

**BOROUGH OF MIDDLESEX
REGULAR MEETING
AGENDA
MAY 23, 2017
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:**

Dotey [] Parenti [] Corley [] Madden [] Schueler [] Mikolajczyk []
Mayor DiMura []
4. **PRESENTATIONS**
5. **APPOINTMENTS**
6. **PROCLAMATIONS**
7. **NEW BUSINESS**
 1. **ORDINANCE NO. 1918-17** AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 317, PROPERTY MAINTENANCE, ARTICLE II USE AND CARE STANDARDS, TO INCLUDE ARTICLE III STRUCTURES DAMAGED OR DESTROYED BY FIRE, SECTION 317-16 TEMPORARY SAFEGUARDS
 2. **ORDINANCE NO. 1919-17** AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 332, SEWERS TO REPLACE ARTICLE II SERVICE CONNECTIONS AND CHARGES, SECTION 332-35D CONNECTION REQUIREMENTS
 3. **ORDINANCE NO. 1920-17** BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$1,837,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,745,625 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION
 4. **ORDINANCE NO. 1921-17** AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 407, VEHICLES AND TRAFFIC, TO INCLUDE ARTICLE XXII PERMIT PARKING ONLY, SECTION 407-78 PROHIBITED PARKING; ISSUANCE OF PERMITS; SIGNS
8. **PUBLIC HEARING**

1. **ORDINANCE NO. 1916-17 AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX CHAPTER 351 TO RESCIND AND REPLACE ARTICLE 1 GARBAGE AND REFUSE COLLECTION**
2. **ORDINANCE NO. 1917-17 AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 26, ECONOMIC DEVELOPMENT COMMITTEE, CHAPTER 26-1 ESTABLISHMENT, CHAPTER 26-2 MEMBERSHIP, CHAPTER 26-3 ECONOMIC DEVELOPMENT SPECIALIST, AND CHAPTER 26-5 QUORUM**

9. ADOPTION OF MINUTES

1. Approval of the May 9, 2017 Regular & Executive Meeting Minutes

10. REPORTS

Mayor's Report

1. Appointing Patrick Corley as Liaison to the DPW
2. Appointing Kevin Dotey as Liaison to Administration
3. Discuss the annual "Middlesex Borough Person of the Year"
4. New Jersey Smart Workplaces Outstanding Achievement Bronze Award for 2017

11. REPORTS - STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Insurance/Public Utilities
2. Recreation/Recreation Fields/Swim Pool/Community Celebrations
3. Fire/OEM/Rescue Squad/Shade Tree
 1. Accepting Joseph Richard Eckert as a Member of the Middlesex Fire Department
4. Public Works/Buildings & Grounds/Recycling/Board of Health
5. Police/Legal/Code Enforcement/Construction/Municipal Court
 1. Police Report
6. Administration/Department of Senior Services/Legislation/Licensing

12. PRIVILEGE OF THE FLOOR

During the conduct of the meeting, unless a Public Hearing is held or the Regular Order of Business is waived, the audience does not participate. A Public Portion is held at the end of the meeting. Individuals commenting from the audience will be provided an opportunity to address the Council but will not be permitted to speak again until everyone has had an opportunity to speak. If a group is represented by an attorney, the attorney will be given an opportunity to speak on behalf of all of the members of the group. The Council, pursuant to the Open Public Meeting Act, will not publicly discuss personnel matters and may choose

not to respond to comments made by members of the public during this portion of the meeting; however, the Council will give all comments appropriate consideration and will refer all individual complaints to the Mayor or appropriate Borough representative for resolution.

- 13. 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 #131-17 At the recommendation of Chief Geist advancing Police Officer Richard Szymczak to Patrolman Class "D" effective June 11, 2017 at an annual salary of \$79,605.
2. Resolution #132-17 The Tax Collector is authorized to refund payments made on 2015 Sewer Account for Block 71, Lot 3 in the amount of \$258.98.
3. Resolution #133-17 The Tax Collector is authorized to waive 2015 Sanitary Sewer Use Charges on various accounts, as documentation has been provided to waive this fee.
4. Resolution #134-17 The governing body hereby terminates Joe Galietti from the DPW effective May 17, 2017.
5. Resolution #135-17 The governing body hereby hires Kyle James Dotey, Middlesex as a part time DPW Employee effective June 5, 2017 at \$12.00 per hour, 28 hours per week, pending a satisfactory physical and background check.
6. Resolution #136-17 The governing body approves the Mayor executing the Settlement of Grievance between the Borough of Middlesex and Local 255, United Services Workers Union regarding the grievance/pending arbitration for Sally Lynch.
7. Resolution #137-17 The governing body approves the Mayor executing the Settlement of Grievance between the Borough of Middlesex and Local 255, United Services Workers Union regarding the grievance/pending arbitration for Michele Galek
8. Resolution #138-17 The governing body hereby hires Bertha Gonzalez Ospina as Custodian effective June 5, 2017 at \$15.00 per hour, 28 hours per week, pending a satisfactory physical and background check.

