



Borough of Middlesex
Mayor and Council Regular Meeting
~ Minutes ~

1200 Mountain Ave
Middlesex, NJ

Kathleen Anello
732-356-7400 x236
www.middlesexboro-nj.gov

Tuesday, June 12, 2018

7:00 PM

Municipal Building

MAYOR'S STATEMENT

UNDER THE PROVISIONS OF N.J.S.A. 10:4-6 ET SEQ., NOTICE OF THE TIME AND PLACE OF THIS MEETING WAS GIVEN BY WAY OF AN ANNUAL MEETING NOTICE TO THE STAR LEDGER, COURIER NEWS AND HOME NEWS, AND POSTED AT BOROUGH HALL.

SALUTE TO FLAG

ROLL CALL

Mayor Ron DiMura
Council Member Kevin Dotey
Council Member Dan Parenti
Council Member Sean Kaplan
Council Member John Madden
Council President Robert Schueler
Council Member Jack Mikolajczyk

Also Present:

Brandon Goldberg Administrator
Aravind Aithal Attorney

2. Mayor DiMura made a motion to add discussion on the "Senior Director's Position" to Executive Session.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robert Schueler, Council President
SECONDER:	Jack Mikolajczyk, Council Member
AYES:	Dotey, Parenti, Kaplan, Madden, Schueler, Mikolajczyk

PRESENTATIONS

1. Recognizing the Retirement of Robert Heisch for his 35+ Years of Service

On behalf of the governing body, Mayor DiMura recognized Rob Heisch for his 35+ years of service and expressed his sincere thanks and gratitude for his dedicated service. He stated that his commitment to Middlesex Borough and our residents have long inspired all of us and will be remembered for many years to come. Mayor DiMura, along with the Borough Council wished Mr. Heisch good health, happiness and continued success in his retirement.

APPOINTMENTS

PROCLAMATIONS

ORDINANCE(S) FOR INTRODUCTION

The Borough Clerk read ordinance 1943-18 by title:

ORDINANCE 1943-18**AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX,
COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 158, CERTIFICATES,
RESALE/LEASED**

WHEREAS, pursuant to N.J.S.A. 40:48-1, the governing body of a municipality may make, amend, repeal, and enforce ordinances to manage regulate and control the finances and property of the municipality; and

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

SECTION ONE. The Code of the Borough of Middlesex, Middlesex County, New Jersey is hereby amended to the following:

Article I Resale or Leased Certificates for Residential Uses**158-1 Certificate required for transfer of ownership of property.**

Each time that there is a transfer of ownership of property located within the Borough of Middlesex or a change of use or a change of occupancy, a purchaser of said property must obtain from the Construction Office of the Borough of Middlesex a Resale/Leased Certificate certifying that the property may be continued to be used as it is currently being used.

158-2 Fee.

The fee for a residential Resale/Leased Certificate shall be \$100 in the event that only one inspection is required of the designated official inspector(s) but in the event that the inspector is required to make more than one inspection of the premises before issuing a Resale/Leased Certificate, there shall be an additional charge of \$50 per each inspection of the premises made by the official inspector after the initial inspection.

158-3 Inspection of premises.

Before a residential Resale/Leased Certificate shall be issued, the official inspector shall make a visual inspection of the premises to ensure that no life safety violations are present at the time of the inspection.

158-4 Application for and issuance of certificate.

Applications for a residential Resale/Leased Certificate shall be submitted to the Construction Office of the Borough of Middlesex, and, once the inspection has been completed, the Certificate shall be issued or denied.

158-4.1 Information required for emergencies; notification of changes.

All applications for a residential Resale/Leased Certificate shall contain the name, address and phone number of the person to contact in case of an emergency, and said person must

be available and able to act in an emergency. A copy of this information shall be filed in the office of the Chief of Police of the Borough of Middlesex. The new owner/lessee shall be responsible for notifying the Chief of Police any time there is a change in any emergency information required by this Article during the term of his ownership or tenancy.

158-5 Failure to obtain certificate; fine.

In the event that the current owner or purchaser of property in the Borough of Middlesex fails to obtain a residential Resale or Leased Certificate, the current owner or purchaser shall be subject to a fine \$500 per day for each day that the violation continues.

Article II. Leased Certificates for Non-Residential Uses

158-6 Certificate required for change of tenant in commercial, industrial and business property.

Each time there is a change of tenant in any commercial, industrial or business property, or unit therein, leased within the Borough of Middlesex, each new lessee of such property or unit must obtain from the Zoning Office of the Borough of Middlesex a non-residential Leased Certificate certifying that the intended use is a permitted use in the zone in which the property is located. Applications for a non-residential Leased Certificate for change of tenant in commercial, industrial and business property shall be submitted to the Construction Office of the Borough of Middlesex, and, once the completed application has been received and the required inspection completed, the non-residential Leased Certificate shall be issued or denied.

