



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, December 18, 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**
5. **APPOINTMENTS**
 1. Appointment of Margaret Silver, Jason Sabino, & Robert Bender to the Zoning Board
6. **PROCLAMATIONS**
 1. Proclamation Supporting the Drive Sober or Get Pulled Over 2018 Year End Holiday Crackdown
7. **ORDINANCE(S) FOR INTRODUCTION**
8. **ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION**
 1. **Ordinance 1953-18** AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING THE CODES OF THE BOROUGH OF MIDDLESEX CHAPTER 318 ABANDONED PROPERTY REGISTRATION
 2. **Ordinance 1954-18** AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 395 TREES, ARTICLE I SHADE TREE, SECTION 395-8 VIOLATIONS AND PENALTIES

9. ADOPTION OF MINUTES

1. Approval of the November 20, 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 October, 2018 Fire Chief's Report
3. Recreation/Recreation Fields/Swim Pool/Community Celebrations
 1. Approval of the December, 2018 Recreation Director's Report & the November, 2018 Recreation Trust Account
4. Public Works/Buildings & Grounds/Recycling
5. Police/Legal/Code Enforcement & Zoning/Shade Tree/Construction/Municipal Court
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 269-2018** Authorizing the Treasurer to Reinvest Funds for 2019
2. **Resolution 270-2018** Authorizing the Filing and Settlement of Tax Appeals
3. **Resolution 271-2018** Appointing the PACO Officer for 2019
4. **Resolution 272-2018** Authorizing the Tax Collector to Collect Interest on Delinquent Taxes
5. **Resolution 273-2018** Resolution Acknowledging the Change in Status for Certain Properties under the Senior Citizen/Disabled Person Tax Deductions
6. **Resolution 274-2018** Authorizing the Tax Collector to Refund 3rd & 4th Quarters Taxes on Block 224, Lot 11.01 in the amount of \$3,473.79

7. **Resolution 275-2018** Authorizing the Tax Collector to Redeem Tax Sale Certificate #16-00027 and Tax Sale Premium for Block 242, Lot 11
8. **Resolution 276-2018** Approval to Advance Patrolman Scott Mulford to Patrolman Class "D" at a Salary of \$81,396 effective December 29, 2018
9. **Resolution 277-2018** Approval to Advance Patrolman Bryan Rodrigues to Patrolman Class "E" effective December 14, 2018 at a Salary of \$72,155
10. **Resolution 278-2018** Affirming the Continuation & Authority of the Community Emergency Response Team under the Authority of the Office of Emergency Management
11. **Resolution 279-2018** Regular Meeting Dates for 2019
12. **Resolution 280-2018** Authorizing the Tax Collector to Record a Tax Sale Certificate
13. **Resolution 281-2018** Authorizing the Treasurer to Remit Condo Reimbursements for 2018
14. **Resolution 282-2018** Authorizing Reimbursement of Medicare Premiums for Certain Eligible Pensioners under Chapter III, Public Law 1973, NJ Health Benefits Plans
15. **Resolution 283-2018** Accepting the Resignation of Delmar Rouse as a Driver in the Office of Senior & Disabled Services
16. **Resolution 284-2018** Authorizing the Tax Collector to Redeem Tax Sale Certificate #14-01829 and Tax Sale Premium for Block 133, Lot 5
17. **Resolution 285-2018** Authorizing the Tax Collector to Redeem Tax Sale Certificate #16-00048 and Tax Sale Premium for Block 86.02, Lot 13
18. **Resolution 286-2018** The Tax Collector is Authorized to Waive 2017 Sanitary Sewer Use Charges on Various Properties
19. **Resolution 287-2018** Authorizing the Tax Collector to Redeem Tax Sale Certificate #16-00046 and Tax Sale Premium for Block 19, Lot 11
20. **Resolution 288-2018** The Tax Collector is Authorized to Refund 2017 Sanitary Sewer Use Charges on Various Properties
21. **Resolution 289-2018** Budget Transfers for 2018
22. **Resolution 290-2018** Hiring of Stewart Diamante as a Part Time DPW Employee to work on Saturday in the Recycling Center
23. **Resolution 291-2018** Approve the Re-appropriation of Unused Balances for the Camera System for Borough Hall to be used to Replace the Generator at Pierce Fire House in the Amount of \$45,000

24. **Resolution 292-2018** Approval to Join the Central Jersey Joint Insurance Fund Subject to Approval of Assessment

25. **Resolution 293-2018** Approval to Have Unlimited Use of the South Plainfield Range for Police Department Training for Five Years for \$5,000

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 294-2018** Pay All Claims

2. **Resolution 295-2018** Executive Session

15. FAREWELL COMMENTS BY COUNCIL PRESIDENT SCHUELER & COUNCILMAN KAPLAN

16. AGENDA WORKSHOP ITEM

1. Sewer Sampling Costs

2. Paid Sick Leave

17. 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.