- 14. NON-CONSENT AGENDA/RESOLUTIONS:** Matters listed within the Non-Consent Agenda will be individually addressed and acted upon accordingly. Council reserves the right to refer an item to Committee for further review and discussion. The Resolutions listed below were submitted to the Borough Council for review and will be adopted individually by motion.

1. Resolution #139-17 Pay All Claims

15. AGENDA WORKSHOP ITEM

1. Clerical Staff for Police Department
2. Promotions for the Police Department
3. Warrenville Road Project

16. PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS

17. EXECUTIVE SESSION - Resolution #140-17

1. Purchasing Agent Position

18. ADJOURNMENT. The next Regular Meeting will be on June 13, 2017.

ORDINANCE NO. 1918-17

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 317, PROPERTY MAINTENANCE, ARTICLE II USE AND CARE STANDARDS, TO INCLUDE ARTICLE III STRUCTURES DAMAGED OR DESTROYED BY FIRE, SECTION 317-16 TEMPORARY SAFEGUARDS

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

SECTION ONE. The Code of the Borough of Middlesex, Middlesex County, New Jersey is hereby amended to the following:

Chapter 317 shall be amended to include the following:

**ARTICLE III
STRUCTURES DAMAGED OR DESTROYED BY FIRE**

§317-16 Temporary safeguards: Notwithstanding any other provisions of this Chapter, whenever, in the opinion of the Fire Commissioner or his designee, any structure in the Borough has sustained damage due to a fire, immediately upon response to such fire, the Fire Commissioner or his designee may order the necessary work to be done to secure the structure from entry by persons, including the boarding-up of openings and/or fencing the perimeter of the structure(s), to render such structure temporarily safe as deemed necessary to meet such emergency. All costs incurred by the Borough in the performance of such emergency work, including labor and materials for boarding and/or fencing, shall be paid by the owner of the property upon demand thereof. Any unpaid amounts of such costs shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate as provided in Article II, §317-14, hereof.

SECTION II. This ordinance shall take effect upon final adoption and publication as required by law.

ATTEST:

Kathleen Anello, Municipal Clerk

Ronald J. DiMura, Mayor

INTRODUCED:

May 23, 2017

**DATE PUBLICATION
OF INTRODUCTION:**

ORDINANCE NO. 1919-17

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER
332, SEWERS TO REPLACE ARTICLE II SERVICE CONNECTIONS AND
CHARGES, SECTION 332-35D CONNECTION REQUIREMENTS**

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

SECTION ONE. The Code of the Borough of Middlesex, Middlesex County, New Jersey is hereby amended to the following:

Chapter 332-35D shall be amended to read as follows:

**ARTICLE III
SERVICE CONNECTIONS AND CHARGES**

§332-35

D. All business and/or residences serviced in whole or in part by well water shall install a suitable device for continuously recording the flow of discharge to the municipal sewer system. Plans for complete metering installation shall be submitted to the municipality for approval.

SECTION II. This ordinance shall take effect upon final adoption and publication as required by law.

ATTEST:

Kathleen Anello, Municipal Clerk

Ronald J. DiMura, Mayor

INTRODUCED: May 23, 2017

**DATE PUBLICATION
OF INTRODUCTION:**

ADOPTED:

