, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) Amounts not exceeding \$46,775 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law are included as part of the estimated costs of said improvements.

Section 5. Any funds from time to time received by the Borough as grants in aid of financing the improvements or purposes described in Section 3 of this bond ordinance shall be used for financing said improvements or purposes by application thereof either to direct payment of the costs of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Borough authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the costs of said improvements or purposes shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 7. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 8. The Borough intends to issue bonds or notes to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance. The Borough expects that the maximum principal amount of bonds or notes which will be issued to finance the cost of

the improvements or purposes described in Section 3 of this bond ordinance is \$488,870. If the Borough incurs any such costs prior to the issuance of the bonds or notes, the Borough intends to reimburse itself for such expenditures with the proceeds of the bonds or notes.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor DiMura opened the Public Hearing on Ordinance No. 1924-17. Seeing that there was no public participation, Mayor DiMura closed the Public Hearing on Ordinance No. 1924-17.

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

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### **ADOPTION OF MINUTES**

Councilman Schueler moved the approval of the August 22, 2017 Regular Meeting Minutes seconded by Councilman Madden and carried and carried by the following roll call vote: Ayes: Dotey, Madden, and Schueler. No: None. Abstain: Parenti & Mikolajczyk.

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### **REPORTS**

1. Construction of Raritan Avenue Bridge – Mayor DiMura reported that the construction of the Raritan Avenue Bridge will be starting tomorrow and should take approximately 6 months.
2. Domestic Violence Candlelight Vigil – October 12, 2017 – Mayor DiMura stated that the Middlesex/Dunellen Domestic Violence Response Team has done a phenomenal job and requested that residents please support them on October 12, 2017 at 6:30 PM in Mountain View Park for the Domestic Violence Candlelight Vigil.
3. Central Jersey Stream Cleaning Team – This year the Central Jersey Stream Cleaning Team went behind Mountain View Park to clean out the stream area. Mayor DiMura thanked them and expressed his appreciation for everything that they have done.

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### **REPORTS – STANDING COMMITTEES**

1. Finance/Taxation/Real Estate/Insurance/Public Utilities
2. Recreation/Recreation Fields/Swim Pool/Community Celebrations
  - a. Councilman Parenti stated that the DEP has given approval of Class B Recycling Center renewal for J.H. Reid.
  - b. Councilman Parenti thanked the Mayor and Council on behalf of his family for the Citizen of the Year Award.
3. Fire/OEM/Rescue Squad
  - a. Councilman Madden reported that (1) Dan Del Signore's 3 month leave of absence has been extended by another 3 months. (2) Nick Lally is now qualified

driver of Engine 23 and (3) Greg Bradford is taking a 6 month leave of absence effective 8/14/17.

- b. Councilman Madden also moved to accept the Fire Chief's Report seconded by Councilman Parenti and carried by a unanimous vote of Council.
4. Public Works/Buildings & Grounds/Recycling/Board of Health
  5. Police/Legal/Code Enforcement/Construction/Municipal Court
    - a. Councilman Mikolajczyk moved the approval of the August, 2017 Police Report seconded by Councilman Madden and carried by a unanimous vote of Council.
    - b. Councilman Mikolajczyk also reported that we had a councilmatic meeting on August 30th. We covered community day (no issues), current staffing, and expenditures versus budget (on track but car repairs running high).

We also talked about the pawn shop ordinance and the 3<sup>rd</sup> party service for police payroll as described below. The mayor will cover these with additional detail in the workshop.

I did not attend but we talked about the Chief has a scheduled emergency management meeting to review community day coverage/issues and also storm (hurricane)and winter preparedness. I wanted to mention this so the public knows we do discuss these items and have a plan.

We also started preliminary discussions regarding 2018.

Our police department hosted a pop- up Coffee with a Cop event on September 17th at the new McDonalds. Thank you to all our officers who attended and our community support. The event was well attended and certainly exemplified the efforts for community oriented policing.

#### Parking

To see if there was interest for permit parking a letter was sent in July to the residents in the target area. I received a response from approximately 15% of the residents. Of these responses roughly 75% of these were not in favor of us moving forward with a permit parking plan. At the August 8th council meeting the motion that was tabled at the June 13th meeting for permit parking on the streets near 150 Lincoln Boulevard (The Lofts) was reopened, and a vote was taken and the motion was voted down. What this means is that for now there is no pending ordinance for permit parking. As a follow-up, I sent another letter and held a meeting at the Pierce Firehouse on August 29th. The mayor and I were in attendance and no one showed up. Permit parking can be readdressed in the future, but for now, this issue is dead.

Mayor DiMura indicated that since the permit parking ordinance was adopted along Pumping Services (B & C Streets) the cars have moved further down along Chestnut Street and the side streets. The Mayor and Council will continue to monitor this parking situation and see where it continues to go, and we will have

to look at it again because they are moving further down the street. Mayor DiMura has reached out to the owner of the Lofts and he stated that he will need to do something with this issue, because he is going to lose tenants and the right decision is for him to find a way for his tenants to park on his lot. The mayor has gotten calls and complaints from people who live in the area that are harassing people from the Lofts, and leaving nasty notes on the cars and writing on their windshields with lipstick. Mayor DiMura indicated that although the residents are frustrated, they cannot take the law into their own hands, as they are not doing anything wrong. Mayor DiMura has spoken with Chief Geist about it, and made it clear that the borough will not tolerate that. The Mayor stated for the record that if there is an issue and you think someone is parking illegally you need to call the police; you do not take it upon yourself. You do not threaten or harass them, because most of them who are parking are parking legally. I know that the neighborhoods don't like that, but they are. The problem is with the ownership of the lofts and not those tenants. They are going to need to do something with that parking. That project is a project this administration inherited, we did not approve it. When I sat on the council, along with Councilman Schueler, we were against it and the way it was set up. We have to deal with it and we will continue to deal with it, and we will find a way to make it work over there, but it does not mean that the residents in this town or in that area can take it upon themselves when those tenants, whether you like it or not, they are residents of this borough and they are not doing anything wrong when they park on the street legally. Do not take things in your own hands. If you think that they are doing something they shouldn't do then just call the police and let them deal with it.

6. Administration/Department of Senior Services/Legislation/Licensing

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**PUBLIC COMMENTS**

Mayor DiMura opened the Public Portion of the Meeting for any public participation.

Rich Thomassey, 109 Green Avenue questioned Resolution #221-17 and how many bids were received for this project. Also, Mr. Thomassey questioned Resolution #222-17 and the percentage raise for the Borough Administrator. Mayor DiMura indicated that the borough received 3 bids for the Warrenton Road Improvement Project and Resolution #222-17 was a \$5,000 increase, which was part of the Administrator's Contract.

Vic Androus, 600 Denton Place stated that the last senior citizen's bus was at 1 PM the day of the Special School Board Election and questioned if the borough would have a bus available after 1 PM for the senior citizens to vote. Mayor DiMura indicated arrangements would be made to have busing available for the senior citizen's to vote for this election.

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

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The Borough Clerk read the following resolution:

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

**Consent Agenda 2017(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 #216-17 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 #213-17 – Resolution #215-17

Resolution #217-17 – Resolution #222-17

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

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The Borough Clerk read the following resolution:

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

**Resolution #213-17**

The Tax Collector is hereby authorized to refund 2<sup>nd</sup> Quarter 2017 taxes in the amount of \$1999.89 on Block 124 Lot 2, 306 Raritan Avenue. Both the homeowner and the bank sent in payments. The check is to be made payable to:

Chase  
Mail Code OH4-7326  
Attn: Cynthia Geuth Tax Recovery  
3415 Vision Drive  
Columbus, OH 43219

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The Borough Clerk read the following resolution:

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

**Resolution #214-17**

The Tax Collector is hereby authorized to cancel taxes on the following properties. These properties were bought by the US Army Corps of Engineers who are exempt from paying taxes.

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
214/13	1204 Bound Brook Rd	2 <sup>nd</sup> , 3 <sup>rd</sup> & 4 <sup>th</sup> Qtr 2017 – \$6298.63 1 <sup>st</sup> & 2 <sup>nd</sup> Qtr 2018 - \$4153.44
252/1	225 So. Lincoln Ave	3 <sup>rd</sup> & 4 <sup>th</sup> Qtr 2017 – \$4096.30

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The Borough Clerk read the following resolution:

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

**Resolution #215-17**

The Tax Collector is hereby authorized to refund/and or credit 2017 taxes for qualified Senior Citizen, Disabled Person & Veteran Deductions:

<u>BLOCK &amp; LOT</u>	<u>NAME &amp; ADDRESS</u>	<u>AMOUNT</u>
241/10	MacIntyre, Linda Marie	\$250.00
376/8	Ledesma, George & Josefina	\$250.00
78/20	Blomquist, Shirley M.	\$500.00
71.01/2	Gentile, Philip & Phyllis	\$250.00

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The Borough Clerk read the following resolution:

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

**Resolution #216-17**

**WHEREAS**, the Borough of Middlesex wishes to purchase a postal machine from an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP: and,

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

**WHEREAS**, Neopost has been awarded New Jersey State Contract No. #A-41267 for Postal Machine; and,

**WHEREAS**, the Purchasing Agent recommends the utilization of this contract on the grounds that it represents the best price available; and,

**WHEREAS**, the actual cost for the purchase of the IN-600 Series postal machine is expected not to exceed \$3,295.25; and,

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

1. At the recommendation of the Purchasing Agent, the governing body hereby awards the bid for the purchase of the IN-600 Series postal machine to Neopost in the amount of \$3,295.25.
2. This resolution shall take effect immediately.

**NOW FURTHER BE IT RESOLVED**, that the Treasurer hereby certifies funds are available in account number C-04-16-893-000-083 in the amount of \$3,295.25.

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

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The Borough Clerk read the following resolution:

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

**Resolution #217-17**

The Tax Collector is hereby authorized to issue a check in the amount of \$715.90 to redeem Tax Sale Certificate #16-00009 and a check in the amount of \$1400.00 for a Tax Sale Premium, Block 59 Lot 1, 17 Dayton Avenue. Check is made payable to:

US Bank as Cust for ActLien  
50 South 16<sup>th</sup> Street  
Suite 2050  
Philadelphia, PA 19102

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The Borough Clerk read the following resolution:

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

**Resolution #218-17**

**WHEREAS**, the residents of 237 B Street have requested to have a block party on B Street between Walnut Street and Maple Street on October 14, 2017 between the hours of 3 p.m. and 8 p.m. (with a rain date of October 15, 2017); 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 237 B Street to conduct a block party on B Street between Walnut Street and Maple Street on October 14, 2017 between the hours of 3 p.m. and 8 p.m. (with a rain date of October 15, 2017).
2. This resolution shall take effect immediately.

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The Borough Clerk read the following resolution:

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

**Resolution #219-17**

The Tax Collector is hereby authorized to issue a check in the amount of \$3151.72 to redeem Tax Sale Certificate #16-00007 and a check in the amount of \$1600.00 for a Tax Sale Premium, Block 32 Lot 2, 100 Main Street. Check is made payable to:

TWR as CST for Ebury Fund 1NJ  
PO Box 37695  
Baltimore, MD 21297-3695

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The Borough Clerk read the following resolution:

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

**Resolution #220-17**

The Tax Collector is hereby authorized to refund payments made on 2015 Sewer accounts. The appeal committee reviewed the documentation provided and waived the amounts and recommends refunds for the following properties.

<u>Block</u>	<u>Lot</u>	<u>Amount</u>
112	6	\$608.04

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The Borough Clerk read the following resolution:

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

**Resolution #221-17**

**WHEREAS**, three bids were received on August 22, 2017 for the Warrentville Road Improvements Project; and

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

Reivax Contracting Corp. Newark, NJ	Base Bid Alternate A:	\$216,555.00 \$2,200.00
<b>Total:</b>		<b>\$218,755.00</b>
Top Line Construction Corp. Somerville, NJ	Base Bid Alternate A:	\$233,543.06 \$2,099.95
<b>Total:</b>		<b>\$235,643.01</b>
Lucas Construction Group, Inc.	Base Bid	\$296,692.00

Red Bank, NJ

Alternate A: \$2,200.00

Total: \$298,892.00

**WHEREAS**, the Borough Engineer recommends that Reivax Contracting Corp., of Newark, 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 Borough Engineer, the Mayor and Council hereby award the bid for the Warrenton Road Improvements Project to Reivax Contracting Corp. of Newark, New Jersey in the total amount of \$218,755.00.
2. This resolution shall take effect immediately.

**NOW FURTHER BE IT RESOLVED**, that the Treasurer hereby certifies funds in the amount \$218,755.00 are available in Account No. C-04-17-922-000-050.

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The Borough Clerk read the following resolution:

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

**Resolution #222-17**

**WHEREAS**, Administrator Brandon Goldberg was hired on August 15, 2016; and

**WHEREAS**, under the Employment Agreement the salary of the Administrator shall increase to \$110,000.00 upon satisfactory completion of his probationary period (August 15, 2016 – August 15, 2017).

**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. Based upon the Employment Agreement, the Governing Body hereby approves increasing the salary of the Borough Administrator to \$110,000.00 effective August 15, 2017.

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The Borough Clerk read the following resolution:

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

**Resolution # 223-17**

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

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### **AGENDA WORKSHOP ITEMS**

1. Stream Cleaning – Hiring of Part time Workers/Focus Area – Councilman Schueler reported that money is set aside in the capital budget to maintain the streams. (\$14,000 remaining from 2015 and \$80,000 from 2016). At this time we are looking at a strategic plan of where we are going, and there is a meeting set up with the CRS, Borough Administrator and the county. Councilman Schueler suggested that we start on the Cap Lane and Lee Drive area, and he questioned if we want to hire part time employees or to use our vendor. Mayor DiMura agreed that Cap Lane, Lee Drive and Second Street are overgrown and we need to get back there. Mayor DiMura suggested that we should reach out to our CRS Coordinator to coordinate, as he may have recommendations. Councilman Schueler will check with the DPW Supervisor to get an update of what has been done in the past. There was a consensus of council to move forward.
2. Municipal Building Electronic Sign – Mayor DiMura indicated that the sign is unable to be fixed and he is requesting that the Administrator get costs to replace the sign and bring that information back to the Council at the October 10, 2017 Regular Meeting. Council approved.
3. Best Practices – 2017 – Council has all reviewed the Best Practices and Councilman Schueler did question the time of year that we have our audit done, and felt that it should be done earlier. Councilman Schueler also questioned the section which references longevity as part of the collective bargaining agreement, and that discussion was to be referred to the Borough Attorney. After receipt of the Borough Attorney's opinion regarding the longevity question, Council will have completed their review of the Best Practices for 2017.
4. New Ordinance requested by Chief Geist concerning pawn shops – Chief Geist has a concern with pawn shops in the Borough and would like to require them to have a borough license. He has provided an ordinance which would require pawn shops to keep records and report to the Police Department if they were involved in any large transactions. Mayor DiMura would like council to review this ordinance and if there are no further questions, introduce the at the October 10, 2017 Regular Meeting.
5. Third Party Service for Police Payroll for Roadwork Jobs – Mayor DiMura reported that Chief Geist has mentioned that he has high priced officers that are required to do payroll for the police roadwork jobs, which takes a lot of their time. He has suggested that the borough use a third party service payroll for this roadwork payroll. This service would be paid by the contractor for the work that is being done, with no cost to the borough. Mayor DiMura strongly recommends contracting for this service, and will provide Council with the agreement for review. A consensus of council was to approve this service at the October 10, 2017 Regular Meeting.
6. Buy Middlesex – This item was removed from the Agenda Workshop
7. Energy Cost Savings Proposal – The Borough Administrator discussed an Energy Cost Savings Proposal, and looked into three different companies which would allow the

borough to get energy from the marketplace and potentially save the borough money. The Borough would still be using PSE&G, only the energy would be coming from the marketplace. The Borough Administrator is recommending that we consider using Constellation, the least expensive, and authorizing a 2 year contract. Council discussed this contract and the fixed rate, and would like the Borough Administrator to provide more information by the end of next week for Council to review, so that if they have a consensus of Council they can put a resolution on the October 10, 2017 Regular Meeting to approve.

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### **DISCUSSION ON AGENDA WORKSHOP ITEMS-NONE**

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The Borough Clerk read the following resolution:

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

#### **Resolution #224-17**

**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. Potential Litigation – Police Building
2. Labor Contracts

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

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Councilman Madden moved to reconvene the Regular Meeting seconded by Council President Schueler and carried by the following roll call vote.

#### **ROLL CALL**

Mayor	Ron DiMura
Council President	Bob Schueler
	Dan Parenti
	Kevin Dotey

Patrick Corley (absent)  
John Madden  
Jack Mikołajczyk

Attorney: Aravind Aithal

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**ADJOURNMENT**

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

Respectfully yours,

Kathleen Anello, RMC  
Borough Clerk

**BOROUGH OF MIDDLESEX  
REGULAR MEETING MINUTES  
OCTOBER 10, 2017**

**MAYOR'S STATEMENT:** Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of December 28, 2016 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

**SALUTE TO THE FLAG**

A Moment of silence was taken to observe the passing of Fire Chief Jim Rinker and also the people that have lost their lives in the Las Vegas shooting.

**ROLL CALL**

Mayor	Ron DiMura
Council President	Bob Schueler
	Kevin Dotey
	Dan Parenti
	Patrick Corley
	John Madden
	Jack Mikołajczyk

Attorney:	Aravind Aithal
Administrator:	Brandon Goldberg

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**PRESENTATIONS-NONE**

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**APPOINTMENTS-NONE**

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**PROCLAMATIONS-NONE**

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**NEW BUSINESS**

The Deputy Clerk read Ordinance No. 1926-17 for introduction.

**ORDINANCE NO. 1926-17**

**AN ORDINANCE TO ESTABLISH THE CREATION OF A UNIFIED ELECTRONIC  
REPORTING SYSTEM FOR DEALERS IN PRECIOUS METALS AND OTHER**

## SECOND-HAND GOODS

### § 1 Purpose and Intent

The purpose and intent of this chapter is to assist law enforcement officials and victims of crime in recovering stolen precious metals and other secondhand goods by requiring minimum identification, reporting, maintenance and distribution criteria for licensed dealers in these goods.

No person shall use, exercise, or carry on the business, trade, or occupation of the buying, selling, or pawning of precious metals or other secondhand goods without complying with the requirements of this chapter in the exact manner described herein.

### § 2 Definitions

“ACCEPTABLE IDENTIFICATION” means a current valid New Jersey Driver’s License or Identification Card, a current valid photo driver’s license issued by another US state, a valid United States Passport, or other verifiable US Government issued identification, which will be recorded on the receipt retained by the dealer and subsequently forwarded to the local police department on request.

“DEALER” means any person, partnership, limited liability company, corporation, or other entity who, either wholly or in part, engages in or operates any of the following trades or businesses: the buying for purposes of resale of precious metals, jewelry, or other secondhand goods as defined herein; pawnbrokers as defined herein; itinerant businesses as defined herein. For the purposes of this ordinance, transient buyers, as defined herein, are subject to the same licensing and reporting requirements as any other dealers.

“ITINERANT BUSINESS” means a dealer who conducts business intermittently within the municipality or at varying locations.

“MUNICIPAL CLERK” means the statutory officer whose duties are defined in N.J.S.A. 40A:9-133 and may refer to the duly appointed clerk of the “city,” “town,” “township,” “village,” or “borough.”

“PAWNBROKER” means any person, partnership, association or corporation: lending money on deposit or pledge of personal property, other than choses in action, securities, or printed evidences of indebtedness; purchasing personal property on condition of selling it back at a stipulated price; or doing business as furniture storage warehousemen and lending money on goods, wares or merchandise pledged or deposited as collateral security.

“PRECIOUS METALS” means gold, silver, platinum, palladium, and their alloys as defined in N.J.S.A. 51:5-1 et seq. and N.J.S.A. 51:6-1 et seq.

“PUBLIC” means individuals and retail sellers, not to include wholesale transactions or transactions between other merchants.

“REPORTABLE TRANSACTION” means every transaction conducted between a dealer and a member of the public in which precious metals, jewelry, or any other secondhand goods as

defined herein are purchased or pawned.

“SECONDHAND GOODS” means used goods such as antiques, gold, silver, platinum, or other precious metals, jewelry, coins, gemstones, gift cards, any tools, telephones, typewriters, word processors, GPS devices, computers, computer hardware and software, television sets, radios, record or stereo sets, electronic devices, musical instruments, sporting goods, automotive equipment, collectibles, game cartridges, DVDs, CDs, and other electronically recorded material, firearms, cameras and camera equipment, video equipment, furniture, clothing, and other valuable articles. For the purposes of this ordinance, secondhand goods shall not include goods transacted in the following manner: i) judicial sales or sales by executors or administrators; ii) occasional or auction sales of household goods sold from private homes; iii) auctions of real estate; iv) the occasional sale, purchase, or exchange of coins or stamps by a person at his permanent residence or in any municipally owned building who is engaged in the hobby of collecting coins or stamps and who does not solicit the sale, purchase, or exchange of such coins or stamps to or from the general public by billboard, sign, handbill, newspaper, magazine, radio, television, or other form of printed or electronic advertising.

“SELLER” means a member of the public who sells or pawns used goods such as precious metal, jewelry, or other secondhand goods to a dealer.

“TRANSIENT BUYER” means a dealer, as defined herein, who has not been in a registered retail business continuously for at least six (6) months at any address in the municipality where the Dealer is required to register or who intends to close out or discontinue all retail business within six (6) months.

### § 3 License Requirement for dealers

No person, partnership, limited liability company, corporation, or other entity shall engage in the business of buying, selling, or pawning of precious metals or other secondhand goods, as defined above, within the jurisdiction of the municipality, without having first obtained a license therefore from the Municipal Clerk, which license shall bear a number issued by the Municipal Clerk. The application for a license to the Municipal Clerk shall set forth the name, date of birth, and address of the dealer, whether or not he or she is a citizen of the United States, and whether or not he or she has ever been convicted of any crime(s), disorderly persons offense(s), or municipal ordinance violation(s), and the date(s) thereof. Advertising in any print or electronic media or by sign that any of those articles or secondhand goods referred to in § 2 above are being bought in any location within the municipality shall constitute engaging in business as a dealer of secondhand goods for purposes of this chapter. No person, partnership, limited liability company, corporation or other entity shall place or cause to be placed any

advertisement for purchase of such articles or goods without stating in the advertising the license number issued to a person or entity by the municipality. In any print advertisement, the license number shall appear in type no smaller than eight point in the lower-right-hand corner of the advertisement. In any advertisement in electronic media, the license number shall be visually or audibly stated. Failure to state or indicate the license number shall be a violation of this chapter and shall be subject to the penalties

established in § 9.

#### **§ 4 Application process for dealers; approval or denial**

- A) Upon receipt of an application completed pursuant to this chapter, the Municipal Clerk shall refer such application to the Chief of Police, who shall make an investigation of the prospective licensee, pursuant to this chapter for the purpose of determining the suitability of the applicant for licensing. The investigation shall include, but shall not be limited to the following:
- 1) The experience of the applicant in the business of purchase and sale of those articles or goods referred to in § 2 above, although nothing in this section shall be construed to warrant denial of a license solely on the basis of lack of experience;
  - 2) The reputation of the applicant for fair dealing in the community, which shall be made among credible sources, which sources shall be disclosed to the applicant in the event of a denial of any license;
  - 3) Any criminal record of the applicant including any past convictions for any crime(s), disorderly persons offense(s), or municipal ordinance violation(s) within this or any other jurisdiction. The Chief of Police may, as part of the application process, require a fingerprint criminal background check through the Federal Bureau of Investigation, Criminal Justice Information Services Division, which may require an additional fee from the applicant.
  - 4) The type of operation contemplated to be conducted by the applicant, particularly whether the business is to be operated from a fixed location, whether it is to be conducted from a location primarily devoted to the purchase and sale of precious metal or other secondhand goods, and other factors bearing on whether the licensed business will be of a fixed and permanent nature. This section shall not be construed to require denial of any license solely on the grounds that the business is not from a fixed location or that the applicant is a transient buyer or itinerant business, however applicants who fall under the category of a transient buyer or itinerant business must state with specificity on the license application the business address where transaction records required by § 6(D) of this chapter will be stored as well as the location where purchased goods will be retained during the mandatory inspection period required under § 6(A).

The Chief of Police shall complete any investigation pursuant to this chapter within ninety (90) days of the submission of the application to the Municipal Clerk, fully completed by the applicant. If a criminal record check has been requested within the ninety-day period and has not been received by the Chief of Police within that period, the Chief of Police may, if all other factors are satisfactory, recommend a conditional issuance of the license subject to the finding regarding criminal record.

The Chief of Police shall, upon completion of the investigation, recommend "grant" or "denial" of the license to the Municipal Clerk, who shall grant or deny the license. Any recommendation of the Chief of Police shall be in writing and, in the case of a recommendation of denial, shall state fully and specifically the reasons for said recommendation. If the Municipal Clerk accepts the recommendation of the Chief of Police to deny any license, the applicant shall be notified in writing within ten (10) days of such denial and the Clerk shall forward to the applicant a statement of the reason or reasons for such denial.

Grounds for recommending denial of license may include reliable information indicating that the applicant has in the past engaged in fraudulent or deceptive business practices in a business identical to or similar to a dealer in secondhand goods. A license may be denied if the investigation reveals a conviction of the applicant or any of its principal officers or employees of any crime(s), disorderly persons offense(s) in which deceit or misrepresentation is an element; or any conviction of any crime(s), disorderly persons offense involving theft or the receiving of stolen goods, regardless of whether the applicant was a principal, accessory before the fact, after the fact, or a co-conspirator; or any prior municipal ordinance violation(s) by the applicant or any of its principal officers or employees in this or any other jurisdiction. A license may be denied if the applicant fails to demonstrate an ability to satisfactorily comply with the electronic reporting requirements specified in § 5, the retention and inspection requirements of § 6, or any other portion of this chapter. Upon receipt of the recommendation of the Chief of Police, the Municipal Clerk shall issue or deny the license accordingly, contingent upon the receipt of a bond as required by § 8 of this chapter.

- B) Whenever any application for a permit is denied, the applicant shall be entitled to a hearing before a three-person panel appointed by the Chief of Police, at which time the applicant shall be permitted to introduce such evidence as may be deemed relevant to such denial. Any applicant exercising the right to appeal must file a written notice of appeal within ten (10) days of receiving written notice of denial of a license to act as a dealer of secondhand goods.
- C) No license shall be assignable by the dealer.

## § 5 Identification of seller; recordkeeping requirements for dealers

For every reportable transaction between a dealer and the public, the dealer shall be required to do as follows:

- A) Require of each person selling or pawning precious metals or other secondhand goods acceptable identification as defined above in §2
- B) Require each seller to execute a "Declaration of Ownership," which shall contain the following certification: *"My signature confirms that I am the sole legal owner of and am legally authorized to sell the goods being sold. By signing below I certify that I did not obtain and do not possess the identified goods through unlawful means. I am the full age of eighteen years and the identification presented is valid and correct."*
- C) Record and issue to each person selling or pawning such goods on a sequentially numbered receipt:
  - a. the name, address, and telephone number of the purchaser, including the clerk or employee of the licensee making the purchase;
  - b. the name, address, date of birth, and telephone number of the seller or sellers;
  - c. a photographed recording of the seller in a format acceptable to the Chief of Police, along with a physical description of the seller, including height and weight (approximate), hair color, eye color, facial hair, if any, etc.;
  - d. a photographed recording of the seller's presented acceptable identification, as set forth in § 2, in a format acceptable by the Chief of Police;
  - e. a photographed recording of all items sold in a format acceptable by the Chief of Police. When photographing, all items must be positioned in a manner that makes them readily and easily identifiable. Items should not be grouped together when photographing or imaging. Each item should have its own photograph;
  - f. the receipt number;
  - g. a detailed, legible description of the item(s) and the manufacturer and model of the item(s) if known; in the case of jewelry, the descriptions must include style, length, color, design, and stones, if any; any identifying marks, including numbers, dates, sizes, shapes, initials, names, monograms, social security numbers engraved thereon, serial numbers, series numbers, or any other information, which sets apart the particular object from others of like kind;
  - h. the price paid for the purchase or pawn of the item(s);  
if precious metals, the net weight in terms of pounds Troy, pennyweight (Troy) or kilograms/grams; fineness in terms of karats for gold, and sterling or coin for silver, in accordance with N.J.S.A. 51:5-1, N.J.S.A. 51:6-1 et seq.;

- j. the time and date of the transaction.
- D) The information outlined in subsection (C) above, must additionally be electronically documented through the use of an electronic database system authorized by the Chief of Police. Installation and training in this software will be made mandatory as of the effective date of this chapter and licensing will be conditional upon compliance with proper use of the system as described herein. These records shall be subject to the inspection of any authorized police officer or any sworn law enforcement officer acting in the performance of their duty as set forth in subsection (F) below. Through the use of applicably required computer equipment, and using the electronic format approved by the Chief of Police, every dealer shall enter all reportable transactions into the electronic database by the end of the close of business on the same date as the purchase or receipt of property for pawn or consignment. The information entered must contain all pertinent information outlined in subsection (C) above.
- E) In the event of a database failure, or dealer's computer equipment malfunction, all transaction information is required to be submitted on paper forms approved by the Chief of Police within twenty-four (24) hours from the date of purchase. In the event that paper forms are used, the dealer is responsible to enter all transaction information set forth in subsection (C) above into the database as soon as possible upon the dealer's equipment being repaired or replaced, or the database coming back into service. Failure by the dealer to properly maintain computer equipment in a reasonable fashion, or failure by the dealer to replace faulty computer equipment, may result in the dealer being cited for a violation of this chapter and subsequently being subject to the penalties for doing so including revocation of the dealer's license as described in § 6.
- F) It shall be the requisite duty of every dealer, and of every person in the dealer's employ, to admit to the premises during business hours any member of the police department to examine any database, book, ledger, or any other record on the premises relating to the reportable transactions of precious metals or other secondhand goods, as well as the articles purchased or received and, where necessary, relinquish custody of those articles as provided in § 6. Itinerant businesses and transient buyers will be responsible for notifying the Chief of Police of the address where these records and articles will be stored.

#### **§6 Retention; revocation; other restrictions**

- A) All secondhand goods purchased, received for pawn, or received for consignment as described above, are to be made available for inspection by the Chief of Police or designee thereof at the designated business address for a period of at least seven (7) calendar days from the date the transaction information is actually reported to the Chief of Police in the approved manner described above in § 5 except for precious metals and jewelry, which must be maintained for at least ten (10) business days or for the statutory period provided in N.J.S.A 2C:21-36(d).

All precious metal or other secondhand goods subject to inspection must remain in the same condition as when purchased or received for pawn and shall not be sold, disposed of, changed, modified, or melted by the dealer until the retention period has expired. Itinerant businesses and transient buyers will be responsible for notifying the Chief of Police of the location where the purchased item(s) are being held.

- B) Upon probable cause that goods held by a dealer are stolen, and providing that the seller signed the mandatory statement required by § 5(B) upon the sale of those goods, a law enforcement officer with jurisdiction should charge the seller with theft by deception under N.J.S.A. 2C:20-4 on behalf of the dealer, who shall be considered the “victim” of the offense for the purposes of N.J.S.A. 2C:43-3. The officer shall seize the goods, provide the dealer with a receipt, and issue a criminal complaint against the seller for theft by deception and any other criminal charges for which the officer has probable cause that the seller has committed. If convicted of theft by deception and if so found by an order of a court of valid jurisdiction, the seller will be responsible for providing restitution to the dealer under N.J.S.A. 2C:44-2 for the amount paid by the dealer to the seller for the stolen goods.
- C) In addition to all other reporting requirements, every dealer shall maintain for at least five years, a written record of all purchases of precious metals and other secondhand goods in the form prescribed in § 5(C).
- D) No dealer shall purchase any item covered by this chapter from any person under the age of 18 or in the absence of providing prior notification of such purchase to the Chief of Police or business designee identifying the individual from whom such purchase is to be made and the item to be purchased.
- E) Suspension. The Chief of Police or a designee thereof is hereby empowered to temporarily suspend for cause any dealer’s license and rights to operate there under. This penalty shall be in addition to any fines and penalties the dealer may incur pursuant to § 9 of this chapter.
  - i. Grounds for suspension. The following shall constitute grounds for suspension: violation of any provisions of this chapter, including failure to comply with any training or fees associated with the electronic database software system in use by the municipality; violation of any other statute, regulation, or local ordinance; or any other illegal, improper, or fraudulent activity.
  - ii. Procedure for suspension. Upon determination that appropriate grounds exist and that a suspension is warranted, the Chief of Police or a designee thereof shall issue a written notice of suspension of license to the offending dealer and to the Municipal Clerk, which shall set forth the grounds for the suspension and notify the dealer of his or her right to appeal pursuant to subsection (H). A temporary suspension

shall issue immediately, pending the outcome of any appeal taken. Suspended dealers must immediately cease engaging in the business of purchasing for resale, receiving for pawn, and/or selling of precious metals and/or other secondhand goods in the municipality until reinstatement.

iii. Reinstatement. Suspended dealers may be reinstated only when the grounds leading to the suspension have, in the determination of the Chief of Police or the Chiefs designee, been cured, corrected, or appropriately rectified; or if reinstatement is deemed appropriate by the three-person panel appointed by the Chief of Police, upon the timely filing of an appeal as provided in subsection (H).

F) Revocation. A license issued under this chapter may be revoked by the Municipal Clerk upon written recommendation from the Chief of Police or the Chiefs designee that the dealer is no longer qualified, capable or competent to comply with the requirements of this chapter. This penalty shall be in addition to any fines and penalties the dealer may incur under § 9.

i. Grounds for revocation. The following shall constitute grounds for revocation: a third violation under this chapter; a second violation under this chapter less than one year after an earlier violation under this chapter; conviction for a criminal offense within this or any jurisdiction; or multiple violations of any other regulations or local ordinances within this or any jurisdiction.

ii. Procedure for revocation. Upon a determination that appropriate grounds exist and that a revocation is warranted, the Chief of Police or the Chiefs designee shall so report to the Municipal Clerk in writing. A temporary suspension will immediately and automatically issue, if one is not already in effect, pending the outcome of the charge. A three-person panel, appointed by the Chief of Police, shall review the stated grounds for revocation and the panel shall issue an appropriate disposition of either suspension, revocation, or reinstatement. If the panel determines that revocation is the appropriate disposition, it shall set forth the grounds for the same in writing in the form of a notice of revocation, which shall be provided to the dealer. The notice shall advise the dealer of the right to appeal. If the panel determines that suspension is the appropriate disposition, it shall provide the dealer with a notice of suspension that shall advise the dealer of the right to appeal. Following revocation, the dealer must relinquish his or her license and must immediately and indefinitely cease operating as a dealer of precious metals or other secondhand goods within the municipality.

- G) Appeal. Any applicant wishing to appeal an issuance of a suspension or revocation shall be entitled to a hearing before a three-person panel, appointed by the Chief of Police, at which time the applicant shall be permitted to introduce such evidence as may be deemed relevant to such suspension or revocation. Any applicant exercising the right to appeal must file a written notice of appeal within ten (10) days of receiving written notice of revocation or suspension of license.
- (H) A dealer shall have the right to change the location of the licensed business within the municipality, provided that he or she notifies the Municipal Clerk, in writing, of the street address of said new location.

### **§ 7 Bond**

Each dealer covered under this chapter shall deliver a bond to the Municipal Clerk executed by the applicant as principal and executed by a surety company authorized to do business under the laws of the State of New Jersey as surety. The bond shall be subject to review and approval by the Municipal Attorney, as defined in N.J.S.A. 40A: 9-139, and shall be in the penal sum of \$10,000, conditioned for the due and proper observance of and compliance with the provisions and requirements of all ordinances of the municipality in force or which may be adopted respecting the conduct of this business and conditioned also that the bond shall be and remain for the benefit of any person or persons who shall have received judgment against the dealer licensed under this chapter, which damage shall be established by a judgment of a court of proper jurisdiction. Said bond shall contain the following language: "The obligation of this bond shall, in addition to the [party municipality], be and remain for the benefit of any person who shall obtain a judgment against obligor as a result of damage sustained in operation pursuant to any license granted under this chapter." Said bond shall be kept for a minimum of one year from the date of issuance of license and must be renewed annually along with the license.

### **§ 8 Fees; period of license validity**

A nonrefundable fee for initial application and license for a pawnbroker or a dealer in precious metals or other secondhand goods, as covered under this chapter, is \$300. The annual renewal fee for a license is \$300. These fees are separate from and in addition to any fees the dealer must pay in relation to the mandatory electronic database system designated by the Chief of Police, as provided by § 5(D) of this chapter. Payments are to be made in the manner directed by the Municipal Clerk. A license is valid for a one-year period from the date of its issuance.

### **§ 9 Violations and penalties**

Violation of any provision of this chapter by any dealer shall, upon conviction thereof, be punished by a fine not in excess of the limitations of N.J.S.A. 40:49-5 or by a term of imprisonment or a period of community service not exceeding ninety (90) days in addition to a suspension or revocation of operating license as provided in § 6(F) and § 6(G) above. Each and every violation shall be considered a separate violation. Each violation shall result in an additional suspension period. Any person who is found guilty of violating the provisions of this

chapter within one year of the date of a previous violation and who was fined for the previous violation may be sentenced by the court to an additional fine as a repeat offender and, in addition, may be subject to revocation proceedings as provided in § 6(G). The additional fine imposed as a repeat offender shall not be less than the minimum or exceed the maximum fine provided herein, and same shall be calculated separately from the fine imposed for the violation of this chapter.

**§10 Time limit for conformance; repealer; severability**

- A) Any person, partnership, limited liability company, corporation, or other entity engaging in the business of a pawnbroker, or a dealer in precious metals or other secondhand goods shall conform to the provisions of this chapter within ninety (90) days following the effective date of this chapter.
- B) All ordinances or parts of ordinances inconsistent herewith are hereby repealed.
- C) Nothing contained in this chapter is intended to replace any pre-existing statutory requirements governing pawnbrokers, as in N.J.S.A. 45:22-1 et seq., the sale of precious metals as in N.J.S.A. 51:6A-1 et seq., the sale of secondhand jewelry as in N.J.S.A. 2C:21-36 et seq., or any other statutory provision regarding any subject matter discussed herein.
- D) If any section, subsection, sentence, clause, phrase, or portion of this chapter is for any reason held to be invalid or unconstitutional by a 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 hereof.

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

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The Deputy Clerk read Ordinance No. 1927-17 for introduction.

**ORDINANCE NO. 1927-17**

**VACATING A PORTION OF PERSHING PLACE**

**WHEREAS**, a certain portion of Pershing Place was previously determined to be needed for public and a public right-of-way; and

**WHEREAS**, a certain portion of Pershing Place on the westerly side of Wilton Avenue is no longer needed for public use; and

**WHEREAS**, the portion of Pershing Place to be vacated is more particularly described herein; and

**WHEREAS**, the portion of Pershing Place to be vacated now encumbers part of Lot 1 in Block 269, Lot 1 in Block 270 and Lot 9 in Block 270;

**WHEREAS**, the owners of the aforesaid lots have requested the Mayor and Council of the Borough of Middlesex to vacate the rights of the public in and to that portion of the public right-of-way aforesaid which cross Lots 1 and 9 in Block 270 and Lot 1 in Block 269;

**WHEREAS**, the Mayor and Counsel of the Borough of Middlesex have review the request for a vacation of a portion of the public right-of-way aforesaid and have determined that the portion of the public right-of-way which traverses the stated lots is no longer needed for public use and the public rights in and to the aforesaid public right-of-way can be vacated.

**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 Code of the Borough of Middlesex pertaining to the dedication of streets and roads is hereby amended to vacate and abandon the public right-of-way in and to that portion of a certain public right-of-way traversing Lots 1 and 9 in Block 270 and Lot 1 in Block 269 as shown on the tax maps of the Borough of Middlesex.
2. The area of the public right-of-way to be vacated and abandoned is described in accordance with the sketch and metes and bounds description of the same prepared by Victor E. Vinegra, P.E., L.S., New Jersey License 34460, dated June 26, 2017 and more particularly described. A copy of this Sketch and Description are attached hereto and made a part hereof.
3. All rights and privileges presently possessed by public utilities, as defined in N.J.S. 48:2-13 and by any cable television company, as defined in the Cable Television Act, N.J.S. 48:5A-1, et seq., are expressly reserved and excepted from the vacation of that portion of the public right-of-way there are no easements passing over, under or through the portion of Pershing Place so described, all in accordance with N.J.S. 40:67-1b.
4. A notice of Intention to vacate a portion of the public right-of-way aforesaid and to adopt an ordinance to effect such street vacation shall be published in the official newspaper of the Borough of Middlesex and mailed notice given to all persons whose lands would be affected by the passage of such Ordinance, of the time, date and place of public hearing on the consideration of this street vacation ordinance, within the time provided by N.J.S. 40:49-6.
5. This Ordinance shall take effect immediately upon final passage and publication according to law.

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

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#### **PUBLIC HEARING - NONE**

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#### **ADOPTION OF MINUTES**

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Mayor DiMura removed the approval of the September 19, 2017 Regular Meeting Minutes from the Agenda.

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#### **REPORTS**

##### **Mayor's Report**

1. 2018 DOT Grant Application – The Borough engineer has informed the Mayor that they have the opportunity to apply for two NJDOT Grants this year, one for road repair and one for streetscape. The engineer has submitted an application for the repair of Hazelwood Avenue and also for the streetscape of Bound Brook Road in its entirety.
2. Mayor DiMura also reported that work on the Raritan Bridge is scheduled to begin at the end of October. The Mayor has reached out to the County to request this be extended until the Queens Bridge is done (Approx. Mid-November). Mayor DiMura will follow up on the status of this repair once he hears further from the County.
3. Mayor DiMura was informed by the owner of the Loft Apartments that he is leasing a piece of property next to his property and intends to convert this into a gravel parking lot with 30 parking spaces. This parking lot should be up and running within 30 days, and hopefully will accommodate all of the parking issues. The Mayor indicated that we will continue to monitor the parking in the area.
4. Passing of Fire Chief Jim Rinker – Mayor DiMura commented on the passing of Fire Chief Jim Rinker who dedicated his life to this community. He was a fireman for more than 40 years and worked for the community in many different ways, also volunteering for a lot of things in this community. Mayor DiMura stated that as someone who sat on the council and also as the Mayor, Fire Chief Rinker was someone that if you needed some help he was the first guy there. He will be sorely missed by this community, as he was not only a good person for this community but also a good friend of mine. We give the best to his wife and his family.

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## **REPORTS – STANDING COMMITTEES**

1. Finance/Taxation/Real Estate/Insurance/Public Utilities
2. Recreation/Recreation Fields/Swim Pool/Community Celebrations
3. Fire/OEM/Rescue Squad
  - a. Councilman Madden moved to accept the August Fire Department Report seconded by Councilman Mikolajczyk and carried by a unanimous vote of Council.
  - b. Councilman Madden moved to accept the resignation of Ryan Shepherd from the Middlesex Fire Department seconded by Councilman Corley and carried by a unanimous vote of Council.
  - c. Councilman Madden stated that as Fire Commissioner, he had the honor and privilege of observing Jim and the fire department. On the many fire calls that I attended, I have witnessed his exemplary leadership skills and the respect he received from his fellow firefighters. This past year, I have learned a great deal about the culture of the fire department thanks to the members and especially Jim. I will always remember his kindness to me.
4. Public Works/Buildings & Grounds/Recycling/Board of Health

5. Police/Legal/Code Enforcement/Construction/Municipal Court

- a. Councilman Mikolajczyk reported that all October is wear pink for the cause. All officers are wearing pink t-shirts under their uniforms in support of Breast Cancer awareness.
- b. Oct 4<sup>th</sup> is National Walk to school day – officers were at the schools to welcome the students.
- c. Today is Put a Brake on Fatalities day where we promote awareness for careful driving and hope to have a day without any fatalities due to autos.
- d. Later this month will be Operation Take Back where citizens can dispose of their unused prescription drugs.
- e. Lastly Operation No Sale will be rolled out to local stores preventing sales of items to minors that are traditionally used on Mischief night and Halloween.

6. Administration/Department of Senior Services/Legislation/Licensing

- a. Councilman Dotey reported that the rabies clinic is scheduled for November 4, 2017 from 10 a.m. – 12 a.m. at the DPW Garage at 110 Main Street.

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**PUBLIC COMMENTS**

Mayor DiMura opened the Public Portion of the Meeting for any public participation.

Dave Oliver, 216 Ashland Road, citizen and President of the Board of Education thanked the Mayor and Council for the hard work that they did in securing the lighting at the High School football field. Mr. Oliver stated that it is amazing how many people were there enjoying the game and it was an enthusiastic, safe and pleasant experience. Also, as Board of Education President he questioned if the Mayor had appointed a liaison to the Board of Education because he hadn't seen one in about a year.

Mayor DiMura stated that the turn out at the High School for the game under the lights was fantastic and the residents and the young children were enjoying themselves and it is nice to see everyone behaving. Councilman Mikolajczyk is the appointed liaison to the Board of Education.

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

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Mayor DiMura removed Resolution #230-17 from the Consent Agenda.

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The Deputy Clerk read the following resolution:

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

**Consent Agenda 2017(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 #233-17 and Resolution #241-17 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 #225-17 – Resolution #232-17  
Resolution #234-17 – Resolution #240-17  
Resolution #242-17

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

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The Deputy Clerk read the following resolution:

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

**Resolution No. 225-17**

**RESOLUTION OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN ADDENDUM TO THE 1994 COOPERATION AGREEMENTS BETWEEN THE COUNTY OF MIDDLESEX AND THE BOROUGH OF MIDDLESEX**

**WHEREAS**, the County of Middlesex and the Borough of Middlesex entered into Cooperation Agreements for federal fiscal years 1994, 1995 and 1996 to provide a means of conducting certain community development activities utilizing Community Development Block Grant (“CDBG”) funds and HOME Investment Partnerships funds from the U.S. Department of Housing and Urban Development; and

**WHEREAS**, the Cooperation Agreements are renewed every three years, with the most recent renewal covering federal fiscal years 2015, 2016 and 2017; and

**WHEREAS**, said Cooperation Agreements are up for renewal for years 2018, 2019 and 2020; and

**WHEREAS**, it has been determined that the Cooperation Agreements must be amended to include a provision required in the Transportation, Housing and Urban Development and Related Agencies Appropriations Act of 2014; and

**WHEREAS**, the County of Middlesex has requested that the Borough of Middlesex execute an addendum to the 1994 Cooperation Agreements that includes such a provision, which execution must be authorized by resolution; and

**WHEREAS**, the Borough of Middlesex desires to execute an addendum to the 1994 Cooperation Agreements.

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

1. That the governing body is hereby authorized to enter into an Addendum to the 1995 Cooperation Agreements with the County of Middlesex for the utilization of Community Development Block Grant ("CDBG") funds and HOME Investment Partnerships funds from the U.S. Department of Housing and Urban Development for federal fiscal years 2018, 2019 and 2020.

2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to the Addendum, and any other documents necessary to effectuate the terms of this resolution. Said Addendum shall be in a form acceptable to the Borough Attorney and in a form substantially the same as the attached Schedule A.

3. That this resolution shall become effective immediately.

4. That a copy of the Addendum referenced herein shall be kept on file and made available for public inspection at the Borough Clerk's Office during normal business hours.

5. That a certified copy of this resolution, together with a copy of the Addendum to the Agreements, shall be forwarded to the County of Middlesex Board of Chosen Freeholders, and to Paul Buckley, Division Head, County of Middlesex Public Housing Agency, Division of Housing, Community Development and Social Services.

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The Deputy Clerk read the following resolution:

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

**Resolution #226-17**

The Tax Collector is hereby authorized to issue a check in the amount of \$1822.24 to redeem Tax Sale Certificate #16-00008 and a check in the amount of \$3500.00 for a Tax Sale Premium, Block 34 Lot 14, 328 High Street. Check is made payable to:

TWR as Cust for Ebury Fund 1NJ  
PO Box 37695  
Baltimore, MD 21297-3695

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The Deputy Clerk read the following resolution:

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

**Resolution #227-17**

The Tax Collector is hereby authorized to issue a check in the amount of \$321.49 to redeem Tax Sale Certificate #16-00026 and a check in the amount of \$900.00 for a Tax Sale Premium, Block 237 Lot 29, 181 First St. Check is made payable to:

TWR as Cust for Ebury Fund 1NJ  
PO Box 37695  
Baltimore, MD 21297-3695

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The Deputy Clerk read the following resolution:

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

**Resolution #228-17**

The Tax Collector is hereby authorized to issue a check in the amount of \$1469.63 to redeem Tax Sale Certificate #16-00012 and a check in the amount of \$1400.00 for a Tax Sale Premium, Block 81 Lot 16, 11 Dunlap Place. Check is made payable to:

TWR as Cust for Ebury Fund 1NJ  
PO Box 37695  
Baltimore, MD 21297-3695

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The Deputy Clerk read the following resolution:

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

**Resolution #229-17**

The Tax Collector is hereby authorized to issue a check in the amount of \$349.60 to redeem Tax Sale Certificate #16-00019 and a check in the amount of \$400.00 for a Tax Sale Premium, Block 124 Lot 7, 121 Chestnut Street. Check is made payable to:

TWR as Cust for Ebury Fund 1NJ  
PO Box 37695  
Baltimore, MD 21297-3695

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The Deputy Clerk read the following resolution:

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

**Resolution #231-17**

The Tax Collector is hereby authorized to refund payments made on 2015 Sewer accounts. The appeal committee reviewed the documentation provided and waived the amounts and recommends refunds for the following properties.

<u>Block</u>	<u>Lot</u>	<u>Amount</u>
112	6	\$608.04

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The Deputy Clerk read the following resolution:

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

**Resolution #232-17**

The Tax Collector is hereby authorized to issue a check in the amount of \$147.56 to redeem Tax Sale Certificate #16-00028, Block 256 Lot 12, 312 Bound Brook Road. Check is made payable to:

US Bank Cust for Pro Cap 4 & Crdts  
US Bank Global Corp Trst Services  
50 South 16<sup>th</sup> St – Ste 2050  
Philadelphia, PA 19102

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The Deputy Clerk read the following resolution:

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

**Resolution #233-17**

**WHEREAS**, one bid was received on July 25, 2017 for the George Avenue Drainage Project; and

**WHEREAS**, Montana Construction Inc. of Lodi, New Jersey submitted a base bid for \$467,734.00.

**WHEREAS**, the Borough Engineer recommends that Montana Construction Inc. of Lodi, 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 Borough Engineer, the Mayor and Council hereby award the bid for the George Avenue Drainage Project to Montana Construction Inc. of Lodi, New Jersey in the total amount of \$467,734.00.
2. This resolution shall take effect immediately.

**NOW FURTHER BE IT RESOLVED**, that the Treasurer hereby certifies funds in the amount of \$467,734.00 are available in Account No. C-04-17-907-000-050.

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

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The Deputy Clerk read the following resolution:

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

**Resolution #234-17**

**SPECIAL ITEMS OF REVENUE AND APPROPRIATION**

**WHEREAS**, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Middlesex, County of Middlesex, hereby requests that the Director of Local Government Services approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$20,965.00, which item is now available as a revenue from the Municipal Alliance Grant Program in the amount of \$20,965.00;

**BE IT FURTHER RESOLVED** that the like sum of \$20,965.00 is hereby appropriated under the caption of "Municipal Alliance Grant Program"; and

**BE IT FURTHER RESOLVED** that the above is a result of a State Grant of \$20,965.00 from the Municipal Alliance Grant Program.

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The Deputy Clerk read the following resolution:

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

**Resolution #235-17**

**SPECIAL ITEMS OF REVENUE AND APPROPRIATION**

**WHEREAS**, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Middlesex, County of Middlesex, hereby requests that the Director of Local Government Services approve the insertion of an item of revenue in the budget of the year 2017 in the sum

of \$2,000.00, which item is now available as a revenue from the Middlesex County Office of Aging Information & Assistance Grant in the amount of \$2,000.00;

**BE IT FURTHER RESOLVED** that the like sum of \$2,000.00 is hereby appropriated under the caption of "Middlesex County Office of Aging Information & Assistance Grant"; and

**BE IT FURTHER RESOLVED** that the above is a result of a County Grant of \$2,000.00 from the Middlesex County Office of Aging Information & Assistance Grant.

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The Deputy Clerk read the following resolution:

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

**Resolution #236-17**

**SPECIAL ITEMS OF REVENUE AND APPROPRIATION**

**WHEREAS**, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Middlesex, County of Middlesex, hereby requests that the Director of Local Government Services approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$64.34, which item is now available as a revenue from the Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund in the amount of \$64.34;

**BE IT FURTHER RESOLVED** that the like sum of \$64.34 is hereby appropriated under the caption of "Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund"; and

**BE IT FURTHER RESOLVED** that the above is a result of a State Grant of \$64.34 from the Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund.

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The Deputy Clerk read the following resolution:

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

**Resolution #237-17**

**SPECIAL ITEMS OF REVENUE AND APPROPRIATION**

**WHEREAS**, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Middlesex, County of Middlesex, hereby requests that the Director of Local Government Services approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$2,635.00, which item is now available as a revenue from the Motor Vehicle Inspection Fines in the amount of \$2,635.00;

**BE IT FURTHER RESOLVED** that the like sum of \$2,635.00 is hereby appropriated under the caption of "Motor Vehicle Inspection Fines"; and

**BE IT FURTHER RESOLVED** that the above is a result of a State Grant of \$2,635.00 from the Motor Vehicle Inspection Fines.

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The Deputy Clerk read the following resolution:

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

**Resolution #238-17**

**SPECIAL ITEMS OF REVENUE AND APPROPRIATION**

**WHEREAS**, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Middlesex, County of Middlesex, hereby requests that the Director of Local Government Services approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$3,821.85, which item is now available as a revenue from the Motor Vehicle Drunk Driving Enforcement Fund in the amount of \$3,821.85;

**BE IT FURTHER RESOLVED** that the like sum of \$3,821.85 is hereby appropriated under the caption of "Motor Vehicle Drunk Driving Enforcement Fund"; and

**BE IT FURTHER RESOLVED** that the above is a result of a State Grant of \$3,821.85 from the Motor Vehicle Drunk Driving Enforcement Fund.

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The Deputy Clerk read the following resolution:

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

**Resolution #239-17**

**SPECIAL ITEMS OF REVENUE AND APPROPRIATION**

**WHEREAS**, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Middlesex, County of Middlesex, hereby requests that the Director of Local Government Services approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$2,990.70, which item is now available as a revenue from the State Body Armor Replacement Grant Program in the amount of \$2,990.70;

**BE IT FURTHER RESOLVED** that the like sum of \$2,990.70 is hereby appropriated under the caption of "State Body Armor Replacement Grant Program"; and

**BE IT FURTHER RESOLVED** that the above is a result of a State Grant of \$2,990.70 from the State Body Armor Replacement Grant Program.

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The Deputy Clerk read the following resolution:

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

**Resolution #240-17**

The Tax Collector is hereby authorized to issue a check in the amount of \$551.19 to redeem Tax Sale Certificate #16-00023 and a check in the amount of \$1200.00 for a Tax Sale Premium. Block 229 Lot 37.02, 660 Bound Brook Road Check is made payable to:

Trystone Capital Assets, LLC  
PO Box 1030  
Brick, NJ 08723

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The Deputy Clerk read the following resolution:

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

**Resolution #241-17**

The governing body hereby approves the Mayor execute the Professional Services Agreement with Jobs4Blue to provide Off Duty Police Administrative Services in accordance with the term of this agreement.

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

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The Deputy Clerk read the following resolution:

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

**Resolution #242-17**

**WHEREAS**, the Borough awarded the bid for the 2015 NJDOT Road Improvements for South Avenue to Black Rock Enterprises in the amount of \$2,025,701.58 on July 19, 2016; and

**WHEREAS**, NJDOT received a request to cancel the South Avenue Contract, included in the Borough's 2015 State Aid Grant, to allow for the eventual rebid of the remaining work (i.e., when utility issues have been addressed).

**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 cancels the contract with Black Rock Enterprises for the 2015 NJDOT Road Improvements for the South Avenue Project.

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The Deputy Clerk read the following resolution:

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

**Resolution # 243-17**

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

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**AGENDA WORKSHOP ITEMS**

1. Energy Cost Savings Proposal – Administrator Goldberg reviewed the contract with the Borough Attorney for the Energy Cost Savings proposal that was received and found no issues with this contract. This contract will enable the borough to save approximately \$5,000 per year in energy costs with a locked in rate. Mayor DiMura also mentioned that this is also a benefit when planning our budget. A consensus of Council was taken to approve this contract by resolution at the October 24, 2017 Regular Meeting.

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**DISCUSSION ON AGENDA WORKSHOP ITEM-NONE**

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**ADJOURNMENT**

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

Respectfully yours,

Linda Chismar, RMC  
Deputy Clerk

**BOROUGH OF MIDDLESEX  
REGULAR MEETING MINUTES  
OCTOBER 24, 2017**

**MAYOR'S STATEMENT:** Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of December 28, 2016 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

**SALUTE TO THE FLAG**

**ROLL CALL**

Mayor	Ron DiMura
Council President	Bob Schueler (absent)
	Kevin Dotey
	Dan Parenti (absent)
	Patrick Corley
	John Madden
	Jack Mikolajczyk

Attorney:	Aravind Aithal
Administrator:	Brandon Goldberg

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**PRESENTATIONS-NONE**

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**APPOINTMENTS-NONE**

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**PROCLAMATIONS-NONE**

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**NEW BUSINESS**

The Borough Clerk read Ordinance No. 1928-17 for introduction.

**ORDINANCE NO. 1928-17**

**AN ORDINANCE OF THE BOROUGH OF MIDDLESEX ADOPTING A  
POLICY FOR ESTABLISHMENT OF PROFESSIONAL ESCROW AND  
PAYMENT OF REDEVELOPMENT FEE BY REDEVELOPERS  
FOR PROJECTS IN ALL BOROUGH AREAS**

**WHEREAS**, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., the Borough Council has been acting as the redevelopment entity for the Borough and responsible for managing the redevelopment of the Borough; and

**WHEREAS**, N.J.S.A. 40A:12A-8(f) authorizes a redevelopment entity “to arrange or contract with public agencies or redevelopers for the planning, replanning, construction, or undertaking of any project or redevelopment work, or any part thereof; negotiate and collect revenue from a redevelopment to defray the costs of the redevelopment entity”; and

**WHEREAS**, N.J.S.A. 40A:12A-8(n) authorizes a redevelopment entity to “do all things necessary or convenient to carry out its powers”; and

**WHEREAS**, it has been the Borough’s practice to negotiate the payment of redevelopment fees by redevelopers on an ad hoc basis, which fees have been included in prior redevelopment agreements between the Borough and redevelopers; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-8(f) and (n), the Borough wishes to adopt a policy for establishing a professional escrow in order to reimburse the Borough for professional service fees incurred on redevelopment applications, including but not limited to architects, engineers, planners, attorneys, consultants and/or professionals; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-8(f) and (n), the Borough wishes to adopt a policy for the payment of a redevelopment fee by the redeveloper in order for the Borough to defray the administrative costs and expenses associated with implementing a redevelopment project; and

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

1. It hereby adopts the following policy for establishing a professional escrow and for the payment of a redevelopment fee by redevelopers to cover Borough administrative expenses, costs of professionals and other costs associated with implementing redevelopment projects:

**I. ESTABLISHMENT OF PROFESSIONAL ESCROW**

A. Prior to the initial meeting or review of a proposed redevelopment concept and/or preliminary application, the applicant/redeveloper shall establish a professional escrow account with the Borough by depositing a minimum \$10,000.00 with the Borough Clerk and shall be required to enter into the attached Escrow Agreement in substantially similar form.

B. The escrow fee charged for review shall be used exclusively for professional reviews by architects, engineers, planners, attorneys, consultants and/or professionals employed by the municipality. Said escrow fees shall be so segregated for each application so that the fee to be paid shall be utilized only for the particular project.

C. Whenever an escrow balance drops below \$5,000.00, the applicant/redeveloper

shall replenish said escrow to \$10,000.00. If the escrow fee charged is insufficient so as to cover the professional fees applicable to that particular project, then that applicant/redeveloper shall be required to pay all deficiencies within his or her individual account.

D. In the event any of the escrow remains unused at the conclusion of the application or redevelopment project, said amount that is not utilized shall be returned to the applicant/redeveloper upon written request.

E. If the Borough and applicant/redeveloper enter into a redevelopment agreement, the redevelopment agreement shall replace the parties' escrow agreement. The Borough shall have the discretion to increase the professional escrow minimum balance requirements in the redevelopment agreement based on the nature of the redevelopment project on a case-by-case basis. The redeveloper shall be required to maintain a professional escrow until completion of the redevelopment project as determined by the terms of said redevelopment agreement.

F. All such escrow fees shall be maintained in accordance with the provisions of the New Jersey Municipal Land Use Law, N.J.S.A. 40:55d-1 et seq.

## **II. PAYMENT OF REDEVELOPMENT FEE**

A. If the Borough and applicant/redeveloper enter into a redevelopment agreement, the applicant/redeveloper shall be required to pay a redevelopment fee to the Borough in order to defray the administrative costs and expenses associated with implementing said redevelopment project. The redevelopment agreement shall include a provision for the payment of a redevelopment fee by a redeveloper.

B. The redevelopment fee shall be paid by the redeveloper fifty percent (50%) upon execution of the redevelopment agreement and fifty percent (50%) upon the issuance of the first certificate of occupancy or temporary certificate of occupancy for the project.

C. The redevelopment fee shall be determined as follows:

- a. \$400.00 per studio unit;
- b. \$800.00 per one (1) bedroom unit;
- c. \$1,000.00 per two (2) bedroom unit;
- d. \$1,300.00 per three (3) bedroom unit or townhouse; plus
- e. Commercial/Retail/Other space at \$0.75 per foot.

2. This Ordinance shall take effect immediately upon final passage and publication according to law.

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

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## **PUBLIC HEARING**

The Borough Clerk read Ordinance No. 1926-17 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

### **ORDINANCE NO. 1926-17**

#### **AN ORDINANCE TO ESTABLISH THE CREATION OF A UNIFIED ELECTRONIC REPORTING SYSTEM FOR DEALERS IN PRECIOUS METALS AND OTHER SECOND-HAND GOODS**

##### **§ 1 Purpose and Intent**

The purpose and intent of this chapter is to assist law enforcement officials and victims of crime in recovering stolen precious metals and other secondhand goods by requiring minimum identification, reporting, maintenance and distribution criteria for licensed dealers in these goods.

No person shall use, exercise, or carry on the business, trade, or occupation of the buying, selling, or pawning of precious metals or other secondhand goods without complying with the requirements of this chapter in the exact manner described herein.

##### **§ 2 Definitions**

“ACCEPTABLE IDENTIFICATION” means a current valid New Jersey Driver’s License or Identification Card, a current valid photo driver’s license issued by another US state, a valid United States Passport, or other verifiable US Government issued identification, which will be recorded on the receipt retained by the dealer and subsequently forwarded to the local police department on request.

“DEALER” means any person, partnership, limited liability company, corporation, or other entity who, either wholly or in part, engages in or operates any of the following trades or businesses: the buying for purposes of resale of precious metals, jewelry, or other secondhand goods as defined herein; pawnbrokers as defined herein; itinerant businesses as defined herein. For the purposes of this ordinance, transient buyers, as defined herein, are subject to the same licensing and reporting requirements as any other dealers.

“ITINERANT BUSINESS” means a dealer who conducts business intermittently within the

municipality or at varying locations.

“MUNICIPAL CLERK” means the statutory officer whose duties are defined in N.J.S.A. 40A:9-133 and may refer to the duly appointed clerk of the “city,” “town,” “township,” “village,” or “borough.”

“PAWNBROKER” means any person, partnership, association or corporation: lending money on deposit or pledge of personal property, other than choses in action, securities, or printed evidences of indebtedness; purchasing personal property on condition of selling it back at a stipulated price; or doing business as furniture storage warehousemen and lending money on goods, wares or merchandise pledged or deposited as collateral security.

“PRECIOUS METALS” means gold, silver, platinum, palladium, and their alloys as defined in N.J.S.A. 51:5-1 et seq. and N.J.S.A. 51:6-1 et seq.

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“PUBLIC” means individuals and retail sellers, not to include wholesale transactions or transactions between other merchants.

“REPORTABLE TRANSACTION” means every transaction conducted between a dealer and a member of the public in which precious metals, jewelry, or any other secondhand goods as defined herein are purchased or pawned.

“SECONDHAND GOODS” means used goods such as antiques, gold, silver, platinum, or other precious metals, jewelry, coins, gemstones, gift cards, any tools, telephones, typewriters, word processors, GPS devices, computers, computer hardware and software, television sets, radios, record or stereo sets, electronic devices, musical instruments, sporting goods, automotive equipment, collectibles, game cartridges, DVDs, CDs, and other electronically recorded material, firearms, cameras and camera equipment, video equipment, furniture, clothing, and other valuable articles. For the purposes of this ordinance, secondhand goods shall not include goods transacted in the following manner: i) judicial sales or sales by executors or administrators; ii) occasional or auction sales of household goods sold from private homes; iii) auctions of real estate; iv) the occasional sale, purchase, or exchange of coins or stamps by a person at his permanent residence or in any municipally owned building who is engaged in the hobby of collecting coins or stamps and who does not solicit the sale, purchase, or exchange of such coins or stamps to or from the general public by billboard, sign, handbill, newspaper, magazine, radio, television, or other form of printed or electronic advertising.

“SELLER” means a member of the public who sells or pawns used goods such as precious metal, jewelry, or other secondhand goods to a dealer.

“TRANSIENT BUYER” means a dealer, as defined herein, who has not been in a registered retail business continuously for at least six (6) months at any address in the municipality where the Dealer is required to register or who intends to close out or discontinue all retail business within six (6) months.

### **§ 3 License Requirement for dealers**

No person, partnership, limited liability company, corporation, or other entity shall engage in the business of buying, selling, or pawning of precious metals or other secondhand goods, as defined above, within the jurisdiction of the municipality, without having first obtained a license therefore from the Municipal Clerk, which license shall bear a number issued by the Municipal Clerk. The application for a license to the Municipal Clerk shall set forth the name, date of birth, and address of the dealer, whether or not he or she is a citizen of the United States, and whether or not he or she has ever been convicted of any crime(s), disorderly persons offense(s), or municipal ordinance violation(s), and the date(s) thereof. Advertising in any print or electronic media or by sign that any of those articles or secondhand goods referred to in § 2 above are being bought in any location within the municipality shall constitute engaging in business as a dealer of secondhand goods for purposes of this chapter. No person, partnership, limited liability company, corporation or other entity shall place or cause to be placed any advertisement for purchase of such articles or goods without stating in the advertising the license number issued to a person or entity by the municipality. In any print advertisement, the license number shall appear in type no smaller than eight point in the lower-right hand corner of the advertisement. In any advertisement in electronic media, the license number shall be visually or audibly stated. Failure to state or indicate the license number shall be a violation of this chapter and shall be subject to the penalties established in § 9.

### **§ 4 Application process for dealers; approval or denial**

- A) Upon receipt of an application completed pursuant to this chapter, the Municipal Clerk shall refer such application to the Chief of Police, who shall make an investigation of the prospective licensee, pursuant to this chapter for the purpose of determining the suitability of the applicant for licensing. The investigation shall include, but shall not be limited to the following:
  - 1) The experience of the applicant in the business of purchase and sale of those articles or goods referred to in § 2 above, although nothing in this section shall be construed to warrant denial of a license solely on the basis of lack of experience;
  - 2) The reputation of the applicant for fair dealing in the community, which shall be made among credible sources, which sources shall be disclosed to the applicant in the event of a denial of any license;
  - 3) Any criminal record of the applicant including any past convictions for any crime(s), disorderly persons offense(s), or municipal ordinance violation(s) within this or any other jurisdiction. The Chief of Police may, as part of the application process, require a fingerprint criminal background check through the Federal Bureau of Investigation, Criminal Justice Information Services Division, which may require an additional fee from the applicant.

- 4) The type of operation contemplated to be conducted by the applicant, particularly whether the business is to be operated from a fixed location, whether it is to be conducted from a location primarily devoted to the purchase and sale of precious metal or other secondhand goods, and other factors bearing on whether the licensed business will be of a fixed and permanent nature. This section shall not be construed to require denial of any license solely on the grounds that the business is not from a fixed location or that the applicant is a transient buyer or itinerant business, however applicants who fall under the category of a transient buyer or itinerant business must state with specificity on the license application the business address where transaction records required by § 6(D) of this chapter will be stored as well as the location where purchased goods will be retained during the mandatory inspection period required under § 6(A).

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The Chief of Police shall complete any investigation pursuant to this chapter within ninety (90) days of the submission of the application to the Municipal Clerk, fully completed by the applicant. If a criminal record check has been requested within the ninety-day period and has not been received by the Chief of Police within that period, the Chief of Police may, if all other factors are satisfactory, recommend a conditional issuance of the license subject to the finding regarding criminal record.

The Chief of Police shall, upon completion of the investigation, recommend “grant” or “denial” of the license to the Municipal Clerk, who shall grant or deny the license. Any recommendation of the Chief of Police shall be in writing and, in the case of a recommendation of denial, shall state fully and specifically the reasons for said recommendation. If the Municipal Clerk accepts the recommendation of the Chief of Police to deny any license, the applicant shall be notified in writing within ten (10) days of such denial and the Clerk shall forward to the applicant a statement of the reason or reasons for such denial.