158-7 Fee.

The fees for a non-residential Leased Certificate shall be \$250.

158-8 Inspection of premises.

Before a non-residential Leased Certificate shall be issued, the designated official inspector(s) shall make an inspection of the premises to determine whether the Certificate may or may not be issued.

158-9 Affidavit of intended use of property; description of operation to be conducted.

Applications for a non-residential Leased Certificate shall be submitted to the Construction Office of the Borough of Middlesex, and, once the application has been deemed complete, the Certificate indicating whether the present use may or may not be continued shall be issued. All applications for a non-residential Leased Certificate shall contain an affidavit from the applicant as to the intended use of the property or unit and a detailed description of the intended operation to be conducted therein.

158-10 Information required for emergencies; notification of changes.

All applications for a non-residential Leased Certificate shall contain the name, address and phone number of the person to contact in case of an emergency, and said person must be available and able to act in an emergency. A copy of this information shall be filed in the office of the Chief of Police of the Borough of Middlesex. The lessee shall be responsible for notifying the Chief of Police any time there is a change in any emergency information required by this article during the term of his tenancy.

158-11 Application for and issuance of certificate.

Applications for a non-residential Leased Certificate shall be submitted to the Construction Office of the Borough of Middlesex, and, once the inspection has been completed, Leased Certificate shall be issued or denied.

158-12 Failure to obtain certificate; fine.

In the event that a new lessee of any commercial, industrial or business property in the Borough of Middlesex fails to obtain a non-residential Leased Certificate, the lessee or property owner shall be subject to a fine of \$500 and shall cease all business activities in the leased property until such time as a non-residential Leased Certificate is obtained.

Article III. Change of Title

158-13 Certificate Required for Residential Change of Title.

Immediately upon any change in ownership of any residential property within the Borough of Middlesex, the purchaser of said property must obtain from the Construction Office of the Borough of Middlesex, prior to occupancy, a Change of Title Certificate. Said property may not be occupied until it is fully compliance of all applicable Codes and Ordinances.

158-14 Fees

The fee for a residential Change of Title shall be \$100.

158-15 Inspection of Premises

Before a Change of Title Certificate shall be issued, the designated official inspector(s) shall make an inspection of the premises to verify the existing conditions before the purchase of the property. Notwithstanding the issuance of a Change of Title Certificate, any new purchaser that intends to occupy said property must obtain all necessary approvals as well as compliance with section 158-1.

158-16 Application and issuance of Certificate

Applications for a Change of Title Certificate shall be submitted to the Construction Office of the Borough of Middlesex, and, once the inspection has been completed, a Certificate shall be issued or denied.

158-17 Failure to obtain certificate; fine.

In the event that a new buyer of any residential property in the Borough of Middlesex fails to obtain a Change of Title Certificate prior to purchase, the buyer shall be subject to a fine of \$500.

158-18 Certificate Required for Non-Residential Change of Title.

Each time there is a change in ownership of any non-residential property within the Borough of Middlesex which does not require any change of tenancy or occupancy or is not to be occupied until Zoning approval is obtained, a purchaser of said property must obtain from the Construction Office of the Borough of Middlesex a Change of Title certificate.

158-19 Fees

The fee for a non-residential Change of Title shall be \$250.

158-20 Application and issuance of Certificate

Applications for a non-residential Change of Title Certificate shall be submitted to the Construction Office of the Borough of Middlesex, and, once the inspection has been completed, a Certificate shall be issued or denied. If a Change of Title Certificate is issued, any new business prior to occupying said property must obtain all necessary Zoning approvals as well as comply with section 158-6.

158-22. Failure to obtain certificate; fine.

In the event that a new buyer of any non-residential property in the Borough of Middlesex fails to obtain a Change of Title certificate, the buyer shall be subject to a fine of \$500 and shall cease all business activities in the leased property until such time as a Change of Title Certificate is obtained.

158-23 Enforcement.

Provisions of this chapter shall be enforced by the Borough Zoning Officer, Construction Official, Code Enforcement Officer or designee.

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.

RESULT:	FIRST READING [UNANIMOUS]	Next: 6/26/2018 7:00 PM
MOVER:	John Madden, Council Member	
SECONDER:	Dan Parenti, Council Member	
AYES:	Dotey, Parenti, Kaplan, Madden, Schueler, Mikolajczyk	

The Borough Clerk read ordinance 1944-18 by title:

ORDINANCE 1944-18

**AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX,
COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 420, ZONING**

WHEREAS, pursuant to N.J.S.A. 40:48-1, the governing body of a municipality may make, amend, repeal, and enforce ordinances to manage regulate and control the finances and property of the municipality; and

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

SECTION ONE. The Code of the Borough of Middlesex, Middlesex County, New Jersey is hereby amended to the following:

420-64. Approvals and permits required.

It shall be unlawful for any person, corporation, entity or agent, whether on behalf of itself or others, to construct, relocate, renovate or alter a structure or land without first applying for required approvals and permits.

- A. An Application for Zoning Approval along with all required documents, together with a fee of \$50 shall be submitted to the Construction Office at the time of submittal of the Construction Application(s). Construction Permit(s) shall be not be issued until a Zoning Permit is first obtained.
- B. It shall be unlawful for an owner and/or tenant to use, occupy or permit the use or occupancy of any building or premises or any part thereof hereafter created, located, erected, changed, converted or enlarged, until the Zoning Officer has issued a Certificate of Approval for that premises certifying that the structure or use complies with the provisions of this Chapter as well as with the conditions of any approval granted by the Board. A new certificate of occupancy shall be required for every change in occupancy as outlined in Chapter 158.

420-66 is removed in its entirety.

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

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

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

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

RESULT:	FIRST READING [UNANIMOUS]	Next: 6/26/2018 7:00 PM
MOVER:	Jack Mikolajczyk, Council Member	
SECONDER:	John Madden, Council Member	
AYES:	Dotey, Parenti, Kaplan, Madden, Schueler, Mikolajczyk	

The Borough Clerk read ordinance 1945-18 by title:

ORDINANCE 1945-18

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

TITLE	SALARY	RANGE
Full Time Employees		
Chief of Police	130,000	165,000
Borough Administrator	95,000	130,000
Borough Clerk	70,000	95,000
Deputy Borough Clerk/Deputy Registrar	47,000	65,000
Tax Collector	50,000	70,000
DPW Superintendent	90,000	115,000
DPW Assistant Superintendent	80,000	95,000
Director - Office on Aging	50,000	75,000
Treasurer	48,000	60,000
IT Supervisor	70,000	90,000
Recreation Director	55,000	70,000
Court Administrator	55,000	68,000
Administrative Clerk/Purchasing Agent	40,000	55,000
Part Time Employees		
Assistant Recreation Director	11,000	14,000
Recreation Commission Secretary	1,100	1,500
Tax Assessor	15,000	30,000
Code Enforcer/Zoning Official/Construction Office Manager	25,000	65,000
Construction Official	32,000	38,000

	00	00
Electrical Sub-Code Official	11,5	17,0
	00	00
Building Sub-Code Official	22,0	28,0
	00	00
Resale Certificate Inspector	2,50	7,50
	0	0
Plumbing Sub-Code Official	10,0	25,0
	00	00
Fire Sub-Code Official	10,0	15,0
	00	00
Planning/Zoning Clerk (per meeting)	175	250
Shade Tree Secretary	2,35	3,00
	0	0
Juvenile Conference Committee	1,50	2,50
Secretary	0	0
Municipal Magistrate	33,0	40,0
	00	00
Prosecutor	24,0	28,0
	00	00
Alternate Registrar	250	250
Swim Pool Secretary	7,50	10,0
	0	00

Hourly Employees**Per
Hour****Per
Hour
r**

Administrative Clerk	12.0	16.0
	0	0
Construction Clerk	12.0	16.0
	0	0
Court Clerk	15.0	18.0
	0	0
Finance Clerk	15.0	18.0
	0	0
DPW Laborer	12.0	16.0
	0	0
Meals on Wheels Driver	12.0	20.0
	0	0
Medical Transportation Driver	12.0	20.0
	0	0
Senior Transportation Driver	12.0	20.0
	0	0

Pre-School Program Coordinator	12.0	20.0
	0	0
Pre-School Program Instructor	10.0	15.0
	0	0
Playground Coordinator (Seasonal)	12.0	20.0
	0	0
Playground Site Supervisor (Seasonal)	10.0	16.0
	0	0
Playground Counselor (Seasonal)	7.25	14.0
		0
Police Matrons	15.0	20.0
	0	0
Crossing Guards	13.5	20.0
	0	0
Construction Inspectors	12.0	16.0
	0	0

SECTION 2

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

SECTION 3

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

SECTION 4

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

RESULT:	FIRST READING [UNANIMOUS]	Next: 6/26/2018 7:00 PM
MOVER:	Robert Schueler, Council President	
SECONDER:	John Madden, Council Member	
AYES:	Dotey, Parenti, Kaplan, Madden, Schueler, Mikolajczyk	

ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION

The Borough Clerk read ordinance 1942-18 by title:

ORDINANCE 1942-18

**AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX,
COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 125, AMUSEMENT GAMES,
SECTION 125-2 FEES**

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

§125-2 Fees shall be amended to read as follows:

The license for the placing, operation, maintaining, or use of such amusement devices, or machines mentioned aforesaid shall be issued to and in the name of the proprietor of the premises where the machine or machines are to be installed, for the period commencing June 1 of each year to May 31 of the following year. The fee for the issuance of said license shall be \$150 for one machine (either jukebox or amusement) and a flat fee of \$350 for more than one machine (either jukebox or amusement).

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

Mayor DiMura opened the Public Hearing on Ordinance No. 1942-18. Seeing that there was no Public Participation, Mayor DiMura closed the Public Hearing on Ordinance No. 1942-18.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sean Kaplan, Council Member
SECONDER:	John Madden, Council Member
AYES:	Dotey, Parenti, Kaplan, Madden, Schueler, Mikolajczyk

ADOPTION OF MINUTES

1. Approval of the May 22, 2018 Regular Meeting Minutes & the May 29, 2018 Special Meeting Minutes

RESULT:	ADOPTED [5 TO 0]
MOVER:	Robert Schueler, Council President
SECONDER:	Kevin Dotey, Council Member
AYES:	Dotey, Parenti, Kaplan, Madden, Schueler
ABSTAIN:	Mikolajczyk

MAYOR'S REPORT

Mayor DiMura reported that the Fishing Derby was a huge success and commended Chief Geist and all the Police Department members that participated. He also commended Officer Auricchio for the great job that she did organizing this event.

REPORTS - STANDING COMMITTEES

Finance/Taxation/Real Estate/Insurance/Public Utilities

Fire/OEM/Rescue Squad

1. Councilman Kaplan's Report

Councilman Kaplan recognized the 2017 Valor Awards for Meritorious Service for the Police Department and Fire Department. Officer Auricchio and Officer Steaffanelli received honors on behalf of the Police Department and Captain Choman, Firefighter Mattox, Firefighter Hoffman, and Firefighter Wright were recognized on behalf of the Fire Department. All of the above individuals were recognized for their participation at a home fire on March 19, 2017 on 400 Main Street where they entered the home and were able to bring to safety the disabled female resident and also the dog.

Recreation/Recreation Fields/Swim Pool/Community Celebrations

1. Accepting the May, 2018 Recreation Trust Account

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kevin Dotey, Council Member
SECONDER:	Robert Schueler, Council President
AYES:	Dotey, Parenti, Kaplan, Madden, Schueler, Mikolajczyk

2. Accepting the June, 2018 Director's Report

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kevin Dotey, Council Member
SECONDER:	Robert Schueler, Council President
AYES:	Dotey, Parenti, Kaplan, Madden, Schueler, Mikolajczyk

Public Works/Buildings & Grounds/Recycling

1. Councilman Parenti's Report

Councilman Parenti thanked the DPW for the clean up of the Park for the fishing derby, recognized and thanked Rob Heisch on his retirement and also thanked Len Vidal for the good road repair work that was done on Baekeland Avenue.

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

1. Councilman Mikolajczyk's Report

Councilman Mikolajczyk reported that Police Officer Anthony Painchaud, Police Officer Bryan Rodrigues, and Police Officer Scott Mulford of the Middlesex Borough Police Department were honored at the Mothers Against Drunk Driving (MADD) Law Enforcement Statewide Recognition Ceremony at Rutgers University. The ceremony recognized dedicated officers who have shown exemplary efforts in the fight to eliminate drunk and drugged driving in the year 2017. Congratulations to our officers for their dedication and commitment to the safety of the residents of Middlesex Borough.

Councilman Mikolajczyk also reported that there is a Shade Tree Meeting on Thursday, June 14.

Administration/Department of Senior Services/Legislation/Licensing

1. Administrative Committee Report on Videotaping of Meetings of the Governing Body

The Administrative Committee met to discuss the videotaping of Council Meetings. The two options that they are recommending is Edward Colon Productions would videotape meetings for \$400 per meeting, and we could upload this video to our website. They would also edit with a time stamp, date and list of attendees. The second option would be to purchase a video camera and put it in

the back of the room and have our IT person videotape. Council agreed to having the meetings videotaped, and Mayor DiMura requested the Borough Administrator get information about these two options to discuss further at the July Meeting.

2. Administrative Committee's Report on Placing Names of Committee Members on the Borough Website

The Administrative Committee discussed listing committee names on the borough website. The Committee agreed that they should list the names and terms of the members of each committee/commission/board and also list an e-mail address that would be directed to the Borough Administrator regarding residents concerns. Councilman Kaplan will work with the Borough Administrator to set up this recommendation by August 1. Also, Mayor DiMura would like the committee/commission/board chairs to be made aware that these names will be posted on the website.