**DATE OF PUBLICATION
OF ADOPTION:**

ORDINANCE NO. 1920-17

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$1,837,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,745,625 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Borough Council of the Borough of Middlesex, New Jersey (the "Borough") has ascertained and hereby determines that it is necessary and desirable to raise money to finance the cost of the improvements described in Section 3 of this bond ordinance, which improvements are hereby authorized to be made or acquired by the Borough. For said improvements or purposes stated in said Section 3, there is hereby appropriated the sum of \$1,837,500, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$91,875 as the down payment for said improvements or purposes required by law and now available therefor by virtue of provisions for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$1,837,500 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,745,625 pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the New Jersey Revised Statutes (the "Local Bond Law"). In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in the principal amount not exceeding \$1,745,625 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are the following: (i) government meeting software for the Municipal Clerk's office; (ii) revaluation of real property for the Tax Assessor's office; (iii) improvements to the Community Center; (iv) acquisition and/or improvements to County radio system; (v) acquisition of various equipment for the Police Department including L-3 mobile vision recording system, defibrillators, oxygen tanks, rifle plates and carriers, riot shields and batons, ballistic helmets, ammunition cabinet and shelving and radio/computer equipment for new cars; (vi) computer for Prosecutor's office; (vii) padlock system for hallway door of Municipal Court; (viii) bunker gear and water rescue gear for the Fire Department; (ix) acquisition of garbage trucks; (x) acquisition of various equipment for Roads Department including bobcat skid steerer with attachments, F250 pick up truck and a new utility body and compressor; (xi) acquisition of various equipment for the Parks Department including F350 mason dump truck, grounds master 360 quad steer mower, broadcast spreader, york rake and new goal post for Cook Field; (xii) upgrades for Municipal Building; (xiii) acquisition of various computer equipment including computers for the Police Department, barracuda backup servers for the Police Department and computers for Borough Hall; and (xiv) mill and overlay for various roads in the Borough, together with all other work, materials and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes of the Borough to be issued for said purposes is \$1,745,625.

(c) The estimated cost of said purposes is \$1,837,500, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$91,875 down payment for said purposes.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and are properties or improvements which the Borough may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially benefited thereby.

(b) The period of usefulness of said purposes within the limitations of the Local Bond Law, according to the reasonable lives thereof computed from the date of said bonds or notes authorized by this bond ordinance, is 5 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete duplicate thereof has been electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs in the State of New Jersey (the "Division"), and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$1,745,625, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$2,021 for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost of said improvements.

Section 5. Any funds from time to time received by the Borough as contributions-in-aid of financing the improvements or purposes described in Section 3 of this bond ordinance, including any grants, shall be used for financing said improvements or purposes by application thereof either to direct payment of the cost of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Borough authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the cost of said improvements or purposes shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct and unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all of the taxable property within the jurisdiction of the Borough for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 7. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board of the Division showing all detail of the amended capital budget and capital program as approved by the Director of the Division, are on file with the Borough Clerk and are available for public inspection.

Section 8. The Borough intends to issue bonds or notes to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance. The Borough expects that the maximum principal amount of bonds or notes which will be issued to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance is \$1,745,625. If the Borough incurs any such costs prior to the issuance of the bonds or notes, the Borough intends to reimburse itself for such expenditures with the proceeds of the bonds or notes.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by the Local Bond Law.

ATTEST:

Kathleen Anello, Municipal Clerk

Ronald J. DiMura, Mayor

INTRODUCED: May 23, 2017

DATE PUBLICATION
OF INTRODUCTION:

ADOPTED:

DATE OF PUBLICATION
OF ADOPTION:

ORDINANCE NO. 1921-17

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 407, VEHICLES AND TRAFFIC, TO INCLUDE ARTICLE XXII PERMIT PARKING ONLY, SECTION 407-78 PROHIBITED PARKING; ISSUANCE OF PERMITS; SIGNS

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

SECTION ONE. The Code of the Borough of Middlesex, Middlesex County, New Jersey is hereby amended to the following:

Chapter 407 shall be amended to include the following:

**ARTICLE XXII
PERMIT PARKING ONLY**

§407-78 Prohibited parking; issuance of permits; signs

- A. In accordance with the provisions hereof, and subject to any other provision of this Chapter, parking of vehicles not displaying a Residential Parking Permit or Guest Parking Permit as required herein shall be prohibited at any time on the following streets:
 - (1) Chestnut Street between A Street and E Street.
 - (2) A Street from Lincoln Boulevard to Chestnut Street.
 - (3) B Street from Lincoln Boulevard to Chestnut Street.
 - (4) C Street from Lincoln Boulevard to Chestnut Street.
 - (5) D Street from Lincoln Boulevard to Chestnut Street.
 - (6) E Street from Lincoln Boulevard to Chestnut Street.
- B. The residential parking permit program shall be administered and enforced by the Middlesex Borough Police Department. Each eligible resident shall be issued Residential Parking Permits for each vehicle registered to a residential address in Section A, above, and two (2) Guest Parking Permits per residence.
- C. All residents shall be required to complete the necessary documentary requirements and submit same to the Middlesex Borough Clerk's Office, Monday through Friday during normal working hours.
 - a. As a condition to obtaining a parking permit, all residents shall be required to provide the following proof of residency:

1. Proof of a valid New Jersey motor vehicle registration; the presented registration shall reflect an address in the Borough of Middlesex; and
 2. Proof of a valid automobile insurance card; the presented insurance card shall reflect an address in the Borough of Middlesex; and
 3. Proof of a valid New Jersey driver's license; the presented New Jersey driver's license shall reflect an address in the Borough of Middlesex; or
 4. Proof of ownership of property or legal tenancy in a residential dwelling unit located in the Borough of Middlesex.
- b. Guest Parking Permits shall be effective for a period of not more than three (3) consecutive calendar days, excluding designated State holidays. Any individual seeking to extend Guest Parking Permit privileges beyond the consecutive limit herein must first obtaining consent from the Middlesex Borough Police Department.
- c. Residential Parking Permits and/or Guest Parking Permits may not be sold or transferred and are valid only to the individual to whom such Permits are issued. Any misuse of permits will result in the immediate revocation of the permit plus fines. Misuse shall include but not be limited to the following occurrences:
1. Transfer of permit from an authorized (permit purposes only) to an unauthorized vehicle.
 2. Misrepresentation in the permit application process.
- D. The appropriate signs, in accordance with specifications provided by the State of New Jersey shall be exhibited on the streets which are hereby designated for the purposes of advising the public as to the restrictions of parking on said streets.
- E. Residential Parking Permits and Guest Parking Permits shall expire on June 1st of each year of issue.

§407-79 Violations and penalties. For a violation of any provision of this article, the offender shall be liable to a penalty of not less than \$75 nor more than \$150 for a first violation. Any offender committing a second or subsequent violation shall be subject to a penalty of not less than \$150 nor more than \$200. The registered owner of the vehicle which is parked in violation of this article shall be liable for such violation, regardless of whether he/she caused the vehicle to be parked in violation of this article.

SECTION TWO. This ordinance shall take effect upon final adoption and publication as required by law.

ATTEST:

Kathleen Anello, Municipal Clerk

Ronald J. DiMura, Mayor

INTRODUCED: May 23, 2017

DATE PUBLICATION
OF INTRODUCTION:

ADOPTED:

DATE OF PUBLICATION
OF ADOPTION:

ORDINANCE NO. 1916-17

**AMENDING CHAPTER 351 TO RESCIND AND REPLACE ARTICLE I GARBAGE
AND REFUSE COLLECTION**

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, Article I, Section 351 is hereby amended as follows:

§ 351-1

Provision for removal of garbage; cost.

The Council of the Borough of Middlesex may provide for the collection, removal and disposal of ashes, garbage, rubbish and other refuse matter in such manner as it deems necessary and establish such reasonable rules and regulations in conformity with the provisions of this article as circumstances may require, and all costs in connection therewith and incidental thereto shall be paid by general taxation.

A. Solid waste. All nonresidential properties including those of mixed commercial and residential uses in the Borough shall assume full responsibility for adequate collection, recycling and disposal of refuse. No junk or solid waste shall be permitted to accumulate on the property.

B. All nonresidential properties including those of mixed commercial and residential uses shall provide the Borough with proof of collection service on an annual basis, to be received by the Borough no later than January 31 of each calendar year, or within seven days of a written request from the Borough.

351-2

Definitions and word usage.

A. For the purpose of this article, the following words and terms shall be deemed to have the meanings herein given to them:

ASHES: Burned fuel of every nature and description derived from any burning process.

Bulk items: Household items consist of Furniture, Storm Windows and Screens, Rolled/Tied Carpeting in 4 ft. lengths, 7 ft. Household Doors, Mattresses, Box Springs, Cabinets and Ceramic Fixtures

GARBAGE: Waste or decayed animal and/or vegetable matter that has been used as food or was intended to be used as food and the waste therefrom, and dead animal or plant life or parts of the same.

OCCUPANT: An occupant, owner, agent, tenant, lessee, caretaker or other person or corporation in charge of the dwelling or other premises affected by this article.

PERSON: Any person, partnership, corporation or association of persons.