Grounds for recommending denial of license may include reliable information indicating that the applicant has in the past engaged in fraudulent or deceptive business practices in a business identical to or similar to a dealer in secondhand goods. A license may be denied if the investigation reveals a conviction of the applicant or any of its principal officers or employees of any crime(s), disorderly persons offense(s) in which deceit or misrepresentation is an element; or any conviction of any crime(s), disorderly persons offense involving theft or the receiving of stolen goods, regardless of whether the applicant was a principal, accessory before the fact, after the fact, or a co-conspirator; or any prior municipal ordinance violation(s) by the applicant or any of its principal officers or employees in this or any other jurisdiction. A license may be denied if the applicant fails to demonstrate an ability to satisfactorily comply with the electronic reporting

requirements specified in § 5, the retention and inspection requirements of § 6, or any other portion of this chapter. Upon receipt of the recommendation of the Chief of Police, the Municipal Clerk shall issue or deny the license accordingly, contingent upon the receipt of a bond as required by § 8 of this chapter.

- B) Whenever any application for a permit is denied, the applicant shall be entitled to a hearing before a three-person panel appointed by the Chief of Police, at which time the applicant shall be permitted to introduce such evidence as may be deemed relevant to such denial. Any applicant exercising the right to appeal must file a written notice of appeal within ten (10) days of receiving written notice of denial of a license to act as a dealer of secondhand goods.
  - C) No license shall be assignable by the dealer.
- 4

### **§ 5 Identification of seller; recordkeeping requirements for dealers**

For every reportable transaction between a dealer and the public, the dealer shall be required to do as follows:

- A) Require of each person selling or pawning precious metals or other secondhand goods acceptable identification as defined above in §2
- B) Require each seller to execute a "Declaration of Ownership," which shall contain the following certification: *"My signature confirms that I am the sole legal owner of and am legally authorized to sell the goods being sold. By signing below I certify that I did not obtain and do not possess the identified goods through unlawful means. I am the full age of eighteen years and the identification presented is valid and correct."*
- C) Record and issue to each person selling or pawning such goods on a sequentially numbered receipt:
  - a. the name, address, and telephone number of the purchaser, including the clerk or employee of the licensee making the purchase;
  - b. the name, address, date of birth, and telephone number of the seller or sellers;
  - c. a photographed recording of the seller in a format acceptable to the Chief of Police, along with a physical description of the seller, including height and weight (approximate), hair color, eye color, facial hair, if any, etc.;
  - d. a photographed recording of the seller's presented acceptable identification, as set forth in § 2, in a format acceptable by the Chief of Police;
  - e. a photographed recording of all items sold in a format acceptable by the Chief of Police. When photographing, all items must be positioned in

a manner that makes them readily and easily identifiable. Items should not be grouped together when photographing or imaging. Each item should have its own photograph;

- f. the receipt number;
- g. a detailed, legible description of the item(s) and the manufacturer and model of the item(s) if known; in the case of jewelry, the descriptions must include style, length, color, design, and stones, if any; any identifying marks, including numbers, dates, sizes, shapes, initials, names, monograms, social security numbers engraved thereon, serial numbers, series numbers, or any other information, which sets apart the particular object from others of like kind;
- h. the price paid for the purchase or pawn of the item(s);  
if precious metals, the net weight in terms of pounds Troy, pennyweight (Troy) or kilograms/grams; fineness in terms of karats for gold, and sterling or coin for silver, in accordance with N.J.S.A. 51:5-1, N.J.S.A. 51:6-1 et seq.;

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- j. the time and date of the transaction.

D) The information outlined in subsection (C) above, must additionally be electronically documented through the use of an electronic database system authorized by the Chief of Police. Installation and training in this software will be made mandatory as of the effective date of this chapter and licensing will be conditional upon compliance with proper use of the system as described herein. These records shall be subject to the inspection of any authorized police officer or any sworn law enforcement officer acting in the performance of their duty as set forth in subsection (F) below. Through the use of applicably required computer equipment, and using the electronic format approved by the Chief of Police, every dealer shall enter all reportable transactions into the electronic database by the end of the close of business on the same date as the purchase or receipt of property for pawn or consignment. The information entered must contain all pertinent information outlined in subsection (C) above.

E) In the event of a database failure, or dealer's computer equipment malfunction, all transaction information is required to be submitted on paper forms approved by the Chief of Police within twenty-four (24) hours from the date of purchase. In the event that paper forms are used, the dealer is responsible to enter all transaction information set forth in subsection (C) above into the database as soon as possible upon the dealer's equipment being repaired or replaced, or the database coming back into service. Failure by the dealer to properly maintain computer equipment in a reasonable fashion, or failure by the dealer to replace

faulty computer equipment, may result in the dealer being cited for a violation of this chapter and subsequently being subject to the penalties for doing so including revocation of the dealer's license as described in § 6.

- F) It shall be the requisite duty of every dealer, and of every person in the dealer's employ, to admit to the premises during business hours any member of the police department to examine any database, book, ledger, or any other record on the premises relating to the reportable transactions of precious metals or other secondhand goods, as well as the articles purchased or received and, where necessary, relinquish custody of those articles as provided in § 6. Itinerant businesses and transient buyers will be responsible for notifying the Chief of Police of the address where these records and articles will be stored.

### **§6 Retention; revocation; other restrictions**

- A) All secondhand goods purchased, received for pawn, or received for consignment as described above, are to be made available for inspection by the Chief of Police or designee thereof at the designated business address for a period of at least seven (7) calendar days from the date the transaction information is actually reported to the Chief of Police in the approved manner described above in § 5 except for precious metals and jewelry, which must be maintained for at least ten (10) business days or for the statutory period provided in N.J.S.A. 2C:21-36(d).

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All precious metal or other secondhand goods subject to inspection must remain in the same condition as when purchased or received for pawn and shall not be sold, disposed of, changed, modified, or melted by the dealer until the retention period has expired. Itinerant businesses and transient buyers will be responsible for notifying the Chief of Police of the location where the purchased item(s) are being held.

- B) Upon probable cause that goods held by a dealer are stolen, and providing that the seller signed the mandatory statement required by § 5(B) upon the sale of those goods, a law enforcement officer with jurisdiction should charge the seller with theft by deception under N.J.S.A. 2C:20-4 on behalf of the dealer, who shall be considered the "victim" of the offense for the purposes of N.J.S.A. 2C:43-3. The officer shall seize the goods, provide the dealer with a receipt, and issue a criminal complaint against the seller for theft by deception and any other criminal charges for which the officer has probable cause that the seller has committed. If convicted of theft by deception and if so found by an order of a court of valid jurisdiction, the seller will be responsible for providing restitution to the dealer under N.J.S.A. 2C:44-2 for the amount paid by the dealer to the seller for the stolen goods.
- C) In addition to all other reporting requirements, every dealer shall maintain for at least five years, a written record of all purchases of precious metals and other secondhand goods

in the form prescribed in § 5(C).

- D) No dealer shall purchase any item covered by this chapter from any person under the age of 18 or in the absence of providing prior notification of such purchase to the Chief of Police or business designee identifying the individual from whom such purchase is to be made and the item to be purchased.
- E) Suspension. The Chief of Police or a designee thereof is hereby empowered to temporarily suspend for cause any dealer's license and rights to operate there under. This penalty shall be in addition to any fines and penalties the dealer may incur pursuant to § 9 of this chapter.
- i. Grounds for suspension. The following shall constitute grounds for suspension: violation of any provisions of this chapter, including failure to comply with any training or fees associated with the electronic database software system in use by the municipality; violation of any other statute, regulation, or local ordinance; or any other illegal, improper, or fraudulent activity.
  - ii. Procedure for suspension. Upon determination that appropriate grounds exist and that a suspension is warranted, the Chief of Police or a designee thereof shall issue a written notice of suspension of license to the offending dealer and to the Municipal Clerk, which shall set forth the grounds for the suspension and notify the dealer of his or her right to appeal pursuant to subsection (H). A temporary suspension shall issue immediately, pending the outcome of any appeal taken. Suspended dealers must immediately cease engaging in the business of purchasing for resale, receiving for pawn, and/or selling of precious metals and/or other secondhand goods in the municipality until reinstatement.
  - iii. Reinstatement. Suspended dealers may be reinstated only when the grounds leading to the suspension have, in the determination of the Chief of Police or the Chiefs designee, been cured, corrected, or appropriately rectified; or if reinstatement is deemed appropriate by the three-person panel appointed by the Chief of Police, upon the timely filing of an appeal as provided in subsection (H).
- F) Revocation. A license issued under this chapter may be revoked by the Municipal Clerk upon written recommendation from the Chief of Police or the Chiefs designee that the dealer is no longer qualified, capable or competent to comply with the requirements of this chapter. This penalty shall be in addition to any fines and penalties the dealer may incur under § 9.

- i. Grounds for revocation. The following shall constitute grounds for revocation: a third violation under this chapter; a second violation under this chapter less than one year after an earlier violation under this chapter; conviction for a criminal offense within this or any jurisdiction; or multiple violations of any other regulations or local ordinances within this or any jurisdiction.
- ii. Procedure for revocation. Upon a determination that appropriate grounds exist and that a revocation is warranted, the Chief of Police of the Chiefs designee shall so report to the Municipal Clerk in writing. A temporary suspension will immediately and automatically issue, if one is not already in effect, pending the outcome of the charge. A three-person panel, appointed by the Chief of Police, shall review the stated grounds for revocation and the panel shall issue an appropriate disposition of either suspension, revocation, or reinstatement. If the panel determines that revocation is the appropriate disposition, it shall set forth the grounds for the same in writing in the form of a notice of revocation, which shall be provided to the dealer. The notice shall advise the dealer of the right to appeal. If the panel determines that suspension is the appropriate disposition, it shall provide the dealer with a notice of suspension that shall advise the dealer of the right to appeal. Following revocation, the dealer must relinquish his or her license and must immediately and indefinitely cease operating as a dealer of precious metals or other secondhand goods within the municipality.

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- G) Appeal. Any applicant wishing to appeal an issuance of a suspension or revocation shall be entitled to a hearing before a three-person panel, appointed by the Chief of Police, at which time the applicant shall be permitted to introduce such evidence as may be deemed relevant to such suspension or revocation. Any applicant exercising the right to appeal must file a written notice of appeal within ten (10) days of receiving written notice of revocation or suspension of license.
- H) A dealer shall have the right to change the location of the licensed business within the municipality, provided that he or she notifies the Municipal Clerk, in writing, of the street address of said new location.

### **§ 7 Bond**

Each dealer covered under this chapter shall deliver a bond to the Municipal Clerk executed by the applicant as principal and executed by a surety company authorized to do business under the laws of the State of New Jersey as surety. The bond shall be subject to review and approval by the Municipal Attorney, as defined in N.J.S.A. 40A: 9-139, and shall be in the penal sum of \$10,000, conditioned for the due and proper observance of and compliance with the provisions and requirements of all ordinances of die municipality in force or which may be adopted respecting the conduct of this business and conditioned also that the bond shall be and remain

for the benefit of any person or persons who shall have received judgment against the dealer licensed under this chapter, which damage shall be established by a judgment of a court of proper jurisdiction. Said bond shall contain the following language: "The obligation of this bond shall, in addition to the [party municipality], be and remain for the benefit of any person who shall obtain a judgment against obligor as a result of damage sustained in operation pursuant to any license granted under this chapter." Said bond shall be kept for a minimum of one year from the date of issuance of license and must be renewed annually along with the license.

#### **§ 8 Fees; period of license validity**

A nonrefundable fee for initial application and license for a pawnbroker or a dealer in precious metals or other secondhand goods, as covered under this chapter, is \$300. The annual renewal fee for a license is \$300. These fees are separate from and in addition to any fees the dealer must pay in relation to the mandatory electronic database system designated by the Chief of Police, as provided by § 5(D) of this chapter. Payments are to be made in the manner directed by the Municipal Clerk. A license is valid for a one-year period from the date of its issuance.

#### **§ 9 Violations and penalties**

Violation of any provision of this chapter by any dealer shall, upon conviction thereof, be punished by a fine not in excess of the limitations of N.J.S.A. 40:49-5 or by a term of imprisonment or a period of community service not exceeding ninety (90) days in addition to a suspension or revocation of operating license as provided in § 6(F) and § 6(G) above. Each and every violation shall be considered a separate violation. Each violation shall result in an additional suspension period. Any person who is found guilty of violating the provisions of this

chapter within one year of the date of a previous violation and who was fined for the previous violation may be sentenced by the court to an additional fine as a repeat offender and, in addition, may be subject to revocation proceedings as provided in § 6(G). The additional fine imposed as a repeat offender shall not be less than the minimum or exceed the maximum fine provided herein, and same shall be calculated separately from the fine imposed for the violation of this chapter.

**§10 Time limit for conformance; repealer; severability**

- A) Any person, partnership, limited liability company, corporation, or other entity engaging in the business of a pawnbroker, or a dealer in precious metals or other secondhand goods shall conform to the provisions of this chapter within ninety (90) days following the effective date of this chapter.
- B) All ordinances or parts of ordinances inconsistent herewith are hereby repealed.
- C) Nothing contained in this chapter is intended to replace any pre-existing statutory requirements governing pawnbrokers, as in N.J.S.A. 45:22-1 et seq., the sale of precious metals as in N.J.S.A. 51:6A-1 et seq., the sale of secondhand jewelry as in N.J.S.A. 2C:21-36 et seq., or any other statutory provision regarding any subject matter discussed herein.
- D) If any section, subsection, sentence, clause, phrase, or portion of this chapter is for any reason held to be invalid or unconstitutional by a 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 hereof.

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Mayor DiMura opened the Public Hearing on Ordinance No. 1926-17. Seeing that there was no public participation, Mayor DiMura closed the Public Hearing on Ordinance No. 1926-17.

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

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The Borough Clerk read Ordinance No. 1927-17 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

**ORDINANCE NO. 1927-17**

**VACATING A PORTION OF PERSHING PLACE**

**WHEREAS**, a certain portion of Pershing Place was previously determined to be needed for public and a public right-of-way; and

**WHEREAS**, a certain portion of Pershing Place on the westerly side of Wilton Avenue is no longer needed for public use; and

**WHEREAS**, the portion of Pershing Place to be vacated is more particularly described herein; and

**WHEREAS**, the portion of Pershing Place to be vacated now encumbers part of Lot 1 in Block 269, Lot 1 in Block 270 and Lot 9 in Block 270;

**WHEREAS**, the owners of the aforesaid lots have requested the Mayor and Council of the Borough of Middlesex to vacate the rights of the public in and to that portion of the public right-of-way aforesaid which cross Lots 1 and 9 in Block 270 and Lot 1 in Block 269;

**WHEREAS**, the Mayor and Counsel of the Borough of Middlesex have review the request for a vacation of a portion of the public right-of-way aforesaid and have determined that the portion of the public right-of-way which traverses the stated lots is no longer needed for public use and the public rights in and to the aforesaid public right-of-way can be vacated.

**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 Code of the Borough of Middlesex pertaining to the dedication of streets and roads is hereby amended to vacate and abandon the public right-of-way in and to that portion of a certain public right-of-way traversing Lots 1 and 9 in Block 270 and Lot 1 in Block 269 as shown on the tax maps of the Borough of Middlesex.
2. The area of the public right-of-way to be vacated and abandoned is described in accordance with the sketch and metes and bounds description of the same prepared by Victor E. Vinegra, P.E., L.S., New Jersey License 34460, dated June 26, 2017 and more particularly described. A copy of this Sketch and Description are attached hereto and made a part hereof.
3. All rights and privileges presently possessed by public utilities, as defined in N.J.S. 48:2-13 and by any cable television company, as defined in the Cable Television Act, N.J.S. 48:5A-1, et seq., are expressly reserved and excepted from the vacation of that portion of the public right-of-way there are no easements passing over, under or through the portion of Pershing Place so described, all in accordance with N.J.S. 40:67-1b.
4. A notice of Intention to vacate a portion of the public right-of-way aforesaid and to adopt an ordinance to effect such street vacation shall be published in the official newspaper of the Borough of Middlesex and mailed notice given to all persons whose lands would be affected by the passage of such Ordinance, of the time, date and place of public hearing on the consideration of this street vacation ordinance, within the time provided by N.J.S. 40:49-6.
5. This Ordinance shall take effect immediately upon final passage and publication according to law.

Mayor DiMura opened the Public Hearing on Ordinance No. 1927-17. Seeing that there was no public participation, Mayor DiMura closed the Public Hearing on Ordinance No. 1927-17.

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

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### **ADOPTION OF MINUTES**

Councilman Dotey made a motion to approve the September 19, 2017 Regular and Executive Meeting Minutes seconded by Councilman Mikolajczyk and carried by a unanimous vote of members present (abstain: Corley)

Councilman Dotey made a motion to approve the October 10, 2017 Regular Meeting Minutes seconded by Councilman Mikolajczyk and carried by a unanimous vote of members present.

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### **REPORTS – STANDING COMMITTEES**

1. Finance/Taxation/Real Estate/Insurance/Public Utilities
2. Recreation/Recreation Fields/Swim Pool/Community Celebrations
3. Fire/OEM/Rescue Squad
  1. Councilman Madden made a motion to approve the Fire Department Report for September, 2017 seconded by Councilman Mikolajczyk and carried by a unanimous vote of Council.
  2. Councilman Madden made a motion to approve the Fire Chief's Report for September, 2017 seconded by Councilman Mikolajczyk and carried by a unanimous vote of Council. He reported the following:
    - (a) Bryan Oliver has been accepted as an active member of Beechwood Heights Fire Co. and the Middlesex Fire Department.
    - (b) Jackie Giardino has resigned from Parker Engine and Hose and has been accepted as an active member of Beechwood Heights.
    - (c) Results for the 2018 Middlesex Fire Police Election:

Captain:	Michael Macher
Ltd. #1:	Jim Green
Ltd. #2:	Tony Sasso
Engineer:	Jorge Camacho
Asst. Engineer:	Vic Capolunghi
    - (d) The following Fire Police members are qualified drivers of FP1, FP2 and FP3 for 2018: Jack Costa, Lee Poandl, Barbara Benson, Mike Macher, Tony Sasso, Vic Capolunghi, Jorge Camacho and Jim Green.
4. Public Works/Buildings & Grounds/Recycling/Board of Health
  1. DPW Report – Councilman Corley made a motion to accept the DPW Report, seconded by Councilman Mikolajczyk and carried by a unanimous vote of Council. He also reported on the following:
    - (a) The DPW has been working on the Flag Pole area in front of Borough Hall along with various Contractors in an effort to have the area completed by Veterans Day

- (b) The DPW has decorated the Gazebo in front of Mountain View Park for Halloween.
  - (c) The DPW has started doing Road crack filling in various neighborhoods and will continue as long as the weather is good.
  - (d) The DPW would just like to remind everyone that tomorrow Wed. Oct. 25, 2017 is the last Bulk pickup date for the year. Bulk will still be accepted at the Recycle Center as long as you have a Bulk coupon.
  - (e) The Recycle Center is hoping to have the leaf bag delivery this week and will start handing out bags as soon as they are in / Residents are reminded to bring their leaf coupon with them for their (1) bundle of bags
  - (f) The DPW would just to like to remind all Residents as always --- If you see something say something – or if you just need information we will be glad to assist – Just give us a call
5. Police/Legal/Code Enforcement/Construction/Municipal Court
- 1. Wear Pink for a Cause – for the month of October – I mentioned this before but I want to add that each participating officer made a donation to the Susan G. Komen Foundation.
  - 2. Fall Family Festival – We had officers on the park grounds and supported the event.
  - 3. Some additional details on National Walk to School Day – we had officers at each participating school to greet the children and handed out giveaways. It gave us a great opportunity to interact with our school aged children that attend Parker School, Watchung School and Hazelwood School.
  - 4. Operation Take Back will be held on October 28, 2017 from 10:00AM-2:00PM at Middlesex Police Headquarters. Residents can safely dispose all unused, unwanted, and expired medicines.
  - 5. Mischief Night/Halloween – The Middlesex Police Department will have increased patrols, plain clothes police officers, and the bicycle unit on Mischief Night and Halloween.
  - 6. Officers are assigned to the Middlesex Recreation Trunk or Treat program.
  - 7. We launched Operation No Sale. Officers assigned are going to stores to speak with the owners or managers about the need not to sell eggs, shaving cream, and other items to juveniles that are commonly used to commit criminal mischief damage during the Halloween Season. In speaking with stores we will educate them in their responsibility and need for compliance in this program to help the community in reducing criminal mischief damage during this time of year.  
We request that they post signs in the store stating;  
“IN AN ATTEMPT TO REDUCE VANDALISM IN MIDDLESEX BOROUGH, WE RESERVE THE RIGHT TO RESTRICT THE SALE OF THE FOLLOWING ITEMS TO MINORS DURING THIS HALLOWEEN SEASON: EGGS, SHAVING CREAM, SOAP, AND TOILET PAPER. THANK YOU FOR YOUR COOPERATION. THE MANAGEMENT AND MIDDLESEX POLICE DEPARTMENT”
6. Administration/Department of Senior Services/Legislation/Licensing
- 1. Councilman Dotey reported that the Board of Health will hold their Rabies Clinic on November 4 from 10 AM – 12 PM at the DPW Garage on Main Street.

Mayor DiMura opened the Public Portion of the Meeting for any public participation.

Rich Thomasey, 109 Green Avenue requested if the Mayor would consider leaving on the new lights at the football field/track from 5PM – 9PM once daylight savings begins. Mayor DiMura said he would review this request for next year with the Recreation Director, Recreation Committee and Police Department and get their thoughts on this request. Mayor DiMura informed Mr. Thomasey that if the Recreation Director has a program scheduled for that time, he sees no problem putting on the lights.

Dave Polakiewicz, 240 Hazelwood Avenue questioned the NJDOT grant application for Hazelwood Avenue and what portion of the road would be reconstructed, as the stretch of Hazelwood Avenue where he lives has a lot of speeding cars and once it is reconstructed he feels that it will get worse. Mr. Polakiewicz requested police presence once the construction is completed. Mayor DiMura reported that this grant would cover the entire stretch of Hazelwood Avenue, and he would direct the Police Department to monitor the speeding now and continue monitoring once the project is completed.

Mr. Polakiewicz also questioned if permits applications have been taken out for Pathmark or Burger Tubing and if there has been any thought or request by the developer for a Pilot Agreement for that property. Mayor DiMura indicated that we do not know if they are looking for a Pilot Agreement unless they submit an application, which they could ask for, and they would make that proposal to the governing body that would have to vote on the request.

Rich Rutkowski, 211 Maple Street questioned Resolution #248-17 for the hiring of an Alternate Prosecutor and if he was the most qualified for the position, and why. Mayor DiMura indicated that the borough will not be paying more money for this position, and this candidate was recommended by the firm that we hired to be the Prosecutor.

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

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The Borough Clerk read the following resolution:

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

**Consent Agenda 2017(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 #249-17 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 #244-17 – Resolution #248-17  
Resolution #250-17

Councilman Dotey made a motion for approval seconded by Councilman Mikolajczyk and carried by the following roll call vote: Ayes: Dotey, Corley, Madden, and Mikolajczyk. Nos: None. Abstain: None.