PRIVILEGE OF THE FLOOR

Dr. Goldstein, 495 Union Avenue and Lori Moeller, Innerworks Massage attended the meeting to discuss the therapist work that she does in Dr. Goldstein's Chiropractic Office. She is concerned because with the yearly \$1,000 fee. Dr. Goldstein attended in support of Ms. Moeller to express his concern that the fee is unjustified, as the law was not intended to target someone like her, and hope that this issue will be rectified, as he would not like to loose Ms. Moeller as a tenant. Mayor DiMura will be meeting with Ms. Moeller on Monday and also asked the Administrative Committee to look at the ordinance, discuss with our attorney and bring their recommendations back to him to discuss.

Dave Polakiewicz, 240 Hazelwood Avenue questioned the two options available for videotaping of the regular meetings. Mr. Polakiewicz also questioned if there were any developments with the OLMV Lease, and Mr. Aithal indicated that there were no recent developments.

Rich Thomasey, 109 Green Avenue requested an explanation of Resolution 149-2018.

Amy Flood, 351 Grant Avenue questioned how long the turn around time would be to have a committee/board/commissions respond to an e-mail that was sent through the website. Councilman Kaplan indicated that these questions would have to come before the committee/board/commission prior to being answered. Ms. Flood also indicated that she e-mailed the Mayor in January, got a response and e-mailed from him back on February 18 and had not seen a response yet. Mayor DiMura apologized, as he did not recall getting her e-mail response and would look into this e-mail. Ms. Flood was also concerned that the borough does not utilize Rich Thomasey as an expert witness and consider what he has to say regarding projects in town.

NEW BUSINESS/CONSENT AGENDA/RESOLUTIONS

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dan Parenti, Council Member
SECONDER:	Kevin Dotey, Council Member
AYES:	Dotey, Parenti, Kaplan, Madden, Schueler, Mikolajczyk

The Borough Clerk read the following resolution:

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

RESOLUTION 139-2018

**APPROVING A CONTRACT WITH DIRECT DEVELOPMENT FOR MUNICIPAL
MARKETING/PR/DESIGN SERVICES MAY, 2018 - APRIL, 2019 - *Withdrawn***

The Governing Body hereby approves a contract with Direct Development, Tinton Falls, New Jersey for Municipal Marketing/PR/Design Services from May, 2018 - April, 2019 in the amount of \$2,500 per month.

The Borough Clerk read the following resolution:

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

RESOLUTION 140-2018

**REFUND OF SIGN PERMIT FEE IN THE AMOUNT OF \$50.00 FOR NILA NICHOLAS
FOR CANDY WITH A TWIST**

WHEREAS, Nila Nicholas dba Candy with a Twist applied to the Construction Office for a Sign Permit at 398 Lincoln Blvd B2; and

WHEREAS, Nila Nicholas dba Candy with a Twist submitted \$50 check #5267 on 05/23/18 in payment of said Sign Permit; and

WHEREAS, said A-Frame Sign Permit fees are \$0 not \$50.00.

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 Nila Nicholas dba Candy with a Twist, 398 Lincoln Blvd B2 Middlesex, NJ 08846 for refund of sign permit.

The Borough Clerk read the following resolution:

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

RESOLUTION 141-2018

**APPROVAL TO ADVANCE PATROLMAN JAMES MORLEY TO PATROLMAN CLASS
"D" EFFECTIVE MAY 24, 2018**

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

WHEREAS, On May 25, 2018 Chief Geist recommended Police Officer James Morley be advanced in grade.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that Police Officer James Morley be and is hereby advanced in grade to Patrolman Class "D" effective May 24, 2018 at an annual salary of \$81,396.

The Borough Clerk read the following resolution:

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

RESOLUTION 142-2018

**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, 2017, 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, 2017; and

WHEREAS, the Tax Collector has disallowed the following Senior Citizen/ Disabled Person deduction for the 2017 year totaling \$250.00.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>	<u>Reason</u>	<u>Year</u>
Lance, Evelyn	244	8	\$250.00	Form Not Returned	2017

The Borough Clerk read the following resolution:

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

RESOLUTION 143-2018

RENEWAL OF TOWING LICENSES JUNE 1, 2018 - MAY 31, 2019 - *Item Removed from Consent*

The following applications for Towing Licenses 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. The licenses are effective from June 1, 2018 - May 31, 2019.

1. Hart's Auto Body
2. Tierno's Automotive Inc.
3. M&W Towing Service
4. Mike's Towing

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Dan Parenti, Council Member
SECONDER:	Kevin Dotey, Council Member
AYES:	Dotey, Parenti, Kaplan, Madden, Schueler, Mikolajczyk

The Borough Clerk read the following resolution:

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

RESOLUTION 144-2018

**THE GOVERNING BODY HEREBY APPROVE CANCELING SECOND QUARTER
PROPERTY TAXES ON BLOCK 57, LOT 13 IN THE AMOUNT OF \$1,774.18**

The Tax Collector is hereby authorized to cancel 2nd Qtr 2018 taxes on the following property. This property was purchased by the United States of America who is exempt from paying taxes.