18. EXECUTIVE SESSION

1. Borough Clerk Position

2. Administrator Position

3. CFO Position

4. Update on Pending Litigation - Gramercy Gardens, OLMV, City of Plainfield & William Partners

5. Emergency Medical Dispatching

19. ADJOURNMENT

1. The next Meeting will be the Reorganization Meeting on January 1, 2019

PROCLAMATION

Proclamation Supporting the Drive Sober or Get Pulled Over 2018 Year End Holiday Crackdown

Whereas, impaired drivers on our nation's roads killed 10,874 people in 2017; and

Whereas, 20% of motor vehicle fatalities in New Jersey are alcohol-related; and

Whereas, an enforcement crackdown is planned to combat impaired driving; and

Whereas, the season at the end of the year is traditionally a time of social gatherings which often include alcohol; and

Whereas, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Drive Sober or Get Pulled Over Year End Holiday Crackdown*; and

Whereas, the project will involve increased impaired driving enforcement from December 7, 2018 through January 1, 2019; and

Whereas, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

Therefore, be is resolved that Middlesex Borough declares it's support for the *Drive Sober or Get Pulled Over 2018 Year End Holiday Crackdown* from December 7, 2018 through January 1, 2019 and pledges to increase awareness of the dangers of drinking and driving.

DATED: December 18, 2018

Kathleen Anello, RMC

Mayor Ronald J. DiMura

ORDINANCE #1953-18

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING THE CODES OF THE BOROUGH OF MIDDLESEX CHAPTER 318 ABANDONED PROPERTY REGISTRATION

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 318 is hereby amended as follows:

318-1 Definitions.

ABANDONED - A property that is vacant and/or is under a current notice of default and/or notice of trustee's sale, pending Tax Assessor's lien and/or properties that have become subject of a foreclosure where the title was retained by the beneficiary of a deed of trust involved in the foreclosure and/or properties transferred under a deed in lieu of foreclosure or sale and/or any owner of record or beneficiary or trustee or mortgagee who holds a deed, deed of trust or mortgage on a property an owner, trustee or corporation of record

318-2. Recordation of transfer of loan, deed of trust, assignment of rents.

The owner of record or beneficiary or trustee or mortgagee shall record, with the Zoning Official's office, a list the name of the corporation, and/or individual, the mailing address and contact phone number of the owner of record or beneficiary or trustee or mortgagee for receiving payments associated with the loan, deed or deed of trust.

318-3. Registration.

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

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

B. In either case, the registration shall contain the name of the owner of record (corporation or individual) or beneficiary or trustee or mortgagee and the direct street or office mailing address of the owner of record or beneficiary or trustee or mortgagee (no Post Office boxes), a direct contact name and phone number for the owner of record or beneficiary or trustee or mortgagee and, in the case of corporation or out-of-area owner of record or beneficiary or trustee or mortgagee, the local property management company responsible for the security, maintenance and marketing of the property.

C. An annual registration fee shall accompany the registration form. The fee and registration shall be valid for one year from the date the form and fees are submitted. Registration fees will not be prorated.

D. This section shall also apply to properties that have been the subject of a foreclosure sale where the title was transferred to an owner or corporation or the beneficiary of a deed or deed of trust or mortgagee involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure or sale.

318-4 Maintenance requirements.

H. Adherence to this section does not relieve the owner of record (corporation or individual) or beneficiary or trustee or mortgagee of any obligations set forth in any covenants, conditions and restrictions and/or homeowners' association rules and regulations which may apply to the property.

318-5 Security requirements.

C. If the property is owned by a corporation and/or out-of-area owner or beneficiary or trustee or mortgagee, a local property management company shall be contracted to perform weekly inspections to verify that the requirements of this section, and any other applicable laws, are being met.

318-6. Additional authority.