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The Borough Clerk read the following resolution:

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

**Resolution No. 244-17**

The Tax Collector is hereby authorized to refund/and or credit 2017 taxes for qualified Senior Citizen, Disabled Person & Veteran Deductions:

<u>BLOCK &amp; LOT</u>	<u>NAME &amp; ADDRESS</u>	<u>AMOUNT</u>
100/10	Seip, Bruce E & Patricia J	\$250.00
113/18	Quast, Nancy M & Warner	\$250.00
209/96	Vacca, Vincent & Carol Ann	\$250.00
283/41	Erickson, Kimberly	\$250.00

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The Borough Clerk read the following resolution:

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

**Resolution #245-17**

The Governing Body hereby approves the Bylaws of the Middlesex Borough Alcohol and Drug Abuse Committee which were amended at the October 4, 2017 Middlesex Municipal Alliance Meeting.

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The Borough Clerk read the following resolution:

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

**Resolution #246-17**

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT  
WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE MA-2018-2018  
BOUND BROOK ROAD STREETScape 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 and Clerk are hereby authorized to submit an electronic grant application identified as 00548 to the New Jersey Department of Transportation on behalf of Middlesex Borough.

**BE IT FURTHER RESOLVED** that Mayor and Council are hereby authorized to sign the grant agreement on behalf of Middlesex Borough and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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The Borough Clerk read the following resolution:

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

**Resolution #247-17**

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT  
WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE 2018 ROAD  
IMPROVEMENTS – HAZELWOOD AVENUE 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 and Clerk are hereby authorized to submit an electronic grant application identified as ma-2018-2018 Road Improvements to the New Jersey Department of Transportation on behalf of Middlesex Borough.

**BE IT FURTHER RESOLVED** that Mayor and Council are hereby authorized to sign the grant agreement on behalf of Middlesex Borough and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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The Borough Clerk read the following resolution:

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

### **Resolution #248-17**

The Governing Body hereby approves Jeffrey Smith, Esq. of the firm Bob Smith & Associates LLC, 216-B1 Stelton Road, Piscataway, NJ as an Alternate Prosecutor for the year 2017.

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The Borough Clerk read the following resolution:

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

### **Resolution #249-17**

**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 2016 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.

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The Borough Clerk read the following resolution:

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

**Resolution #250-17**

The Governing Body hereby authorizes the Borough Administrator to execute an Electricity Supply Agreement with Constellation NewEnergy, Inc., Houston, Texas effective October 13, 2017 – October 13, 2020.

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The Borough Clerk read the following resolution:

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

**Resolution # 251-17**

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

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**AGENDA WORKSHOP ITEMS**

1. Job Coaching Work Site Agreement with the Middlesex Public School, Department of Special Services - Mayor DiMura stated that this is a program between the Borough and Board of Education and it will enable some of our students to work with the DPW and do work in the parks under the supervision of their instructor and the DPW. The liability will be through the Board of Education's insurance policy. A consensus of Council was

taken to approve this Job Coaching Work Site Agreement at the November 21, 2017 Regular Meeting.

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**DISCUSSION ON AGENDA WORKSHOP ITEM**

Rich Malt, 309 D Street, stated that he wholeheartedly supports the Job Coaching Program, and commented that it will be a great program for the children that participate.

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**ADJOURNMENT**

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

Respectfully yours,

Kathleen Anello, RMC  
Borough Clerk

**BOROUGH OF MIDDLESEX  
REGULAR MEETING MINUTES  
NOVEMBER 21, 2017**

**MAYOR'S STATEMENT:** Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of December 28, 2016 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

**SALUTE TO THE FLAG**

**ROLL CALL**

Mayor	Ron DiMura
Council President	Bob Schueler
	Kevin Dotey
	Dan Parenti
	Patrick Corley
	John Madden
	Jack Mikolajczyk

Attorney:	Aravind Aithal
Administrator:	Brandon Goldberg

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Mayor DiMura asked for a motion to add an item to the Executive Session Mtg. an item under Personnel for the Disabled and Senior Services. Councilman Corley made a motion seconded by Councilman Parenti and carried by a unanimous vote of council members.

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**PRESENTATIONS-NONE**

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**APPOINTMENTS-NONE**

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**PROCLAMATIONS-NONE**

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**NEW BUSINESS**

The Borough Clerk read Ordinance No. 1925-17 for introduction.

**ORDINANCE NO. 1925-17**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 420, ZONING, ARTICLE VI DISTRICT REGULATIONS, SECTION 420-44 R-60B SINGLE**

**FAMILY AND TWO FAMILY RESIDENTIAL DISTRICT TO INCLUDE SECTION 420-44 G  
ZERO LOT LINE**

**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:

Chapter 420 shall be amended to include the following:

**ARTICLE VI  
DISTRICT REGULATIONS**

**§420-44 G. Zero-Lot Line.** A “Zero-lot line” lot shall mean a lot created with no side yard setback on one side of the lot to create a shared building envelope between the two lots. This shared building envelope shall only be used to build or divide a duplex where the common wall between the two units is built, or determined to be, the common boundary line to create two separate attached single-family dwelling units. No lot can have more than one side yard with a zero setback.

(1) Zero-Lot Line lots are only permitted in the R-60B zone. The dimensional standards for each zero-lot line lot containing a single-family attached dwelling structure or duplex shall be as follows:

a. Minimum lot area: 3,000 square feet per lot. Therefore the minimum lot area total of both lots containing the duplex is 6,000 square feet.

b. Minimum lot width: 30 feet per lot. Therefore the minimum lot width total for both lots containing the duplex is 60 feet.

c. Minimum front yard setback: 25 feet.

d. Minimum rear yard setback: 20 feet.

e. Minimum outside side yard setback (not shared side): 6 feet

(2) Notwithstanding Section 420-44 E. herein, the minimum off-street parking requirements for two family resident structures shall not be less than two off-street parking spaces per dwelling unit. A separate driveway is required for each lot with a minimum 2 foot setback from the outside side yard.

(3) Appearance. The appearance of the duplex must remain identical on both sides. The building façade, colors and the shape of the structure must remain identical on both sides. No additions to only one side of the two family structure are permitted at any time.

**SECTION II.** This ordinance shall take effect upon final adoption and publication as required by law.

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

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The Borough Clerk read Ordinance No. 1929-17 for introduction.

**ORDINANCE NO. 1929-17**

**AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE BOROUGH OF MIDDLESEX  
ADOPTING AN AMENDMENT TO THE LINCOLN BOULEVARD REDEVELOPMENT PLAN  
FOR THE LINCOLN BOULEVARD REDEVELOPMENT AREA PURSUANT TO N.J.S.A.  
40A:12A-1ET SEQ.**

**BE IT ORDAINED** by the Borough Council of the Borough of Middlesex, in the County of Middlesex and State of New Jersey, as follows:

**SECTION I**

Pursuant to the "Local Redevelopment and Housing Law," P.L.1992, c.79 (C.40A:12A-1 et seq.), by an ordinance approved on September 18, 2007, the Middlesex Borough Council ("Borough Council"), adopted a Redevelopment Plan for the Lincoln Boulevard Rehabilitation Area, prepared by A. Nelessen Associates, Inc., dated June, 2007 ("Redevelopment Plan").

**SECTION II**

The Borough Council has adopted amendments to the Redevelopment Plan, August 2011, and December 2016, prepared by RicciPlanning, which recognized the creation of a formal Redevelopment Area.

**SECTION III**

The Borough Council has prepared an amendment to the Redevelopment Plan, which shall be referred to the Planning Board for its consideration.

**SECTION IV**

The following are the proposed amendments to the Redevelopment Plan, Section 11.1 Parking Standards and shall be added as new provisions:

Section 11.1.1. Bullet Point 3: language will be replaced with the following; “Apartment Dwellings” One bedroom and Two bedrooms - two (2) spaces per unit: More than two bedrooms: Planning Board to determine.

Section 11.1.1. (3) Shared Parking, Deleted in its entirety.

Section 11.1.2 Shared Parking: deleted in its entirety and replaced with: Shared Parking will be considered by the Planning Board at its sole discretion if it can be determined that the parking demand at any one time will be adequately served by the total number of parking spaces available.

## **SECTION V**

Prior to the adoption of the amendment to the Redevelopment Plan, the Planning Board shall within 45 days after referral, transmit to the Borough Council acting as the redevelopment entity, a report containing its recommendation concerning the amendment to the Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7. e.

## **SECTION VI**

Upon receipt of the Planning Board’s recommendation or if the Planning Board fails to transmit a recommendation within 45 days after referral, the Borough Council shall act upon this Ordinance adopting the amendment to the Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7.

## **SECTION VII**

The Borough Council hereby amends the amendment to the Redevelopment Plan.

## **SECTION IIX**

This Ordinance shall take effect twenty (20) days after publication in accordance with applicable law.

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

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

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The Borough Clerk read Ordinance No. 1930-17 for introduction.

**ORDINANCE NO. 1930-17**

**AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 272, MASSAGE, BODYWORK AND SOMATIC THERAPY ESTABLISHMENTS, SECTION 272-3 APPLICATION FEES, AND SECTION 272-7 MASSAGE, BODYWORK AND SOMATIC THERAPIST PERMIT FEE**

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

**§272-3 Application Fees** shall be amended as follows:

Every applicant for a permit to maintain, operate or conduct a massage, bodywork or somatic therapy establishment or out call massage, bodywork or somatic therapy service shall file an application with the Board of Health upon a form provided by said division and pay a fee of \$1,000. The permit to be issued shall be valid until May 31 of the year immediately following the year that the permit was issued hereunder.

**§272-7 Massage, Bodywork and Somatic Therapist Permit Fee** shall be amended as follows:

An applicant for a massage, bodywork or somatic therapist's license shall pay a permit fee of \$100, which permit shall be valid until May 31 of the year immediately following the year that the permit was issued hereunder.

This ordinance shall take effect upon final adoption and publication as required by law.

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

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The Borough Clerk read Ordinance No. 1931-17 for introduction.

**ORDINANCE NO. 1931-17**

**AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 371, TATTOOING, SECTION 371-2 FEE REQUIRED**

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

**§371-2 Fee Required** shall be amended as follows:

The initial fee for the license required to engage in this business in the Borough of Middlesex shall be \$1,000, and thereafter there will be a \$500.00 renewal fee paid yearly. The license to be issued shall be valid until May 31 of the year immediately following the year that the license was issued hereunder.

This ordinance shall take effect upon final adoption and publication as required by law.

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

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### **PUBLIC HEARING**

The Borough Clerk read Ordinance No. 1928-17 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

### **ORDINANCE NO. 1928-17**

#### **AN ORDINANCE OF THE BOROUGH OF MIDDLESEX ADOPTING A POLICY FOR ESTABLISHMENT OF PROFESSIONAL ESCROW AND PAYMENT OF REDEVELOPMENT FEE BY REDEVELOPERS FOR PROJECTS IN ALL BOROUGH AREAS**

**WHEREAS**, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., the Borough Council has been acting as the redevelopment entity for the Borough and responsible for managing the redevelopment of the Borough; and

**WHEREAS**, N.J.S.A. 40A:12A-8(f) authorizes a redevelopment entity “to arrange or contract with public agencies or redevelopers for the planning, replanning, construction, or undertaking of any project or redevelopment work, or any part thereof; negotiate and collect revenue from a redevelopment to defray the costs of the redevelopment entity”; and

**WHEREAS**, N.J.S.A. 40A:12A-8(n) authorizes a redevelopment entity to “do all things necessary or convenient to carry out its powers”; and

**WHEREAS**, it has been the Borough’s practice to negotiate the payment of redevelopment fees by redevelopers on an ad hoc basis, which fees have been included in prior redevelopment agreements between the Borough and redevelopers; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-8(f) and (n), the Borough wishes to adopt a policy for establishing a professional escrow in order to reimburse the Borough for professional service fees incurred on redevelopment applications, including but not limited to architects, engineers, planners, attorneys, consultants and/or professionals; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-8(f) and (n), the Borough wishes to adopt a policy for the payment of a redevelopment fee by the redeveloper in order for the Borough to defray the administrative costs and expenses associated with implementing a redevelopment project; and

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

1. It hereby adopts the following policy for establishing a professional escrow and for the payment of a redevelopment fee by redevelopers to cover Borough administrative expenses, costs of professionals and other costs associated with implementing redevelopment projects:

**I. ESTABLISHMENT OF PROFESSIONAL ESCROW**

A. Prior to the initial meeting or review of a proposed redevelopment concept and/or preliminary application, the applicant/redeveloper shall establish a professional escrow account with the Borough by depositing a minimum \$10,000.00 with the Borough Clerk and shall be required to enter into the attached Escrow Agreement in substantially similar form.

B. The escrow fee charged for review shall be used exclusively for professional reviews by architects, engineers, planners, attorneys, consultants and/or professionals employed by the municipality. Said escrow fees shall be so segregated for each application so that the fee to be paid shall be utilized only for the particular project.

C. Whenever an escrow balance drops below \$5,000.00, the applicant/redeveloper shall replenish said escrow to \$10,000.00. If the escrow fee charged is insufficient so as to cover the professional fees applicable to that particular project, then that applicant/redeveloper shall be required to pay all deficiencies within his or her individual account.

D. In the event any of the escrow remains unused at the conclusion of the application or redevelopment project, said amount that is not utilized shall be returned to the applicant/redeveloper upon written request.

E. If the Borough and applicant/redeveloper enter into a redevelopment agreement, the redevelopment agreement shall replace the parties' escrow agreement. The Borough shall have the discretion to increase the professional escrow minimum balance requirements in the redevelopment agreement based on the nature of the redevelopment project on a case-by-case basis. The redeveloper shall be required to maintain a professional escrow until completion of the redevelopment project as determined by the terms of said redevelopment agreement.

F. All such escrow fees shall be maintained in accordance with the provisions of the New Jersey Municipal Land Use Law, N.J.S.A. 40:55d-1 et seq.

**II. PAYMENT OF REDEVELOPMENT FEE**

A. If the Borough and applicant/redeveloper enter into a redevelopment agreement, the applicant/redeveloper shall be required to pay a redevelopment fee to the Borough in order to defray the administrative costs and expenses associated with implementing said redevelopment project. The redevelopment agreement shall include a provision for the payment of a redevelopment fee by a redeveloper.

B. The redevelopment fee shall be paid by the redeveloper fifty percent (50%) upon execution of the redevelopment agreement and fifty percent (50%) upon the issuance of the first certificate of occupancy or temporary certificate of occupancy for the project.

C. The redevelopment fee shall be determined as follows:

- a. \$400.00 per studio unit;
- b. \$800.00 per one (1) bedroom unit;
- c. \$1,000.00 per two (2) bedroom unit;
- d. \$1,300.00 per three (3) bedroom unit or townhouse; plus
- e. Commercial/Retail/Other space at \$0.75 per foot.

2. This Ordinance shall take effect immediately upon final passage and publication according to law.

Mayor DiMura opened the Public Hearing on Ordinance No. 1927-17.

Councilman Mikolajczyk questioned the threshold that determines that it's a redevelopment project. Mayor DiMura stated that this ordinance is for any development in the borough. Mayor referred to our Redevelopment Specialist Colin Driver who noted that the property is being used for a commercial use which is developed to make a profit.

Bob Edwards, 243 Hazelwood Avenue questioned the redevelopment fee as to a 2 bedroom vs. a three bedroom unit or townhouse. Mr. Driver stated that this is generic language and that square footage is the best way to establish cost.

Mr. Edwards questioned why this ordinance is being done now. Mayor DiMura stated it should have been done back in 2007 when redevelopment plan was first introduced. Mr. Edwards questioned whether this will hinder development and Mr. Driver responded that it doesn't hinder it at all and that it is part of doing business to defray the administrative costs and expenses associated with a redevelopment project.

Seeing that there was no other public participation, Mayor DiMura closed the public hearing on Ordinance No. 1928-17.

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

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## ADOPTION OF MINUTES

Councilman Dotey made a motion to approve the October 24, 2017 Regular Minutes seconded by Councilman Mikolajczyk and carried by a unanimous vote of members present (abstain: Parenti, Schueler).

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### Mayor's Report

1. Economic Development Advisory Committee's Agenda for Redevelopment – Mayor DiMura stated that at the last meeting of the EDAC, the Committee discussed an overview for next year which included establishing public outreach by getting public input with the current redevelopment plan. Meetings will be held for the 3 current phases of the plan in order to keep the plan viable. The Mayor noted that redevelopment is important for the future of the Borough. Mayor DiMura commended the Economic Development Advisory Committee (EDAC) on what they have done.

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## REPORTS – STANDING COMMITTEES

1. Finance/Taxation/Real Estate/Insurance/Public Utilities
  - A. Budget Status November 2017

The Finance committee met 11/16/2017 to discuss the current budget. Overall our budget status is sitting at 84%. Most line items are within standard. However, some of the ones that were over were the miscellaneous category. As a result of this and the general lack of transparency of the miscellaneous category, led the committee to make the following recommendation: that the finance department and the administrator establish a hard stop on miscellaneous purchases that go over the budgeted amount. These expenses will go back to the department head to make sure there is not more appropriate allocation. If there is not the expense should go back to the finance committee to see if it is an appropriate expense. If it is approved it can then be purchased.

Further we should put soft stops on other line items where they go over the budgeted amount.

These soft stops would go to the finance committee and or the administrator, but there needs to be written rationale for why it is necessary. This is not an attempt to keep purchases from moving forward but to make sure that are properly budgeting for line items and departments.

Further Department heads need to review their budget status semiannually and account for what additional expenditures are expected. If they are over budget for the time of year, they need to provide a written justification on line items that are over 60% of the full year's expenditure. The administrator should be gathering recording and collating this data. These should be summarized and provided to the finance committee. This will

assist in determining what items are necessary going forward and look proactively at what opportunities there are for potential budget transfers later in the year.

Specific Questions:

Do we need to break down the computer data by individual departments, can we have one pot of budget money for computer data.

Can we get more information about the Education and Training budget for Roads, there was 25500 budgeted but what training was anticipated.

We are currently at 136% of the Tires expenditure. We need to get documentation of all the tires and a justification of the need. What trucks were most susceptible to tire damage. This will allow us to more effectively budget next year.

Our Street lighting expenditures was lower than expected, was there a decreased need or did we have credits due to the solar collection.

Our Sewer outside maintenance budget was significantly over, was that due to the absence of the employee who was out on disability.

There was a recommendation from Councilman Madden to see if we can provide additional 5K to Shade tree due to the potential weather related need for tree issues from now to end of year.

With respect to the changes I would like to make a motion to implement this process going forward.

We should also consider putting a freeze on the expense budget for expenses over 500 for the month of December.

We support the budget transfers that were put forth by CFO and the Treasurer.

2. Recreation/Recreation Fields/Swim Pool/Community Celebrations
  - A. Councilman Parenti made a motion to accept the October & November, 2017 Recreation Director's Report seconded by Councilman Corley and carried by a unanimous vote of Council. Councilman Corley also reminded everyone that the Christmas tree lighting will take place on December 10<sup>th</sup> between 4 p.m. and 7 p.m.
3. Fire/OEM/Rescue Squad
4. Public Works/Buildings & Grounds/Recycling/Board of Health
5. Police/Legal/Code Enforcement/Construction/Municipal Court
  - A. Councilman Mikolajczyk made a motion to accept the Police Report for September 2017 seconded by Councilman Dotey and carried by a unanimous vote of council members. Councilman Mikolajczyk stated that the holiday patrol initiative will be taken

place and the police will be out in stores and making more traffic stops during this holiday season.

6. Administration/Department of Senior Services/Legislation/Licensing

A. Councilman Dotey reported that the Board of Health is recommending that the Borough do lead testing on homes when a house is sold and testing every 5 years for apartments or when a change of renter occurs. Governing body members stated that the testing should be done by the buyer through the home inspection and exposes the municipality with liability. The problem with apartments is that it is too broad to regulate and we would be discriminating against certain properties owners, i.e. restaurants, retail stores. DEP has certain guidelines. Councilman Madden gave a copy of these guidelines to liaison Dotey for the Board to review.

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**PUBLIC COMMENTS**

Mayor DiMura opened the Public Portion of the Meeting for any public participation.

Robert Edwards, 243 Hazelwood Avenue questioned if we could require American Water to do water testing. Mayor DiMura stated that it wasn't the water quality but the lead pipes and solder that was used on the pipes coming into the household.

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

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The Borough Clerk read the following resolution:

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

**Consent Agenda 2017(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 #266-17 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 #252-17 – Resolution #265-17

Council President Schueler made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Parenti, Corley, Madden, Schueler, and Mikolajczyk. Nos: None. Abstain: None.

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The Borough Clerk read the following resolution:

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

**Resolution #252-17**

The Governing Body hereby authorizes the Borough Administrator to execute the Job Coaching Work Site Agreement with the Middlesex Public Schools, Department of Special Services.

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The Borough Clerk read the following resolution:

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

**Resolution #253-17**

The tax collector is hereby authorized to refund 1<sup>st</sup> & 2<sup>nd</sup> quarter 2017 tax payments each in the amount of \$501.54 on Block 285 Lot 60 for a total of \$1003.08, due to a misapplied electronic payment. Payment should have been applied to Block 285 Lot 60 Q C001. Check should be made payable to:

SunTrust Mortgage  
1001 Semmes Avenue  
Richmond, VA 23224

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The Borough Clerk read the following resolution:

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

**Resolution #254-17**

The Tax Collector is hereby authorized to cancel taxes on the following property. This property was bought by the US Army Corps of Engineers who are exempt from paying taxes.

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
58/21.01	56 Dayton Ave	2 <sup>nd</sup> & 3 <sup>rd</sup> Qtr 2017- \$3437.66 1 <sup>st</sup> & 2 <sup>nd</sup> Qtr 2018- \$3327.94

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The Borough Clerk read the following resolution:

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

**Resolution #255-17**

**WHEREAS**, Kevin Thank of General Maintenance & Contractors Inc. applied to the Construction Office for a Zoning Permit at 230 Mountain Avenue; and

**WHEREAS**, Kevin Thank of General Maintenance & Contractors Inc. submitted \$100.00, Check #1136 on 10/24/2017 in payment of said Zoning Permit; and

**WHEREAS**, said Zoning Permit fees are \$50.00 not \$100.00.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Middlesex that the disbursing officers be and they are hereby authorized to draw a check in the amount of \$50.00 in favor of Kevin Thank General Maintenance & Contractors Inc, 710 Kelli Lane, Springfield, PA 19064, for refund of overpayment of a Zoning permit.

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The Borough Clerk read the following resolution:

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

**Resolution #256-17**

The Tax Collector is hereby authorized to issue a check in the amount of \$122,035.64 to redeem Tax Sale Certificate #16-00005 and a check in the amount of \$110,000.00 for a Tax Sale Premium, Block 5 Lot 12, Hamiltonian Gardens LLC. Check is made payable to:

Trystone Capital Assests, LLC  
PO Box 1030  
Brick, NJ 08723

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The Borough Clerk read the following resolution:

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

**Resolution #257-17**

The Tax Collector is hereby authorized to refund an overpayment of 3<sup>rd</sup> Quarter 2017 taxes in the amount of \$1684.34 on Block 338, Lot 17.02, Voorhees Avenue. The previous owner and the new owner both paid.

The check is to be made payable to:

Warren Orlando  
221 Beechwood Avenue  
Middlesex, NJ 08846

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The Borough Clerk read the following resolution:

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

**Resolution #258-17**

The Governing Body hereby hires Jeanine Colaluca, Middlesex, New Jersey as a Substitute Senior Driver for the Office of Aging at \$12.00 per hour effective immediately, pending a satisfactory drug screening and driver's abstract.