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
57 / 13	6 E Wilson St.	\$1774.18

The Borough Clerk read the following resolution:

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

RESOLUTION 145-2018

APPROVAL OF THE RENEWAL OF LIQUOR LICENSES FOR THE YEAR 2018-2019 -
Item Removed from Consent

The application for renewal of Liquor Licenses for the year 2018-2019 which have been approved by the Police Department be accepted; and the Borough Clerk is hereby authorized to issue the following licenses in consideration of the fees which have been paid to the Borough of Middlesex and the State of New Jersey:

Shri Radha Krishna Inc. t/a Endzone Lounge 425 Bound Brook Road	1211-33-001-004
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
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. 1211-33-003-003
624 Lincoln Boulevard

John W. Lupu Memorial Post 306 1211-31-013-001
The American Legion
707 Legion Place

Timothy Kerwin's Inc. 1211-33-009-003
353 Bound Brook Road

Ellery's Grill, Inc. 1211-32-004-002
701 Lincoln Boulevard

This resolution was amended to include Ellery's Bar & Grill, 701 Lincoln Boulevard.

RESULT:	ADOPTED AS AMENDED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Dan Parenti, Council Member
SECONDER:	Kevin Dotey, Council Member
AYES:	Dotey, Parenti, Kaplan, Madden, Schueler, Mikolajczyk

The Borough Clerk read the following resolution:

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

RESOLUTION 146-2018

ACCEPTING THE RETIREMENT OF ROBERT HEISCH EFFECTIVE JUNE 1, 2018

The Mayor and Council hereby accept Robert Heisch's retirement effective June 1, 2018 and agree to reimburse him the amount of \$12,220.74 for the following benefits.

25 Unused 2017 Vacation Days	\$ 8,745.00
79.5 Accumulated Comp Hours	\$ 3,475.74
TOTAL	\$ 12,220.74

The Borough Clerk read the following resolution:

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

RESOLUTION 147-2018

**THE GOVERNING BODY HEREBY ACCEPTS THE RESIGNATION OF TOM LYNCH AS
A SENIOR BUS DRIVER FROM THE OFFICE OF SENIOR SERVICES EFFECTIVE MAY
31, 2018**

The Governing Body hereby accepts the resignation of Tom Lynch as the Senior Bus Driver for the Office of Senior Services effective May 31, 2018.

The Borough Clerk read the following resolution:

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

RESOLUTION 148-2018

ACCEPTING THE DONATION OF A 2006 YARDMACHINE SNOW BLOWER, MODEL HSSK50 FOR THE DEPARTMENT OF PUBLIC WORKS

The Governing Body hereby accepts the donation of a 2006 Yardmachine snow blower, Model HSSK50 from John Madden for the Department of Public Works.

The Borough Clerk read the following resolution:

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

RESOLUTION 149-2018

AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE THE SEWER CONNECTION AND USE AGREEMENT WITH RG-PISCATAWAY URBAN RENEWAL LLC - *Item Removed from Consent*

The Governing Body hereby authorizes the Mayor and Borough Clerk to execute the Sewer Connection and Use Agreement with RG-Piscataway Urban Renewal LLC.

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Dan Parenti, Council Member
SECONDER:	Kevin Dotey, Council Member
AYES:	Dotey, Parenti, Kaplan, Madden, Schueler, Mikolajczyk

The Borough Clerk read the following resolution:

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

RESOLUTION 150-2018

APPROVING THE MUNICIPAL ALLIANCE CONTRACT AGREEMENTS BETWEEN THE COUNTY OF MIDDLESEX AND THE BOROUGH OF MIDDLESEX FOR FY2019

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 2018-2019 in the amount of:

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

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

The Borough Clerk read the following resolution:

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

RESOLUTION 151-2018

**HIRING MACKENZIE MEIXNER AS A MEALS ON WHEELS DRIVER FOR THE OFFICE
OF SENIOR SERVICES EFFECTIVE JUNE 12, 2018**

The Governing Body hereby hires Mackenzie Meixner, Middlesex, New Jersey as a Meals on Wheels Driver for the Office of Senior Services effective June 12, 2018 at an hourly rate of \$18.00 per hour.

The Borough Clerk read the following resolution:

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

RESOLUTION 152-2018

**APPROVAL TO ADVANCE PATROLMAN RICHARD SZYMCAK TO PATROLMAN
CLASS "C" EFFECTIVE JUNE 11, 2018**

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

WHEREAS, On June 5, 2018 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 "C" effective June 11, 2018 at an annual salary of \$90.637.

