

**BOROUGH OF MIDDLESEX
REGULAR MEETING
AGENDA
JUNE 28, 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. **APPOINTMENTS**
 1. Mayor DiMura's Appointment of Laura Mazzacco to the Beautification Committee
5. **PROCLAMATIONS**
6. **PRESENTATIONS**
7. **NEW BUSINESS**
8. **PUBLIC HEARING**
 1. **ORDINANCE NO. 1892-16 – AN ORDINANCE AMENDING THE “CODE OF THE BOROUGH OF MIDDLESEX” CHAPTER 343-8 PROHIBITING SMOKING/VAPING ON OUTDOOR GROUNDS OF BOROUGH PUBLIC PARKS AND RECREATIONAL AREAS**
9. **ADOPTION OF MINUTES**
 1. Approval of the June 14, 2016 Regular & Executive Meeting Minutes and the Special Executive Meeting June 21, 2016
10. **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
6. Administration/Department of Senior Services/Legislation/Licensing

11. REPORTS

Mayor

1. Stream Cleaning – Councilmatic Committee
2. Borough Attorney's Investigative Report regarding Violating the Open Public Meetings Act regarding Executive Session Meeting

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 #133-16 Authorizing the refund of \$1875.00 in favor of Ron Snyder, 209 Warrenville Road, Greenbrook, NJ 08812 for refund of Street Opening Permit No. 2015-002.
2. Resolution #134-16 Authorizing the refund of \$200.00 in favor of Bertram Randall Ziegler, 107 Hallock Avenue, Middlesex, NJ 08846 for refund of fee for Residential Resale Certificate.
3. Resolution #135-16 Advancing Police Officer Sean Flanagan to Patrolman Class "D" effective July 10, 2016 at an annual salary of \$77,854.
4. Resolution #136-16 Authorizing Reimbursement of Medicare Premiums for Certain Eligible Pensioners under Chapter III, Public Law 1973, NJ Health Benefits Plans
5. Resolution #137-16 Approving the Liquor License for Timothy Kerwin's Inc. for 2016-2017

6. Resolution #138-16 The Governing Body has reviewed at a minimum the "Comments and Recommendations" section of the annual audit for the year 2015.
7. Resolution #139-16 The Governing Body hereby appoints Darcy DelVecchio the Deputy Tax Collector for the Borough of Middlesex effective May 31, 2016 for a salary of \$42,190.00 for 2016.
8. Resolution #140-16 The Governing Body hereby appoints Barrie Palumbo the Construction Department Office Manager/Zoning Officer/Code Enforcer effective July 11, 2016 at an annual salary of \$55,000 for 24 hours per week.
9. Resolution #141-16 The Governing Body request the Director of Local Government Service approve to insert in the 2016 Budget revenue in the amount of \$48,921 from the Federal Community Development Block Grant Communities Program.
10. Resolution #142-16 The Governing Body hereby rescinds Resolution #129-16, Special Items of Revenue and Appropriation adopted on June 14, 2016.
11. Resolution #143-16 The Governing Body request the Director of Local Government Service approve to insert in the 2016 Budget revenue in the amount of \$32,202.94 from the State Grant of Clean Communities Program.
12. Resolution #144-16 The Governing Body request the Director of Local Government Service approve to insert in the 2016 Budget revenue in the amount of \$20,965 from the Middlesex Municipal Alliance Grant Program.
13. Resolution #145-16 The Governing Body authorizes the refund of Permit Fees in the amount of \$245.00 to the Middlesex Borough Rescue Squad for the update for the Rooftop HVAC Replacement System.
14. Resolution #146-16 The Governing Body hereby increases Dylan Wyatt, Vincent Dispenziere, and Sal Dispenziere to full time at 40 hours per week at \$14.71 per hour effective immediately.
15. Resolution #147-16 The Governing Body hereby appoints Ms. Denise Biancamano as a part time Tax Collector for the Borough of Middlesex for a salary of \$25,000 effective immediately.
16. Resolution #148-16 The Governing Body hereby approves transferring a total of \$40,657.00 outstanding funds to an account designated for Borough Hall Building Improvements.
17. Resolution #149-16 The Governing Body accepts the retirement of Howard R. Killian as a Crossing Guard with the Police Department effective June 16, 2016.
18. Resolution #150-16 The Governing Body hereby waives the Permit Fees for the Middlesex Borough Rescue Squad for the HVAC System Duct Detector.

19. Resolution #151-16 The Governing Body Authorizes the Extension of the Grace Period for Third Quarter Taxes due on August 1, 2016 to August 22, 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 #152-16 Pay all Claims

14. PRIVILEGE OF THE FLOOR

15. AGENDA WORKSHOP ITEMS

1. Proposed roads for NJDOT 2017 Grant
2. Ordinance regarding Bamboo Planting
3. Amendment to Parks Ordinance
4. Lincoln Boulevard Redevelopment Plan
5. 2016 Mill & Pave Program
6. Senate Bill S2254 and Assembly Bill A3821 – Affordable Housing Reform
7. LED Lighting Ordinance

16. PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS

17. EXECUTIVE SESSION Resolution #153-16

1. Interview Prospective Candidate for Administrator Position
2. Hiring of Permanent Part-Time DPW Employees

18. ADJOURNMENT. The next Regular Meeting will be on July 19, 2016.

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

Resolution #133-16

WHEREAS, Ron Snyder was issued a street opening permit on 1/23/15; and

WHEREAS, Ron Snyder deposited \$2500.00 with the Borough of Middlesex to ensure proper repair and maintenance of the roadway; and

WHEREAS, said roadway at 920 Voorhees Avenue was inspected by Dan Niro, Plumbing Inspector and Bob Teutsch Public Works Director, and found to have been maintained in a satisfactory manner.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that the disbursing officers be and they are hereby authorized to draw a check in the amount of \$1875.00 in favor of Ron Snyder, 209 Warrentville Road, Greenbrook, NJ 08812, for refund of Street Opening Permit No. 2015-002.

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 #134-16

WHEREAS, Bertram Randall Ziegler, applied to the Construction Office for a Residential Resale Certificate for 105-107 Hallock Avenue; and

WHEREAS, Bertram Randall Ziegler submitted Check #218 in the amount of \$200.00 on 06/02/16 in payment of said Residential Resale Certificate for a two-family attached dwelling; and

WHEREAS, no inspections were made and the sale did not take place.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex that the disbursing officers be and they are hereby authorized to draw a check in the amount of \$200.00 in favor of Bertram Randall Ziegler, 107 Hallock Avenue, Middlesex, NJ 08846, for refund of fee for Residential Resale Certificate.

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 #135-16

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

WHEREAS, On June 15, 2016 Chief Geist recommended Police Officer Sean Flanagan 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 Sean Flanagan be and is hereby advanced in grade to Patrolman Class "D" effective July 10, 2016 at an annual salary of \$77,854.

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 #136-16

A RESOLUTION 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 January through July, 2016, as follows:

James L Benson	\$629.40	Patricia A Benson	\$629.40
445 Harris Ave		445 Harris Ave	
Middlesex, NJ 08846		Middlesex, NJ 08846	
Archie J Blood Jr	\$578.40	Margie L Blood	\$629.40
54 Lincoln Ave		54 Lincoln Ave	
Barnegat, NJ 08005		Barnegat, NJ 08005	
Anthony Cole	\$578.40	Susan Cole	\$578.40
246 Oak Dr		246 Oak Dr	
Middlesex, NJ 08846		Middlesex, NJ 08846	
Dorothy Coren	\$663.00	Joseph Coren	\$1,069.80
20 Mead Ave		20 Mead Ave	
Middlesex, NJ 08846		Middlesex, NJ 08846	
John Giuliano	\$578.40		
339 Second St			
Middlesex, NJ 08846			
John A Haverstick	\$730.80	Thomas Lynch	\$629.40

771 County Rt 16
Mexico, NY 13114-3193

359 Market St
Middlesex, NJ 08846

Charlie Nash \$578.40

213 Melrose Ave
Middlesex, NJ 08846

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

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

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

Jerry Schaefer \$629.40
58 Joe-Ent Rd

Flemington, NJ 08822

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

Earl S Thompson \$624.00
6525 41 Ave North
St Petersburg, FL
33709-4907

Karen Thompson \$624.00
6525 41 Ave North
St Petersburg, FL 33709-
4907

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

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

Roger Wahler \$629.40
16 Fitzsimmons Ave
Middlesex, NJ 08846

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 #137-16

The application for renewal of the Liquor License below for the year 2016-2017 which has been approved by the Police Department, Fire Department, Board of Health be accepted; and the Borough Clerk is hereby authorized to issue the following license in consideration of the fees which have been paid to the Borough of Middlesex and the State of New Jersey:

Timothy Kerwin's Inc.
353 Bound Brook Road

1211-33-009-003

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
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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 #138-16

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2015 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body, and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the Governing Body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the Governing Body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the Governing Body, and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the Local Governing Body to the penalty provisions of R.S. 52:27BB-52-to wit:

R.S. 52:27BB-52 – A local officer or member of a Local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisonment for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Middlesex, hereby states that it has complied with N.J.A.C. 5:30-6.5 and

does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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 #139-16

The Governing Body hereby appoints Darcy DelVecchio the Deputy Tax Collector for the Borough of Middlesex effective May 31, 2016 for a salary of \$42,190.00 for 2016.

