

**BOROUGH OF MIDDLESEX
REGULAR MEETING
AGENDA
NOVEMBER 22, 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**
5. **PROCLAMATIONS**
6. **PRESENTATIONS**
7. **NEW BUSINESS**
 1. **ORDINANCE NO. 1902-16 – BOND ORDINANCE PROVIDING FOR A SANITARY SEWER REHABILITATION PROJECT BY AND IN THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$2,450,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,450,000 BONDS OR NOTES TO FINANCE THE COST THEREOF**
 2. **ORDINANCE NO. 1903-16 – AMENDING THE REDEVELOPMENT PLAN (ORDINANCE TO FOLLOW)**
8. **PUBLIC HEARING**
 1. **ORDINANCE NO. 1901-16 – AN ORDINANCE TO AMEND CHAPTER 332 SEWERS, ARTICLE I USE, SECTION 332-7 PROHIBITIONS, SECTION 332-9 PROHIBITED WASTES OR WATER AND SECTION 332-14 DEFINITIONS IN THE CODE OF THE BOROUGH OF MIDDLESEX**
9. **ADOPTION OF MINUTES**
 1. Approval of the October 25, 2016 Regular Meeting Minutes
10. **REPORTS**

11. REPORTS - STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Insurance/Public Utilities
2. Recreation/Recreation Fields/Swim Pool/Community Celebrations
 - A. Report on Community Forestry Plan & Amendment to Shade Tree Ordinance - Fines
3. Fire/OEM/Board of Health/Rescue Squad
4. Public Works/Buildings & Grounds/Recycling
5. Police/Legal/Code Enforcement/Construction/Municipal Court
 - a. Approval of the October, 2016 Police Report
 - b. Approval of the October, 2016 Zoning Report
 - c. Approval of the Court Report
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 #226-16 Authorizing the Purchasing Agent to sell surplus personal property on USGOVBID.COM, an online auction website.
2. Resolution #227-16 Requesting that the Director of Local Government Services approve the insertion of an item of revenue in the 2016 budget in the amount of \$2,745.56 under the State Body Armor Replacement Grant Program
3. Resolution #228-16 Requesting that the Director of Local Government Services approve the insertion of an item of revenue in the 2016 budget in the amount of \$362.59 under the State Alcohol Enforcement DWI Program.
4. Resolution #229-16 Refunding the balances from various Escrow Accounts as the Administrative Officer has determined that the projects have been completed and outstanding bills have been paid.

5. Resolution #230-16 Approval of Budget Transfers for the Current Budget of 2016
6. Resolution #231-16 At the recommendation of the Police Chief, advancing Police Officer Jamie Marczak to Class E effective November 19, 2016 at an annual salary of \$69,015.
7. Resolution #232-16 At the recommendation of the Police Chief, advancing Police Officer Daniel McCue to Class C effective November 21, 2016 at an annual salary of \$86,692.
8. Resolution #233-16 Approving the Construction Department waive the HVAC Permit Fees for H. C. Pierce Hose Company, Inc. for the replacement of their HVAC Equipment.
9. Resolution #234-16 Authorizing the Planning Board to review the proposed amendments and refinements to the Redevelopment Plan.
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 #235-16 Pay all Claims
14. **PRIVILEGE OF THE FLOOR**
15. **AGENDA WORKSHOP ITEMS**
 1. PSE&G LED Program
 2. Review of Borough IT Infrastructure Analysis Plan
 3. Ethics Ordinance
 4. Flying Field – Mountain View Park
 5. Survey for the Mountain View Park Project
16. **PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS**
17. **ADJOURNMENT.** The next Regular Meeting will be on December 13, 2016.

ORDINANCE NO. 1902-16

BOND ORDINANCE PROVIDING FOR A SANITARY SEWER REHABILITATION PROJECT BY AND IN THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$2,450,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,450,000 BONDS OR NOTES TO FINANCE THE COST THEREOF

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

SECTION 1. The improvements described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Borough of Middlesex, in the County of Middlesex, State of New Jersey (the "Borough") as general improvements. For the said improvements stated in Section 3, there is hereby appropriated the aggregate sum of \$2,450,000. Pursuant to Sections 40A:2-7d and 40A:2-11c of the Local Bond Law (N.J.S.A. 40A:2-1 et seq.) (the "Local Bond Law"), the Borough is not required to provide for a cash down payment for such improvements or purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$2,450,000 pursuant to 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 a principal amount not exceeding \$2,450,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. The improvements and purposes hereby authorized and purposes for the financing of which said debt obligations are to be issued are the rehabilitation of the Borough sanitary sewer system, including but not limited to the rehabilitation of approximately 9,600 linear feet (covering 11 streets) of various size sanitary sewer mains and 43 manholes, and the reconstruction of five manholes. The appropriation set forth above also includes all work, materials, appurtenances and equipment necessary for or incidental thereto.

a. The aggregate estimated cost of said improvements and purposes is \$2,450,000.

b. The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$2,450,000.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Middlesex make a loan, contribution or grant-in-aid to the Borough for the improvements authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Middlesex. In the event, however, that any amount so loaned, contributed or granted by the United States of America, the State of New Jersey, and/or the County of Middlesex shall be received by the Borough after the issuance of the bonds or notes

authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply however, with respect to any contribution or grant in aid received by the Borough as a result of using such funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of Section 8.1 of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk of the Borough and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

a. The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

b. The average period of usefulness of said purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 40 years.

c. The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, 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 or notes provided for in this bond ordinance by \$2,450,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

d. An aggregate amount not exceeding \$120,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements hereinbefore described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the debt obligations authorized by this bond ordinance. The debt obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the debt obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized by this bond ordinance used to reimburse the Borough for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized by this bond ordinance or another issue of debt obligations of the Borough, other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$2,450,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of Section 150 of the Code. All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

SECTION 10. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under this ordinance.

SECTION 11. 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

ORDINANCE NO. 1901-16

AN ORDINANCE TO AMEND CHAPTER 332 SEWERS, ARTICLE I USE, SECTION 332-7 PROHIBITIONS, SECTION 332-9 PROHIBITED WASTES OR WATER AND SECTION 332-14 DEFINITIONS IN THE CODE OF THE BOROUGH OF MIDDLESEX

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 amended to the following:

CHAPTER 332 ARTICLE I USE

§332-7 PROHIBITIONS.

No roof drainage, cellar drainage, unpolluted industrial process water, surface water, grease, waste from hydrants or groundwater from underground drainage fields shall be admitted or permitted to drain into the sewer system. No cesspool or septic tank shall be allowed to discharge into the sewer system. The sewer system is intended to convey sanitary sewage and industrial wastes only.

§332-9 PROHIBITED WASTES OR WATER.

Except as herein provided, no person shall discharge or cause or allow to be discharged any of the following described waters or wastes to or in any public sewer:

- A. Any liquid or vapor having a temperature higher than 150° F.
- B. Any water or waste which may contain more than 100 parts per million, by weight, of fats, oil or grease.
- C. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
- D. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, wood or other solid or viscous substance capable of causing obstructions to the flow in sewers or other interference with the proper operation of the sewage treatment plant.
- E. Any waters or wastes having a pH lower than 6.0 or higher than 8.0 or having any other corrosive property capable of causing damage or hazard to structures or equipment and personnel of the sewage works.

- F. Any waters or waste containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process or to constitute a hazard in the receiving waters of the plant.
- G. Any waters or waste containing suspended solids of such character and quantity that unusual attention or expense is required to handle such material at the sewage treatment plant.
- H. Any noxious or malodorous gas or substance capable of creating a public nuisance.
- I. Any waste, liquid, solid or other substance, the discharge of which is prohibited by the Middlesex County Utilities Authority or which will not be accepted by the Middlesex County Utilities Authority.
- J. All restaurants, cafeterias, institutional kitchens or other food establishment or facility discharging grease, fats, wax, or oils such that may be detrimental to the sewer system, shall use a grease trap. A garbage grinder shall not be used when a grease trap is required.
- K. The grease trap shall be installed and used in accordance with the requirements set forth in the Plumbing Subcode.
- L. Grease traps utilized by restaurants, cafeterias, institutional kitchens and other facilities shall be inspected annually, in addition to such other reasonable times as are deemed necessary, by any of the following Borough of Middlesex personnel: Construction Officer, Code Enforcement Officer, Supervisor or member of the Department of Public Works, Middlesex' Sewer Operator, and any representative of the Middlesex County Board of Health.
- M. All restaurants, cafeterias, institutional kitchens and other facilities using a grease trap shall provide copies of a certification to the Middlesex Sewer Department, a minimum of three (3) certifications per year, from a service company that the grease traps have been properly installed, are properly maintained and are functioning for their intended purposes.
- N. In addition to the Borough's other remedies, should the Borough or its agents incur costs to clean the sewer laterals or sewer lines in the vicinity of the restaurant, cafeteria, institutional kitchen or other facility due to grease, fats and/or oils, and/or in otherwise responding to a backup caused by such grease, fat and/or oils, whether or not the restaurant, cafeteria, institutional kitchen or other facility has a grease trap, the owner and operator of the offending restaurant, cafeteria, institutional kitchen or other facility, irrespective of its compliance or noncompliance with the requirements of the Plumbing Subcode Official or paragraph d. above, shall be required to reimburse the Borough and its agents for all such costs.

As used in this article, the following terms shall have the meanings indicated:

BOROUGH – The Borough of Middlesex

READILY ACCESSIBLE – It shall be provided by the owner, tenant or occupant of the premises to allow the Borough or its representative to make periodic examination and determination of the volume, character and concentration of the waste being discharged into the sewers or laterals tributary thereto.

GREASE INTERCEPTOR OR INTERCEPTOR – A watertight receptacle utilized by non-single-family generators of liquid waste or intercept, collect and restrict the passage of grease, oil and food particles into the sewer to which the receptacle is directly or indirectly connected and to separate and retain grease and food particles from the wastewater discharged by a facility.

FOOD ESTABLISHMENT OR FACILITY – Any establishment or facility engaged in preparing, processing or serving food for a commercial or institutional purpose, or a not-for-profit organization, in a manner likely to result in the discharge of grease, fats or oils to the sewer system, including but not limited to a restaurant, cafeteria, institutional kitchen or other establishment or facility which a (is involved in the preparation of food by means of cooking (frying, grilling, sautéing, rotisserie cooking, broiling, boiling, blanching, roasting, poaching, searing, barbecuing or the like) and b) washes skillets, pots, pans, bowls, dishes, plates or other equipment or utensils in water discharged to the sewer system.

GREASE AND OIL – Any material, but particularly biological lipids and mineral hydrocarbons, recovered as a substance soluble in an organic extracting solvent using an appropriate analytical method approved under 40 CFR 136. It also includes other material extracted by the solvent from an acidified sample and not volatilized during the extraction procedure, as defined in federal regulations.

INSPECTOR – The representative of the borough duly authorized to inspect the construction, operation and/or maintenance of a sewer system or any part thereof.

MUNICIPAL SANITARY SEWER OR SANITARY SEWER – The pipe in the street or easement of the borough, used for the conveying of sanitary sewage and industrial wastes for treatment and disposal.

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 immediately upon final passage and publication in accordance with law.

ATTEST:

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

Resolution #226-16

WHEREAS, the Borough of Middlesex has determined that the property listed below is no longer needed for public use pursuant to Division of Local Government Services' Local Finance Notice 2008-9 and the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) which authorizes the sale of this surplus personal property through the use of an online auction service; and

WHEREAS, the Borough of Middlesex intends to utilize USGOVBID.COM online auction services; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough that the Purchasing Agent is hereby authorized to sell the surplus personal property as indicated on USGOVBID.COM; an authorized online auction website; and

BE IT FURTHER RESOLVED, that the Auction for items shall be for a total of ten (10) days and all fees are to be paid for by the buyer as per the terms and conditions of the agreement entered into between USGOVBID and the Borough of Middlesex and are available at USGOVBID.COM and in the office of the Purchasing Agent.

<u>VIN</u>	<u>YEAR</u>	<u>MAKE</u>
1D4HB48N74 F2085 50	2004	4 Door Dodge Durango
1G1BL53E7NW150799	1992	4 Door Chevy Caprice
2FABP7BV6BX109322	2011	4 Door Ford CV

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 #227-16

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 \$2,745.56, which item is now available as a revenue from the State Body Armor Replacement Grant Program in the amount of \$2,745.56;

BE IT FURTHER RESOLVED that the like sum of \$2,745.56 is hereby appropriated under the caption of "State Body Armor Replacement Grant Program"; and

BE IT FURTHER RESOLVED that the above is a result of a State Grant of \$2,745.56 from the State Body Armor Replacement 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

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 #228-16

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 \$362.59, which item is now available as a revenue from the State Alcohol Enforcement DWI Program in the amount of \$362.59;

BE IT FURTHER RESOLVED that the like sum of \$362.59 is hereby appropriated under the caption of "State Alcohol Enforcement DWI Program"; and

BE IT FURTHER RESOLVED that the above is a result of a State Grant of \$362.59 from the State Alcohol Enforcement DWI 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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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 #229-16

The Governing Body hereby authorizes the Treasurer to refund the following balances from Escrow Accounts since the Administrative Officer has determined that these projects are complete and all outstanding bills have been paid:

1. National Dust Control; Block 290 Lot 1	\$1,935.44
2. WMK, Inc dba Mobility Works; Block 228 Lot 1&27	\$ 0.59
3. Atlantic State Specialty Gases Inc; Block 289 Lot 18	\$ 570.05
4. Jack DeAngelis, LLC; Block 39 Lot 39	\$ 68.09
5. Amy Flood; Block 109 Lot 12	\$ 0.62
6. Middlesex Bd of Ed; Block 89 Lot 1	\$ 9.99
7. Jeffrey Cuttic; Block 96 Lot 25	\$ 623.41
8. Linda Gallo; Block 209 Lot 72	\$ 619.82
9. 330 Lincoln Blvd LLC; Block 343 Lot 13	\$ 220.95
10. Hildegard Olbrich; Block 340 Lot 24.01	\$ 32.70
11. Zuber Brewing Co; Block 316 Lot 6	\$ 232.42
12. New Evergreen Development LLC; Block 246 Lot 1.01	\$ 1.41
13. Corepharma; Block 288 Lot 16	\$ 186.08
14. 900 South Ave. LLC; Block 269 Lot 1	\$ 1,001.75
15. Mazaracki, Inc; Block 107 Lot 16.01	\$ 2.98
16. Enable, Inc; Block 86.08 Lot 3.02	\$ 263.57
17. Orlando Development Corp; Block 295 Lot 20	\$ 214.88
18. Christopher Rosati; Block 312 Lot 21	\$ 304.60
19. Joanne Kelly; Block 306 Lot 35	\$ 626.41
20. Land Development Technologies; Block 271 Lot 7	\$ 540.39
21. NY SMSA Limited Partnership dba Verizon; Block 132 Lot 1	\$ 672.03
22. NY SMSA Limited Partnership dba Verizon; Block 343 Lot 14.01	\$ 347.94
23. NY SMSA Limited Partnership dba Verizon; Block 319 Lot 39	\$1,490.37

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 #230-16

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

Department	From	To
Administrator S/W	\$123,000.00	
Finance S/W	\$7,500.00	
Tax Collector S/W		\$10,000.00
Tax Assessor S/W		\$1,200.00
Code Enforcement S/W		\$11,600.00
Construction S/W	\$10,000.00	
Road Dept S/W		\$20,000.00
Solid Waste S/W		\$5,000.00
Garbage Dept S/W	\$40,000.00	
Sewer Dept S/W		\$16,000.00
Board of Health S/W		\$50.00
Recreation S/W		\$18,000.00
Municipal Court S/W	\$10,000.00	
Engineering		\$25,000.00
Environmental Services		\$10,000.00
Buildings & Grounds		\$20,000.00
Electricity		\$15,000.00
Street Lighting	\$15,000.00	
Water		\$5,000.00
Natural Gas	\$12,000.00	
Diesel Fuel	\$30,000.00	
Gasoline	\$22,000.00	
Piscataway Sewer		\$112,650.00
	\$269,500.00	\$269,500.00

ADOPTED _____

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
Schueler				

MAYOR OF THE BOROUGH OF MIDDLESEX

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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 #231-16

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

WHEREAS, On November 1, 2016 Chief Geist recommended Police Officer Jamie Marczak 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 Jamie Marczak be and is hereby advanced in grade to Patrolman Class "E" effective November 19, 2016 at an annual salary of \$69,015.

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 #232-16

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

WHEREAS, On November 1, 2016 Chief Geist recommended Police Officer Daniel McCue 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 Daniel McCue be and is hereby advanced in grade to Patrolman Class "C" effective November 21, 2016 at an annual salary of \$86,692.

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 #233-16

The Governing Body hereby approves the Construction Department waive the HVAC Permit Fees for H. C. Pierce Hose Company, Inc. for the replacement of their HVAC Equipment.

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
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COMMON COUNCIL OF MIDDLESEX, HELD

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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 #234-16

WHEREAS, in order to stimulate redevelopment, the Borough Council, (the "Borough Council") of the Borough of Middlesex ("Borough") pursuant to Resolution #324-13 designated certain properties within Lincoln Boulevard from The Borough of Bound Brook border to two-hundred feet (200') east of its intersection with Mountain Boulevard to William Street in need of rehabilitation; and

WHEREAS, pursuant to Resolutions #69-14, #158-14 and #253-14 the Borough Council adopted the Lincoln Boulevard Redevelopment Plan (the "Plan") for parcels within that area (the "Redevelopment Plan" or "Redevelopment Area"); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, a governing body may adopt, revise or amend a redevelopment plan; and

WHEREAS, during the time since adoption of the Plan, little development has occurred in the Redevelopment Area under the Plan; and

WHEREAS, the Borough Council has determined that the Plan must be amended to address further refinement of the permitted uses and certain bulk standards for that area; and

WHEREAS, the Borough Council has determined that it is in the best interest of the Borough to adopt an Amendment to the Plan within that area to effectuate the redevelopment of the area; and

WHEREAS, on April 9, 2014, the Planning Board authorized Paul N. Ricci, P.P., Lic. No. L1005570 (the "Planning Consultant") to conduct an investigation and prepare a study of the Redevelopment Area; and

WHEREAS, on July 19, 2016 , the Borough Council referred amendments to the Plan to the Planning Board and received no comment; and

WHEREAS, the Borough Council is recommending further amendments to the plan.

WHEREAS, pursuant to N.J.S.A. 40A:12A-7.f, the Borough Council hereby refers the Plan to the Planning Board for consideration of amendments or further refinement of the permitted uses and certain bulk standards for the Redevelopment Area.

NOW, THEREFORE, BE IT RESOLVED, by Council of the Borough of Middlesex, County of Middlesex, and State of New Jersey:

1. That the Borough Council does hereby authorize the Planning Board to review proposed amendments and refinements to the Plan and to report its findings to the Borough Council within forty-five (45) days hereof.
2. This Resolution shall take effect immediately.

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
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

1. That the Borough Council does hereby authorize the Planning Board to review proposed amendments and refinements to the Plan and to report its findings to the Borough Council within forty-five (45) days hereof.
2. This Resolution shall take effect immediately.

CLERK OF THE BOROUGH OF MIDDLESEX

Council	Aye	Nay	Abstain	Absent
Corley				
Greco				
Kaplan				
Madden				
Mikolajczyk				
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 #235-16

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

Zoning/Code Enforcement Report
October, 2016

New Businesses – 27

Since January, 27 new businesses or change in ownership of existing businesses were approved

Vacant Properties – 64

Currently there are 64 vacant properties registered with the office.

“Flipped” – 17

17 vacant homes have been purchased by “flippers”, completely renovated and resold. After several years, 26 South Woodland, 433 Howard Ave, 531 Decatur Ave & 5 Anne Street have finally been completely renovated and are or about to be occupied. Even 455 Lincoln Blvd was sold in a Sheriff's sale and is finally getting new front steps.

150 Lincoln Blvd – two buildings are occupied; two others are under construction.

Board Projects – 116 South Avenue is being constructed for a pallet maker

- Preconstruction meeting with Bamco has taken place and construction of the new parking lot should begin shortly.
- McDonalds is posting bonds and applying for their necessary permits very soon

Overall, the Boro is continuously growing and improving. The Construction, Zoning and Code Enforcement departments have improved communications which has had a positive impact on the process as well as the entire community.

Proudly submitted by Barrie Palumbo



MIDDLESEX BOROUGH MUNICIPAL COURT 2016
MONTHLY FIGURES

Hon. Dennis Fackelman
Lizandra DeAngelis, CMCA
Daniela Cordero, VC/FT
Dolores Fritzing, VC/PT

	INDI offenses	DP/PD offenses	All other non- traffic	Moving Tkts	DWI	Parking Tkts	Total Rec'd \$	Disbursed to town \$	POAA\$	Public Def fund \$	Other Disbures- ments \$	Disbursed to county \$
JAN	4	10	27	326	2	44	\$26,435.00	\$12,386.46	\$8.00	\$80.00	\$7,495.54	\$6,465.00
FEB	10	19	20	384	5	14	\$53,254.00	\$28,304.61	\$14.00	\$1,595.00	\$12,143.89	\$11,196.50
MAR	5	20	14	321	4	7	\$46,366.00	\$22,684.99	\$8.00	\$540.00	\$11,328.01	\$11,805.00
APR	4	27	40	394	2	12	\$44,660.00	\$21,333.86	\$10.00	\$850.00	\$11,276.64	\$11,189.50
MAY	1	7	15	399	1	8	\$59,437.00	\$28,811.32	\$6.00	\$1,440.00	\$14,068.18	\$15,111.50
JUN	7	17	57	362	7	28	\$55,038.00	\$25,298.06	\$0.00	\$1,040.00	\$17,587.94	\$11,112.00
JUL	8	16	36	146	0	11	\$38,404.50	\$17,902.64	\$12.00	\$250.00	\$11,333.36	\$8,906.50
AUG	7	11	29	320	4	25	\$44,255.50	\$22,014.19	\$8.00	\$240.00	\$10,972.81	\$11,020.50
SEP	1	21	54	291	1	25	\$38,766.08	\$24,191.08	\$10.00	\$935.00	\$4,240.00	\$9,390.00
OCT	3	18	38	437	6	35	\$40,069.00	\$22,402.18	\$26.00	\$700.00	\$8,251.56	\$8,689.26
NOV							\$0.00					
DEC							\$0.00					
TOTAL	50	166	330	3380	32	209	\$446,685.08	\$225,329.39	\$102.00	\$7,670.00	\$108,697.93	\$104,885.76

Key:

INDI= Indictable

DP/PD= Disorderly Persons/Petty Disorderly

TIME PAYMENT ACCOUNT SUMMARY/TOTAL OUTSTANDING

	TRAFFIC		CRIMINAL	
	#ACCTS	\$VALUE	#ACCTS	\$VALUE
JAN	657	\$347,183.00	386	\$334,970.05
FEB	643	\$342,307.50	386	\$335,528.05
MAR	647	\$347,253.50	383	\$330,384.05
APR	661	\$352,265.50	379	\$326,938.05
MAY	650	\$348,150.50	376	\$325,013.05
JUN	662	\$352,661.50	379	\$325,366.05
JUL	649	\$348,467.50	378	\$323,146.05
AUG	653	\$349,417.50	383	\$326,155.05
SEP	650	\$352,252.50	379	\$322,963.10
OCT	652	\$352,569.50	380	\$324,545.10
NOV				
DEC				
AVG/MO	652.4	\$349,252.85	380.9	\$327,500.86

Dept. comments/concerns/follow-up's

Dolores Fritzing has been out on a medical leave and most likely will not be returning.
I will be looking to coordinate a meeting with Brandon to discuss a possible replacement.

TRAFFIC

Amount of cases ELIGIBLE for collections to date:

504

Amount outstanding in \$ ELIGIBLE for collections to date:

\$283,299.50

Total Court Share amount:

\$233,474.99

CRIMINAL

Amount of cases ELIGIBLE for collections to date:

310

Amount outstanding in \$ ELIGIBLE for collections to date:

\$202,583.75



MIDDLESEX BOROUGH POLICE DEPARTMENT

MEMORANDUM

TO: Mayor Ronald DiMura
FROM: Chief Matthew P. Geist 
DATE: November 1, 2016
SUBJECT: Grade Advancement for Police Officer Jamie Marczak

Police Officer Jamie Marczak is eligible for advancement in grade pursuant to the Police Department Ordinance, Article XV.

I have reviewed his employee performance evaluations and the command officers and I have personally observed his job performance. Based on these evaluations and observations, I recommend that Officer Marczak be advanced in grade to Police Officer Class "E", effective November 19, 2016.

Cc: Councilman Jack Mikolajczyk, Police Liaison
Kathleen Anello, Borough Clerk
Police Officer Jamie Marczak
Personnel File



MIDDLESEX BOROUGH POLICE DEPARTMENT

MEMORANDUM

TO: Mayor Ronald DiMura
FROM: Chief Matthew P. Geist 
DATE: November 1, 2016
SUBJECT: Grade Advancement for Police Officer Daniel McCue

Police Officer Daniel McCue is eligible for advancement in grade pursuant to the Police Department Ordinance, Article XV.

I have reviewed his employee performance evaluations and the command officers and I have personally observed his job performance. Based on these evaluations and observations, I recommend that Officer McCue be advanced in grade to Police Officer Class "C", effective November 21, 2016.

Cc: Councilman Jack Mikolajczyk, Police Liaison
Kathleen Anello, Borough Clerk
Police Officer Daniel McCue
Personnel File



H. C. PIERCE HOSE COMPANY, INC.

416 A STREET • MIDDLESEX • NEW JERSEY

TO: MAYOR RON DIMURA

FROM: ROBERT IMBRIACO

SUBJECT: HVAC PERMIT FEES

OCT. 30, 2016

DEAR MAYOR DIMURA,

PIERCE FIREHOUSE RECENTLY REPLACED THEIR HVAC EQUIPMENT AS THE OLD EQUIPMENT WAS OUTDATED AND DUE FOR REPLACEMENT.

BECAUSE OF THIS, PIERCE IS REQUIRED TO PAY ADDITIONAL FEES FOR PERMITS.

PIERCE KINDLY REQUESTS FOR THESE FEES TO BE WAIVED. PLEASE ADVISE AT YOUR EARLIEST CONVENIENCE IF THESE ADDITIONAL FEES CAN BE WAIVED.

THANK YOU

ROBERT IMBRIACO

SECRETARY

PIERCE CO. #3