Borough of Middlesex

Mayor and Council Regular Meeting

~ Agenda ~

1200 Mountain Ave
Middlesex, NJ

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

Tuesday, October 23, 2018 **7:00 PM** **Municipal Building**

1. **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.
2. **SALUTE TO FLAG**
3. **ROLL CALL**

Attendee Name	Present	Absent	Late	Arrived
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	☐	☐	☐	
Attorney Aravind Aithal	☐	☐	☐	

4. **PRESENTATIONS**
    1. Senior Housing - Bruce Morgan of the Ingerman Group
5. **APPOINTMENTS**
6. **PROCLAMATIONS**
7. **ORDINANCE(S) FOR INTRODUCTION**
8. **ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION**
9. **ADOPTION OF MINUTES**
    1. Approval of the October 9, 2018 Regular & Executive Meeting Minutes
10. **MAYOR'S REPORT**
11. **REPORTS - STANDING COMMITTEES**
    1. Finance/Taxation/Real Estate/Insurance/Public Utilities
    2. Fire/OEM/Rescue Squad
        1. Approval of the August, 2018 Fire Chief Report

3. Recreation/Recreation Fields/Swim Pool/Community Celebrations
4. Public Works/Buildings & Grounds/Recycling
5. Police/Legal/Code Enforcement & Zoning/Shade Tree/Construction/Municipal Court
    1. Approval of the September, 2018 Police Report
6. Administration/Department of Senior Services/Legislation/Licensing

12. PRIVILEGE OF THE FLOOR

During the conduct of the meeting, unless a Public Hearing is held or the Regular Order of Business is waived, the audience does not participate. A Public Portion is held at the end of the meeting. Individuals commenting from the audience will be provided an opportunity to address the Council but will not be permitted to speak again until everyone has had an opportunity to speak. If a group is represented by an attorney, the attorney will be given an opportunity to speak on behalf of all of the members of the group. The Council, pursuant to the Open Public Meeting Act, will not publicly discuss personnel matters and may choose not to respond to comments made by members of the public during this portion of the meeting; however, the Council will give all comments appropriate consideration and will refer all individual complaints to the Mayor or appropriate Borough representative for resolution.

13. NEW BUSINESS/CONSENT AGENDA/RESOLUTIONS: Matters listed within the Consent Agenda have been referred to members of the Borough Council for reading and study, are considered to be routine and will be enacted by one motion of the Council. If separate discussion is desired, the item may be removed from the Consent Agenda by Council action. The Resolutions listed below were submitted to the Borough Council for review and will be adopted by one motion.

1. **Resolution 250-2018** Authorizing the Tax Collector to Cancel Taxes on Various Properties Bought by the US Army Corps of Engineers

2. **Resolution 251-2018** Authorizing the Tax Collector to Refund the 2nd Portion of the 2015 Homestead Rebate on Block 84, Lot 15

3. **Resolution 252-2018** The Governing Body has Complied with N.J.A.C. 5:30-6.5 and has Reviewed at a Minimum the "Comments and Recommendations" Section of the Annual Audit for the Year 2017

4. **Resolution 253-2018** Authorizing the Refund of a Street Opening Permit No. 2017-013 for Sandra Tirrell of 424 Giles Avenue in the amount of $1875.00

14. NON-CONSENT AGENDA/RESOLUTIONS: Matters listed within the Non-Consent Agenda will be individually addressed and acted upon accordingly. Council reserves the right to refer an item to Committee for further review and discussion. The Resolutions listed below were submitted to the Borough Council for review and will be adopted individually by motion.

1. **Resolution 254-2018** Executive Session

2. **Resolution 255-2018** Pay All Claims

15. AGENDA WORKSHOP ITEM

16. PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS

During the conduct of the meeting, unless a Public Hearing is held or the Regular Order of Business is waived, the audience does not participate. A Public Portion is held at the end of

the meeting. Individuals commenting from the audience will be provided an opportunity to address the Council but will not be permitted to speak again until everyone has had an opportunity to speak. If a group is represented by an attorney, the attorney will be given an opportunity to speak on behalf of all of the members of the group. The Council, pursuant to the Open Public Meeting Act, will not publicly discuss personnel matters and may choose not to respond to comments made by members of the public during this portion of the meeting; however, the Council will give all comments appropriate consideration and will refer all individual complaints to the Mayor or appropriate Borough representative for resolution.

17. EXECUTIVE SESSION

1. Future of CFO Position

2. Recycling Center Part Time Employee

18. ADJOURNMENT

1. The next Regular Meeting will be November 20, 2018

Be it Resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #250-2018

AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES ON VARIOUS PROPERTIES BOUGHT BY THE US ARMY CORPS OF ENGINEERS

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:

Block/Lot	Address	Quarter	Amount
244/10	184 S Lincoln Ave	4th 2018	$2774.45
		1st 2019	$2700.04
		2nd 2019	$2700.03
244/17	915 Voorhees Ave	3rd 2018	$2167.04
		4th 2018	$2016.87
		1st 2019	$2108.92
		2nd 2019	$2108.91
247/22	923 Voorhees Ave	4th 2018	$2278.27
		1st 2019	$2382.26
		2nd 2019	$2382.25

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on October 23, 2018.

Be it Resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #251-2018

AUTHORIZING THE TAX COLLECTOR TO REFUND THE 2ND PORTION OF THE 2015 HOMESTEAD REBATE ON BLOCK 84, LOT 15

The Tax Collector is hereby authorized to refund the 2nd portion of the 2015 Homestead Rebate, in the amount of $252.41, that was applied electronically on Block 84 Lot 15, 40 Ramsey Road. The homeowner is a 100% Disabled Veteran and is exempt from property tax as per Resolution # 94-2018. The check is to be made payable to:

Peter Fusco
40 Ramsey Road
Middlesex, NJ 08846

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on October 23, 2018.

Be it Resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #252-2018

THE GOVERNING BODY HAS COMPLIED WITH N.J.A.C. 5:30-6.5 AND HAS REVIEWED AT A MINIMUM THE "COMMENTS AND RECOMMENDATIONS" SECTION OF THE ANNUAL AUDIT FOR THE YEAR 2017

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 2017 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.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on October 23, 2018.

Be it Resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #253-2018

AUTHORIZING THE REFUND OF A STREET OPENING PERMIT NO. 2017-013 FOR SANDRA TIRRELL OF 424 GILES AVENUE IN THE AMOUNT OF $1875.00

WHEREAS, Sandra Tirrell was issued a street opening permit on 8/28/17; and

WHEREAS, Sandra Tirrell deposited $2500.00 with the Borough of Middlesex to ensure proper repair and maintenance of the roadway; and

WHEREAS, said roadway at 424 Giles Ave. 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 Sandra Tirrell, 424 Giles Ave., Middlesex, NJ 08846, for refund of Street Opening Permit No. 2017-013.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on October 23, 2018.

Be it Resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #254-2018

EXECUTIVE SESSION

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. Future of CFO Position
2. Recycling Center Part Time Employee

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on October 23, 2018.

Be it Resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #255-2018

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.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on October 23, 2018.