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
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Schueler				

ADOPTED _____

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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 #140-16

The Governing Body hereby appoints Barrie Palumbo as the Construction Department Office Manager/Zoning Officer/Code Enforcer effective July 11, 2016 for an annual salary of \$55,000. Ms. Palumbo will work for 8 hours per day, 24 hours per week on Tuesday, Thursday and Friday.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
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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 #141-16**

SPECIAL ITEMS OF REVENUE AND APPROPRIATION

WHEREAS, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Middlesex, County of Middlesex hereby requests that the Director of Local Government Services approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$48,921, which item is now available as a revenue from the Federal Community Development Block Grant Communities Program in the amount of \$48,921;

BE IT FURTHER RESOLVED that the like sum of \$48,921 is hereby appropriated under the caption of "2016 Federal Community Development Block Grant Program; and

BE IT FURTHER RESOLVED that the above is a result of a Federal Grant of \$48,921 from the Federal Community Development Block Grant Program.

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 #142-16

The governing body hereby rescinds Resolution #129-16, Specials Items of Revenue and Appropriation adopted on June 14, 2016.

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:

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WHEREAS, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Middlesex, County of Middlesex hereby requests that the Director of Local Government Services approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$32,202.94, which item is now available as a revenue from the State Grant of Clean Communities Program in the amount of \$32,202.94;

BE IT FURTHER RESOLVED that the like sum of \$32,202.94 is hereby appropriated under the caption of "State Grant of Clean Communities Program; and

BE IT FURTHER RESOLVED that the above is a result of a State Grant of \$32,202.94 from the State Grant of Clean Communities Program.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
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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 #144-16

SPECIAL ITEMS OF REVENUE AND APPROPRIATION

WHEREAS, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Middlesex, County of Middlesex hereby requests that the Director of Local Government Services approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$20,965.00, which item is now available as a revenue from the Middlesex Municipal Alliance Grant Program in the amount of \$20,965.00;

BE IT FURTHER RESOLVED that the like sum of \$20,965.00 is hereby appropriated under the caption of "Middlesex County Municipal Alliance Grant Program; and

BE IT FURTHER RESOLVED that the above is a result of a County Grant of \$20,965.00 from the Middlesex County Municipal Alliance Grant Program.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
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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 #145-16

The governing body authorizes the refund of Permit Fees in the amount of \$245.00 to the Middlesex Borough Rescue Squad for the update for the HVAC Duct Detector.

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
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Be it resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #145-16

The governing body authorizes the refund of Permit Fees in the amount of \$245.00 to the Middlesex Borough Rescue Squad for the update for the Rooftop HVAC Replacement System.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
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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 #146-16

The governing body hereby increases the following three part time employees to full time at 40 hours per week at \$14.71 per hour effective immediately:

Dylan Wyatt
15 Dayton Avenue
Middlesex, NJ

Vincent Dispenziere
704 Voorhees Avenue
Middlesex, NJ

Sal Dispenziere
704 Voorhees Avenue
Middlesex, NJ

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

ADOPTED _____

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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 #147-16

The governing body hereby appoints Ms. Denise Biancamano as a part time Tax Collector for the Borough of Middlesex for a salary of \$25,000 effective 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

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 #148-16

The governing body hereby approves transferring the following HUD Grant Fund in the amount of \$40,657.00 from the accounts listed below into a separate account designated for Borough Hall Building Improvements:

<u>Account No.</u>	<u>Amount</u>
CD1517 Senior Center Improvements	\$15,346.00
CD1324 Senior Center Improvements	\$10,800.00
CD1422 Lincoln Park Improvements	\$ 9,544.20
CD1427 Daisy Park Improvements	\$ 2,581.30
CD1330 Rescue Squad Generator	\$ 2,386.00
TOTAL	\$40,657.50

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 #149-16

The governing body accepts the retirement of Howard R. Killian as a Crossing Guard with the Police Department effective June 16, 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 #150-16

The Governing Body hereby waives the Permit fees for the Middlesex Borough Rescue Squad for the HVAC System Duct Detector.

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 #151-16

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MIDDLESEX
AUTHORIZING THE EXTENSION OF THE GRACE PERIOD FOR THIRD QUARTER TAXES
DUE ON AUGUST 1, 2016 TO AUGUST 22, 2016**

WHEREAS, 2016 Third Quarter Taxes are payable on August 1, 2016; and

WHEREAS, the grace period for payment without interest extends through August 22, 2016; and

WHEREAS, it is deemed that the grace period be extended due to the late mailing of the 2016 Final Tax Bills;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Middlesex, County of Middlesex, State of New Jersey, that the grace period for the payment of 2016 Third Quarter be extended through August 22, 2016; and

BE IT FURTHER RESOLVED that any Third Quarter Tax payments received after August 22, 2016 shall accrue interest from the statutory due date of August 1, 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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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 #152-16

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

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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 #153-16

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. Interview Borough Administrator
2. Hiring of Permanent Part-time DPW Employees

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

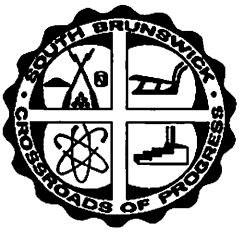
Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

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



TOWNSHIP OF SOUTH BRUNSWICK

Municipal Building • P.O. Box 190 • Monmouth Junction, NJ 08852-0190

Office of the Mayor

Phone
732-329-4000
X7301
Fax
732-329-0627

June 3, 2016

*Discussion: Next mtg.
6-28-16*

Robert Dobies
Mayor of Borough of Middlesex
1200 Mountain Ave
Middlesex, NJ 08846

Re: Urgent Need for Affordable Housing Reform
Support S2254/A3821

Dear Mayor Dobies:

On behalf of the Township Council of the Township of South Brunswick, I write to respectfully request your immediate attention to an important issue regarding the determination of affordable housing requirements currently being confronted by municipalities statewide. Specifically, enclosed please find a resolution of the governing body wherein we request that you **support** and **swiftly adopt** **Senate Bill S2254** and **Assembly Bill A3821**, bipartisan bills which provide for an Amendment to the Fair Housing Act (FHA) to **clarify** that affordable housing need is the sum of “present and prospective need for a ten year period” as set forth in the FHA, and to **preclude** the courts from adding a separate and additional affordable housing obligation for what is being referred to as the “**gap**” period.

Pursuant to the March 2015 New Jersey Supreme Court order which transferred oversight of the FHA to the courts, many municipalities (including South Brunswick) filed declaratory judgment actions to voluntarily comply with their present and prospective affordable housing requirements as established in the FHA. In October 2015, the Middlesex County Superior Court issued a decision that included a distinct “gap period” obligation, retroactively imposing an additional municipal obligation over an additional 16 year period, separate and apart from the normal 10 year present and prospective need set forth in the FHA. Recently the Ocean County Superior Court did the same. The Ocean County decision is currently on appeal. This “gap period” issue arises out of COAH’s inability to promulgate third round regulations from 1999 to the present or make any final determination as to state and regional housing need.

The FHA and existing case law are clear that “present and prospective fair share of the housing need in a given region ... shall be computed for a 10-year period.” (See N.J.S.A. 52:27D-307(c)). Despite this, the courts are imposing these additional obligations on municipalities. These retroactive obligations will have a significant and unfunded impact on municipalities, straining their already overburdened resources.

Aside from other inequities and issues imposed by a so-called “gap” obligation, the households counted in the “gap period” may well be double counted when the present need is calculated. The prospect of double counting compounds this dilemma and will likely result in forcing municipalities and their property taxpayers to subsidize development or subject them to court orders allowing enormous numbers of new housing units

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TOWNSHIP OF SOUTH BRUNSWICK

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Office of the Mayor

as a result of “builder’s remedy” lawsuits. Such a result will radically and irrevocably transform the character and quality of life for all New Jersey residents.

Hundreds of New Jersey’s municipalities have expended significant financial and other administrative resources in their attempts to voluntarily comply with their constitutional obligation for affordable housing as established by the Supreme Court and the FHA. As a direct result of the State’s failure to advance viable regulations or enact overdue legislative reform, this will only continue to spiral out of control. **Senate Bill S2254** and **Assembly Bill A3821** are important legislative remedies designed to clarify existing law and preclude these significant, unfair impacts. Swift and decisive adoption of both is a critical step toward a more rational statewide housing policy, including reasonable and achievable obligations for municipalities.

Thank you for your immediate attention to this important statewide issue. If you have any questions or would like to discuss this further, please contact me at your convenience.

Very truly yours,


Frank Gambatese
Mayor