The Borough Clerk read the following resolution:

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

RESOLUTION 153-2018

THE GOVERNING BODY APPROVES DECLARING VARIOUS DPW ITEMS SURPLUS

The Governing Body hereby approves declaring the following surplus: (1) 1996 Dodge Truck, VIN No. 1B6MF36C9TJ193545; (2) 1995 Ford Economy Van, VIN No. 1FTEE14N9SHA86304; (3) 2007 Garbage Truck No. 5, VIN No. 5VCDGJF08H206188; and (4) Recycle Trailer Model IB-82, Serial No. 46505.

The Borough Clerk read the following resolution:

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

RESOLUTION 154-2018

**APPROVING THE NEW JERSEY DEPARTMENT OF THE ENVIRONMENT TO ACCESS
BOROUGH PROPERTY FOR THE CONSTRUCTION OF THE SEGMENT C2
FLOODWALL/LEVEE FOR THE GREEN BROOK FLOOD DAMAGE REDUCTION
PROJECT**

The Governing Body hereby approves the Mayor and Borough Clerk to execute the Department of the Army Right of Entry to access portions of borough Property in order to commence construction of Segment C2 Floodwall/Levee for the Green Brook Flood Damage Reduction project.

The land affected by this permit or right-of-entry is located in the State of New Jersey, County of

Middlesex, and is described as follows: Block 232, Lot 19, Block 232 Lot 17, Block 238 Lot 1, Block 238 Lot 2, Block 238 Lot 3, Block 250, Lot 1, Block 244 Lot 11, Block 244 Lot 15, and portions of the following street rights of way: Seventh St., Sixth St., Cap Ln., So. Lincoln, Denton Pl. and Parker St.

I

The Borough Clerk read the following resolution:

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

RESOLUTION 155-2018

**HIRING OF ADRIANA MORA AS A PART TIME VIOLATION'S CLERK EFFECTIVE JUNE
25, 2018 - *Withdrawn***

The governing body hereby hires Adriana Mora, Maplewood, NJ as a part time Violations Clerk effective June 25, 2018 at \$15.00 per hour, 28 hours per week, pending a satisfactory drug/alcohol test and background check.

NON-CONSENT AGENDA/RESOLUTIONS

The Borough Clerk read the following resolution:

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

RESOLUTION 156-2018

PAY ALL CLAIMS

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robert Schueler, Council President
SECONDER:	Jack Mikolajczyk, Council Member
AYES:	Dotey, Parenti, Kaplan, Madden, Schueler, Mikolajczyk

AGENDA WORKSHOP ITEM

1. Bond Anticipation Note

Mayor DiMura informed the council that we need to go out for a bond anticipation note for 3.4 million dollars to keep our cash flowing. The borough has not done bonding since 2014, and he is recommending to approve a 12 month note, as we would get better terms on the interest with a 12 month note. A consensus of Council was to approve a resolution to move forward with this bond anticipation note.

The Borough Clerk read the following resolution:

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

RESOLUTION 157-2018

RESOLUTION AUTHORIZING BONDS IN THE SUM OF \$3,400,000 AUTHORIZED BY FOUR BOND ORDINANCES HERETOFORE ADOPTED TO FINANCE VARIOUS CAPITAL IMPROVEMENTS BY AND FOR THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, AND PROVIDING FOR OTHER DETAILS OF SAID ISSUE

WHEREAS, the Borough Council of the Borough of Middlesex, County of Middlesex, New Jersey (the "Borough") has heretofore adopted bond ordinance numbers 1893-16, 1920-17, 1922-17 and 1924-17 to finance various capital improvements by and for the Borough; and

WHEREAS, it is desirable to issue bond anticipation notes pursuant to said bond ordinances in an aggregate principal amount of \$3,400,000 (the "Notes") pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the Revised Statutes of New Jersey (the "Local Bond Law"); now, therefore,

BE IT RESOLVED by the BOROUGH COUNCIL OF THE BOROUGH OF MIDDLESEX, in the County of Middlesex, New Jersey as follows:

SECTION 1. That the Notes shall be issued as one issue and at such time as shall be determined by the Chief Financial Officer of the Borough (the "Chief Financial Officer") and shall be in such denomination or denominations, shall bear such number or numbers, such date or dates of issue and maturity, and such rate or rates of interest, as may be determined in the manner and in accordance with the applicable provisions of the Local Bond Law. The Notes shall be entitled "Bond Anticipation Notes, Series 2018A" or any other designation determined by the Chief Financial Officer.

SECTION 2. That all of the Notes shall be signed by the manual or facsimile signatures of the Mayor of the Borough and the Chief Financial Officer and the corporate seal of the Borough shall be affixed thereto, attested by the manual signature of the Clerk of the Borough, and shall be payable, both as to principal and interest, to the purchaser thereof, and shall be in substantially the form as attached hereto as Exhibit A and made a part hereof.