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The Borough Clerk read the following resolution:

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

**Resolution #259-17**

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

**WHEREAS**, On November 3, 2017 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 "D" effective November 19, 2017 at an annual salary of \$79,605.

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The Borough Clerk read the following resolution:

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

**Resolution #260-16**

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

**WHEREAS**, On November 3, 2017 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 "B" effective November 21, 2017 at an annual salary of \$97,680.

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The Borough Clerk read the following resolution:

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

**Resolution #261-17**

**GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG  
ABUSE  
FISCAL GRANT CYCLE JULY, 2014 – JUNE, 2019**

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, the Borough Council of the Borough of Middlesex, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

**WHEREAS**, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

**WHEREAS**, the Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Middlesex;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Middlesex, County of Middlesex, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Middlesex Borough Municipal Alliance grant for fiscal year 2019 in the amount of:

DEDR	\$20,965.00
Catch 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.

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The Borough Clerk read the following resolution:

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

**Resolution #262-17**

The Tax Collector is hereby authorized to refund/and or credit 2017 taxes for qualified Senior Citizen, Disabled Person & Veteran Deductions:

<u>BLOCK/LOT</u>	<u>NAME</u>	<u>AMOUNT</u>
313/61/C001	Nardozzi, Joan	\$250.00
321/12	Romano, Steven	\$250.00

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The Borough Clerk read the following resolution:

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

**Resolution #263-17**

The Treasurer hereby authorizes the transfer of funds for the Current Budget of 2017:

<b>Department</b>	<b>From</b>	<b>To</b>
Computer Services - Municipal Clerk	\$3,800.00	
Computer Services - IT Consultant	\$8,000.00	
Computer Services - Finance		\$5,600.00
Computer Services - Tax Collector		\$6,200.00
Tax Collector - S/W		\$500.00
Tax Collector - Tax Bill Costs	\$500.00	
Legal Services - Tax Appeals		\$4,600.00
Legal Services - Police Attorney		\$2,500.00
Legal Services - Miscellaneous		\$3,000.00
Engineering - General	\$6,100.00	
Environmental - Engineering	\$2,500.00	
Environmental - Landfill	\$1,500.00	
Police - Overtime	\$38,705.00	
Group Insurance		\$25,000.00
Road Dept - Differential		\$11,500.00
Road Dept - Overtime		\$15,000.00
Garbage Dept - S/W		\$32,000.00
Buildings & Grounds - Supplies		\$2,000.00
Buildings & Grounds - Cleaning		\$3,000.00
Buildings & Grounds - Bldg Maint		\$10,000.00
Piscataway Sewer		\$77,205.00
MultiFamily Solid Waste	\$15,000.00	
Recreation - Supplies		\$10,000.00
Parks Dept - S/W	\$60,000.00	
Sick Pay	\$10,000.00	
Electricity		\$10,000.00
Street Lighting	\$20,000.00	
Water	\$10,000.00	

Diesel Fuel	\$35,000.00	
Gasoline	\$24,000.00	
Sewer Dept - S/W		\$5,000.00
Social Security		\$22,000.00
Municipal Court S/W	\$10,000.00	
	<b>\$245,105.00</b>	<b>\$245,105.00</b>

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The Borough Clerk read the following resolution:

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

**Resolution #264-17**

The Governing Body hereby hires David Bird, Middlesex, New Jersey as a part time Code Enforcement Inspector for the Construction Department at \$15.00 per hour for 4 hours per week, pending a satisfactory driving abstract. Mr. Bird will be working on Tuesday and Thursday from 2PM – 4PM effective immediately.

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The Borough Clerk read the following resolution:

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

**Resolution #265-17**

The governing body hereby accepts the resignation of Nancy Quast as a School Crossing Guard with the Police Department effective November 15, 2017.

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The Borough Clerk read the following resolution:

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

**Resolution #266-17**

The Governing Body hereby approves and accepts the Corrective Action Plan on the 2016 Audit, according to Local Finance Board Directive 92-15.

Councilman Mikolajczyk made a motion for approval seconded by Council President Schueler and carried by the following roll call vote: Ayes: Dotey, Parenti, Corley, Madden, Schueler, and Mikolajczyk. Nos: None. Abstain: None.

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The Borough Clerk read the following resolution:

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

**Resolution # 267-17**

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

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**AGENDA WORKSHOP ITEMS**

1. Special Meeting November 28, 2017 – Mayor DiMura announced that there will be a Special Meeting on November 28, 2017 for the Payment in Lieu of Taxes (Pilot) Program for 220-242 Lincoln Blvd.

2. Amusement Licenses – Mayor DiMura tabled discussion until the next meeting December 12, 2017.

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**DISCUSSION ON AGENDA WORKSHOP ITEM-NONE**

The Borough Clerk read the following resolution:

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

**Resolution #268-17**

**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. Possible Litigation w/ PSE&G
2. Board of Education Contracts w/ Middlesex Borough

3. DPW Disability Retirement & Restructure of DPW
4. Police Chief Contract

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

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Councilman Madden moved to reconvene the Regular Meeting seconded by Council President Schueler and carried by the following roll call vote.

**ROLL CALL**

Mayor	Ron DiMura
Council President	Bob Schueler
	Dan Parenti
	Kevin Dotey
	Patrick Corley
	John Madden
	Jack Mikolajczyk
Attorney:	Aravind Aithal

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The Borough Clerk read the following resolution:

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

**Resolution #269-17**

The Governing Body hereby advances Bryan Oliver, Middlesex, New Jersey to full time status as a permanent laborer in the DPW for 40 hours per week at \$15.12 per hour effective December 1, 2017, pending a satisfactory driving abstract.

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

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The Borough Clerk read the following resolution:

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

**Resolution #270-17**

The Governing Body hereby advances Bryan Tiede Woldin, Middlesex, New Jersey to full time status as a permanent laborer in the DPW for 40 hours per week at \$15.12 per hour effective December 1, 2017, pending a satisfactory driving abstract.

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

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The Borough Clerk read the following resolution:

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

**Resolution #271-17**

The Governing Body hereby hires Jeannine Thompson as a temporary secretary in the Office of Senior and Disabled Services effective immediately for 20 hours per week, at \$14.00 per hour for a maximum of 60 days, pending acceptance of the temporary offer of employment.

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

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**ADJOURNMENT**

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

Respectfully yours,

Kathleen Anello, RMC  
Borough Clerk

**BOROUGH OF MIDDLESEX  
SPECIAL MEETING MINUTES  
NOVEMBER 28, 2017**

**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 November 22, 2017 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall and on the Middlesex Borough Website

**SALUTE TO THE FLAG**

**ROLL CALL**

Mayor	Ron DiMura
Council President	Bob Schueler
	Kevin Dotey
	Dan Parenti
	Patrick Corley
	John Madden
	Jack Mikolajczyk
Attorney:	Anthony Iacocca
Administrator:	Brandon Goldberg
Tax Assessor	Tom Reilly
Economic Development Specialist	Colin Driver

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Mayor DiMura stated that the Governing Body received a letter from a resident bringing to their attention the possible conflict with himself, Councilman Dotey and Councilman Parenti regarding the matter to be discussed tonight. Mayor DiMura brought this matter to our Attorney, and he indicated that we do not have any conflict and must participate in this meeting.

Mayor DiMura indicated that the Council will go into executive session first tonight to discuss the PILOT Program and the developer's agreement, which are currently in negotiation. If there is a consensus of Council to move forward after executive session, the Council will move forward to accept the PILOT Program and the hearing on the Ordinance will be held on December 12, 2017. Mayor DiMura indicated that if the Council does not reach a consensus, they will hold another Special Meeting to discuss this matter.

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The Borough Clerk read the following resolution:

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

**Resolution #272-17**

**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. Payment in Lieu of Taxes (PILOT) for Block 349, Lots 6.02, 8, 10.1, 10.2, and 10.03

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

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Councilman Madden moved to reconvene the Special Meeting seconded by Council President Schueler and carried by the following roll call vote.

**ROLL CALL**

Mayor	Ron DiMura
Council President	Bob Schueler
	Dan Parenti
	Kevin Dotey
	Patrick Corley
	John Madden
	Jack Mikolajczyk
Attorney:	Anthony Iacocca
Administrator:	Brandon Goldberg
Tax Assessor	Tom Reilly
Economic Development Specialist	Colin Driver

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Mayor DiMura opened the Public Portion of the Special Meeting for comments from the public.

Rich Rutkowski, 211 Maple Street requested what was discussed in Closed Session and why it had to be discussed in a closed session. Mayor indicated that the Financial Agreement and

Developer's Agreement were discussed and tonight the Council will introduce the ordinance which includes the financial agreement with amendments and a hearing will be held on December 12, 2017. The resolution for the Developer's Agreement will be tabled as changes are needed. The discussion was held in closed session because the developer had made a proposal to the borough, which the council will need to discuss and negotiate.

Amy Flood, 351 Grant Avenue questioned the process that will be followed in order to accept the developer's proposal and the time frame involved. Mayor DiMura explained the process and the public hearing that will be held.

Ms. Flood was also concerned with the rental lease which commenced in July, 2017 with OLMV and when the borough intends to begin to use the building. Mayor DiMura indicated that the lease began in July, 2017, the borough is paying \$5,000 per month and we have been making ADA improvements and IT improvements on this building. Mayor DiMura stated that the Recreation Department/Senior Department will be occupying the building by January 1.

Ms. Flood also expressed her concern that Middlesex Borough could not compare to other towns that have PILOT Programs and was annoyed that this ordinance/agreement was being done quickly, and if the public wanted to challenge the ordinance this was being done during a busy holiday time. Ms. Flood compared Middlesex to other towns that have entered into a PILOT Program and felt that most cities that have entered into these programs have a train station, and we do not, and cannot compare to them.

Ms. Flood questioned if there were any mandates to audit this agreement and how can we be certain all mandates are met and if an impact analysis was done on the program. Mayor DiMura indicated that our attorney will review this document and it will be made available prior to the public hearing. Mayor DiMura stated that an impact analysis was done on the program when it was approved by the Planning Board. Ms. Flood also was concerned about any additional borough costs that will be associated with this program, and the Mayor indicated that he was advised by the Police Chief that they would not need to increase the police force, the Fire Department did not see any issues with the 200 apartments and the road is a County road and is serviced by the County.

Ms. Flood questioned how many jobs the developer for 150 Lincoln Boulevard have provided to the community and would like the new developer to have something stated in the abatement that this will happen and report their employees and how many are residents from the borough. Mayor DiMura does not know how many employees the owner has at 150 Lincoln Boulevard, but stated that they will make sure in good faith that this is enforced to employ residents.

Ms. Flood questioned the payment for the PILOT Program for 150 Lincoln Boulevard and when it would be made. Mayor DiMura stated that the first payment is due on February 1, 2018, and was not due until the final inspection on the final unit is done. Ms. Flood is concerned that the agreement should state that we accrue interest if the payment is not made. Mayor does not have that information, but told Ms. Flood that he will get this information by the end of the week. The current Financial Agreement is in negotiations now, but will be available to review before the meeting of December 12th.

Ms. Flood was concerned why the Council needed a special meeting to negotiate this agreement and requested that council think about their neighbors and residents in town when

you cast your vote on this and vote in their best interest. Mayor DiMura indicated that he did not want to tie this matter to a regular meeting and that is why he called for a special meeting, and the Council also has a lot going on at this time

Rich Thomasey, 109 Green Avenue questioned if this ordinance was brought before the Economic Development Committee and what is the average difference in money received versus what would be received with regular taxation with the PILOT Program. Mayor DiMura indicated that this Program is not the responsibility of the Economic Development Committee and the PILOT Program belongs with the Council. Mr. Driver indicated that the borough would receive typically 20 – 30% less than what regularly would be received by regular taxation. Mr. Thomasey is concerned with the loss of funds that the town would receive with the PILOT Program and that all the funds would go to the Borough, and none of the funds would go to education or school board employee salaries. He would like to know why we would enter into an agreement that would bring in less tax dollars into the town. Mayor DiMura stated that we have not made that decision yet.

Laurie Smego, 311 Walnut Street stated that in the spring they were told that they had someone coming into the Pathmark building and now she noticed in October that it was going into the Sherriff's sale. Mayor DiMura indicated that this will be addressed in the Developer's Agreement.

Evan Walter, 837 West Second Street concerned if in the negotiation there a comparison of PILOT revenue and normal tax revenue, the length of the PILOT program and if the residents have any input on what is done with the funds. Mayor DiMura indicated the negotiation regarding PILOT revenue and time frame of the program cannot be disclosed. It is the discretion of the governing body how the funds get used, but the residents are allowed to discuss this at the public hearing for the budget. Mr. Evans questioned who pays for the audit of the PILOT Program and the time frame for the PILOT Program inception. Attorney Iacocca stated that the redeveloper is required to provide the audit for the PILOT and they would cover the fees. Mayor DiMura reported that the developer would start paying this PILOT Program after all units are built.

Rich Rutkowski, questioned if the developer is paying the existing taxes for a vacant lot at 150 Lincoln Boulevard, and also if this issue was addressed tonight with the new PILOT Program. Mayor DiMura stated that whatever the tax roll was at the time is what the developer is paying for 150 Lincoln Boulevard, but if it was addressed tonight with the new deal it cannot be discussed, as it will be in the agreement. Mr. Rutkowski wanted to know what the time frame is for him to view this document. Attorney Iacocca indicated that this letter will be drafted tomorrow and this information will be in the Financial Agreement that is attached to the ordinance, and it will be available to view the Thursday before the meeting of December 12<sup>th</sup>.

John Ellery, 701 Lincoln Boulevard questioned if there will be an ordinance to set aside funds for school projects so the school will not be short changed. Mayor DiMura said the governing body would have to discuss this. Mr. Ellery also requested the positives of this PILOT Program and Mr. Colin Driver indicated that this encourages people to come into the community to develop and invest in properties that are underperforming. Most communities in this region offer PILOTS and Mr. Driver indicated that in his experience PILOT Programs only prove positive in the communities that use them. It encourages people to spend their investment dollars with us as opposed to going somewhere else. Mr. Driver stated that the building gets

assessed at the end of the building process and that is when taxation starts. Mr. Ellery stated that if we want to discourage growth in Middlesex, we discourage the PILOT Program.

Seeing that there was no further public participation, Mayor DiMura closed the Public Portion of the meeting.

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## NEW BUSINESS

The Borough Clerk read Ordinance No. 1932-17 for introduction.

### ORDINANCE NO. 1932-17

#### ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY AUTHORIZING THE FINANCIAL AGREEMENT FOR THE PROPERTY COMMONLY KNOWN AS BLOCK 349, LOTS 6.02, 8 AND 10.1, 10.02 AND 10.03 IN THE BOROUGH OF MIDDLESEX PURUSANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 et seq.

**WHEREAS**, the Borough of Middlesex, in the County of Middlesex, New Jersey (the "**Borough**"), a public body corporate and politic of the State of New Jersey (the "**State**") is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "**Redevelopment Law**"), to determine whether certain parcels of land within the Borough constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

**WHEREAS**, pursuant to the Redevelopment Law, improvements to property located within an area in need of rehabilitation or redevelopment may qualify for long term tax exemptions under the Long Term Tax Exemption Law, *N.J.S.A. 40A:20-1 et seq.* (the "**LTTE Law**"); and

**WHEREAS**, on July 25, 2006, pursuant to Resolution 179-06, the Borough Council of the Borough (the "**Borough Council**") designated certain property, including Lots 6.02, 8, 10.1, 10.02 and 10.03 in Block 349 on the Official Tax Map of the Borough (the "**Property**") as an Area in Need of Rehabilitation in accordance with the Redevelopment Law; and

**WHEREAS**, on September 18, 2007, in accordance with all applicable provisions of the Redevelopment Law, the Borough duly adopted the Lincoln Boulevard Redevelopment Plan, as subsequently amended through December 13, 2016, and as may be further amended, (the "**Redevelopment Plan**"); and

**WHEREAS**, on December 17, 2013, the Borough Council adopted Resolution 324-13, authorizing the Planning Board of the Borough (the "**Planning Board**") to undertake a Non-Condensation preliminary investigation to determine whether the Property may be designated as an area in need of redevelopment in accordance with the Redevelopment Law (the "**Study**"); and

**WHEREAS**, the Planning Board authorized Paul N. Ricci, P.P. (the "**Planning Consultant**") to conduct the Study; and

**WHEREAS**, the Planning Consultant prepared the Study, titled “Redevelopment Study and Preliminary Investigation Report Lincoln Boulevard - Phase I”, dated May 19, 2014; and

**WHEREAS**, on June 11, 2014, at the time and place of the noticed public hearing, the Planning Consultant, being duly sworn and qualified as an expert in professional planning, made a presentation of the Study to the Planning Board; and

**WHEREAS**, the Planning Consultant concluded that the Property satisfies the criteria as an area in need of redevelopment under the Redevelopment Law; and

**WHEREAS**, the Planning Board recommended that the Borough Council designate the Property as an area in need of non-condemnation redevelopment in accordance with the Redevelopment Law; and

**WHEREAS**, after review and consideration of the Planning Board's findings and recommendation, including all documents submitted therewith, the Borough Council agreed with the conclusion of the Planning Board and on June 12, 2014 adopted Resolution 158-14 designating the Property as an area in need of redevelopment under the Redevelopment Law (the “**Redevelopment Area**”); and

**WHEREAS**, the Middlesex Residential Urban Renewal, LLC, an affiliate of Middlesex Fund I, LLC, a New Jersey limited liability company, with offices located at 400 South Avenue, Suite 10, Middlesex, New Jersey and its successors and assigns (the “**Redeveloper**”) is the contract purchaser of the Property; and

**WHEREAS**, the Redeveloper will construct or cause to be constructed a mixed use apartment project (the “**Project Improvements**”) on the Property (collectively, the “**Project**”); and

**WHEREAS**, the Project will conform to the Redevelopment Plan and all applicable municipal zoning ordinances to the extent it contains provisions that are relevant to the Project and will be in conformance with the master plan of the Borough; and

**WHEREAS**, the provisions of the LTTE Law authorize the Borough to accept, in lieu of real property taxes, an Annual Service Charge (as defined in the LTTE Law), to be paid by the Redeveloper to the Borough in connection with the Project Improvements; and

**WHEREAS**, pursuant to *N.J.S.A. 40A:20-8*, the Redeveloper filed an application with the Borough for approval of a long term tax exemption for the Project Improvements, including a form of financial agreement (as attached hereto as **Exhibit B**, the “**Application**”); and

**WHEREAS**, the proposed form of financial agreement (the “**Financial Agreement**”) sets forth the terms and conditions under which the Redeveloper and the Borough shall carry out their respective obligations with respect to payment of the Annual Service Charge by the Redeveloper for the Project Improvements; and

**WHEREAS**, the Mayor, together with counsel for the Borough, has reviewed the Application and found that it complies with the provisions of the LTTE Law; and

**WHEREAS**, the Mayor together with counsel for the Borough, has reviewed the terms of the proposed Financial Agreement and has recommended that the Application be approved and the Financial Agreement, a copy of which has been filed with the Borough Clerk, be executed; and

**WHEREAS**, upon review of the Application and the Mayor's recommendation, the Borough Council has made the following findings with respect to the Project pursuant to *N.J.S.A. 40A:20-11*:

1. The Project will provide increased ratables in the form of the Annual Service Charge which exceeds current real estate taxes and would not be realized but for the execution of the Financial Agreement.
2. It is estimated that the Project will create at least 400 jobs during construction and approximately 3 new part- and full-time permanent jobs;
3. The Project should stabilize and contribute to the economic growth of existing local businesses and to the creation of new businesses, which will cater to the new residents and employees of the Project.
4. The Project will further the redevelopment objectives of the Redevelopment Plan for the Redevelopment Area; and
5. The Borough has determined that the benefits of the Project significantly outweigh the costs of the Borough.
6. The Project will replace the existing industrial use that is adversely impacting the health, safety and welfare of the neighborhood and Borough with improved infrastructure and a high end multi-use project.
7. The relative stability and predictability of the Annual Service Charge will make the Project more attractive to investors and lenders needed to finance the Project; and
8. The relative stability and predictability of the Annual Service Charge will allow stabilization of the Project operating budget, allowing a high level of maintenance to the buildings over the life of the Project, which will ensure the likelihood of the success of the Project and ensure that it will have a positive impact on the surrounding area, including the Redevelopment Area.

**WHEREAS**, in accordance with the provisions of the LTTE Law, the Borough Council desires to approve the Application and the Financial Agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF MIDDLESEX, NEW JERSEY AS FOLLOWS:**

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Application submitted by the Redeveloper is hereby approved in accordance with Section 8 of the LTTE Law.

Section 3. The Mayor, in consultation with counsel to the Borough, is hereby authorized to execute the Financial Agreement substantially in the form attached as **Exhibit A** and prepare, amend or execute any other agreements necessary to effectuate this ordinance, subject to modification or revisions, as deemed necessary and appropriate.

Section 4. The clerk of the Borough is hereby authorized and directed, upon execution of the Financial Agreement by the Mayor, to attest to the signature of the Mayor and to affix the corporate seal of the Borough upon such document.

Section 5. Any exemption from taxation as set forth in the Financial Agreement is hereby granted to the Redeveloper, with respect to the Project for the term set forth in the Financial Agreement; provided that in no event shall the term of the Financial Agreement exceed the earlier of (i) thirty-five (35) years from the date of execute of the Financial Agreement or (ii) to the extent permitted by the LTTE Law, thirty (30) years from the Redeveloper's receipt of a Certificate of Occupancy (as defined in the Financial Agreement) for the Project and only so long as the Redeveloper remains subject to and in compliance with the Financial Agreement and the LTTE Law and; provided further, that the Redeveloper does not file a tax appeal for the Project or any part thereof.

Section 6. The executed copy of the Financial Agreement shall be certified by and filed with the Office of the Borough Clerk. Further, the Clerk shall file certified copies of this ordinance and the Financial Agreement with the Tax Assessor of the Borough and the Director of the Division of Local Government Services with the Department of Community Affairs, in accordance with Section 12 of the LTTE Law.

Section 7. The Project shall conform with all federal, state and Borough laws, ordinances and regulations relating to construction and use.

Section 8. The Redeveloper shall, in the operation of the Project, comply with all laws so that no person of race, religious principles, color national origin or ancestry will be subject to discrimination.

Section 9. The Redeveloper shall, from the time the Annual Service Charge becomes effective under the Financial Agreement, pay to the Borough the estimated quarterly Annual Service Charge for the Project until the correct amount due from the Redeveloper is determined by the certified financial audit report, required to be submitted under the terms of the Financial Agreement. After the report has been accepted by the Borough and within ninety (90) days thereafter, the Borough and the Redeveloper shall adjust any over or underpayment so made or required to be made for the period covered by the certified audit report.

Section 10. This ordinance shall take effect in accordance with all applicable laws.

Councilman Dotey made a motion for introduction of this ordinance as amended in Section 3(a) of the Financial Agreement to reflect that the tax escalation percentages will be calculated based on the average percentage increase in applicable real estate taxes over 5 years prior seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Parenti, Corley, Madden, Schueler and Mikolajczyk. No: None. Abstain: None.