PROOF OF COLLECTION SERVICE: A written record, log, bill, or document(s) evidencing receipt of service for collection of solid waste for the preceding month from a person lawfully engaging in private solid waste collection services with the Borough of Middlesex.

REFUSE: Garbage, ashes and rubbish as herein separately defined.

RUBBISH: All broken crockery, glassware, furniture, household receptacles and utensils, house sweepings, bottles, tin cans, lawn cuttings, hedge trimmings, garden growth, old clothing and all discarded and waste material of every nature and description not elsewhere herein defined, including paper, cardboard or containers made of either paper or cardboard; provided, however, that all paper or cardboard must be separated from other rubbish material and must be secured in packages to permit easy handling and prevent the contents of the same from being scattered.

B. The singular shall include the plural, and the plural, the singular; the masculine shall include the feminine or neuter; and the words "and" and "or" shall be interpreted to apply interchangeably for the greatest effectiveness of this article.

351-3

Nonapplicability.

This article shall not apply to any collection of earth, stone, plaster, wood or other material from excavating or from constructing, altering or repairing any building.

351-4

Placement of garbage in suitable receptacles.

The occupant of any residential building or premises covered by the terms of this article shall place, keep and make readily accessible for collection and removal of garbage, ashes and rubbish placed in plastic bags inside covered receptacles with detachable lids, such as may be specified in rules and regulations to be adopted by the Mayor and Council of the Borough of Middlesex pertaining to the subject matter of this article. No loose garbage or debris shall be inside the approved receptacle. Acceptable receptacles are metal or plastic containers with handles and tight-fitting lids weighing less than sixty-five (65) pounds when filled and thirty-five (35) gallons in size. The use of individual plastic bags, cardboard boxes, paper bags, crates, drums, pails, or similar containers as receptacles is not permitted. Garbage in these containers will not be collected.

351-5

Removal.

All residential occupants or users of buildings which are furnished garbage and refuse service by the Borough of Middlesex must remove all receptacles and uncollected items from the front areas of the property within twenty-four (24) hours after the scheduled pickup.

351-6

Household appliances and bulk items.

- A. All owners of residential households are permitted one (1) curbside bulk item collection in a calendar year at no charge. No more than five (5) cubic yards are permitted to be placed outside for bulk pickup. All bulk items will be collected on Wednesdays by appointment only. Appointments must be scheduled at least seven (7) days prior to that Wednesday's pickup. Items cannot be placed at the curb for pick up more than seventy-two (72) hours prior to that Wednesday's requested pickup. There will be no bulk pickup November 1st thru January 31st.
- B. Construction debris, wood, branches, leaves, paint, metal, computers, televisions, and stereos will not be picked up.
- C. Household appliances, i.e., stoves, dryers, refrigerators, freezers, hot-water tanks and dishwashers can be picked up throughout the year by appointment only. All doors must be removed from the appliance.
- D. An additional or special pick up may be available for owner-occupied one and two-family residential dwellings only at a fee of \$150 per pick up.
- E. Any approved items not collected at curbside can always be brought to Middlesex Borough Recycling center during normal business hours.

351-7

Accessibility.

All covered refuse receptacles to be collected by the municipality must be kept or placed, before the collector calls, where they will be readily accessible to him at the curb adjoining the street, and the same shall be sufficiently protected from the weather to prevent freezing fast in place. The occupant must keep all receptacles clean and in condition for safe handling.

351-8

Depositing of garbage in streets, vacant lots, etc., prohibited.

No person shall throw, lay, deposit or leave or cause to be thrown, laid, deposited or left in or upon any vacant lot or open space, street, avenue, alley, highway, sidewalk, parking space or lot any garbage, ashes, rubbish or substances of a like nature in any manner contrary to the provisions of this article; provided, however, that nothing herein contained shall prevent the accumulation of any compost or manure for fertilization of the soil in cases where the same shall be stored, kept or placed in conformity with local and state health regulations and so that the same will not become a nuisance to any person or persons living within the area where such compost or manure is kept or maintained; and provided, further, that all such accumulation must be kept at least 100 feet from any dwelling house or store owned by another occupant.

351-9

Violations and penalties.

Any person violating any of the provisions of this article shall, upon conviction therefor, forfeit and pay a minimum fine of \$500 or be imprisoned in the county jail for not exceeding 90 days, and the Magistrate of the Borough of Middlesex, before whom any such person shall be brought, may impose such punishment by fine or imprisonment in the county jail, or both, as he may see fit, not exceeding the maximum established herein.

351-10

Disposal buildings.

The disposal buildings may be erected and equipped with all appliances necessary for the cremation, destruction or other disposal of garbage or refuse matter, said buildings to be erected either on lands owned by the Borough of Middlesex and suitable for the purposes aforesaid, or on lands to be acquired by the Borough of Middlesex by purchase, gift or condemnation.

351-11

Purchase, maintenance and sale of equipment.

The Borough of Middlesex may purchase, maintain and operate the necessary equipment for the collection and removal of garbage, ashes and other refuse matter, and to sell and otherwise dispose of all unnecessary and used equipment from time to time.

351-12

Contracts.

If in the opinion of the Borough Council, it is more advantageous for the Borough of Middlesex to have the ashes, garbage and other refuse matter or any part thereof in the Borough of Middlesex, collected, removed and disposed of by any person or persons other than employees of the Borough of Middlesex, the Council may make a contract or contracts for such work, or any portion thereof, with any individual or individuals, corporation or corporations, municipality or municipalities, in accordance with specifications to be adopted for the doing of such work in a sanitary and inoffensive manner, which specifications may provide for alternative methods of doing said work and are to be filed in the office of the Clerk of the Borough of Middlesex.

351-13

Bids.

Said contract or contracts shall be entered into and made only after bids therefor shall have been advertised for in a newspaper and circulated in the Borough of Middlesex at least 15 days prior thereto, and the Mayor and Council shall have the right to reject any and all bids. All bidders shall give satisfactory bonds or security for the faithful performance of the work.

351-14

Supervision.

The collection, removal and disposal of garbage, ashes, rubbish and refuse matter shall be supervised by the Sanitation Committee of Borough Council, which shall have power to make, amend and repeal regulations for the conduct of work.

351-15

Power of Mayor and Council.

The Mayor and Council of the Borough of Middlesex shall have power at any time hereafter to adopt by resolution, rules and regulations pertaining to the subject matter of this article and by resolution have the power at any time hereafter to revise, modify, vacate or repeal any of the provisions of the within article.

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 take effect upon final passage and publication according to law.

ATTEST:

Kathleen Anello, Municipal Clerk

Ronald J. DiMura, Mayor

INTRODUCED: May 9, 2017

DATE PUBLICATION
OF INTRODUCTION: May 12, 2017

ADOPTED: May 23, 2017

DATE OF PUBLICATION
OF ADOPTION:

ORDINANCE NO. 1917-17

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MIDDLESEX IN CHAPTER 26, ECONOMIC DEVELOPMENT COMMITTEE, CHAPTER 26-1 ESTABLISHMENT, CHAPTER 26-2 MEMBERSHIP, CHAPTER 26-3 ECONOMIC DEVELOPMENT SPECIALIST, AND CHAPTER 26-5 QUORUM

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

SECTION ONE. The Code of the Borough of Middlesex, Middlesex County, New Jersey is hereby amended to the following:

Chapter 26-1 shall be deleted in its entirety and replaced with:

§ 26-1. Establishment.

Borough of Middlesex, Economic Development Advisory Committee. For the purpose of advising and assisting the Mayor in promulgating economic development strategies, there shall be a Borough of Middlesex, Economic Development Advisory Committee, hereinafter referred to as the "Economic Development Committee", which shall form advisory subcommittees as it deems necessary. The Economic Development Committee shall:

1. Make periodic recommendations to the Mayor concerning areas of economic growth that would be suitable for the Borough.
2. Make periodic recommendations to the Mayor concerning programs that maintain and improve the existing residential, commercial and industrial base.
3. Make periodic recommendations to the Mayor concerning strategies that will help beautify residential, commercial and industrial properties within the Borough and promote same through the use of awards and other means.
4. Submit an annual report to the Mayor.

Chapter 26-2 shall be deleted in its entirety and replaced with:

§ 26-2. Membership.

Membership; appointment; terms of office; vacancies. The Economic Development Committee shall consist of ten (10) members, who shall be appointed by the Mayor. The Mayor and one (1) member of the Borough Council, to be appointed by the Mayor, shall serve as members. The Chairman of the Zoning Board shall serve as a member. Six members shall be appointed by the Mayor, who shall be either residents of the Borough or owners/operators of businesses located within the Borough. The Economic Development Specialist shall serve as a

member during his/her tenure in such position. All members shall serve for a term of one (1) year. Vacancies in the membership of the Economic Advisory Council occurring for whatever reason shall be promptly filled by appointment by the Mayor. The Mayor shall designate the member of the Economic Advisory Council who shall serve as Chair. The Economic Advisory Council shall meet at least four (4) times (i.e., quarterly) each year. Additional meetings shall be held as required and deemed necessary by the Chair of the Economic Advisory Council.

Chapter 26-3 shall be deleted in its entirety and replaced with:

§ 26-3. Economic Development Specialist.

Economic Development Specialist. The Economic Development Committee shall appoint, upon terms approved by the Borough Council, an individual to act as an Economic Development Specialist. The Economic Development Specialist shall:

1. Assess the availability of vacant lands in the Borough for economic development purposes and classify such vacant lands according to their adaptability for development thereon of various types of residential, industrial, professional, commercial and other business enterprises.
2. Advertise and promote the economic advantages and opportunities of the Borough and the availability of real estate within the Borough for economic development.
3. Act as a liaison on behalf of existing local business owners and potential business owners in obtaining various permits and approvals from the Planning Board, Zoning Board of Adjustment, Construction Inspection, Code Enforcement and any other area of Municipal Government deemed applicable.
4. Advise the Economic Development Committee and the Borough Council as needed on all matters related to the goals of the Economic Development Committee.
5. Undertake such other activities that may result in the retention, improvement and attraction of residential, professional, commercial, industrial and other business development to the Borough.

Chapter 26-5 shall be amended to read:

§ 26-5. Quorum.

A majority of the members (6 of 10) shall constitute a quorum of the Committee.

SECTION II. This ordinance shall take effect upon final adoption and publication as required by law.

ATTEST:

Kathleen Anello, Municipal Clerk

Ronald J. DiMura, Mayor

INTRODUCED: May 9, 2017

DATE PUBLICATION
OF INTRODUCTION: May 12, 2017

ADOPTED: May 23, 2017

DATE OF PUBLICATION
OF ADOPTION:

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

Resolution #131-17

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

WHEREAS, On May 12, 2017 Chief Geist recommended Police Officer Richard Szymczak 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 Richard Szymczak be and is hereby advanced in grade to Patrolman Class "D" effective June 11, 2017 at an annual salary of \$79,605.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Dotey				
Madden				
Mikolajczyk				
Parenti				
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 #132-17

The Tax Collector is hereby authorized to refund payments made on 2015 Sewer accounts. The appeal committee reviewed the documentation provided and waived the amounts and recommends refunds for the following properties.

<u>Block</u>	<u>Lot</u>	<u>Amount</u>
71	3	\$258.98

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

ADOPTED _____

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 #133-17

The Tax Collector is hereby authorized to waive 2015 Sanitary Sewer Use Charges. The appeal committee reviewed the documentation provided and recommended the fees to be waived on the following properties:

<u>Block</u>	<u>Lot</u>	<u>Amount</u>
86.02	5	\$1542.62
166	37	\$90.09
22.02	2	\$22.52
196	27	\$315.28
3.36	22	\$146.38
99	13	\$123.86
40	48	\$765.68
71	3	\$258.98
86.08	1.01	\$934.58

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Dotey				
Madden				
Mikolajczyk				
Parenti				
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 #134-17

The governing body hereby terminates Joe Galietti from the DPW (part time laborer) effective May 17, 2017.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Dotey				
Madden				
Mikolajczyk				
Parenti				
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 #135-17

The governing body hereby hires Kyle James Dotey, Middlesex as a part time DPW Employee effective June 5, 2017 at \$12.00 per hour, 28 hours per week, pending a satisfactory physical and background check.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Dotey				
Madden				
Mikolajczyk				
Parenti				
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 #136-17

The governing body approves the Mayor executing the Settlement of Grievance between the Borough of Middlesex and Local 255, United Services Workers Union regarding the grievance/pending arbitration (AR-2017-197) for Sally Lynch.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

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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 #137-17

The governing body approves the Mayor executing the Settlement of Grievance between the Borough of Middlesex and Local 255, United Services Workers Union regarding the grievance/pending arbitration for Michele Galek.

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Dotey				
Madden				
Mikolajczyk				
Parenti				
Schueler				

ADOPTED _____

MAYOR OF THE BOROUGH OF MIDDLESEX

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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 #138-17

The governing body hereby hires Bertha Gonzalez Ospina as Custodian effective June 5, 2017 at \$15.00 per hour, 28 hours per week, pending a satisfactory physical and background check.

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Dotey				
Madden				
Mikolajczyk				
Parenti				
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 #139-17

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				
Dotey				
Madden				
Mikolajczyk				
Parenti				
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 #140-17

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. Purchasing Agent Position

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Dotey				
Madden				
Mikolajczyk				
Parenti				
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

SETTLEMENT OF GRIEVANCE

Whereas, the Borough of Middlesex and Local 255, United Service Workers Union, IUJAT are parties to a collective bargaining agreement (CBA), and

Whereas, Local 255 has filed for arbitration regarding the pending pay grievance of Ms. Sally Lynch, Administrative Assistant, and

Whereas, the parties are interested in settlement of the aforementioned grievance, without incurring additional litigation expenses,

Therefore, the Borough and the Union agree to the following settlement regarding the outstanding grievance/pending arbitration (AR-2017-197) as follows:

1. Effective January 1, 2017 Ms. Lynch's title will be considered a Grade B.
2. Effective January 1, 2017 Ms. Lynch salary will be \$40,073 per year.
4. For the purposes of step increases per Article 18 Paragraph D, 3rd paragraph, Ms. Lynch would be eligible for her step increase on September 9, 2017.
5. Upon approval of the above the Union will withdraw the grievance and request for arbitration.
6. The Union and Ms. Lynch withdraw any demand for retroactivity prior to December 31, 2016.
7. Ms. Lynch agrees with this settlement agreement and acknowledges the Union has fully and fairly represented her in the grievance process and in the negotiation of this settlement agreement.

For the Borough:

For the Union:

Mayor Ron DiMura

Edward T. Kahn, Business Agent

Sally Lynch

Dated: April 17, 2017

Dear Mayor Di Mura,

As you are aware, on February 10, 2017, Local 255, United Service Workers Union, IUJAT requested an upgrade for Ms. Michelle Galek. The union requested an upgrade from Grade B to Grade C. The union also requested a title change from Technical Assistant to Certified Technical Assistant. In addition, the union has requested an increase in Ms. Galek's salary of five percent (5%) effective January 1, 2017 as well as an additional five percent (5%) step increase on her May 2017 anniversary.

After further discussion with Ms. Galek, the union would like to revise our request regarding Ms. Galek's remuneration. The last time a bargaining unit member was in Grade C was in the January 1 to April 30, 2010 wage schedule. The ***equivalent title*** at the time was "Administrative Assistant" and the comparative salary in 2010 was \$55648.

The union is proposing that Ms. Galek be brought up to the salary that was paid to an equivalent title in 2010. Ms. Galek's current salary is \$47980. The union is proposing that Ms. Galek receive a portion effective January 1, 2017 and the remaining amount on January 1, 2018. On January 1, 2017 Ms. Galek's salary will become \$49980 and effective January 1, 2018 Ms. Galek's salary will become \$55648.

Please advise regarding your consideration of this proposal.

Sincerely,

Ed Kahn

Business Agent

On 12 June 1971, the ship was in the Gulf of Mexico, about 100 miles off the coast of Texas. The ship was on a mission to collect data on the behavior of the Gulf Stream. The ship was commanded by Captain [redacted] and was part of the [redacted] fleet. The ship was carrying a crew of [redacted] and was equipped with a variety of scientific instruments. The ship was on a mission to collect data on the behavior of the Gulf Stream. The ship was commanded by Captain [redacted] and was part of the [redacted] fleet. The ship was carrying a crew of [redacted] and was equipped with a variety of scientific instruments.

[illegible]

1. The first step in the process of identifying a problem is to define the problem. This involves identifying the symptoms of the problem and determining the scope of the problem. Once the problem has been defined, the next step is to identify the causes of the problem. This involves identifying the factors that are contributing to the problem and determining the underlying causes. Once the causes have been identified, the next step is to develop a plan of action. This involves identifying the steps that need to be taken to solve the problem and determining the resources that will be needed to implement the plan. Once a plan of action has been developed, the next step is to implement the plan. This involves carrying out the steps that have been identified in the plan and monitoring the progress of the implementation. Finally, the last step in the process is to evaluate the results of the implementation. This involves determining whether the problem has been solved and whether the resources have been used effectively.