In addition to the enforcement remedies, the Zoning Officer or his or her designee shall have the authority to require the owner of record or beneficiary or trustee or mortgagee of any property affected by this section to implement additional maintenance and/or security measures, including but not limited to securing any or all door, window or other openings, installing additional security lighting, increasing on-site inspection frequency, employment of an on-site guard or other measures as may be reasonably required to arrest the decline of the property.

318-8. Enforcement.

Violations of this article may be enforced in any combination by the Zoning Officer

I Hereby Certify that the above Ordinance was introduced by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on December 18, 2018.

INTRODUCED: November 20, 2018

DATE OF PUBLICATION:
OF INTRODUCTION November 27, 2018

ORDINANCE #1954-18**AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX,
COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 395 TREES, ARTICLE I
SHADE TREE, SECTION 395-8 VIOLATIONS AND PENALTIES**

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

Section 395-8 Violations and Penalties is amended to read as follows:

Any person who is guilty of a violation of any of the provisions of these regulations shall, upon conviction by the Magistrate, be fined a sum not to exceed \$1,000, plus the cost of the replacement of a new tree, for each offense. Each day any violation of this article shall continue shall be considered a separate offense.

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

1. The Governing Body does hereby amend Section 395-8 Violations and Penalties as stated above.
2. This Ordinance shall take effect immediately upon final passage and publication according to law.

I Hereby Certify that the above Ordinance was introduced by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on December 18, 2018.

INTRODUCED: November 20, 2018

DATE OF PUBLICATION:
OF INTRODUCTION November 27, 2018

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

Resolution #269-2018

AUTHORIZING THE TREASURER TO REINVEST FUNDS FOR 2019

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 2019.

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 December 18, 2018.

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

Resolution #270-2018

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.

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 December 18, 2018.

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

Resolution #271-2018

APPOINTING THE PACO OFFICER FOR 2019

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 2019.
2. This resolution shall take effect immediately.

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 December 18, 2018.

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

Resolution #272-2018

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 2018 and the penalty so fixed shall be six (6%) of the amount of the yearly delinquency.

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 December 18, 2018.

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

Resolution #273-2018

RESOLUTION 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 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 2018 year totaling \$80.14.

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>	<u>Reason</u>	<u>Year</u>
Scott, Mildred	6	2.02/C034B	\$80.14	Sale 9/5/18	2018 Prorated

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Middlesex, Middlesex County, that the Chief Financial Officer of the Borough of Middlesex, Middlesex County be instructed to post to the books the collection of taxes receivable as detailed.

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 December 18, 2018.

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

Resolution #274-2018

**AUTHORIZING THE TAX COLLECTOR TO REFUND 3RD & 4TH QUARTERS
TAXES ON BLOCK 224, LOT 11.01 IN THE AMOUNT OF \$3,473.79**

The Tax Collector is hereby authorized to refund 2018 3rd & 4th quarters in the amount of \$3,473.79, Block 224 Lot 11.01, 211-213 Seventh Street. The homeowner has been previously declared a 100% disabled veteran by the Division of Veterans Affairs effective May 17, 2011 as per Resolution # 133-2018 and the mortgage company paid in error. The check is to be made payable to:

Chase
Attn: Refund Department
3001 Hackberry Road
Irving, TX 75063

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 December 18, 2018.

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

Resolution #275-2018

AUTHORIZING THE TAX COLLECTOR TO REDEEM TAX SALE CERTIFICATE #16-00027 AND TAX SALE PREMIUM FOR BLOCK 242, LOT 11

The Tax Collector is hereby authorized to issue a check in the amount of \$226.38 to redeem Tax Sale Certificate #16-00027 and a check in the amount of \$200.00 for a Tax Sale Premium, Block 242 Lot 11, 114 S. Lincoln Ave. Check is made payable to:

Trystone Capital Assets, LLC
PO Box 1030
Brick, NJ 08723

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 December 18, 2018.

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

Resolution #276-2018

APPROVAL TO ADVANCE PATROLMAN SCOTT MULFORD TO PATROLMAN CLASS "D" AT A SALARY OF \$81,396 EFFECTIVE DECEMBER 29, 2018

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

WHEREAS, On November 30, 2018 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 "D" effective December 29, 2018 at an annual salary of \$81,396.

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 December 18, 2018.

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

Resolution #277-2018

APPROVAL TO ADVANCE PATROLMAN BRYAN RODRIGUES TO PATROLMAN CLASS "E" EFFECTIVE DECEMBER 14, 2018 AT A SALARY OF \$72,155

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

WHEREAS, On November 30, 2018 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 "E" effective December 14, 2018 at an annual salary of \$72,155.

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 December 18, 2018.

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

Resolution #278-2018

**AFFIRMING THE CONTINUATION & AUTHORITY OF THE COMMUNITY
EMERGENCY RESPONSE TEAM UNDER THE AUTHORITY OF THE OFFICE OF
EMERGENCY MANAGEMENT**

WHEREAS, the Borough of Middlesex, County of Middlesex, State of New Jersey, hereby affirms the continuation of the Community Emergency Response Team (CERT); and

WHEREAS, CERT members are volunteers that shall only be activated under the authority of the Office of Emergency Management (OEM) and;

WHEREAS, CERT members are training in various fields of emergency response through the OEM and

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Middlesex, County of Middlesex, State of New Jersey approves the following:

1. Continuation of the CERT Program
2. CERT members are volunteers that may be activated under the authority of the Office of Emergency Management.
3. CERT members are trained and provided continuing education opportunities through the OEM

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 December 18, 2018.

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

Resolution #279-2018

REGULAR MEETING DATES FOR 2019

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 2019:

January 1, 15, 29	July 16
February 12, 26	August 13
March 12, 26	September 10, 24
April 9, 23	October 8, 22
May 14, 28	November 19
June 11, 25	December 3, 17

Regular Meetings commence at 7:00 p.m.

Action may be taken at any meeting above.

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 December 18, 2018.

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

Resolution #280-2018

AUTHORIZING THE TAX COLLECTOR TO RECORD A TAX SALE CERTIFICATE

The Tax Collector is hereby authorized to issue a check in the amount of \$11.00 to record a tax sale certificate acquired at the December 5, 2018 tax sale. The check should be made payable to:

Middlesex County Clerk
P O Box 1110
New Brunswick, NJ 08903-1110

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 December 18, 2018.

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

Resolution #281-2018

AUTHORIZING THE TREASURER TO REMIT CONDO REIMBURSEMENTS FOR 2018

The Treasurer is hereby authorized to remit the Condo Reimbursements for 2018 to the following:

Gramercy Gardens	\$ 6,533.12
Midatlantic Property Mgmt	
315 Raritan Avenue	
Highland Park, NJ 08904	

Foxhall Condo Association	\$ 7,120.91
Attn: Sheila Paciullo, Manager	
PO Box 233	
Middlesex, NJ 08846	

Hanover Square Condo Association	\$ 5,404.59
Alliance Property Management	
PO Box 2207	
Morrestown, NJ 07962-2207	

Wilton Avenue	\$ 3,137.30
99 Wilton Ave	
Middlesex, NJ 08846	

Middlesex Village Condo Association	\$ 23,226.60
C/O Regency Management Group	
35 Clyde Road, Suite 102	
Somerset, NJ 08873	

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 December 18, 2018.

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

Resolution #282-2018

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 2018, 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	\$804.00	Susan Cole 246 Oak Dr Middlesex, NJ 08846	\$798.00
Dorothy Coren 20 Mead Ave Middlesex, NJ 08846	\$663.00	Joseph Coren 20 Mead Ave Middlesex, NJ 08846	\$1,069.80
John Fuhrmann 38 Whitney Dr Middlesex, NJ 08846	\$804.00	Sheila Fuhrmann 38 Whitney Dr Middlesex, NJ 08846	\$804.00
John Giuliano	\$578.40	John A Haverstick	\$813.00

339 Second St
Middlesex, NJ 08846

771 County Rt 16
Mexico, NY 13114-3193

Judith Lynch \$730.80
359 Market St
Middlesex, NJ 08846

Thomas Lynch \$629.40
359 Market St
Middlesex, NJ 08846

Charlie Nash \$696.00
13 Homestead Terrace
Scotch Plains, NJ 07076

Jerome Nowak \$578.40
1886 East Fir Ave, Apt 104
Fresno, CA 93720

Arthur Roberts \$578.40
305 Harris Ave
Middlesex, NJ 08846

Erica Schaefer \$629.40
58 Joe-Ent Rd
Flemington, NJ 08822

Jerry Schaefer \$629.40
58 Joe-Ent Rd
Flemington, NJ 08822

Charles Sebastian \$768.00
512 Clinton Ave
Middlesex, NJ 08846

Lorraine Smith \$578.40
5602 Gold Ct
New Bern, NC 28560-9747

Earl S Thompson \$624.00
6525 41 Ave North
St Petersburg, FL 33709

Karen Thompson \$624.00
6525 41 Ave North
St Petersburg, FL 33709

James Tolomeo \$629.40
841 West Second St
Middlesex, NJ 08846

Rita Wahler \$599.40
16 Fitzsimmons Ave
Middlesex, NJ 08846

Roger Wahler \$629.40
16 Fitzsimmons Ave
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 December 18, 2018.

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

Resolution #283-2018

**ACCEPTING THE RESIGNATION OF DELMAR ROUSE AS A DRIVER IN THE
OFFICE OF SENIOR & DISABLED SERVICES**

The governing body hereby accepts the resignation of Delmar Rouse as a driver in the Office of Aging & Disabled Services effective December 10, 2018.

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 December 18, 2018.

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

Resolution #284-2018

AUTHORIZING THE TAX COLLECTOR TO REDEEM TAX SALE CERTIFICATE #14-01829 AND TAX SALE PREMIUM FOR BLOCK 133, LOT 5

The Tax Collector is hereby authorized to issue a check in the amount of \$33,181.44 to redeem Tax Sale Certificate #14-01829, and a check in the amount of \$18,500.00 for tax sale premium, Block 133 Lot 5, 319 Chestnut St. Check is made payable to:

FWDSL & Associates LP
17 W Cliff St.
Somerville, NJ 08876

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 December 18, 2018.

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

Resolution #285-2018

AUTHORIZING THE TAX COLLECTOR TO REDEEM TAX SALE CERTIFICATE #16-00048 AND TAX SALE PREMIUM FOR BLOCK 86.02, LOT 13

The Tax Collector is hereby authorized to issue a check in the amount of \$16,816.54 to redeem Tax Sale Certificate #16-00048, and a check in the amount of \$6,000.00 for tax sale premium, Block 86.02 Lot 13, 26 Judson Drive. Check is made payable to:

US Bank Cust for PC7 Firsttrust Bank
50 South 16th St.
Suite 2050
Philadelphia, PA 19102

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 December 18, 2018.

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

Resolution #286-2018

THE TAX COLLECTOR IS AUTHORIZED TO WAIVE 2017 SANITARY SEWER USE CHARGES ON VARIOUS PROPERTIES

The Tax Collector is hereby authorized to waive 2017 Sanitary Sewer Use Charges on the following properties:

<u>Block</u>	<u>Lot</u>	<u>Amount</u>
82	12	\$376.20
300	24	\$700.15
79	5.01	\$62.70
293	3.04	\$229.90
188	7	\$292.60
305	20	\$114.95
262	1.01	\$731.50
167.03	14	\$543.40
4.01	8	\$146.30
320	1.01	\$355.30
167	17	\$407.55
7	5.01	\$198.55
80	37	\$355.30

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 December 18, 2018.

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

Resolution #287-2018

AUTHORIZING THE TAX COLLECTOR TO REDEEM TAX SALE CERTIFICATE #16-00046 AND TAX SALE PREMIUM FOR BLOCK 19, LOT 11

The Tax Collector is hereby authorized to issue a check in the amount of \$21,590.04 to redeem Tax Sale Certificate #16-00046 and a check in the amount of \$2,000.00 for a Tax Sale Premium, Block 19 Lot 11, 303 Stephenson Ave. Check is made payable to:

US Bank Cust for PC7 First Trust Bank
50 South 16th Street
Philadelphia, PA 19102

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 December 18, 2018.

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

Resolution #288-2018

**THE TAX COLLECTOR IS AUTHORIZED TO REFUND 2017 SANITARY SEWER
USE CHARGES ON VARIOUS PROPERTIES**

The Tax Collector is hereby authorized to issue refunds for 2017 Sanitary Sewer Use Charges on the following properties:

<u>Block</u>	<u>Lot</u>	<u>Amount</u>
82	12	\$376.20
79	5.01	\$62.70
188	7	\$292.60
305	20	\$114.95
7	5.01	\$198.55
320	1.01	177.65

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 December 18, 2018.

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

Resolution #289-2018

BUDGET TRANSFERS FOR 2018

The Treasurer hereby authorizes the transfer of funds for the Current Budget of 2018:

Department	From	To
Roads - Vehicle Maintenance		\$5,000.00
Garbage - Vehicle Maintenance		\$2,000.00
Senior Coordinator - Supplies		\$1,000.00
Environmental - Attorney		\$4,000.00
Fire Hydrants		\$3,500.00
Sanitary Landfill		\$10,000.00
Police - Overtime	\$10,500.00	
Gasoline	\$15,000.00	
	\$25,500.00	\$25,500.00

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 December 18, 2018.

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

Resolution #290-2018

**HIRING OF STEWART DIAMANTE AS A PART TIME DPW EMPLOYEE TO WORK
ON SATURDAY IN THE RECYCLING CENTER**

The Governing Body hereby approves to hire Stewart Diamante as a part time DPW employee to work in the Recycling Center on Saturday from 7AM - 3PM for \$12.00 per hour, pending a satisfactory physical and background check.

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 December 18, 2018.

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

Resolution #291-2018

APPROVE THE RE-APPROPRIATION OF UNUSED BALANCES FOR THE CAMERA SYSTEM FOR BOROUGH HALL TO BE USED TO REPLACE THE GENERATOR AT PIERCE FIRE HOUSE IN THE AMOUNT OF \$45,000

WHEREAS, the 2014 Capital Budget appropriated funds for a Camera System for Boro Hall,

NOW THEREFORE BE IT RESOLVED, that a portion of the unused balances be re-appropriated for the replacement of the generator at Pierce Fire House,

NOW FURTHER BE IT RESOLVED that the Treasurer hereby certifies that the funds in the amount of \$45,000.00 are available in C-04-14-855-000-090.

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 December 18, 2018.

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

Resolution #292-2018

APPROVAL TO JOIN THE CENTRAL JERSEY JOINT INSURANCE FUND SUBJECT TO APPROVAL OF ASSESSMENT

WHEREAS, a number of municipalities in the state of New Jersey have joined together to form a Joint Insurance Fund as permitted by chapter 372 Laws of 1983 (40A:10-36) and;

WHEREAS, said Fund was approved to become operational by New Jersey Department of Insurance and the Department of Community Affairs and has been in operation since that date, and;

WHEREAS, the statutes and regulations governing the creation and operation of a Joint Insurance Fund contain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a Fund;

NOW THEREFORE, be it resolved that the Governing Body of the Borough of Middlesex does hereby agree to join the Fund subject only to the right to approve the initial assessment when the same is received from the Fund following processing of the application, and;

BE IT FURTHER RESOLVED that the Governing Body of the Borough of Middlesex is applying to the Fund for the following types of coverages:

1. Workers' Compensation and Employer's Liability;
2. Liability, other than motor vehicle;
3. Property Damage, other than motor vehicle;
4. Motor Vehicle.
5. Public Officials Liability/Employment Practices Liability
6. Environmental Impairment Liability

BE IT FURTHER RESOLVED that the Governing Body hereby adopts and approves of the bylaws of the Fund; and

BE IT FURTHER RESOLVED that the Mayor is authorized to execute the application for membership and the accompanying certification on behalf of the Governing Body; and

BE IT FURTHER RESOLVED that the Governing Body is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the Fund as are required by the Fund's bylaws and to deliver same to the Executive Director of the Fund with the express reservation that said document shall become effective only upon the applicant's admission to the Fund following approval by the Fund, passage by the Governing Body of a Resolution Accepting Assessment and approval by the New Jersey Department of Insurance and the Department of Community Affairs.

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 December 18, 2018.

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

Resolution #293-2018

**APPROVAL TO HAVE UNLIMITED USE OF THE SOUTH PLAINFIELD RANGE FOR
POLICE DEPARTMENT TRAINING FOR FIVE YEARS FOR \$5,000**

At the request of Chief Geist, the Governing Body hereby approves making a payment of \$5,000 to the South Plainfield Police Department in exchange for unlimited use of the range for five years for Police Department training. Chief Geist has outlined to the Governing Body the savings and additional benefits of paying this amount in advance for five years of range use.

The Treasurer hereby certifies that funds in the amount of \$5,000 are available in Account No. 8-01-25-240-000-110.

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 December 18, 2018.

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

Resolution #294-2018

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 December 18, 2018.

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

Resolution #295-2018

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. Borough Clerk Position
2. Administrator Position
3. CFO Position
4. Update on Pending Litigation - Gramercy Gardens, OLMV, City of Plainfield & William Partners
5. Emergency Medical Dispatching

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 December 18, 2018.