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The Borough Clerk read the following resolution:

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

**Resolution #273-17**

**RESOLUTION OF THE BOROUGH OF MIDDLESEX AUTHORIZING EXECUTION OF REDEVELOPMENT AGREEMENT WITH MIDDLESEX RESIDENTIAL URBAN RENEWAL, LLC IN CONNECTION WITH REAL PROPERTY LOCATED IN BLOCK 394, LOTS 6.02, 8, 10.01, 10.02 & 10.03**

**WHEREAS**, Middlesex Residential Urban Renewal, LLC (“Redeveloper”) is the designated redeveloper of properties identified as Lots 6.02, 8, 10.01, 10.02 & 10.03 in Block 349 on the Official Tax Map of the Borough (the “Property”); and

**WHEREAS**, the Redeveloper has proposed to redevelop the Property by constructing an apartment complex on the Property consisting of approximately 200 residential units and first floor retail (“Project”); and

**WHEREAS**, said Project has been reviewed and found to be consistent with the goals of the Borough for redevelopment of the Property; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Middlesex, that the Borough is hereby authorized to executed the attached Redevelopment Agreement, in substantially similar form attached hereto as Exhibit A, within 90 days upon execution of a financial agreement between the Borough and Redeveloper.

Councilman Dotey made a motion to table Resolution #273-17 seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Parenti, Corley, Madden, Schueler and Mikolajczyk. No: None. Abstain: None.

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**ADJOURNMENT**

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

Respectfully yours,

Kathleen Anello, RMC  
Borough Clerk



**BOROUGH OF MIDDLESEX  
REGULAR MEETING MINUTES  
DECEMBER 12, 2017**

**MAYOR'S STATEMENT:** Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of December 28, 2016 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

**SALUTE TO THE FLAG**

**ROLL CALL**

Mayor	Ron DiMura
Council President	Bob Schueler
	Kevin Dotey
	Dan Parenti
	Patrick Corley (late)
	John Madden
	Jack Mikolajczyk
Attorney:	Aravind Aithal
Administrator:	Brandon Goldberg
Redevelopment Attorney:	Michael Baker
Police Chief:	Matthew Geist
Assessor:	Thomas Reilly
	Colin Driver

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**PRESENTATIONS**

Middlesex Borough Chief of Police Matthew P. Geist presented awards to 13 officers and recognized them for their unselfish acts of heroism, outstanding police work and community service.

Sergeant Chad Corner, Officer Ryan Skow, Detective Daniel McCue, Detective Sean Flanagan, Officer George Pilesky, Officer Anthony Painchaud and Officer Bryan Rodrigues each received a Unit Citation Award for their efforts in apprehending two individuals that were responsible for committing a rash of motor vehicle thefts and motor vehicle burglaries that occurred in January and February of 2017.

Sergeant Corner, Officer Skow, Officer Pilesky, Officer Scott Christofides, Officer Painchaud and Officer Rodrigues each received a Unit Citation Award for their coordination,

communication and combined efforts in apprehending a driver who fled from a stolen motor vehicle on February 13, 2017.

Officer James Dolinski and Officer Colin DeVincenzo each received a Life Saving Resuscitation Save Award for their actions on March 24, 2017. On that date, Ofc. Dolinski and Ofc. DeVincenzo were dispatched to a call of an unresponsive person. Upon their arrival, it was determined that the victim did not have a pulse and was not breathing. The officers began CPR and utilized an AED to administer three shocks to the victim, who eventually regained a pulse and began to breathe on his own. He was then transported to the hospital and survived.

Officer Joleen Auricchio and Officer Paul Steffanelli each received a Meritorious Service Award for their heroic actions at a house fire that occurred on March 19, 2017. The officers' swift actions led to the successful rescue of a resident and family pet.

Sergeant Michael Mastrogiovanni was presented with the Chief's Achievement Award for his many years of dedication and excellence in devising and implementing training programs in many various disciplines in his role as the department's training coordinator.

Police Chief Geist congratulated each of the officers on a job well done and thanked the Mayor, Councilman Mikolajczyk, Police Liaison, and the entire council for their continued support for the Police Department and wished everyone a Happy and Healthy Holiday.

Mayor DiMura congratulated all the recipients of the Police Department awards. As mayor he is very proud of the job that the Police Department is doing to keep the citizen's safe and on behalf of the citizens thanked all of the officers for their service.

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**APPOINTMENTS-NONE**

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**PROCLAMATIONS-NONE**

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**NEW BUSINESS**

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**PUBLIC HEARING**

The Borough Clerk read Ordinance No. 1925-17 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

**ORDINANCE NO. 1925-17**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 420, ZONING, ARTICLE VI DISTRICT REGULATIONS, SECTION 420-44 R-60B SINGLE FAMILY AND TWO FAMILY RESIDENTIAL DISTRICT TO INCLUDE SECTION 420-44 G ZERO LOT LINE**

**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:

Chapter 420 shall be amended to include the following:

**ARTICLE VI  
DISTRICT REGULATIONS**

**§420-44 G. Zero-Lot Line.** A “Zero-lot line” lot shall mean a lot created with no side yard setback on one side of the lot to create a shared building envelope between the two lots. This shared building envelope shall only be used to build or divide a duplex where the common wall between the two units is built, or determined to be, the common boundary line to create two separate attached single-family dwelling units. No lot can have more than one side yard with a zero setback.

(1) Zero-Lot Line lots are only permitted in the R-60B zone. The dimensional standards for each zero-lot line lot containing a single-family attached dwelling structure or duplex shall be as follows:

a. Minimum lot area: 3,000 square feet per lot. Therefore the minimum lot area total of both lots containing the duplex is 6,000 square feet.

b. Minimum lot width: 30 feet per lot. Therefore the minimum lot width total for both lots containing the duplex is 60 feet.

c. Minimum front yard setback: 25 feet.

d. Minimum rear yard setback: 20 feet.

e. Minimum outside side yard setback (not shared side): 6 feet

(2) Notwithstanding Section 420-44 E. herein, the minimum off-street parking requirements for two family resident structures shall not be less than two off-street parking spaces per dwelling unit. A separate driveway is required for each lot with a minimum 2 foot setback from the outside side yard.

(3) Appearance. The appearance of the duplex must remain identical on both sides. The building façade, colors and the shape of the structure must remain identical on both sides. No additions to only one side of the two family structure are permitted at any time.

**SECTION II.** This ordinance shall take effect upon final adoption and publication as required by law.

Mayor DiMura opened the public hearing on Ordinance No. 1925-17. Seeing that there was no public participation, Mayor DiMura closed the public hearing on Ordinance No. 1925-17.

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

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The Borough Clerk read Ordinance No. 1929-17 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

## **ORDINANCE NO. 1929-17**

### **AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE BOROUGH OF MIDDLESEX ADOPTING AN AMENDMENT TO THE LINCOLN BOULEVARD REDEVELOPMENT PLAN FOR THE LINCOLN BOULEVARD REDEVELOPMENT AREA PURSUANT TO N.J.S.A. 40A:12A-1ET SEQ.**

**BE IT ORDAINED** by the Borough Council of the Borough of Middlesex, in the County of Middlesex and State of New Jersey, as follows:

#### **SECTION I**

Pursuant to the "Local Redevelopment and Housing Law," P.L.1992, c.79 (C.40A:12A-1 et seq.), by an ordinance approved on September 18, 2007, the Middlesex Borough Council ("Borough Council"), adopted a Redevelopment Plan for the Lincoln Boulevard Rehabilitation Area, prepared by A. Nelessen Associates, Inc., dated June, 2007 ("Redevelopment Plan").

#### **SECTION II**

The Borough Council has adopted amendments to the Redevelopment Plan, August 2011, and December 2016, prepared by RicciPlanning, which recognized the creation of a formal Redevelopment Area.

#### **SECTION III**

The Borough Council has prepared an amendment to the Redevelopment Plan, which shall be referred to the Planning Board for its consideration.

#### **SECTION IV**

The following are the proposed amendments to the Redevelopment Plan, Section 11.1 Parking Standards and shall be added as new provisions:

Section 11.1.1. Bullet Point 3: language will be replaced with the following; "Apartment Dwellings" One bedroom and Two bedrooms - two (2) spaces per unit: More than two bedrooms: Planning Board to determine.

Section 11.1.1. (3) Shared Parking, Deleted in its entirety.

Section 11.1.2 Shared Parking: deleted in its entirety and replaced with: Shared Parking will be considered by the Planning Board at its sole discretion if it can be determined that the parking demand at any one time will be adequately served by the total number of parking spaces available.

## **SECTION V**

Prior to the adoption of the amendment to the Redevelopment Plan, the Planning Board shall within 45 days after referral, transmit to the Borough Council acting as the redevelopment entity, a report containing its recommendation concerning the amendment to the Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7. e.

## **SECTION VI**

Upon receipt of the Planning Board's recommendation or if the Planning Board fails to transmit a recommendation within 45 days after referral, the Borough Council shall act upon this Ordinance adopting the amendment to the Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7.

## **SECTION VII**

The Borough Council hereby amends the amendment to the Redevelopment Plan.

## **SECTION IIX**

This Ordinance shall take effect twenty (20) days after publication in accordance with applicable law.

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

Mayor DiMura opened the public hearing on Ordinance No. 1929-17. Seeing that there was no public participation, Mayor DiMura closed the public hearing on Ordinance No. 1929-17.

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

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The Borough Clerk read Ordinance No. 1930-17 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

**ORDINANCE NO. 1930-17**

**AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 272, MASSAGE, BODYWORK AND SOMATIC THERAPY ESTABLISHMENTS, SECTION 272-3 APPLICATION FEES, AND SECTION 272-7 MASSAGE, BODYWORK AND SOMATIC THERAPIST PERMIT FEE**

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

**§272-3 Application Fees** shall be amended as follows:

Every applicant for a permit to maintain, operate or conduct a massage, bodywork or somatic therapy establishment or out call massage, bodywork or somatic therapy service shall file an application with the Board of Health upon a form provided by said division and pay a fee of \$1,000. The permit to be issued shall be valid until May 31 of the year immediately following the year that the permit was issued hereunder.

**§272-7 Massage, Bodywork and Somatic Therapist Permit Fee** shall be amended as follows:

An applicant for a massage, bodywork or somatic therapist's license shall pay a permit fee of \$100, which permit shall be valid until May 31 of the year immediately following the year that the permit was issued hereunder.

This ordinance shall take effect upon final adoption and publication as required by law.

Mayor DiMura opened the public hearing on Ordinance No. 1930-17.

Amy Flood, 351 Grant Avenue requested an explanation of the ordinance. Mayor DiMura indicated that the only amendment made to this ordinance is the license expiration date will now be on May 31 every year.

Seeing that there was no further public participation, Mayor DiMura closed the public hearing on Ordinance No. 1930-17.

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

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The Borough Clerk read Ordinance No. 1931-17 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

**ORDINANCE NO. 1931-17**

**AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY  
OF MIDDLESEX, NEW JERSEY, CHAPTER 371, TATTOOING, SECTION 371-2 FEE  
REQUIRED**

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

**§371-2 Fee Required** shall be amended as follows:

The initial fee for the license required to engage in this business in the Borough of Middlesex shall be \$1,000, and thereafter there will be a \$500.00 renewal fee paid yearly. The license to be issued shall be valid until May 31 of the year immediately following the year that the license was issued hereunder.

This ordinance shall take effect upon final adoption and publication as required by law.

Mayor DiMura opened the public hearing on Ordinance No. 1931-17. Seeing that there was no public participation, Mayor DiMura closed the public hearing on Ordinance No. 1931-17.

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

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The Borough Redevelopment Attorney, Michael Baker, moved to the dais to represent the Borough at this time regarding the Ordinance No. 1932-17 and the Borough Clerk read Ordinance No. 1932-17 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

**ORDINANCE NO. 1932-17**

**ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW  
JERSEY AUTHORIZING THE FINANCIAL AGREEMENT FOR THE PROPERTY COMMONLY  
KNOWN AS BLOCK 349, LOTS 6.02, 8 AND 10.1, 10.02 AND 10.03 IN THE BOROUGH OF  
MIDDLESEX PURUSANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW,  
N.J.S.A. 40A:12A-1 et seq.**

**WHEREAS**, the Borough of Middlesex, in the County of Middlesex, New Jersey (the "**Borough**"), a public body corporate and politic of the State of New Jersey (the "**State**") is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "**Redevelopment Law**"), to determine whether certain parcels of land within the Borough constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

**WHEREAS**, pursuant to the Redevelopment Law, improvements to property located within an area in need of rehabilitation or redevelopment may qualify for long term tax

exemptions under the Long Term Tax Exemption Law, *N.J.S.A. 40A:20-1 et seq.* (the “**LTTE Law**”); and

**WHEREAS**, on July 25, 2006, pursuant to Resolution 179-06, the Borough Council of the Borough (the “**Borough Council**”) designated certain property, including Lots 6.02, 8, 10.1, 10.02 and 10.03 in Block 349 on the Official Tax Map of the Borough (the “**Property**”) as an Area in Need of Rehabilitation in accordance with the Redevelopment Law; and

**WHEREAS**, on September 18, 2007, in accordance with all applicable provisions of the Redevelopment Law, the Borough duly adopted the Lincoln Boulevard Redevelopment Plan, as subsequently amended through December 13, 2016, and as may be further amended, (the “**Redevelopment Plan**”); and

**WHEREAS**, on December 17, 2013, the Borough Council adopted Resolution 324-13, authorizing the Planning Board of the Borough (the “**Planning Board**”) to undertake a Non-Condemnation preliminary investigation to determine whether the Property may be designated as an area in need of redevelopment in accordance with the Redevelopment Law (the “**Study**”); and

**WHEREAS**, the Planning Board authorized Paul N. Ricci, P.P. (the “**Planning Consultant**”) to conduct the Study; and

**WHEREAS**, the Planning Consultant prepared the Study, titled “Redevelopment Study and Preliminary Investigation Report Lincoln Boulevard - Phase I”, dated May 19, 2014; and

**WHEREAS**, on June 11, 2014, at the time and place of the noticed public hearing, the Planning Consultant, being duly sworn and qualified as an expert in professional planning, made a presentation of the Study to the Planning Board; and

**WHEREAS**, the Planning Consultant concluded that the Property satisfies the criteria as an area in need of redevelopment under the Redevelopment Law; and

**WHEREAS**, the Planning Board recommended that the Borough Council designate the Property as an area in need of non-condemnation redevelopment in accordance with the Redevelopment Law; and

**WHEREAS**, after review and consideration of the Planning Board's findings and recommendation, including all documents submitted therewith, the Borough Council agreed with the conclusion of the Planning Board and on June 12, 2014 adopted Resolution 158-14 designating the Property as an area in need of redevelopment under the Redevelopment Law (the “**Redevelopment Area**”); and

**WHEREAS**, the Middlesex Residential Urban Renewal, LLC, an affiliate of Middlesex Fund I, LLC, a New Jersey limited liability company, with offices located at 400 South Avenue, Suite 10, Middlesex, New Jersey and its successors and assigns (the “**Redeveloper**”) is the contract purchaser of the Property; and

**WHEREAS**, the Redeveloper will construct or cause to be constructed a mixed use apartment project (the “**Project Improvements**”) on the Property (collectively, the “**Project**”); and

**WHEREAS**, the Project will conform to the Redevelopment Plan and all applicable municipal zoning ordinances to the extent it contains provisions that are relevant to the Project and will be in conformance with the master plan of the Borough; and

**WHEREAS**, the provisions of the LTTE Law authorize the Borough to accept, in lieu of real property taxes, an Annual Service Charge (as defined in the LTTE Law), to be paid by the Redeveloper to the Borough in connection with the Project Improvements; and

**WHEREAS**, pursuant to *N.J.S.A. 40A:20-8*, the Redeveloper filed an application with the Borough for approval of a long term tax exemption for the Project Improvements, including a form of financial agreement (as attached hereto as **Exhibit B**, the “**Application**”); and

**WHEREAS**, the proposed form of financial agreement (the “**Financial Agreement**”) sets forth the terms and conditions under which the Redeveloper and the Borough shall carry out their respective obligations with respect to payment of the Annual Service Charge by the Redeveloper for the Project Improvements; and

**WHEREAS**, the Mayor, together with counsel for the Borough, has reviewed the Application and found that it complies with the provisions of the LTTE Law; and

**WHEREAS**, the Mayor together with counsel for the Borough, has reviewed the terms of the proposed Financial Agreement and has recommended that the Application be approved and the Financial Agreement, a copy of which has been filed with the Borough Clerk, be executed; and

**WHEREAS**, upon review of the Application and the Mayor’s recommendation, the Borough Council has made the following findings with respect to the Project pursuant to *N.J.S.A. 40A:20-11*:

1. The Project will provide increased ratables in the form of the Annual Service Charge which exceeds current real estate taxes and would not be realized but for the execution of the Financial Agreement.
2. It is estimated that the Project will create at least 400 jobs during construction and approximately 3 new part- and full-time permanent jobs;
3. The Project should stabilize and contribute to the economic growth of existing local businesses and to the creation of new businesses, which will cater to the new residents and employees of the Project.
4. The Project will further the redevelopment objectives of the Redevelopment Plan for the Redevelopment Area; and

5. The Borough has determined that the benefits of the Project significantly outweigh the costs of the Borough.
6. The Project will replace the existing industrial use that is adversely impacting the health, safety and welfare of the neighborhood and Borough with improved infrastructure and a high end multi-use project.
7. The relative stability and predictability of the Annual Service Charge will make the Project more attractive to investors and lenders needed to finance the Project; and
8. The relative stability and predictability of the Annual Service Charge will allow stabilization of the Project operating budget, allowing a high level of maintenance to the buildings over the life of the Project, which will ensure the likelihood of the success of the Project and ensure that it will have a positive impact on the surrounding area, including the Redevelopment Area.

**WHEREAS**, in accordance with the provisions of the LTTE Law, the Borough Council desires to approve the Application and the Financial Agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF MIDDLESEX, NEW JERSEY AS FOLLOWS:**

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Application submitted by the Redeveloper is hereby approved in accordance with Section 8 of the LTTE Law.

Section 3. The Mayor, in consultation with counsel to the Borough, is hereby authorized to execute the Financial Agreement substantially in the form attached as **Exhibit A** and prepare, amend or execute any other agreements necessary to effectuate this ordinance, subject to modification or revisions, as deemed necessary and appropriate.

Section 4. The clerk of the Borough is hereby authorized and directed, upon execution of the Financial Agreement by the Mayor, to attest to the signature of the Mayor and to affix the corporate seal of the Borough upon such document.

Section 5. Any exemption from taxation as set forth in the Financial Agreement is hereby granted to the Redeveloper, with respect to the Project for the term set forth in the Financial Agreement; provided that in no event shall the term of the Financial Agreement exceed the earlier of (i) thirty-five (35) years from the date of execute of the Financial Agreement or (ii) to the extent permitted by the LTTE Law, thirty (30) years from the Redeveloper's receipt of a Certificate of Occupancy (as defined in the Financial Agreement) for the Project and only so long as the Redeveloper remains subject to and in compliance with the Financial Agreement and the LTTE Law and; provided further, that the Redeveloper does not file a tax appeal for the Project or any part thereof.

Section 6. The executed copy of the Financial Agreement shall be certified by and filed with the Office of the Borough Clerk. Further, the Clerk shall file certified copies of this ordinance and the Financial Agreement with the Tax Assessor of the Borough and the Director of the Division of Local Government Services with the Department of Community Affairs, in accordance with Section 12 of the LTTE Law.

Section 7. The Project shall conform with all federal, state and Borough laws, ordinances and regulations relating to construction and use.

Section 8. The Redeveloper shall, in the operation of the Project, comply with all laws so that no person of race, religious principles, color national origin or ancestry will be subject to discrimination.

Section 9. The Redeveloper shall, from the time the Annual Service Charge becomes effective under the Financial Agreement, pay to the Borough the estimated quarterly Annual Service Charge for the Project until the correct amount due from the Redeveloper is determined by the certified financial audit report, required to be submitted under the terms of the Financial Agreement. After the report has been accepted by the Borough and within ninety (90) days thereafter, the Borough and the Redeveloper shall adjust any over or underpayment so made or required to be made for the period covered by the certified audit report.

Section 10. This ordinance shall take effect in accordance with all applicable laws.

Mayor DiMura read a letter he received from the investor for the record:

We are so pleased that you are considering our financial agreement and redevelopment agreement. We are very anxious to continue to make the Borough's vision for Lincoln Boulevard a reality. We believe that the positive visual and economic impact The Lofts has on the Borough, will be continued with the mixed-use project you are currently reviewing, and the new grocery store we are developing adjacent thereto. We know both projects are important to the Borough as they are to us. Let me explain to you how we are progressing with each project.

As for the mixed-use project we are, as you know, anxiously awaiting and hoping for your approval of the financial and redevelopment agreements. We are also awaiting certain approvals from NJ Transit. With these approvals in hand, we will complete our financing efforts, prepare final construction documents and obtain building approvals. Our goal is to commence construction second quarter 2018.

As for the grocery store project, we are also well on our way. We have signed an agreement to buy the defaulted note from Spencer Savings Bank pursuant to which the property owner owes almost \$6 million. We have made a \$300,000 nonrefundable deposit and have spent well over another \$100,000 in soft costs. We will close on the purchase of the Spencer note on or before December 19<sup>th</sup>. We have also executed an agreement with the property owner to purchase the property on such date thus avoiding the need to go through a sheriff's sale. As, a result, we will own the land by the end of next week. In the meantime, we have secured a tenant for the project and negotiated a 10 year lease established a budget to demolish the interior of the building and build it out as a new grocery store, commissioner a final engineering report,

obtained a Phase 1 Environmental Report, executed a term sheet with our lender (and paid a significant fee) and raised all of the equity we will need to complete the acquisition and fund the rehabilitation (estimated at almost \$3 million). We have held multiple meetings over a two-year period with Spencer Savings Bank, the property owner, architects, engineers, brokers and financial consultants to make this happen. We are now working through our closing checklist with our lender and beginning to exchange closing documents for both the note purchase and the subsequent property acquisition. In short, we are deep into this process. We fully expect to pull demolition permits for the interior in January. We will complete construction documents during January and commence renovations by February and complete our work by September-October. It will take about 2 months to stock the store. A realistic goal is to be open for Thanksgiving or Christmas 2018. Of course, all of this is contingent on the adoption of the financial agreement for the project which we are going "at risk" for since it will not be in place before the sheriff's sale. I share all this information so you have no doubt we are serious and so you understand why we believe you should have confidence that we will reopen the grocery store.

So, we respectfully request you approve the agreements presented for your consideration as written.

Sincerely,

Massimo Pinelli and Joe Baumann

Mayor DiMura reported that part of the plan was to bring back a new supermarket and we are on our way to doing that. We have lost 40% of our non-residential ratables and the pilot program is a tool to encourage investors to invest their dollars in the community. The borough needs to offset the cost of our revaluation and we need to offset those increases. The Pilot Program attracts investors to come here and these investors are investing over 30 million dollars.