SECTION 3. That the Chief Financial Officer be and she hereby is authorized and directed to determine all matters in connection with the Notes not determined by this or a subsequent resolution and his signature upon the Notes shall be conclusive as to such determinations.

SECTION 4. That the Chief Financial Officer be and she hereby is authorized to take all actions necessary to sell the Notes from time to time at public or private sale in such amounts as she may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

SECTION 5. That any instrument issued pursuant to this resolution shall be a general obligation of the Borough, and the Borough's full faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

SECTION 6. That the Chief Financial Officer is hereby authorized and directed to report in writing to the Borough Council at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this resolution is made, such report to include the principal amount, description, interest rate and maturity of the Notes sold, the price obtained and the name of the purchaser.

SECTION 7. That the Notes are hereby designated as "Qualified Tax-Exempt Obligations" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code") (relating to an exception to the disallowance of interest expense of certain financial institutions allocable to tax-exempt interest). The Chief Financial Officer is

hereby authorized and directed to satisfy any reporting requirements made necessary by any Federal rules and regulations with respect to such designation of the Notes.

SECTION 8. That the Mayor of the Borough, the Chief Financial Officer and the Clerk of the Borough are hereby authorized to execute all documents necessary for the sale and delivery of the Notes.

SECTION 9. That the Borough hereby covenants to comply with the provisions of the Code applicable to the Notes and covenants not to take any action or to fail to take any action which would cause the interest on the 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 Notes does not lose the exclusion from gross income for federal income tax purposes provided under Section 103 of the Code.

SECTION 10. That this resolution shall take effect immediately.

Exhibit A

No. 2018A-__

CUSIP _____

UNITED STATES OF AMERICA

STATE OF NEW JERSEY

BOROUGH OF MIDDLESEX
in the County of Middlesex, New Jersey

BOND ANTICIPATION NOTE, SERIES 2018A

The BOROUGH OF MIDDLESEX, a municipal corporation of the State of New Jersey (the "Borough"), for value received promises to pay to the bearer of this Note, or if it be registered other than to bearer, to the registered owner hereof, in lawful money of the United States of America, the sum of _____ DOLLARS (\$_____) together with interest thereon from the date hereof at the rate of _____ per centum (____%) per annum, on _____, 2019, upon presentation and surrender of this Note at the office of the _____, _____, New Jersey.

This Note is transferable by delivery, unless registered otherwise than to bearer. At the request of the holder, this Note will be registered in his name on the books of the Borough for the series of Notes of which this is a part (the "Notes") kept for that purpose in the office of its Chief Financial Officer, such registration to be noted on the back of this Note, and thereafter until registered transfer to bearer, no transfer of this Note shall be valid unless made on the registration books for the Notes and similarly noted hereon.

This Note is issued pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the Revised Statutes of New Jersey, bond ordinances of the Borough Council of the Borough in all respects duly adopted and published as required by law and a resolution adopted by the Borough Council of the Borough. This Note is a Bond Anticipation Note, Series 2018A and is issued in anticipation of the issuance of bonds of the Borough. The Notes are intended to be treated as "Qualified Tax-exempt Obligations" for purposes of Section 265(b)(3) of the Internal

Revenue Code of 1986, as amended (relating to an exception to the disallowance of interest expense of certain financial institutions allocable to tax-exempt interest). This Note is issued for a period not exceeding one year, and may be renewed from time to time for additional periods, not exceeding one year.

The full faith and credit of the Borough are hereby irrevocably pledged for the punctual payment of the principal of and interest on this Note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or upon the issuance of this Note, exist, have happened and have been performed and that the amount and terms of this Note do not exceed any limitation imposed thereon by the Constitution or statutes of the State of New Jersey.

IN WITNESS WHEREOF, the BOROUGH OF MIDDLESEX, acting through its Borough Council, has caused this Note to be signed by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, its corporate seal to be hereunto affixed, this Note and the seal to be attested by the manual signature of the Borough Clerk of the Borough Council and this Note to be dated the ____ day of ____, 2018.

ATTEST:
(SEAL)

BOROUGH OF MIDDLESEX

CLERK OF THE BOROUGH COUNCIL

MAYOR

CHIEF FINANCIAL OFFICER

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robert Schueler, Council President
SECONDER:	Sean Kaplan, Council Member
AYES:	Dotey, Parenti, Kaplan, Madden, Schueler, Mikolajczyk

3. 2018 Capital Budget

Mayor DiMura will supply council with a copy of the Capital Budget. Any questions should be directed to him or the Business Administrator. This budget will be introduced at the next meeting.

PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS

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

EXECUTIVE SESSION

ADJOURNMENT

The next Regular Meeting will be June 26, 2018

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk