

**BOROUGH OF MIDDLESEX
REGULAR MEETING
AGENDA
DECEMBER 27, 2016
7 PM**

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:**

Greco [] Kaplan [] Corley [] Madden [] Schueler [] Mikolajczyk []
Mayor DiMura []
4. **PRESENTATIONS**
 1. Proposed Lincoln Boulevard Project at 220 Lincoln Boulevard (block 349, lot 8) and 232 Lincoln Boulevard (block 349, lot 10.01), and lot 6.02 in block 349 (no street frontage)
5. **APPOINTMENTS**
6. **PROCLAMATIONS**
7. **NEW BUSINESS**
8. **PUBLIC HEARING**
 1. **ORDINANCE NO. 1904-16 – AN ORDINANCE OF THE BOROUGH OF MIDDLESEX AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MIDDLESEX BY ADDING A CHAPTER TO ESTABLISH STANDARDS OF ETHICAL CONDUCT FOR OFFICERS AND EMPLOYEES OF THE BOROUGH OF MIDDLESEX AND ESTABLISHING THE MIDDLESEX BOROUGH ETHICAL STANDARDS BOARD**
 2. **ORDINANCE NO. 1905-16 – AN ORDINANCE OF THE BOROUGH OF MIDDLESEX AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MIDDLESEX BY ADDING A CHAPTER TO ESTABLISH A PARKS AND RECREATION COMMITTEE**
9. **ADOPTION OF MINUTES**
 1. Approval of the December 13, 2016 Regular Meeting Minutes and Executive Meeting Minutes.

10. REPORTS

Mayor

11. REPORTS - STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Insurance/Public Utilities
2. Recreation/Recreation Fields/Swim Pool/Community Celebrations
3. Fire/OEM/Board of Health/Rescue Squad
4. Public Works/Buildings & Grounds/Recycling
5. Police/Legal/Code Enforcement/Construction/Municipal Court
 1. Approving the Police Report for November, 2016
6. Administration/Department of Senior Services/Legislation/Licensing

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.

12. 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 #254-16 Approving and endorsing the proposed Lincoln Boulevard project in regards to real property located at 220 Lincoln Boulevard (block 349, lot 8) and 232 Lincoln Boulevard (block 349, lot 10.01), and lot 6.02 in block 349 (no street frontage)
2. Resolution #255-16 Authorizing the Disbursing Officer to pay employees' insurance coverage in 2017.
3. Resolution #256-16 Reimbursement of Clerk's Petty Cash, Police Petty Cash and Recreation Department Petty Cash for 2017
4. Resolution #257-16 Approval of the Legal Depositories for 2017.

5. Resolution #258-16 Treasurer to draw check for Sales Taxes collected through the Swim Pool Snack Bar for 2017
 6. Resolution #259-16 Authorizing the Treasurer to invest and re-invest borough funds.
 7. Resolution #260-16 Endorsing "Buy Local Policy" for 2017
 8. Resolution #261-16 Authorizing the Filing and Settlement of Tax Appeals in 2017
 9. Resolution #262-16 Authorizing the Disbursing Officers to pay monies due to the Library Board as was set up in the 2016 Budget until the 2017 budget is adopted.
 10. Resolution #263-16 Approval of the Temporary Budget for 2017
 11. Resolution #264-16 Appointing Denise Biancamano Official Tax Search Officer for the year 2017
 12. Resolution #265-16 Appointing Kathleen Anello Official Assessment Search Officer for the year 2017
 13. Resolution #266-16 Appointing Caroline Benson PACO Officer for the year 2017
 14. Resolution #267-16 Authorizing the Tax Collector to Collect Interest on Delinquent Taxes.
 15. Resolution #268-16 Approving the 2017 Meeting Schedule for the Meetings of the Mayor and Council.
 16. Resolution #269-16 Authorizing the Tax Collector to issue a check to the Middlesex County Clerk in the amount of \$22.00 to record a tax sale certificate acquired at the December 14, 2016 Tax Sale.
 17. Resolution #270-16 The Governing Body approves to waive the Fire Permit and Electric Permit for the repairs to the electrical panel and fire alarm system for Lincoln Hose Co.
 18. Resolution #271-16 Approve Budget Transfers for the Current Budget of 2016.
13. **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 #272-16 Pay all Claims

- 14. PRIVILEGE OF THE FLOOR**
- 15. AGENDA WORKSHOP ITEM**
- 16. PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS**
- 17. EXECUTIVE SESSION Resolution #273-16**
 - 1. 2017 Contract with GovPilot**
- 18. ADJOURNMENT.** The next Regular Meeting will be on January 1, 2017.

ORDINANCE NO. 1904-16

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MIDDLESEX BY ADDING A CHAPTER TO ESTABLISH STANDARDS OF ETHICAL CONDUCT FOR OFFICERS AND EMPLOYEES OF THE BOROUGH OF MIDDLES

EX AND ESTABLISHING THE MIDDLESEX BOROUGH ETHICAL STANDARDS BOARD

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

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

SECTION ONE. The Code of the Borough of Middlesex, Middlesex County, New Jersey is hereby adding a chapter to include the following:

38-1 - Short title.

This chapter is known and may be cited as the "Borough of Middlesex Ethics Ordinance."

38-2 - Findings—Declarations.

The Borough council finds and declares that:

- A. Public office and employment are a public trust; and
- B. The vitality and stability of representative democracy depend upon the public's confidence in the integrity of its elected and appointed representatives; and
- C. Whenever the public perceives a conflict between the private interest and the public duties of a government officer or employee, that confidence is imperiled; and
- D. Governments have the duty both to provide their citizens with standards by which they may determine whether public duties are being faithfully performed, and to apprise their officers and employees of the behavior which is expected of them while conducting their public duties; and
- E. It is the purpose of this chapter to provide a method of assuring that standards of ethical conduct and financial disclosure requirements for Borough officers

and employees are clear, consistent, uniform in their application, and enforceable on a Borough-wide basis, and to provide Borough officers or employees with advice and information concerning possible conflicts of interest which might arise in the conduct of their public duties.

- F. This Article is enacted under the authority of the Local Government Ethics Law, L. 1991, c. 29 (N.J.S.A. 40A:9-22.1), and under the further authority granted to the Borough of Middlesex under the provisions of Title 40 and 40A of the New Jersey Statutes.

38-3 - Definitions.

As used in this chapter:

"Agency" means any agency, board, governing body, including the mayor and council, bureau, division, office, commission or other instrumentality within the Borough, and any independent local authority, including any entity created by more than one county or municipality, which performs functions other than of a purely advisory nature, but does not include the school board.

"Business organization" means any corporation, partnership, firm, enterprise, franchise, association, trust, sole proprietorship, union or other legal entity.

"Employee" means any person, whether compensated or not, whether part-time or full-time, employed by or serving on a Borough agency who is not a local officer, but does not mean any employee of the school district.

"Interest" means the ownership or control of more than ten (10) percent of the profits, assets or stock of a business organization but does not include the control of assets in a non-profit entity or labor union.

"Member of immediate family" means the spouse or dependent child of a Borough officer or employee residing in the same household.

"Officer" means any person whether compensated or not, whether part-time or full-time (1) elected to any office of a Borough agency; (2) serving on a Borough agency which has the authority to enact ordinances, approve development applications or grant zoning variances; (3) who is a member of an independent municipal, county or regional authority; or (4) who is a managerial executive or confidential employee of a Borough agency, as defined in N.J.S.A. 34:13A-3, but does not mean any employee of a school district or member of a school board.

38-4 - Ethics board established.

- A. There is established, pursuant to the provisions of Chapter 29, Laws of 1991, the Borough of Middlesex Ethics Board consisting of six members who are residents of the Borough, at least two of whom are public members. The members of the ethics board are appointed by resolution of the Borough council. The members are chosen by virtue of their known and consistent reputation for integrity and their knowledge of local government affairs. No more than three members of the ethics board are of the same political party.
- B. The members of the ethics board shall annually elect a chairperson from among the membership.
- C. The members shall serve for terms of five years, except that of the members initially appointed, two of the public members are appointed to serve for terms of five years, one member is appointed to serve for a term of four years, and the remaining members are appointed to serve for terms of three years. Each member shall serve until his or her successor has been appointed and qualified. Any vacancy occurring in the membership of the ethics board is filled in the same manner as the original appointment for the unexpired term.
- D. Members of the ethics board shall serve without compensation but are reimbursed by the Borough for necessary expenses incurred in the performance of their duties under this chapter.

38-5 - Powers of the ethics board.

The ethics board shall have the following powers:

- A. To initiate, receive, hear and review complaints and hold hearings with regard to possible violations of the code of ethics or financial disclosure requirements by local officers and employees serving the Borough;
- B. To issue subpoenas for the production of documents and the attendance of witnesses with respect to its investigation of any complaint or to the holding of a hearing;
- C. To forward to the county prosecutor or the attorney general or other governmental body any information concerning violations of the code of ethics or financial disclosure requirements by officers or employees serving the Borough which may become the subject of criminal prosecution or which may warrant the institution of other legal proceedings by the attorney general;
- D. To render advisory opinions to officers or employees serving the Borough as to whether a given set of facts and circumstances would constitute a violation of any provision of the code of ethics or financial disclosure requirements;

- E. To enforce the provisions of the code of ethics and financial disclosure requirements with regard to officers or employees serving the Borough and to impose penalties for the violation thereof as authorized by Chapter 29, P.L. 1991; and
- F. To adopt rules and regulations and to do other things as are necessary to implement the purposes of this chapter.

38-6 - Support of ethics board.

- A. The mayor and council of the Borough shall provide the ethics board with offices for the conduct of its business and the preservation of its records, and shall supply equipment and supplies as may be necessary.
- B. All necessary expenses incurred by the ethics board and its members are paid, upon certification of the chairperson, by the Borough treasurer, within the limit of funds appropriated by the mayor and council for those purposes. Notwithstanding this provision, no expense exceeding \$500.00 shall be incurred without prior approval of the Governing Body of the Borough of Middlesex.
- C. The ethics board may appoint employees, including independent counsel, and clerical staff as are necessary to carry out the provisions of this chapter within the limits of funds appropriated by the mayor and council for those purposes.

38-7 - Code of ethics established.

- A. The ethics board shall promulgate a code of ethics for all local government officers and employees serving the Borough. Local government officers and employees serving the Middlesex parking authority and the housing authority of the Borough is deemed to be serving the Borough for purposes of this chapter. The Borough code of ethics so promulgated is either identical to the provisions set forth in Section 5 of Chapter 29, P.L. 1991 or more restrictive, but not less restrictive.
- B. Within fifteen (15) days following the promulgation thereof, the Borough code of ethics, and a notice of the date of the public hearing to be held thereon, are published in at least one newspaper circulating within the Borough and distributed to the Borough clerk and to the heads of the local government agencies serving the Borough for circulation among the local government officers and employees serving the Borough. The Borough ethics board holds a public hearing on the Borough code of ethics not less than thirty (30) days following its promulgation at which any local government officer or employee

serving the Borough and any other person wishing to be heard are permitted to testify. As a result of the hearing, the ethics board may amend or supplement the Borough code of ethics as it deems necessary.

- C. If the Borough code of ethics is not identical to the provisions set forth in Section 5 of Chapter 29, P.L. 1991, the Borough ethics board shall thereafter submit the Borough code of ethics to the local finance board for approval. If the board fails to act within sixty (60) days following receipt of the code, the Borough code of ethics is deemed approved. A Borough code of ethics requiring board approval takes effect for all local government officers and employees serving the Borough sixty (60) days after approval by the board.
- D. A Borough code of ethics identical to the provisions set forth in Section 5 of Chapter 29 , P.L. 1991, takes effect ten (10) days after the public hearing held thereon.
- E. The Borough ethics board shall forward a copy of the Borough code of ethics to the Borough clerk and shall make copies of the Borough code of ethics available to local government officers and employees serving the Borough.

38-8 - Annual financial disclosure statement.

- A. Borough Officers shall annually file a financial disclosure statement. All financial disclosure statements filed pursuant to this section include the following information which specifies, where applicable, the name and address of each source and the officer's job title:
 - 1. Each source of income, earned or unearned, exceeding two thousand dollars (\$2,000.00) received by the Borough officer or a member of his or her immediate family during the preceding calendar year. Individual client fees, customer receipts or commissions on transactions received through a business organization need not be separately reported as sources of income. If a publicly traded security is the source of income, the security need not be reported unless the Borough officer or member of his or her immediate family has interest in the business organization; and
 - 2. Each source of fees and honorariums having an aggregate amount exceeding two hundred fifty dollars (\$250.00) from any single source for personal appearances, speeches or writings received by the Borough officer or a member of his or her immediate family during the preceding calendar year; and
 - 3. Each source of gifts, reimbursements or prepaid expenses having an aggregate value exceeding four hundred dollars (\$400.00) from any single

source excluding relative, received by the Borough officer or a member of his or her immediate family during the preceding calendar year; and

4. The name and address of all business organizations in which the Borough officer or a member of his or her immediate family has an interest during the preceding calendar year; and
5. The address and brief description of all real property in the state in which the Borough officer or a member of his or her immediate family held an interest during the preceding calendar year.

The following disclosures in addition to those contained in subsections (A)(1) through (A)(5) above are required annually of local government officers and employees involved in development, redevelopment or property acquisition, as listed hereafter, and housing inspectors.

6. The address and brief description of all real property in the Borough in which (a) the local government officer or a member of his or her immediate family, or (b) any business organization required to be disclosed pursuant to subsection (A)(4) above, held an interest during the preceding calendar year.

The information required by subsection (A)(6) to be disclosed by persons described in subsection (A) above, is disclosed in the annual disclosure statement provided that within thirty (30) days of acquiring an interest in property, the person fulfills this requirement either by filing a disclosure statement for the preceding year listing the property, if not previously disclosed, or by filing a supplement to the previously filed disclosure statement. This disclosure requirement shall not apply to residential real property owned and actually occupied by the person as his or her principal residence.

As used in this section, "local government officer or employee involved in development, redevelopment or property acquisition" means and includes: mayor, members of council, Borough administrator, Borough attorney, assistant Borough attorneys, Director of the Department of Finance, Director of the Department of Inspections, Construction Official, Fire Subcode Official, Plumbing Subcode Official, Electrical Subcode Official, Director of the Department of Public Works, Director of the Department of Recreation, Chief of Police, Captain of the Police Department, Lieutenant of the Police Department, Tax Assessor, Borough Clerk, Deputy Borough Clerk, Borough Engineer, Borough Planning Consultant, Borough Auditor, Municipal Judge, Borough Prosecutor, Borough Public Defender, zoning administrative officer, planning board members, zoning board of adjustment members, planning board attorney, zoning board of adjustment attorney, all commissioners, Fire Chief, Library Board of Trustees member, Director of the Middlesex Public Library, or any other person who is a managerial executive or confidential employee, as defined in Section 3, N.J.S.A. 34:13A-3, of the Borough of Middlesex or of any agency created under the authority of or appointed by the Borough of Middlesex.

- B. On receipt from the local finance board of the financial disclosure statement form prescribed by it for persons required by N.J.S.A. 40A:9-22 to file disclosure statements the clerk shall furnish same to the persons required to file. At the same time, the clerk shall deliver to those persons required by this section, but not by N.J.S.A. 40A:9-22, to file local disclosure statements, a copy of the local financial disclosure form, which form contains designated space for furnishing the required information.
- C. All persons required to file annual disclosure statements file the same with the Borough clerk. A copy of the statement of all persons required to be filed by N.J.S.A. 40A:9-22 is furnished by the Borough clerk (1) to the local finance board, and (2) to the Borough's ethics board. Borough Officers shall file initial financial disclosure statements by the earlier of (1) ninety (90) days following the effective date of Chapter 29 P.L. 1991, or (2) thirty (30) days following the effective date of this Ordinance. Thereafter statements are filed on or before April 30th of each year.

A copy of the local disclosure form required only by subsection (A) of this section is filed with the Borough clerk and a copy thereof is furnished to the Borough's ethics board.
- D. All financial disclosure statements filed are public records.

38-9 - Request for advisory opinion authorized.

An officer or employee serving the Borough may request and obtain from the ethics board an advisory opinion as to whether any proposed activity or conduct would in its opinion constitute a violation of the code of ethics or any financial disclosure requirements. Advisory opinions of the ethics board is not made public except when the ethics board by the vote of two-thirds of all its members directs that the opinion be made public. Public advisory opinions shall not disclose the name of the Borough officer or employee unless the ethics board in directing that the opinion be made public so determines.

38-10 - Ethics complaint—Procedures—Penalties and sanctions.

- A. The ethics board, upon receipt of a signed written complaint by any person alleging that the conduct of any officer or employee serving the Borough is in conflict with the code of ethics or financial disclosure requirements, shall acknowledge receipt of the complaint within thirty (30) days of receipt and initiate an investigation concerning the facts and circumstances set forth in the complaint.
- B. The ethics board shall make a determination as to whether the complaint is within its jurisdiction or frivolous or without any reasonable factual basis.

- C. If the ethics board concludes that the complaint is outside its jurisdiction, frivolous or without factual basis, it reduces that conclusion to writing and transmits a copy thereof to the complainant and to the officer or employee against whom the complaint was filed. Otherwise the ethics board shall notify the officer or employee against whom the complaint was filed of the nature of the complaint and the facts and circumstances set forth therein. The officer or employee shall have the opportunity to present the ethics board with any statement or information concerning the complaint which he or she wishes.
- D. If the ethics board determines that a reasonable doubt exists as to whether the officer or employee is in conflict with the Borough's code of ethics or any financial disclosure requirements, it conducts a hearing in the manner prescribed by Section 38-11 concerning the possible violation and any other facts and circumstances which may have come to its attention with respect to the conduct of the officer or employee.
- E. The ethics board shall render a decision as to whether the conduct of the officer or employee is in conflict with the code of ethics or any financial disclosure requirement. This decision is made by no less than two-thirds of all members of the ethics board.
- F. If the ethics board determines that the officer or employee is in conflict with the code or any financial disclosure requirements, it may impose any penalties which it believes appropriate within the limitation of Section 10 of Chapter 29, P.L. 1991. A final decision of the ethics board may be appealed to the local finance board within thirty (30) days of the decision.
- G. A finding by the ethics board that an appointed local government officer or employee is guilty of the violation of the provisions of this chapter, or of any code of ethics in effect pursuant to this chapter, is sufficient cause for his or her removal, suspension, demotion or other disciplinary action by the officer or agency having the power of removal or discipline. When a person who is in the career service is charged with violating the provisions of this chapter or any code of ethics in effect pursuant to this chapter, the procedure leading to removal, suspension, demotion or other disciplinary action is governed by any applicable procedures of Title 11A of the New Jersey Statutes and the rules promulgated pursuant thereto.

38-11 – Ethical standards.

Officers and employees of the Borough of Middlesex shall comply with the following provisions:

- A. No officer or employee of the Borough of Middlesex or member of his or her immediate family shall have an interest in a business organization or engage in any business, transaction or professional activity which is in substantial conflict with the proper discharge of his or her duties in the public interest.
- B. No officer or employee shall use or attempt to use his or her official position to secure unwarranted privileges or advantages for himself or others.
- C. No officer or employee shall act in his or her official capacity in any matter where he, a member of his or her immediate family or any business organization in which he or she has an interest has a direct or indirect financial or personal involvement that might reasonably be expected to impair his or her objectivity or independence or judgment.
- D. No officer or employee shall undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his or her independence of judgment in the exercise of his or her official duties.
- E. No officer or employee, member of his or her immediate family or any business organization in which he or she has an interest shall solicit or accept any gift, favor, political contribution, service, promise of future employment or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise or other thing of value was given or offered for the purpose of influencing him, directly or indirectly, in the discharge of his or her official duties. This provision shall not apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective public office, if the officer has no knowledge or reason to believe that the campaign contribution, if accepted, was given with the intent to influence the officer in the discharge of his or her official duties.
- F. No officer or employee shall use or allow to be used his or her public office or employment or any information not generally available to the members of the public which he or she receives or acquires in the course of and by reason of his or her office or employment for the purpose of securing financial gain for himself, any member of his or her immediate family or any business organization with which he or she is associated.
- G. No officer or employee or any business organization in which he or she has an interest shall represent any person or party other than the Borough in connection with any cause, proceeding, application or other matter pending before any agency of the Borough of Middlesex. This provision shall not be deemed to prohibit an employee from representing another employee where the representation is within the context of official labor union or similar representation responsibilities, nor shall this provision be applicable to the Borough Public Defender with respect to representation of defendants in the Municipal Court.

- H. No officer shall be deemed in conflict with these provisions if, by reason of his or her participation in the enactment of any ordinance, resolution or other matter required to be voted upon or which is subject to executive approval or veto, no material or monetary gain accrues to him or her as a member of any business, profession, occupation or group to any greater extent than any gain could reasonably be expected to accrue to any other member of such business, profession, occupation or group.
- I. No elected officer shall be prohibited from making an inquiry for information on behalf of a constituent if no fee, reward or other thing of value is promised to, given to or accepted by the officer or a member of his or her immediate family, whether directly or indirectly, in return therefor.
- J. Nothing shall prohibit any officer or employee of the Borough of Middlesex or members of his or her immediate family from representing himself, herself or themselves in negotiations or proceedings concerning his, her or their own interests.
- K. No officer or employee elected or appointed in the Borough shall, without receiving formal written authorization from the appropriate person or body, disclose any confidential information concerning any other officer or employee or any other person or any property or government affairs of the Borough.
- L. No officer or employee shall approve or disapprove or in any way recommend the payment of any bill, voucher or indebtedness owed or allegedly owed by the Borough in which he has a direct or indirect personal, pecuniary or private interest.
- M. No officer or employee elected or appointed in the Borough shall request, use or permit the use of any public property, vehicle, equipment, labor or service for personal convenience or the private advantage of himself or any other person. This prohibition shall not be deemed to prohibit an official or employee from requesting, using or permitting the use of such public property, vehicle, equipment, material, labor or service which it is the general practice to make available to the public at large or which are provided as a matter of stated public policy for the use of officials and employees in the conduct of official business.

38-12 - Conduct of hearings.

All hearings required pursuant to this chapter are conducted in conformity with the rules and procedures, insofar as they may be applicable, provided for hearings by a state agency in contested cases under the "Administrative Procedure Act," P.L. 1968, c.410 (C.52:14B-1 et seq.).

38-13 - Records to be preserved.

All statements, complaints, requests or other written materials filed pursuant to this chapter, and any rulings, opinions, judgments, transcripts or other official papers prepared pursuant to this act are preserved for a period of at least five years from the date of filing or preparation; as the case may be.

38-14 – Enforcement; violations and penalties.

- A. An appointed officer or employee of the Borough of Middlesex found guilty by the Middlesex Borough Ethical Standards Board of the violation of any provision of this chapter or of any Code of Ethics in effect pursuant to this chapter shall be fined not less than \$100 nor more than \$500, which penalty may be collected in a summary proceeding pursuant to the Penalty Enforcement Law, N.J.S.A. 2A:58-1.[1] The Middlesex Borough Ethical Standards Board shall report its findings to the office or agency having the power of removal or discipline of the appointed officer or employee and may recommend that further disciplinary action be taken.

(1) Editor's Note: See now N.J.S.A. 2A:58-10 et seq.

- B. An elected officer or employee of the Borough of Middlesex found guilty by the Middlesex Borough Ethical Standards Board of the violation of any provision of this chapter or of any Code of Ethics in effect pursuant to this chapter shall be fined not less than \$100 nor more than \$500, which penalty may be collected in a summary proceeding pursuant to the Penalty Enforcement Law (N.J.S.A. 2A:58-1).[2]

[2] Editor's Note: See now N.J.S.A. 2A:58-10 et seq.

- C. The findings by the Middlesex Borough Ethical Standards Board that an appointed officer or employee of the Borough of Middlesex is guilty of the violation of the provisions of this chapter or of any Code of Ethics in effect pursuant to this chapter shall be sufficient cause for his or her removal, suspension, demotion or other disciplinary action by the officer or agency having the power of removal or discipline. When a person who is in the career service is found to have violated the provisions of this chapter or any in effect pursuant to this chapter, the procedure leading to removal, suspension, demotion or other disciplinary action shall be governed by any applicable procedures in Title 11A of the New Jersey Statutes Annotated and the rules promulgated pursuant thereto.

SECTION TWO. This ordinance shall take effect after passage and publication as provided by law.

ATTEST:

Kathleen Anello, Municipal Clerk

Ronald J. DiMura, Mayor

INTRODUCED: December 13, 2016

DATE PUBLICATION
OF INTRODUCTION: December 16, 2016

ADOPTED: December 27, 2016

DATE OF PUBLICATION
OF ADOPTION:

ORDINANCE NO. 1905-16

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MIDDLESEX BY ADDING A CHAPTER TO ESTABLISH CHAPTER 93 – PARKS AND RECREATION COMMITTEE

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

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

SECTION ONE. The Code of the Borough of Middlesex, Middlesex County, New Jersey is hereby adding a chapter to include the following:

93-1 - Establishment.

There is hereby established in the Borough of Middlesex a parks and recreation committee, which shall have the duties and powers hereinafter more particularly set forth, and the members of which shall be appointed by the Mayor with the advice and consent of Council in accordance with the provisions of this chapter.

93-2 - Membership; terms; liaison; filling of vacancies.

A.

The parks and recreation committee shall be composed of seven members and two alternate members, who shall be citizens and residents of the Borough of Middlesex. Such members and alternate members shall be appointed by the Mayor to serve three-year terms; provided, however, that the initial appointments shall be made in the following manner: two members for initial one-year terms; two members for initial two-year terms; three members for initial three-year terms; one alternate for an initial one-year term; and one alternate for an initial two-year term. After the conclusion of the initial terms as herein provided, all terms shall be for three years. The Mayor shall designate the alternate members as "alternate no. 1", and alternate no. 2". At meetings of the parks and recreation committee, alternate members shall be permitted to participate in discussion of the proceedings, but shall not be permitted to vote except in the absence or disqualification of one or more regular members, in which event, alternate members shall be permitted to vote in lieu of such absent or disqualified regular members in the order of numerical designation of such members.

B.

In addition to the aforementioned members, the Mayor shall appoint a member of the Borough Council to serve as a liaison to the recreation committee each year, who shall be permitted to participate in discussions of the proceedings of the committee, but who shall not be permitted to vote. Such members of the Borough Council shall serve a one-year term.

C.

All appointments shall expire on December 31. Initial appointments as above provided, shall be made for the balance of the one-, two- or three-year term designated, ending on December 31 of the applicable year.

D.

Vacancies shall be filled by the Mayor for the unexpired term only. The members shall serve until their respective successors are appointed, found qualified, and take office.

93-3 - Relation to the Borough committee.

A.

The Borough Council shall cooperate with the recreation committee to coordinate and provide equipment for recreational activities, as well as to coordinate the development, operation and maintenance of parks, public places, playgrounds, and recreational areas, in the Borough of Middlesex, in order to provide for the maximum benefit and planned development for the residents of the Borough of Middlesex.

B.

The Borough Council may, from time to time, by resolution, place activities, parks, public places, playgrounds and recreational areas under the jurisdiction of the parks and recreation committee for development, operation or maintenance thereof, or for such purposes as may be specified in any such resolution. The Borough shall continue to be responsible for the care, custody and policing of any such parks, public places, playgrounds and recreational areas, which, from time to time, may be placed under the jurisdiction of the parks and recreation committee, unless such responsibilities or any others shall be specifically assigned in any such resolution.

C.

The parks and recreation committee herein established shall not be deemed to be a park or recreation commission pursuant to N.J.S.A. 40:12-1 et seq., but such parks and recreation committee shall have only those powers and duties as may be set forth herein or as may be more particularly provided by resolution of the Borough Council.

D.

There shall be no appropriation of public funds to the parks and recreation committee, except as may be provided by the Borough Council for designated purposes consistent with the intent of this chapter. The parks and recreation committee shall recommend to the Borough Council proposals, from time to time, as may be consistent herewith.

E.

The Borough shall obtain liability insurance coverage covering the approved activities under the jurisdiction of the parks and recreation committee, the participants in those activities, the Borough of Middlesex and individual members of the parks and recreation committee.

F.

Neither the parks and recreation committee nor any member or members thereof shall have any power or right, express or implied, to bind or obligate the Borough of Middlesex or the Borough committee, directly or indirectly.

93-4 - Duties.

The primary purpose of the parks and recreation committee shall be to:

A.

Assist in providing equipment as needed to programs concerned with the recreation of the residents of the Borough of Middlesex.

B.

Provide recommendations for the orderly development of parks or other public lands in the Borough of Middlesex.

C.

Cooperate with the Middlesex County Department of Parks and Recreation in coordinating and advising on activities to be held on county-owned recreational land should such aid be requested by the Middlesex County Department of Parks and Recreation.

D.

Suggest improvements needed for orderly development and to undertake such improvements as it is authorized to carry out pursuant to this chapter or hereafter by resolution of the Borough Council.

E.

Operate and maintain such parks or other public lands over which it is given jurisdiction in any resolution of the Borough Council and shall do so pursuant to any standards set forth in any such resolution.

F.

Handle other specific programs which may be assigned or authorized by the Borough Council, by resolution from time to time, in accordance with the general purposes of the parks and recreation committee and the provisions of this chapter and subject to the limitations contained herein.

93-5 - Limitations.

The parks and recreation committee shall not act in any manner which would cause a forfeiture of any lands of the Borough of Middlesex. The Borough reserves the right to limit the jurisdiction, purposes or programs of the parks and recreation committee at any time by resolution of the Borough Council.

93-6 - Organization.

The parks and recreation committee may organize as it sees fit, choosing a chairperson and such other officers from among its members as it may deem advisable, adopt rules and bylaws for the orderly conduct of Meetings, and organize sub-committees for the administration and handling of its programs.

Members shall attend one-half of all public meetings in each calendar year and shall not be absent from three consecutive regularly scheduled meetings. The committee shall petition the Borough Council for removal and replacement of any member with attendance below this standard.

93-7 – Recreation Director.

The Recreation Director appointed by the Mayor shall serve as a voting member of the parks and recreation committee.

93-8 - Grievance procedure; appeals.

A.

Any recognized recreational group who feels or believes it is aggrieved by any of the actions of the Recreation Director shall have the right to appeal any of the Recreation Director's actions and/or recommendations in the first instance to the Borough Administrator. Said appeal shall be filed not later than ten (10) days from the date of any action or recommendation taken by the Recreation Director and shall be in writing to the Borough Administrator.

B.

The Borough Administrator shall thereafter set the matter down for a hearing and consider the testimony of witnesses and other evidence to be presented and at the conclusion of which the Borough Administrator shall render a decision as soon as is practicable.

C.

Any party may appeal in the final instance the decision of the Borough administrator to the Borough Council, within five days of the Borough administrator's decision in writing to the Borough clerk.

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

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

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

SECTION FIVE. This ordinance shall replace Chapter 92, which is hereby repealed upon final passage and publication of this ordinance according to law.

SECTION SIX. This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

ATTEST:

Kathleen Anello, Municipal Clerk

Ronald J. DiMura, Mayor

INTRODUCED: December 13, 2016

DATE PUBLICATION
OF INTRODUCTION: December 16, 2016

ADOPTED: December 27, 2016

DATE OF PUBLICATION
OF ADOPTION:

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

Resolution #254-16

RESOLUTION OF THE BOROUGH OF MIDDLESEX APPROVING AND ENDORSING PROPOSED LINCOLN BOULEVARD PROJECT IN REGARDS TO REAL PROPERTY LOCATED AT 220 LINCOLN BOULEVARD (BLOCK 349, LOT 8) AND 232 LINCOLN BOULEVARD (BLOCK 349, LOT 10.01), AND LOT 6.02 IN BLOCK 349 (NO STREET FRONTAGE)

WHEREAS, the Borough of Middlesex ("Borough") has been considering the redevelopment of certain real property identified as 220 Lincoln Boulevard, Block 349, Lot 8, and 232 Lincoln Boulevard, Block 349, Lot 10.01, as shown on the Borough's tax map (the "Property"); and

WHEREAS, Middlesex Residential Urban Renewal, LLC ("Redeveloper") has proposed to redevelop the Property by constructing a mixed use development consisting of approximately 18,500 square feet of retail space, 6,160 square feet of leasing and management space, and 216 residential apartments ("Proposed Project"); and

WHEREAS, the Borough Governing Body, acting as the redevelopment agency, has reviewed the presentation of the Redeveloper and its professionals, and finds that the Proposed Project is consistent with the Lincoln Boulevard Redevelopment Plan, as amended.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, that it hereby endorses and approves Redeveloper's Proposed Project and recommends that the same be forwarded to the Borough Planning Board for consideration.

DOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

I CERTIFY THE FOREGOING TO BE A TRUE AND CORRECT ABSTRACT OF A RESOLUTION REGULARLY ADOPTED AT A MEETING OF THE COMMON COUNCIL OF MIDDLESEX, HELD

AND IN THAT RESPECT A TRUE AND CORRECT COPY OF ITS MINUTES

CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #255-16

The Disbursing Officers be and they are hereby authorized to pay, on a monthly basis, premium for Borough employees' insurance coverage as it is due in 2017.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #256-16

The Disbursing Officers be and are hereby authorized to draw a check in the amount of \$100.00 for reimbursement of the Clerk's petty cash fund and \$100.00 for the Police Department, and \$100.00 for the Recreation Department for 2016.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

Be it resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:
Resolution #257-16

Be it resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that the following are designated as legal depositories:

State of New Jersey Cash Management Fund
Unity Bank
TD Bank
Depository Trust
J.P. Morgan Chase

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #258-16

The treasurer be and is hereby authorized to draw checks, as needed, to New Jersey Sales Tax for taxes collected through the snack bar at Middlesex Community Pool.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

I CERTIFY THE FOREGOING TO BE A TRUE AND CORRECT ABSTRACT OF A RESOLUTION REGULARLY ADOPTED AT A MEETING OF THE COMMON COUNCIL OF MIDDLESEX, HELD

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #259-16

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 2017.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #260-16

WHEREAS, there are numerous businesses within Middlesex Borough that provide materials and services that are needed and contracted for by various boards, commissions, committees, and departments of the Borough of Middlesex; and

WHEREAS, the Governing Body of Middlesex Borough believes that they should fully support the business and professional community, located in Middlesex Borough, that supply quality materials and services to the residents of Middlesex Borough; and

WHEREAS, these businesses and professionals, located in Middlesex Borough, pay taxes, create jobs, and significantly contribute to and enhance the quality of life for the Middlesex Borough residents.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of Middlesex that it restate and endorse the established "Buy Local Policy", and

That all departments, boards, commissions and committees be directed, whenever economically feasible and consistent with existing laws and our Borough financial policies, to purchase materials and services from business and professionals located in Middlesex Borough; and

BE IT FURTHER RESOLVED that the Governing Body of Middlesex Borough directs the Borough Clerk to send a copy of this resolution to all individuals responsible for making or approving Borough purchases or retaining services, including department heads and chairpersons of the various boards, commissions and committees.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

I CERTIFY THE FOREGOING TO BE A TRUE AND CORRECT ABSTRACT OF A RESOLUTION REGULARLY ADOPTED AT A MEETING OF THE COMMON COUNCIL OF MIDDLESEX, HELD

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #261-16

**BOROUGH OF MIDDLESEX
COUNTY OF MIDDLESEX
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.

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

ADOPTED _____

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #262-16

The Disbursing Officers be and they are hereby authorized to pay on a prorated basis monies due to the Library Board of Trustees as was set up in the 2016 Budget until the 2017 Budget is adopted.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #263-16

"A RESOLUTION TO PROVIDE FOR A TEMPORARY BUDGET FOR PAYMENT OF CLAIMS UNTIL THE ADOPTION OF THE 2017 BUDGET

A Temporary Budget in the amount of \$ 7,928,100.70 to provide for the payment of claims and salaries including debt service payments between the first day of January 2017 and the adoption of the 2017 budget to be set up as follows:

GENERAL GOVERNMENT OPERATIONS:

Mayor & Council

Salary & Wage	\$3,000.00
Other Expenses	\$2,500.00

Administrator

Salary & Wage	\$30,000.00
Other Expenses	\$2,000.00

Municipal Clerk

Salary & Wage	\$45,000.00
Other Expenses	\$5,000.00

Rescue Squad Rental

\$2,400.00

Printing & Advertising

\$5,000.00

Postage

\$10,000.00

Assessment of Taxes

Salary & Wage	\$4,000.00
Other Expenses	\$1,200.00

Collection of Taxes

Salary & Wage	\$18,300.00
Other Expenses	\$3,000.00

Financial Administration

Salary & Wage	\$28,000.00
Other Expenses	\$11,000.00

Legal Services

\$30,000.00

Engineering Services

\$15,000.00

Environmental Services	\$10,000.00
Public Buildings & Grounds	\$30,000.00
Computer Data Services	
Salary & Wage	\$22,000.00
Other Expenses	\$60,000.00
Planning Board	
Salary & Wage	\$1,500.00
Other Expenses	\$5,000.00
Zoning Board	
Salary & Wage	\$1,500.00
Other Expenses	\$2,000.00
Code Enforcement	
Salary & Wage	\$15,000.00
Other Expenses	\$4,000.00
Shade Tree Commission	
Salary & Wage	\$700.00
Other Expenses	\$10,000.00
Board of Health	
Salary & Wage	\$750.00
Other Expenses	\$20,000.00
Housing & Community Development	
Salary & Wage	\$375.00
Other Expenses	\$25.00
Insurances	
Group Insurance Plan	\$700,000.00
Workers Compensation	\$100,000.00
Temporary Disability	\$10,000.00
Long Term Disability	\$7,500.00
Other Insurances	\$125,000.00
PUBLIC SAFETY:	
Fire Department	
Other Expenses	\$30,000.00

Police Department

Salary & Wage	\$900,000.00
Other Expenses	\$50,000.00

Juvenile Conference Committee

Salary & Wage	\$560.00
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Emergency Management

Other Expenses	\$4,000.00
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Road Repair & Maintenance

Salary & Wage	\$150,000.00
Other Expenses	\$35,000.00

Sewer Systems

Salary & Wage	\$0.00
Other Expenses	\$12,000.00

Solid Waste Management

Salary & Wage	\$45,000.00
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Garbage Removal

Salary & Wage	\$80,000.00
Other Expenses	\$20,000.00

Sanitary Landfill

\$75,000.00

Prosecutor's Office

\$7,000.00

RECREATION & EDUCATION:**Parks & Playgrounds**

Salary & Wage	\$60,000.00
Other Expenses	\$20,000.00

Board of Recreation

Salary & Wage	\$25,000.00
Other Expenses	\$12,000.00

Senior Citizen Bus Transportation

\$2,000.00

Senior Coordinator

Salary & Wage	\$10,000.00
Other Expenses	\$2,500.00

Title III Clerk	\$8,000.00
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Uniform Construction Code

Salary & Wage	\$50,000.00
Other Expenses	\$4,000.00

Utilities

Gasoline	\$50,000.00
Fuel Oil	\$40,000.00
Electricity	\$50,000.00
Telephone	\$15,000.00
Natural Gas	\$10,000.00
Street Lighting	\$50,000.00
Fire Hydrants	\$60,000.00
Water	\$5,000.00

Municipal Court

Salary & Wage	\$50,000.00
Other Expenses	\$6,000.00

Celebration of Public Events	\$10,000.00
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County Curbside Recycling	\$28,000.00
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Animal Control	\$7,000.00
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STATUTORY EXPENDITURES:

PERS	\$327,004.00
DCRP CoMatch	\$1,500.00
PFRS	\$701,362.00
Social Security	\$70,000.00
Pension - Fireman's Widow (NJSA 43:12-28.1)	\$5,000.00

TOTAL	\$4,428,676.00
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26.25% of the 2016 General Appropriation in
the Budget = \$4,895,586.08

Older Americans

Senior Transportation Salary	\$6,000.00
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Stormwater Management

Salary & Wage	\$286,664.00
Other Expenses	\$3,000.00

Maintenance of Free Public Library	\$150,000.00
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Middlesex County Utility Authority	\$500,000.00
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Piscataway Sewerage Authority	\$15,000.00
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Municipal Debt Service

Bond Principal	\$1,070,000.00
Bond Interest	\$291,731.26
Green Acres Loan	\$23,890.58
Infrastructure Principal & Interest	\$109,453.96
MCIA Loan - Fire Truck	\$69,893.04
MCIA Loan - Multi Purpose	\$893,791.86

TOTAL	\$7,848,100.70
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DEDICATED SWIMMING POOL UTILITY**Swim Pool Utility**

Salary & Wage	\$20,000.00
Other Expenses	\$60,000.00

TOTAL	\$80,000.00
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26.25% of the 2016 Swimming Pool Utility
Appropriation = \$134,857.82

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #264-16

Denise Biancamano be and is hereby appointed Official Tax Search Officer for the Borough of Middlesex for the year 2017.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #265-16

Kathleen Anello be and is hereby appointed Official Assessment Search Officer for the Borough of Middlesex for the year 2017.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #266-16

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 2017.
2. This resolution shall take effect immediately.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

RESOLUTION #267-16

A RESOLUTION 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 2016 and the penalty so fixed shall be six (6%) of the amount of the yearly delinquency.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

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CLERK OF THE BOROUGH OF MIDDLESEX, NJ

Be it resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that: **Resolution #268-16**

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 2017:

January 1, 10, 24	July 11, 25
February 14, 28	August 8, 22
March 14, 28	September 12, 26
April 11, 25	October 10, 24
May 9, 23	November 21
June 13, 27	December 12, 26

Regular Meetings commence at 7:00 p.m.

Action may be taken at any meeting above.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

I CERTIFY THE FOREGOING TO BE A TRUE AND CORRECT ABSTRACT OF A RESOLUTION REGULARLY ADOPTED AT A MEETING OF THE COMMON COUNCIL OF MIDDLESEX, HELD

AND IN THAT RESPECT A TRUE AND CORRECT COPY OF ITS MINUTES

CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #269-16

The Tax Collector is hereby authorized to issue a check in the amount of \$22.00 to record tax sale certificates acquired at the December 14, 2016 tax sale. The check should be made payable to:

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

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

I CERTIFY THE FOREGOING TO BE A TRUE AND
CORRECT ABSTRACT OF A RESOLUTION
REGULARLY ADOPTED AT A MEETING OF THE
COMMON COUNCIL OF MIDDLESEX, HELD

AND IN THAT RESPECT A TRUE AND CORRECT
COPY OF ITS MINUTES

CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #270-16

The governing body agrees to waive the Fire Permit and Electric Permit for the repairs to the electrical panel and Fire Alarm System for Lincoln Hose Co.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

I CERTIFY THE FOREGOING TO BE A TRUE AND
CORRECT ABSTRACT OF A RESOLUTION
REGULARLY ADOPTED AT A MEETING OF THE
COMMON COUNCIL OF MIDDLESEX, HELD

AND IN THAT RESPECT A TRUE AND CORRECT
COPY OF ITS MINUTES

CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #271-16

The Treasurer hereby authorizes the transfer of funds for the Current Budget of 2016:

Department	From	To
Group Insurance	\$126,000.00	
Police Overtime	\$41,026.05	
Piscataway Sewer		\$167,026.05
Police S/W Regular	\$20,000.00	
Engineering		\$20,000.00

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

I CERTIFY THE FOREGOING TO BE A TRUE AND CORRECT ABSTRACT OF A RESOLUTION REGULARLY ADOPTED AT A MEETING OF THE COMMON COUNCIL OF MIDDLESEX, HELD

AND IN THAT RESPECT A TRUE AND CORRECT COPY OF ITS MINUTES

CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #272-16

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.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

I CERTIFY THE FOREGOING TO BE A TRUE AND CORRECT ABSTRACT OF A RESOLUTION REGULARLY ADOPTED AT A MEETING OF THE COMMON COUNCIL OF MIDDLESEX, HELD

AND IN THAT RESPECT A TRUE AND CORRECT COPY OF ITS MINUTES

CLERK OF THE BOROUGH OF MIDDLESEX, NJ

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

Resolution #273-16

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. 2017 Contract with GovPilot

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

I CERTIFY THE FOREGOING TO BE A TRUE AND CORRECT ABSTRACT OF A RESOLUTION REGULARLY ADOPTED AT A MEETING OF THE COMMON COUNCIL OF MIDDLESEX, HELD

AND IN THAT RESPECT A TRUE AND CORRECT COPY OF ITS MINUTES

CLERK OF THE BOROUGH OF MIDDLESEX, NJ