Mayor DiMura referenced a handout which addressed the tax revenue and what the borough would receive with a pilot program versus thru regular taxation. The approximate tax revenues received through total assessment for 220-232 Lincoln Boulevard would be a total tax revenue of \$543,660, which would include \$73,883 which was received by Middlesex County and \$469,777 which would be for Municipal and Board of Education. The borough will receive a net gain of \$450,738. With the pilot program it would generate a total tax revenue of \$507,371, with Middlesex County receiving \$25,369 and the borough would keep \$482,002, and also receive about a \$10,000 administrative fee. The borough would receive a net gain of \$473,110. The money that stays with the borough would be more than with a total assessment. Under regular assessment 13.6% goes to the County, and with the Pilot Program Middlesex County would get 5%. We would generate more money with the Pilot Program. Mayor DiMura stated that the developer will pay an approximate reduced amount of \$19,877 or 3.7% per year compared to the amount they would pay through total assessment under the proposed Pilot. Middlesex County will receive approximately \$47,207 less per year compared to the amount they would

receive through Total Assessment. Middlesex Borough would receive approximately \$22,382 more per year compared to the amount it would receive through Total Assessment.

The developer will not pay taxes, but they are paying a revenue to the borough and it is for the next 30 years. It does not lock the borough, as in year 16 and every 5 years the rate that we get will increase based on the tax increase over the previous 5 years. Basically, this has given the borough stability to know what kind of revenue we are getting and attract other investors into our borough. Mayor DiMura indicated that if we don't continue to work with investors they will go to other towns and it will affect our community. This is a fair program as the investor is getting a 3.7% discount on taxes and we will get more revenue.

Mayor DiMura indicated that this will bring us the growth that we need, as the borough has had zero growth over the last 17 years.

Mayor DiMura opened the public hearing on Ordinance No. 1932-17.

The following individuals attended the meeting and spoke in regard to Ordinance No. 1932-17

Rich Thomassey, 109 Greene Avenue, Rich Rutkowski, 211 Maple Avenue, Evan Walter, 837 West Second Street, Dave Polakiewicz, 240 Hazelwood Avenue, Amy Flood, 351 Grant Avenue, Lauri Smego, 311 Walnut Street, Gene Hanania, Lincoln Boulevard, Wendy Cuttic, 817 Hazelwood Avenue, Mr. Juharian, 226 Raritan Avenue, Bob Edwards, 243 Hazelwood Avenue, and Jim Benson, 445 Harris Avenue.

The concerns of the above individuals included:

1. The difference of the funds that the borough would receive with the Pilot Program and with regular taxation.
2. If school was involved at all at this time with the Pilot.
3. What the school will get from the money the town reaps from the Pilot Program.
4. Questioned if Councilman Dotey & Parenti received any campaign contributions from the developer.
5. Requested date of first payment to the Pilot Program and the effect occupancy of apartments has on the payment.
6. More time was needed prior to the meeting to digest the information given to the public at the meeting.
7. If payment on Pilot Program is not made, would developer accrue interest.
8. Difference between tax appeal for a homeowner and for a commercial property and if a tax appeal could be filed after entering into the Financial Agreement.
9. How many jobs do these apartments provide for Middlesex Borough residents.
10. Exactly what the funds distributed from the Pilot Program can be used for if given to the Board of Education.
11. Need for additional emergency services manpower within the borough.
12. If affordable housing has been provided by the applicant, how much are they paying and where is it reflected in the budget.
13. What conflict is there with the borough attorney in regard to this project.

14. If a political contribution has been received from the developer.
15. Anticipated time frame for the building of the supermarket and apartment building.
16. How will the first floor commercial property be taxed.
17. How will Section 8 be addressed on this building.
18. If the DEP was involved with permitting of the property.
19. If the Council does not go with the Pilot Program and the developer backs out, the borough would be left with property that is deteriorating and is only generating \$22,000 per year in tax revenue.

Seeing that there was no further public participation, Mayor DiMura closed the public hearing on Ordinance No. 1932-17.

Councilman Schueler made a motion for adoption of Ordinance No. 1932-17 as amended in Paragraph 6 to include “the project will replace the existing industrial use: may result in remediation of the land if necessary, improvement of infrastructure and result in a high end multi-use project” seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Parenti, Corley, Schueler, and Mikolajczyk. No: None. Abstain: Madden.

Mayor DiMura recessed the Regular Meeting for a short break. Also, he will include discussion regarding Personnel – Deputy Court Administrator to Executive Session.

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The Mayor reconvened the Regular Meeting and the Borough Clerk read the roll call:

## **ROLL CALL**

Mayor	Ron DiMura
Council President	Bob Schueler
	Kevin Dotey
	Dan Parenti
	Patrick Corley
	John Madden
	Jack Mikolajczyk
Attorney:	Aravind Aithal
Administrator:	Brandon Goldberg

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## **ADOPTION OF MINUTES**

Councilman Dotey made a motion to approve the November 21, 2017 Regular and Executive Meeting Minutes and the November 28, 2107 Special and Executive Session Meeting Minutes seconded by Councilman Madden and carried by a unanimous vote of members present.

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## **MAYOR’S REPORT**

Mayor DiMura congratulated the Middlesex High School Football Team on the Group I Central Jersey Championship. The governing body will be holding a Special Meeting on Thursday night to give all members of the football team Certificates for their accomplishments.

Mayor DiMura also reported that the tree lighting was a huge success and the Recreation Director did a phenomenal job organizing the event.

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### **REPORTS – STANDING COMMITTEES**

1. Finance/Taxation/Real Estate/Insurance/Public Utilities
2. Recreation/Recreation Fields/Swim Pool/Community Celebrations
3. Fire/OEM/Rescue Squad
  - A. Councilman Madden moved to approve the November, 2017 Fire Chief Report seconded by Councilman Schueler and carried by a unanimous vote of Council.
4. Public Works/Buildings & Grounds/Recycling/Board of Health
5. Police/Legal/Code Enforcement/Construction/Municipal Court
6. Administration/Department of Senior Services/Legislation/Licensing

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### **PUBLIC COMMENTS**

Mayor DiMura opened the Public Portion of the Meeting for any public participation. Seeing that there was no further public participation, Mayor DiMura closed the public portion of the meeting.

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The Borough Clerk read the following resolution:

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

#### **Consent Agenda 2017(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 wish to remove Resolution #274-17, Resolution #290-17, #292-17, #295-17, #296-17 and #298-17 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 #275-17 – Resolution #289-17  
Resolution #291-17  
#293-17 - #294-17  
#297-17  
#299-17

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

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The Borough Clerk read the following resolution:

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

**Resolution #274-17**

The Governing Body hereby advances Thomas Rusczyk, Middlesex, New Jersey to full time status as a permanent laborer in the DPW for 40 hours per week at \$15.12 per hour effective December 13, 2017, pending a satisfactory driving abstract.

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

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The Borough Clerk read the following resolution:

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

**Resolution #275-17**

The Tax Collector is hereby authorized to issue checks for the following redemptions:

<u>Certificate #</u>	<u>Block/Lot</u>	<u>Address</u>	<u>Amount</u>	<u>Premium</u>
#16-00011	79/5	55 Ramsey Road	\$624.45	\$900.00
#16-00014	86.02/11	22 Judson Drive	\$91.26	\$200.00
#16-00020	164/29	333 Fairview Ave	\$298.52	\$800.00
#16-00030	273/16	118 Wilton Ave	\$684.72	\$1200.00

Checks are made payable to:

Trystone Capital Assests, LLC  
PO Box 1030  
Brick, NJ 08723

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The Borough Clerk read the following resolution:

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

**Resolution #276-17**

The Tax Collector is hereby authorized to issue checks for the following Tax Sale Certificate redemptions.

<u>Certificate #</u>	<u>Block/Lot</u>	<u>Address</u>	<u>Amount</u>	<u>Premium</u>
#16-00034	312/1	605 Voorhees Ave	\$147.56	\$200.00
#16-00013	84/21.05	17 Greenbrook Rd	\$1412.22	\$1600.00
#16-00032	293/27.01	7 Rutherford Ct	\$645.54	\$400.00

Checks are made payable to:

TWR as Cust for Ebury Fund 1NJ  
PO Box 37695  
Baltimore, MD 21297-3695

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The Borough Clerk read the following resolution:

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

**Resolution #277-17**

The Tax Collector is hereby authorized to issue a check in the amount of \$11.00 to record tax sale certificates acquired at the December 5, 2017 tax sale. The check should be made payable to:

Middlesex County Clerk  
P O Box 1110  
New Brunswick, NJ 08903-1110

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The Borough Clerk read the following resolution:

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

**Resolution #278-17**

The Tax Collector is hereby authorized to issue a check in the amount of \$2138.54 to redeem Tax Sale Certificate #16-00022 and a check in the amount of \$1100.00 for a Tax Sale Premium, Block 191 Lot 9, 335 Lorraine Ave. Check is made payable to:

US Bank Cust for Procap4 & Crdts  
US Bank Global Corp Trst Srvs  
50 South 16<sup>th</sup> St.- Ste 2050  
Philadelphia, PA 19102

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The Borough Clerk read the following resolution:

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

**Resolution #279-17**

**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 2018.
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The Borough Clerk read the following resolution:

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

**Resolution #280-17**

**BOROUGH OF MIDDLESEX  
COUNTY OF MIDDLESEX  
Authorizing the Filing and Settlement of Tax Appeals**

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

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

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

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

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

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

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

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The Borough Clerk read the following resolution:

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

**Resolution #281-17**

**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 2018.
2. This resolution shall take effect immediately.

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The Borough Clerk read the following resolution:

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

**Resolution #282-17**

**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 2017 and the penalty so fixed shall be six (6%) of the amount of the yearly delinquency.

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The Borough Clerk read the following resolution:

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

**Resolution #283-17**

The Tax Collector is hereby authorized to waive 2016 Sanitary Sewer Use Charges. The appeal committee reviewed the documentation provided and recommended the fees to be waived on the following properties:

<u>Block</u>	<u>Lot</u>	<u>Amount</u>
62	19	\$541.32
114	9	\$1384.53
150	54	\$530.91
86.02	22	\$728.70
80	90.01	\$260.25
18	10	\$364.35
112	6	\$1676.01
84	22	\$208.20
167.03	8	\$1353.30
114	11	\$114.51
114	13	\$707.88
114	14	\$249.84
293	25.01	\$270.66
293	3.01	\$2123.64
4	8	\$749.52
114	2	\$405.99
169	58.01	\$176.97
279	45	\$468.45
91	13.01	\$322.71
70.08	11.09	\$593.37
2.01	1.01	\$124.92
70.01	14	\$62.46
70.10	3	\$343.53
167	38	\$10.41
117	9	\$1353.30
108	11	\$197.79
72	4.06	\$104.10
192	1	\$72.87
282	8	\$239.43
167.03	14	\$884.85
123	10	\$1301.25
81	14.01	\$437.22
321	6	\$20.82

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The Borough Clerk read the following resolution:

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

**Resolution #284-17**

The Tax Collector is hereby authorized to adjust 2016 Sanitary Sewer Use Charges. The appeal committee reviewed the documentation provided and recommended the fees to be adjusted on the following properties:

<u>BLOCK</u>	<u>LOT</u>	<u>ORIGINAL AMOUNT</u>	<u>ADJUSTED AMOUNT</u>
22	3.27	\$837.62	\$83.28
111	10	\$582.96	\$249.91
67	5	\$2394.30	\$780.75
42	5	\$6402.15	\$5882.00
312	24	\$707.88	\$184.80
191	17	\$499.68	\$218.61
176	31	\$707.88	\$642.09

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The Borough Clerk read the following resolution:

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

**Resolution #285-17**

The Tax Collector is hereby authorized to issue refunds for 2016 Sanitary Sewer Use Charges. The appeal committee reviewed the documentation provided and waived the amounts and recommends a refund for the following properties.

<u>Block</u>	<u>Lot</u>	<u>Amount</u>
62	19	\$541.32
150	54	\$530.91
86.02	22	\$728.70
80	90.01	\$260.25
84	22	\$208.20
167.03	8	\$1353.30
114	13	\$353.94
293	25.01	\$135.33
293	3.01	\$2123.64
279	45	\$468.45
70.01	14	\$62.46
167	38	\$10.41
108	11	\$197.79
72	4.06	\$104.10
192	1	\$72.87

81	14.01	\$218.61
321	6	\$20.82
22	3.27	\$754.34

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The Borough Clerk read the following resolution:

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

**Resolution #286-17**

The Tax Collector is hereby authorized to transfer monies from Unity Bank escrow to the Current Fund MRNA account for a tax sale premium on a foreclosed property.

Block 147 Lot 3 – TTL # 2013-1814 - 277 Lincoln Blvd - \$20,000

The check should be made payable to: Borough of Middlesex

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The Borough Clerk read the following resolution:

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

**Resolution #287-17**

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

**WHEREAS**, On December 1, 2017 Chief Geist recommended Police Officer Bryan Rodrigues 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 Bryan Rodrigues be and is hereby advanced in grade to Patrolman Class “F” effective December 14, 2017 at an annual salary of \$61,530.

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The Borough Clerk read the following resolution:

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

**Resolution #288-17**

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

**WHEREAS**, On December 1, 2017 Chief Geist recommended Police Officer Scott Mulford 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 Mulford be and is hereby advanced in grade to Patrolman Class "E" effective December 29, 2017 at an annual salary of \$70,567.

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The Borough Clerk read the following resolution:

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

**Resolution #289-17**

**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 2017, as follows:

James L Benson 445 Harris Ave Middlesex, NJ 08846	\$630.00	Patricia A Benson 445 Harris Ave Middlesex, NJ 08846	\$648.00
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	\$629.40	Susan Cole 246 Oak Dr Middlesex, NJ 08846	\$629.40

Dorothy Coren 20 Mead Ave Middlesex, NJ 08846	\$663.00	Joseph Coren 20 Mead Ave Middlesex, NJ 08846	\$1,069.80
John Giuliano 339 Second St Middlesex, NJ 08846	\$578.40	John A Haverstick 771 County Rt 16 Mexico, NY 13114-3193	\$804.00
Judith Lynch 359 Market St Middlesex, NJ 08846	\$730.80	Thomas Lynch 359 Market St Middlesex, NJ 08846	\$629.40
Charlie Nash 213 Melrose Ave Middlesex, NJ 08846	\$636.00	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	Charles Sebastian 512 Clinton Ave Middlesex, NJ 08846	\$768.00
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	Roger Wahler 16 Fitzsimmons Ave Middlesex, NJ 08846	\$629.40

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The Borough Clerk read the following resolution:

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

**Resolution #290-17**

**WHEREAS**, the 2012 Capital Budget appropriated funds for the purchase of new computer hardware for the Middlesex Police Department and the 2013 Capital Budget appropriated funds for the purchase of a new 4 wheel drive vehicle for the Middlesex Police Department,

**NOW THEREFORE BE IT RESOLVED**, that a portion of the unused balances be re-appropriated for the purchase of a new conducted energy device (CED) also known as a Taser for the Middlesex Police Department,

**NOW FURTHER BE IT RESOLVED** that the Treasurer hereby certifies that the funds in the amount of \$576.67 are available in Account No. C-04-13-818-000-071 and funds in the amount of \$1475.10 are available in Account No. C-04-14-832-000-071.

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

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The Borough Clerk read the following resolution:

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

**Resolution #291-17**

The governing body hereby appoints Dale Dube, Edison, New Jersey as the backup Fire Subcode Official at 38.00 per hour effective immediately.

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The Borough Clerk read the following resolution:

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

**Resolution #292-17**

The governing body hereby accepts the resignation of Kenneth Pine, laborer in the DPW effective November 24, 2017.

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

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The Borough Clerk read the following resolution:

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

**Resolution #293-17**

The governing body hereby approves the following liquor stores in the borough to open for business on December 24<sup>th</sup> at 9AM:

Endzone Lounge  
425 Bound Brook Road

Middlesex Liquor Store  
708 Union Avenue

Cub Liquors, Inc.  
242 Lincoln Boulevard

Jilly's Liquor Store  
657 Lincoln Boulevard

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The Borough Clerk read the following resolution:

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

**Resolution #294-17**

The Tax Collector is hereby authorized to refund/and or credit 2017 taxes for qualified Senior Citizen, Disabled Person & Veteran Deductions:

<u>BLOCK/LOT</u>	<u>NAME</u>	<u>AMOUNT</u>
166/4	Donhauser, Michael J	\$250.00

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The Borough Clerk read the following resolution:

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

**Resolution #295-17**

The governing body hereby approves to hire Alex Augustin, Middlesex, New Jersey as a part time laborer in the Department of Public Works at \$12.00 per hour, 28 hours per week effective December 18, 2017, pending a satisfactory physical and background check.

Councilman Parenti made a motion for approval seconded by Councilman Mikolajczyk and carried by the following roll call vote: Ayes: Parenti, Corley, Schueler and Mikolajczyk. Nos: None. Abstain: Madden & Dotey.

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The Borough Clerk read the following resolution:

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

**Resolution #296-17**

The governing body hereby approves to hire Dylan Bauman, Middlesex, New Jersey as a part time laborer in the Department of Public Works at \$12.00 per hour, 28 hours per week effective December 18, 2017, pending a satisfactory physical and background check.

Councilman Parenti made a motion for approval seconded by Councilman Mikolajczyk and carried by the following roll call vote: Ayes: Parenti, Corley, Schueler and Mikolajczyk. Nos: None. Abstain: Madden.

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The Borough Clerk read the following resolution:

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

**Resolution #297-17**

The governing body hereby accepts the resignation of the Court Administrator, Lizandra DeAngelis, effective December 29, 2017.

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The Borough Clerk read the following resolution:

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

**Resolution #298-17**

The governing body hereby approves to hire Ryan Scott Shepherd, Middlesex, New Jersey as a part time laborer in the Department of Public Works at \$12.00 per hour, 28 hours per week effective December 18, 2017, pending a satisfactory physical and background check.

Councilman Madden made a motion to table Resolution #298-17 seconded by Councilman Mikolajczyk and carried by the following roll call vote: Ayes: Dotey, Parenti, Corley, Madden, Schueler and Mikolajczyk. Nos: None. Abstain: Dotey.

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The Borough Clerk read the following resolution:

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

**Resolution #299-17**

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 2018:

January 1, 9, 23	July 10, 24
February 13, 27	August 14, 28
March 13, 27	September 11, 25
April 10, 24	October 9, 23
May 8, 22	November 20
June 12, 26	December 4, 18

Regular Meetings commence at 7:00 p.m.

Action may be taken at any meeting above.

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The Borough Clerk read the following resolution:

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

**Resolution #300-17**

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

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The Borough Clerk read the following resolution:

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

**RESOLUTION #273-17**

**RESOLUTION OF THE BOROUGH OF MIDDLESEX AUTHORIZING EXECUTION OF REDEVELOPMENT AGREEMENT WITH MIDDLESEX RESIDENTIAL URBAN RENEWAL, LLC IN CONNECTION WITH REAL PROPERTY LOCATED IN BLOCK 394, LOTS 6.02, 8, 10.01, 10.02 & 10.03**

**WHEREAS**, Middlesex Residential Urban Renewal, LLC ("Redeveloper") is the designated redeveloper of properties identified as Lots 6.02, 8, 10.01, 10.02 & 10.03 in Block 349 on the Official Tax Map of the Borough (the "Property"); and

**WHEREAS**, the Redeveloper has proposed to redevelop the Property by constructing an apartment complex on the Property consisting of approximately 200 residential units and first floor retail (“Project”); and

**WHEREAS**, said Project has been reviewed and found to be consistent with the goals of the Borough for redevelopment of the Property; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Middlesex, that that Borough is hereby authorized to executed the attached Redevelopment Agreement, in substantially similar form attached hereto as Exhibit A, within 90 days upon execution of a financial agreement between the Borough and Redeveloper.

Councilman Schueler made a motion for adoption as amended to include Section 11.24 seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Parenti, Corley, Schueler and Mikolajczyk. No: None. Abstain: Madden.

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### **AGENDA WORKSHOP ITEMS**

CRS Program – Mayor DiMura reported that in speaking with Sean Kaplan, he has been dealing with notifications from FEMA that the residents have received that they will need flood evaluations done or they will see an increase in their insurance by 18 – 20%. He stated that the cost for the residents to get this evaluation is approximately \$700 - \$800. Mayor DiMura mentioned that he would like to reach out to the Borough Engineer to negotiate a price for these evaluations and requested a consensus of Council to discuss this matter with the engineer. He feels that we would like to get a set price for this flood evaluation at \$300, (homeowner pay) and possibly have the borough pay the additional funds (approximately \$200 per homeowner – 332 residents in flood area). Once these evaluation certificates are complete, we can keep them on file in the borough. Mayor DiMura was given approval from Council to move forward to look into the process to help residents with this flood evaluation.

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### **DISCUSSION ON AGENDA WORKSHOP ITEM**

Evan Walter, 837 West Second Street discussed if the flood control project would help remediate this flooding problem, and if the council decides to help with these evaluations, if the information would get out as quickly as possible to the residents. Mayor DiMura indicated that the flood control project will help remediate this flooding, but will not make a difference until it is completely done in the town. Once the Mayor gets information from the Borough Engineer and a decision is made, he will try to get the information on the borough website and facebook.

Amy Flood, 351 Grant Avenue questioned the FEMA letter which was sent to the borough homeowners in the flood area and Remington & Vernick’s involvement with these 330 homeowners. Also, she was concerned why the borough would want to take over what the residents are responsible to do. Mayor DiMura would like to offer the residents this help to get their certifications. She was concerned why we would not put this out for bid rather than give it

to our engineer and if the Mayor received a political donation from Remington & Vernick. Mayor said that the Democratic party has received a contribution. Attorney Aithal indicated that the town is required to get this work done for the CRS Program and would have to look to see if it a savings that can be passed on to property owner, and we would utilize our engineer that does our engineering work in the borough.

Bob Edwards, 243 Edwards questioned the approval of Resolution #273-17 and if the council made a motion and a second. He is concerned that the Council is not following Roberts Rules of Order when adopting this resolution.

Betty Platten, 4 Hooker Avenue thanked the Mayor and Council for thinking about the whole town this evening. She sympathizes for the residents that are living in the flood area, and is proud of the Council in moving the town forward.

Rich Rutkowski, 211 Maple Street is concerned that we are giving work to the borough engineer to help the residents get their flood evaluations

Seeing that there was no further participation, Mayor DiMura closed the public hearing on the Agenda Workshop items.

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The Borough Clerk read the following resolution:

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

**Resolution #301-17**

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

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

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

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

1. Personnel – Deputy Court Administrator

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

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Councilman Madden moved to reconvene the Regular Meeting seconded by Council President Schueler and carried by the following roll call vote.

**ROLL CALL**

Mayor	Ron DiMura
Council President	Bob Schueler
	Dan Parenti
	Kevin Dotey
	Patrick Corley
	John Madden
	Jack Mikolajczyk

Attorney: Aravind Aithal

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The Borough Clerk read the following resolution:

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

**Resolution # 302-17**

The Governing Body hereby appoints Daniella Cordeiro as Acting Deputy Court Administrator effective immediately.

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

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The Borough Clerk read the following resolution:

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

**Resolution # 303-17**

The governing body hereby accepts the resignation of Patrick Corley from the Borough Council effective December 31.

Councilman Corley stated that he recently gave a letter to Clerk Kathy Anello that due to a change in his responsibilities he will no longer be living in Middlesex after December 31. Therefore, I can no longer serve as a Middlesex Borough Councilman. He thanked the Council, Borough Staff and Residents for their confidence and support.

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

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**ADJOURNMENT**

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

Respectfully yours,

Kathleen Anello, RMC  
Borough Clerk