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, December 18, 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:

Others Absent:
Aravind Aithal Attorney

Attorney Tim Arch replaced Borough Attorney Aithal.

PRESENTATIONS

APPOINTMENTS

1. Appointment of Margaret Silver, Jason Sabino, & Robert Bender to the Zoning Board of Adjustments

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

PROCLAMATIONS

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

PROCLAMATION

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.

The Proclamation for Support of the Drive Sober or Get Pulled Over 2018 Year End Holiday Crackdown was recognized.

ORDINANCE(S) FOR INTRODUCTION

ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION

The Borough Clerk read ordinance 1953-18 by title:

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

Mayor DiMura opened the public hearing on Ordinance No. 1953-18. Seeing that there was no public comments, Mayor DiMura closed the public hearing on Ordinance No. 1953-18.

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

The Borough Clerk read ordinance 1954-18 by title:

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.

Mayor DiMura opened the public hearing on Ordinance No. 1954-18. Seeing that there was no public comments, Mayor DiMura closed the public hearing on Ordinance No. 1954-18.

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

ADOPTION OF MINUTES

1. Approval of the November 20, 2018 Regular & Executive Meeting Minutes

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

MAYOR'S REPORT

Mayor DiMura thanked the Recreation Director, DPW and emergency services for the Christmas Tree Lighting being such a huge success. The Mayor also recognized Middlesex Funeral Home for the donation of cookies to all that attended.

Mayor DiMura reported that on January 4, 2019 work will begin on the Baekeland Avenue Bridge. This work is expected to take 6 months.

Mayor DiMura stated that he was absent at the last meeting due to a business obligation. Any comments on social media regarding his resignation are untrue, and he intends to fulfill his term. Also, the cancellation of the December 4, 2018 Regular Meeting was discussed with the Borough Clerk and Borough Attorney, and it was decided that since a new council will be coming in January 1, we felt that one meeting in December would be sufficient. Council was notified of this discussion, and the meeting was cancelled.

REPORTS - STANDING COMMITTEES

Finance/Taxation/Real Estate/Insurance/Public Utilities

Fire/OEM/Rescue Squad

1. Approval of the October, 2018 Fire Chief's Report

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

2. Approval of Brian Forsyth, Edwin Rivas and Joseph Burd as Members of the Middlesex Fire Department

Mayor DiMura requested Councilman Madden provide for Council at the January 15, 2019 Regular Meeting an update to include a time frame of what needs to be done for the Fire Department to move forward with the LOSAP Program, as there are time constraints in order to include this as a referendum on the ballot for the 2019 General Election.

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

Recreation/Recreation Fields/Swim Pool/Community Celebrations

1. Approval of the December, 2018 Recreation Director's Report & the November, 2018 Recreation Trust Account

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

Public Works/Buildings & Grounds/Recycling

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

Councilman Mikolajczyk reported that the Shade Tree Commission thanked the governing body for the additional funding for Shade Tree which will enable them to fulfill their requirements to remain Tree City USA for the 30th year. The Commission will begin 2019 with $4400 of outstanding work that needs to be done.

Administration/Department of Senior Services/Legislation/Licensing

PRIVILEGE OF THE FLOOR

Dave Polakiewicz, 240 Hazelwood Avenue questioned (1) Who is doing the Baekeland Avenue Bridge, (2) Why does the LOSAP approval go on an election; (3) Status of the letter sent to OLMV to discuss the situation or to move forward with litigation; (4) Status of the proposal to have Special Police Officers in all school buildings; (5) Status of the presentation on the property reevaluation; (6) Videotaping of the Meeting; and (7) Role of the MCIA in redevelopment.

Pete Wozniak, 1200 Sheridan Avenue thanked Sean Kaplan and Bob Schueler for their years of service on the Council. Mr. Wozniak discussed (1) The interest rate on our cash management funds and who manages the money; (2) If the state ordered the borough to do the reassessment; (3) Yearly reassessment program done in Somerset County has dropped their tax appeals, and he would provide report if interested; and (4) Who is the firm that would handle this reassessment.

John Erickson, 209 Second Street questioned the (1) Job positions that were going to be discussed in Executive Session; (2) If the Rescue Squad would be included in the LOSAP Program; (3) How we pay the replacement attorney when he attends the meetings in place of the borough attorney; and (4) How do we pay a salary to our borough attorney and not pay social security taxes.

Rich Rutkowski, 211 Maple Street questioned who prosecutes the Mayor for violating a local ordinance, with reference to waiving permit fees for fields for an event on September 28.

Bob Edwards, 243 Hazelwood Avenue questioned if Councilman Kaplan would go back to the CRS Coordinator job and questioned why reports were not filed. Councilman Kaplan responded to Mr. Edwards' questions and explained the process of how the CRS Report is filed, and when the CCRL Repetitive Loss List expires how the process must be started over.

Evan Walter, 837 W. Second Street discussed the (1) Potential work for sidewalks; (2) Status of solar panel installations; (3) Status of cleanup work done at Mauger school; (4) Status of the funds in Resolution #291-2018 to be given to Pierce Fire House for the generator and if the borough will continue to look into a camera system for borough hall. Councilman Kaplan thanked Mr. Walter for coming out to help with the stream cleaning in such cold weather.

NEW BUSINESS/CONSENT AGENDA/RESOLUTIONS

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Sean Kaplan, Council Member
SECONDER:	Jack Mikolajczyk, 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 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.

The Borough Clerk read the following resolution:

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

The Borough Clerk read the following resolution:

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

The Borough Clerk read the following resolution:

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

The Borough Clerk read the following resolution:

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

Name	Block	Lot	Amount	Reason	Year
Scott, Mildred	6	2.02/C03 4B	$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.

The Borough Clerk read the following resolution:

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

The Borough Clerk read the following resolution:

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

The Borough Clerk read the following resolution:

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

The Borough Clerk read the following resolution:

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

The Borough Clerk read the following resolution:

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

RESOLUTION 278-2018

AFFIRMING THE CONTINUATION & AUTHORITY OF THE COMMUNITY EMERGENCY RESPONSE TEAM UNDER THE AUTHORITY OF THE OFFICE OF EMERGENCY MANAGEMENT *- Item Removed from Consent*

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

RESULT:	**TABLED BY CONSENT VOTE [UNANIMOUS]**	**Next: 1/15/2019 7:00 PM**
MOVER:	Sean Kaplan, Council Member	
SECONDER:	Jack Mikolajczyk, 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 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.

The Borough Clerk read the following resolution:

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

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex 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 Midatlantic Property Mgmt 315 Raritan Avenue Highland Park, NJ 08904	$ 6,533.12
Foxhall Condo Association Attn: Sheila Paciullo, Manager PO Box 233 Middlesex, NJ 08846	$ 7,120.91
Hanover Square Condo Association Alliance Property Management PO Box 2207 Morrestown, NJ 07962-2207	$ 5,404.59
Wilton Avenue 99 Wilton Ave Middlesex, NJ 08846	$ 3,137.30
Middlesex Village Condo Association C/O Regency Management Group 35 Clyde Road, Suite 102 Somerset, NJ 08873	$ 23,226.60

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex 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 339 Second St Middlesex, NJ 08846	$578.40	John A Haverstick 771 County Rt 16 Mexico, NY 13114-3193	$813.00
Judith Lynch 359 Market St Middlesex, NJ 08846	$730.80	Thomas Lynch 359 Market St Middlesex, NJ 08846	$629.40
Charlie Nash 13 Homestead Terrace Scotch Plains, NJ 07076	$696.00	Jerome Nowak 1886 East Fir Ave, Apt 104 Fresno, CA 93720	$578.40
Arthur Roberts 305 Harris Ave Middlesex, NJ 08846	$578.40	Erica Schaefer 58 Joe-Ent Rd Flemington, NJ 08822	$629.40
Jerry Schaefer 58 Joe-Ent Rd Flemington, NJ 08822	$629.40	Charles Sebastian 512 Clinton Ave Middlesex, NJ 08846	$768.00

Lorraine Smith 5602 Gold Ct New Bern, NC 28560-9747	$578.40	Earl S Thompson 6525 41 Ave North St Petersburg, FL 33709	$624.00
Karen Thompson 6525 41 Ave North St Petersburg, FL 33709	$624.00	James Tolomeo 841 West Second St Middlesex, NJ 08846	$629.40
Rita Wahler 16 Fitzsimmons Ave Middlesex, NJ 08846	$599.40	Roger Wahler 16 Fitzsimmons Ave Middlesex, NJ 08846	$629.40

The Borough Clerk read the following resolution:

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

The Borough Clerk read the following resolution:

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

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex 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 Firstrust Bank
50 South 16th St.
Suite 2050
Philadelphia, PA 19102

The Borough Clerk read the following resolution:

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

Block	Lot	Amount
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

The Borough Clerk read the following resolution:

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

The Borough Clerk read the following resolution:

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

Block	Lot	Amount
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

The Borough Clerk read the following resolution:

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

The Borough Clerk read the following resolution:

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

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex 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 *- Item Removed from Consent*

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.

RESULT:	**ADOPTED BY CONSENT VOTE [5 TO 0]**
MOVER:	Robert Schueler, Council President
SECONDER:	Jack Mikolajczyk, Council Member
AYES:	Dotey, Parenti, Madden, Schueler, Mikolajczyk
ABSTAIN:	Kaplan

The Borough Clerk read the following resolution:

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

RESOLUTION 292-2018

APPROVAL TO JOIN THE CENTRAL JERSEY JOINT INSURANCE FUND SUBJECT TO APPROVAL OF ASSESSMENT *- Item Removed from Consent*

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.

RESULT:	**ADOPTED BY CONSENT VOTE [UNANIMOUS]**
MOVER:	Robert Schueler, Council President
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 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.

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 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.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	John Madden, Council Member
SECONDER:	Robert Schueler, Council President
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 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

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	John Madden, Council Member
SECONDER:	Robert Schueler, Council President
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 296-2018

APPROVAL OF EUROFINS QC, LLC FOR LABORATORY SERVICES

The Governing Body hereby authorizes Eurofins QC, LLC to perform laboratory services for the sewer system in the amount of $990.00.

The Treasurer hereby certifies that funds in the amount of $990.00 are available in Account No. 8-01-20-165-000-114.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Sean Kaplan, Council Member
SECONDER:	John Madden, 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 297-2018

APPROVAL OF PRIME POINT FOR TIME AND LABOR MANAGEMENT

The Governing Body hereby approves Prime Point for time and labor management module in the amount of $5,085.00.

The Treasurer hereby certifies that funds in the amount of $5,085.00 are available in Account No. 9-01-20-130-000-123 (Finance).

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Dan Parenti, Council Member
SECONDER:	John Madden, 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 298-2018

AUTHORIZING APPROVAL AND EXECUTION OF A SETTLEMENT AGREEMENT WITH NEWCHESTER CONSTRUCTION CO., SKYVIEW ESTATES, INC. AND NOEL HOMES INC.

WHEREAS, in or around 2013, the Borough of Middlesex ("Borough") adopted Ordinance No. 1826-13 (the "Ordinance") which charges an annual $50.00 per unit fee to landlords, such as Newchester Construction Co. ("Newchester"), Skyview Estates, Inc. ("Skyview"), and Noel Homes, Inc. ("Noel Homes"), within the Borough; and

WHEREAS, a 2015 Appellate Division Case brought into question the validity of the Chapter #320-1; and

WHEREAS, a 2018 Appellate Division Case may indicate that under certain conditions a unit charge may be acceptable, however, the New Jersey Supreme Court has not yet ruled conclusively on the subject, and

WHEREAS, Newchester, Skyview and Noel Homes (collectively "Plaintiffs") have filed actions in the Superior Court of New Jersey, Law Division, Middlesex County, bearing Docket Nos. MID-L-2767-17 and MID-L-3162-17, respectively, challenging the right of the

Borough to charge the annual $50 per unit fee; and

WHEREAS, Plaintiffs filed motions for summary judgment which are pending in the above referenced actions; and

WHEREAS, the parties seek to amicably resolve their differences and settle the matter, as the outcome of the court proceedings is uncertain; and

WHEREAS, pursuant to a Settlement Agreement to be entered into between the Plaintiffs and the Borough, a copy of which is attached hereto as Exhibit A, the Borough shall rescind Chapter #320-1 et seq.; and

WHERESAS, the Settlement does not require the Borough to return to the Plaintiffs any funds collected from the Plaintiff's under the Ordinance; and

WHEREAS, Should there be a change in state law, which explicitly authorizes municipalities to collect registration, licensing and/or inspection fees from residential rental unit owners, pursuant to which the Borough adopts a valid ordinance (hereafter "New Ordinance") that is applicable to Plaintiffs and imposes such fees, then may the Borough charge Plaintiffs for such fees, subject to Plaintiffs receipt of credits for sums paid to the Borough under the Ordinance as outlined in the Settlement Agreement; and

WHEREAS, Middlesex shall direct the relevant municipal prosecutors to dismiss all pending matters against the Plaintiffs arising out of alleged violations under the Ordinance; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of The Borough of Middlesex, County of Middlesex, State of New Jersey, that the Mayor and the Township Clerk are hereby authorized to execute the above referenced Settlement Agreement with Newchester Construction Co., Skyview Estates, Inc., and Noel Homes, Inc., in substantially the form attached hereto.

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

FAREWELL COMMENTS BY COUNCIL PRESIDENT SCHUELER & COUNCILMAN KAPLAN

Councilman Schueler stated: "First of all I want to thank my family and friends for their support and patience over the last nearly 15 years if you include campaigns. Without their support I would not have been able to complete my duties.

I am very proud of the work we have done for this town in moving Middlesex forward. We have addressed infrastructure with our sewer maintenance program as well as establishing a method to pay for it. We have addressed road maintenance with a comprehensive plan to address the side roads.
We have started a program of redevelopment that is necessary to keep Middlesex financially viable to attract businesses that can replace the waning industrial areas of our town.

We have kept our finances under control with smart financial planning. We are utilizing the budgetary process to make sure we have the items necessary to accomplish the duties of the borough but to make sure we are spending wisely and to take advantage of our buying power and shared services when it makes sense. This allows us to control our

municipal budget and minimize the tax increase to the residents. Over the last 3 years the increase to the municipal portion of the budget was 10% less than the year before.

One of the things I am most proud of is that the council worked together. Sure we had discussions and disagreements but we were all working for what was best for Middlesex. There were very few times when we were not able to get a full agreement on ordinances or resolutions.

This is a model of what government should be. People who may have different philosophies coming together with good leadership for a common goal; to make their community better. I believe our state and national representatives could learn a lesson or two from what we accomplished.

Perhaps this time in Middlesex has passed us by, when during the course of the recent campaign a person's long time of dedicated service is held up as a negative, to use half truth and innuendo into a small town election just makes me sad. I thought we were better than that. Do I think that all the decisions we made were the right ones, no, but hindsight is 20/20. Leadership is having the courage to make the best decision with the information that is available at the time. The council is elected to make decisions but also to be stewards of the town. We need to protect her financial viability but also preserve her diversity and institute change for the long term preservation of Middlesex.

My challenge to the 2019 council, we are turning it over to you in very good shape…Don't screw it up.
Keep up the momentum on redevelopment, if you don't you are going to push seniors out of this town. If you think that you are going to be able to accomplish this without offering PILOT programs you are fooling yourselves. You may have used it as a platform in your campaign, but have the courage to learn and realize that that won't work. Redevelopment will dry up like a puddle on a July sidewalk. They will go somewhere else. The challenge is to get good terms for the borough and utilize the developer's agreements to leverage improvements to our services and infrastructure.

Keep in mind that every council member takes an oath of office to support the constitution of the State of NJ and the US Constitution, as a result things such as term limits would not pass constitutional muster with the laws governed by the state. Temper your rhetoric and take some time to learn how government works. It is not like a business and it shouldn't be. You are protecting the lives and properties of nearly 14000 residents of all colors creeds and many countries of origin and each is entitled to be treated with respect and dignity.

People in government should learn that they live in glass houses so long as those glass houses reside in Middlesex borough, and everything they do is under a microscope. You have been given a trust and I say again, Don't screw it up.

I have served in many capacities on this council in my 12 years of service, as council President 3 times, as acting Mayor for nearly a month, as chair of finance committee but nothing gave me more of a meaningful and worthwhile feeling than being a member of the council, when we congratulate the Youth in Government or Walk with the Girls Scouts on the Pilgrimage to the Lincoln Statue, Marching in a Parade to Honor our Fallen on Memorial Day or celebrate with our town and our young people that excel in academics or athletics. That more than anything is what Middlesex Boro is all about … establishing and maintaining a community that we all care for and love. Again and most importantly…Don't Screw it up.

Thank you "

Councilman Kaplan stated that he appreciated the opportunity to serve on this Council for the last 8 months and thanked the Borough Clerk for all her assistance in getting them all the information that they needed. He also stated that he will still remain involved by volunteering in the Fire Department and would like to see more residents volunteering in order to continue to make Middlesex grow.

Mayor DiMura thanked both Council President Schueler and Councilman Kaplan for their service to the community and stated that they both have served in many ways over the years and they are a big reason why the community is a great

place to live and stay involved. He wished both Councilmen the very best.

AGENDA WORKSHOP ITEM

1. Sewer Sampling Costs

Council discussed the sewer sampling statement that they received with exorbitant costs from the County and Piscataway. The Council had previously agreed to get costs to test all of our meters, and at the recommendation of Jerry Sheehan, a consensus of council was reached to approve a resolution tonight to authorize Eurofins QC, LLC to do this sampling for a cost of $990.00.

2. Paid Sick Leave

The Borough Clerk explained that effective October 29, 2018 the Governor has approved giving paid sick time to all employees, both part time and full time. The full time employees in the Borough are already covered, but all the part time employees, which includes seasonal, inspectors, etc. are entitled to accrue hourly sick time after working 30 hours. It is impossible for Payroll manually keep this information, and the Borough Clerk and Treasurer discussed with Prime Point the option of installing their hardware to manage these benefits for all borough employees. A consensus of Council was taken to approve by a resolution tonight the cost of $5,085.00 to utilize Prime Point's hardware for these services.

PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS

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

ADJOURNMENT

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

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk