



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, October 23, 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 Dan Parenti
Council Member Sean Kaplan
Council Member John Madden
Council President Robert Schueler
Council Member Jack Mikolajczyk

Council Member Kevin Dotey -- **Absent**

Also Present:

Aravind Aithal Attorney

Others Absent:

PRESENTATIONS

1. Senior Housing - Bruce Morgan of the Ingerman Group

Mr. Bruce Morgan of BCM Affordable Housing Inc. attended the meeting to discuss the potential Development Plan for affordable senior housing on the DPW site on Main Street. Mr. Morgan has a great deal of experience building affordable housing in the past 25 years and has a working relationship with the Ingerman Group. The Ingerman Management Company has more than 6,500 units under management, built approximately 55% of their units in New Jersey, and has built units in Pennsylvania, Maryland, and also Delaware.

Mr. Morgan indicated that the timeline for a project of this size would be approximately 3 years from the designation of the redevelopment. They are proposing that 50 plus units in the building could be built on this 1 acre of property with additional parking across the street. He indicated that he normally deals with contaminated sites with these properties, so that should not be an issue. Mr. Morgan described that certain categories will need sight plan approval and because it will cost approximately \$100,000 to submit a tax credit application, they would like to be sure that all points that are required by the state are met

before submitting this application to get funding. Mr. Morgan explained the point system to the governing body and that this location would be very appealing to the state.

Mr. Morgan stated that he can be contacted regarding any additional questions from the governing body on this potential Development Plan.

APPOINTMENTS

PROCLAMATIONS

ORDINANCE(S) FOR INTRODUCTION

ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION

ADOPTION OF MINUTES

1. Approval of the October 9, 2018 Regular & Executive Meeting Minutes

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

MAYOR'S REPORT

1. Mayor DiMura's Proposal to the Board of Education to use DPW Manpower for the Clean Up of the Ventilators at Mauger Middle School

Mayor DiMura will release a statement in reference to the Board of Education Meeting. He would like to get Council's permission to offer additional manpower and equipment to the Board of Education to help them in the cleaning of the ventilators in the classrooms at Mauger School in order to get this done quicker. He would like to work together with the Board of Education to get this issue resolved and he will be meeting with Dr. Madison to discuss this offer with her at that time. Council approved.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sean Kaplan, Council Member
SECONDER:	Jack Mikolajczyk, Council Member
AYES:	Parenti, Kaplan, Madden, Schueler, Mikolajczyk
ABSENT:	Dotey

REPORTS - STANDING COMMITTEES

Finance/Taxation/Real Estate/Insurance/Public Utilities

1. Update on the 2018 Budget

Councilman Schueler stated that the finance committee met with respect to the 2018 budget and recommends that we freeze the municipal budget for expenses to be encumbered for the balance of the year. Any requisition including blanket Po for over 300.00 needs to be approved by the finance committee and the mayor before it can be

encumbered . All Purchase orders once approved by the department head should be forwarded to the mayor and all members of the committee via borough email. Until such time as two members of the committee approve the expense, it is not approved. The mayor can declare an item an emergency and override this. Committee members have no more than 48 hours from the time of receipt of the email to either approve or question additional documentation. If no request for additional information is made the mayor can approve the expense. The expectation is that the committee will approve all reasonable proposals. We are seeking approval by full council.

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

Fire/OEM/Rescue Squad

1. Approval of the August, 2018 Fire Chief Report

Councilman Kaplan reported that the Rabies Clinic is scheduled for Saturday, November 3 at the DPW Garage on Main Street from 10 AM - 12 PM.

Councilman Kaplan also reported that the Fire Department will be holding a Live Burn on Sunday, October 28 at 8:30 AM at the Piscataway Fire Academy.

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

Recreation/Recreation Fields/Swim Pool/Community Celebrations

Public Works/Buildings & Grounds/Recycling

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

1. Approval of the September, 2018 Police Report

In September we handled 1,865 calls for service. We have a total of 18,602 for the year which is about 3,000 more calls compared to this time last year.

Our UCR clearance rate for the month was 67% of UCR Index crimes, which included arrests for two (2) burglaries.

On October 17, 2018 a joint press release was issued by the Middlesex Police Department and the Middlesex County Prosecutor's Office announcing the arrest of a 30-year-old Sayreville woman on charges that she provided the drugs that caused the death of a 32-year-old Middlesex Borough woman. The Middlesex Police are committed to breaking the deadly grip drugs have on our community.

The Intensified Traffic Enforcement Initiative is going well. The Middlesex Borough Police Department will inform the public of those areas in the Borough where we will intensify our enforcement of traffic violations. These important traffic messages will be distributed through Nixle. For information to sign up for Nixle visit the Middlesex Police Department Website.

National Prescription Drug Take Back Day will be held this Saturday, October 27, 2018 from 10AM - 2 PM. Anyone can turn in unused or expired prescription medication for safe disposal. I attached a copy of the poster to this email.

The Middlesex Police Department Food Drive is in full swing and the police department will be accepting food until November 4th. Food can be dropped off at headquarters for anyone interested. Help us make sure that no one goes hungry this holiday season.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jack Mikolajczyk, Council Member
SECONDER:	Sean Kaplan, Council Member
AYES:	Parenti, Kaplan, Madden, Schueler, Mikolajczyk
ABSENT:	Dotey

Administration/Department of Senior Services/Legislation/Licensing

PRIVILEGE OF THE FLOOR

Rich Thomasey, 109 Green Avenue discussed the 103 violations and summons that were reported at the last meeting and questioned how long a period they covered. He also questioned how the number of vacant properties were reduced from 135 to 63, what will be the next phase at Mountain View Park and if the aluminum from the bleachers will be recycled.

Pete Wozniak, 1200 Sheridan Avenue questioned the 2017 Audit and if there were any findings, if the Audit report for the PILOT for 150 Lincoln Boulevard has been submitted, how much have we received quarterly from this PILOT and how much interest are we getting on the borough's idle funds.

Dave Polakiewicz, 240 Hazelwood Avenue questioned the status of the search for an Administrator, if the Board of Education proposal would include overtime pay, and an explanation of the budget freeze.

Evan Walters, 837 West Second Street questioned the size of the property for consideration for the senior development on Main Street and if other properties are being considered. In regard to Mauger School, Mr. Walters wanted to know at what point can the town step in and take charge of the issues that are going on at the school.

Rich Rutkowski, 211 Maple Street referenced comments made by the Mayor at the September 25, 2018 Regular Meeting and also discussed the playground for physically challenged children. Also, Mr. Rutkowski questioned if the meetings will be televised in January, 2019.

NEW BUSINESS/CONSENT AGENDA/RESOLUTIONS

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

The Borough Clerk read the following resolution:

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

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

The Borough Clerk read the following resolution:

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

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex 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.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex 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.

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 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

RESULT:	WITHDRAWN
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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 255-2018

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:	Dan Parenti, Council Member
AYES:	Parenti, Kaplan, Madden, Schueler, Mikolajczyk
ABSENT:	Dotey

AGENDA WORKSHOP ITEM

PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS

EXECUTIVE SESSION

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

ADJOURNMENT

The next Regular Meeting will be November 20, 2018

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk