



Borough of Middlesex
Mayor and Council Regular Meeting
~ Agenda ~

1200 Mountain Ave
Middlesex, NJ

Kathleen Anello
732-356-7400 x236
www.middlesexboro-nj.gov

Tuesday, January 15, 2019

7:00 PM

Municipal Building

- 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**

Attendee Name	Present	Absent	Late	Arrived
Mayor Ron DiMura	☐	☐	☐	
Council Member John Madden	☐	☐	☐	
Council Member Douglas Rex	☐	☐	☐	
Council Member Jason Carr	☐	☐	☐	
Council Member Dan Parenti	☐	☐	☐	
Council Member Kevin Dotey	☐	☐	☐	
Council Member Jack Mikolajczyk	☐	☐	☐	

- 4. PRESENTATIONS**
- 5. APPOINTMENTS**
 1. Accept the Resignation of Michelle Tackach from the Planning Board
 2. Mayor's Appointments for 2019 that Require No Confirmation & that Require Confirmation of Council
 3. Amended 2019 Councilmanic Committees
- 6. PROCLAMATIONS**
- 7. ORDINANCE(S) FOR INTRODUCTION**
- 8. ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION**
- 9. ADOPTION OF MINUTES**
 1. Approval of the December 18, 2018 Regular & Executive Meeting Minutes
- 10. MAYOR'S REPORT**
 1. Amend LOSAP Committee
 2. Amend 2019 Councilmanic Committees
- 11. REPORTS - STANDING COMMITTEES**

1. Finance/Taxation/Real Estate/Insurance/Public Utilities
2. Fire/OEM/Rescue Squad
3. Recreation/Recreation Fields/Swim Pool/Community Celebrations
4. Public Works/Buildings & Grounds/Recycling
 1. Approval of the December, 2018 DPW Monthly Report
5. Police/Legal/Code Enforcement & Zoning/Shade Tree/Construction/Municipal Court
 1. Approval of the November, 2018 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. NEW BUSINESS/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 20-2019** Approval to Purchase 2018 Dodge Journey for the Construction Department
2. **Resolution 21-2019** Appointing Kevin Dotey as the Mayor's Representative and Vic Capolunghi as the Governing Body Representative to the Housing and Community Development Committee for 2019
3. **Resolution 22-2019** Authorizing the Tax Collector to Cancel 2019 First & Second Quarter Taxes on Block 17, Lot 26 as the Homeowner has been Declared 100% Disabled
4. **Resolution 23-2019** Authorizing the Tax Collector to Redeem Tax Sale Certificate #14-01835 and Tax Sale Premium for Block 302, Lot 27
5. **Resolution 24-2019** Authorizing the Tax Collector to Cancel Taxes on Various Properties Purchased by the US Army Corps of Engineers
6. **Resolution 25-2019** Accepting the Resignation of Stewart Diamante from the Department of Public Works effective Immediately
7. **Resolution 26-2019** Approval of the MCUA Solid Waste Disposal Agreement - January 1, 2019 - December 31, 2021

8. **Resolution 27-2019** Authorizing the Tax Collector to Adjust 2017 Sanitary Sewer Use Charges for Block 42, Lot 5
9. **Resolution 28-2019** Authorizing the Tax Collector to Redeem Tax Sale Certificate #17-0010 in the Amount of \$1,432.84 for Block 304, Lot 11
10. **Resolution 29-2019** Affirming the Continuation & Authority of the Community Emergency Response Team under the Authority of the Office of Emergency Management
11. **Resolution 30-2019** Approval to Advance Patrolman Paul Muldowney to Patrolman Class "D" at an Annual Salary of \$83,431
12. **Resolution 31-2019** Appointing Jack Costa as OEM Director Effective January 1, 2019 - December 31, 2021
13. **Resolution 32-2019** Authorizing the Governing Body to Grant Ridge Realty a Waiver from the Developers Agreement
14. **Resolution 33-2019** Approval of the Public Health Interlocal Service Contract with Middlesex County - January 1, 2019 - December 31, 2020
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 34-2019** Pay All Claims
 2. **Resolution 35-2019** Executive Session
15. **AGENDA WORKSHOP ITEM**
 1. Landfill
 2. Boat Ordinance
16. **PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS**

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.
17. **EXECUTIVE SESSION**
 1. Registrar Position

2. Administrator/Clerk Position
3. Borough Clerk - Retirement
4. Carry Over Vacation Days
5. Landlord Registration Ordinance

18. ADJOURNMENT

1. The next Regular Meeting will be January 29, 2019

MAYOR'S APPOINTMENTS FOR 2019 THAT REQUIRE NO CONFIRMATION

BEAUTIFICATION COMMITTEE

Sherley Penrose	1-year	12/31/19
Nancy Avery	1-year	12/31/19
Pat Repenn	1-year	12/31/19
Judy Phillips	1-year	12/31/19

PLANNING BOARD

Frank Ryan (Class IV)	4-year	12/31/22
Jason Carr (Class III)	1 year	12/31/19
James Green (Class II)	4-year	12/31/22
John Anello (Class IV)	4-year	12/31/22
Bob Schueler (Mayor's Rep.)	1-year	12/31/19

RECREATION COMMITTEE

Robert May	3-year	12/31/21
Chris Maynard	3-year	12/31/21

HOUSING & COMMUNITY DEVELOPMENT

Betty Platten	3-year	12/31/21
Terry Ledger	3-year	12/31/21

MAYOR'S APPOINTMENTS FOR 2019 THAT REQUIRE CONFIRMATION

ECONOMIC DEVELOPMENT COMMITTEE

Jim Benson	1-year	12/31/19
Jim Delaney	1-year	12/31/19
John Fuhrmann	1-year	12/31/19
Jim Gustafson	1-year	12/31/19
Rich Gianchiglia	1-year	12/31/19
John Anello	1-year	12/31/19
James Celentano	1-year	12/31/19
Jason Sabino	1-year	12/31/19

LIBRARY BOARD

James Benson	5-year	12/31/23
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Catherine Ferris	5-year	12/31/23
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SWIM POOL COMMISSION

Lee Poandl	5-year	12/31/23
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BOARD OF HEALTH

Peyton Yanchurak	4-year	12/31/22
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Be it Resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that:

Resolution #20-2019

APPROVAL TO PURCHASE 2018 DODGE JOURNEY FOR THE CONSTRUCTION DEPARTMENT

WHEREAS, the Borough of Middlesex wishes to purchase one (1) 2018 Dodge Journey for the Construction Department from an authorized vendor under the State of New Jersey Cooperative Purchasing Program (T-0099); and,

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and,

WHEREAS, Hertrich Fleet Services, Milford, DE, Contract #A86922 is an authorized dealer of vehicles under the State of Jersey Cooperative Purchasing Program (T-0099); and,

WHEREAS, the actual cost for the purchase of the 2018 Dodge Journey is expected not to exceed \$17,999; and,

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the appropriate Borough Officials are hereby authorized to sign those documents necessary for the purchase of one (1) 2018 Dodge Journey for the Construction Department from:

Hertrich Fleet Services
1427 Bay Road
Milford, DE 19963

NOW FURTHER BE IT RESOLVED, that the Treasurer hereby certifies funds are available in the 2018 Capital Budget, account number C-04-18-947-000-061 in the amount of \$17,999.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on January 15, 2019.

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

Resolution #21-2019

APPOINTING KEVIN DOTEY AS THE MAYOR'S REPRESENTATIVE AND VIC CAPOLUNGI AS THE GOVERNING BODY REPRESENTATIVE TO THE HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE FOR 2019

WHEREAS, it is necessary for the Borough of Middlesex to appoint a representative to the Middlesex County Housing & Community Development for the year 2019; and

WHEREAS, the Borough of Middlesex is authorized to have a representative appointed to this Committee, one to be appointed by the Mayor and one to be appointed by the Governing Body; and

WHEREAS, the Mayor has appointed Kevin Dotey as his Class I representative to the Housing and Community Development Committee for 2019; and

WHEREAS, the Governing Body has appointed Vic Capolunghi as their representative to the HUD Committee.

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

1. The Mayor hereby appoints Kevin Dotey as the Class I representative and the Governing Body hereby appoints Vic Capolunghi as its representative to the Middlesex County Housing & Community Development Committee for the year 2019.
2. The Borough Clerk is hereby authorized and directed to send a letter to the Housing & Community Development Committee advising the Committee of names, addresses and telephone numbers of the two people who will be serving as representatives for the Borough of Middlesex to the Housing & Community Development Committee for 2019.
3. This resolution shall take effect immediately.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on January 15, 2019.

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

Resolution #22-2019

**AUTHORIZING THE TAX COLLECTOR TO CANCEL 2019 FIRST & SECOND
QUARTER TAXES ON BLOCK 17, LOT 26 AS THE HOMEOWNER HAS BEEN
DECLARED 100% DISABLED**

The Tax Collector is hereby authorized to cancel 2019 1st & 2nd quarter, Block 17 Lot 26, 235 Fairfield Avenue. The homeowner has been declared a 100% Disabled Veteran by the Division of Veterans Affairs.

2019 1st Quarter - \$2,120.03

2019 2nd Quarter - \$2,120.03

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on January 15, 2019.

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

Resolution #23-2019

AUTHORIZING THE TAX COLLECTOR TO REDEEM TAX SALE CERTIFICATE #14-01835 AND TAX SALE PREMIUM FOR BLOCK 302, LOT 27

The Tax Collector is hereby authorized to issue a check in the amount of \$48,433.45 to redeem Tax Sale Certificate #14-01835 and a check in the amount of \$18,500.00 for a Tax Sale Premium, Block 302 Lot 27, 552 Lorraine Avenue. Check is made payable to:

Ebury RE LLC
16 School Street
Suite 100
Rye, NY 10580

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on January 15, 2019.

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

Resolution #24-2019

AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES ON VARIOUS PROPERTIES PURCHASED BY THE US ARMY CORPS OF ENGINEERS

The Tax Collector is hereby authorized to cancel taxes on the following properties. These properties were bought by the US Army Corps of Engineers who are exempt from paying taxes:

<u>Block/Lot</u>	<u>Address</u>	<u>Quarter</u>	<u>Amount</u>
54/10	6 Marshall Place	3 rd 2018	\$1810.82
		4 th 2018	\$1810.81
		1 st 2019	\$1762.25
		2 nd 2019	\$1762.24
58/19	52 Dayton Ave	4 th 2018	\$1489.89
		1 st 2019	\$1631.14
		2 nd 2019	\$1631.13
224/1	748 Bound Brook Rd	1 st 2019	\$2757.82
		2 nd 2019	\$2757.81
239/26	138 Parker Street	1 st 2019	\$2268.92
		2 nd 2019	\$2268.92
244/13	208 So. Lincoln Ave	4 th 2018	\$54.77
		1 st 2019	\$1851.14
		2 nd 2019	\$1851.13
244/14	210 So. Lincoln Ave	1 st 2019	\$1942.25
		2 nd 2019	\$1942.25

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on January 15, 2019.

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

Resolution #25-2019

**ACCEPTING THE RESIGNATION OF STEWART DIAMANTE FROM THE
DEPARTMENT OF PUBLIC WORKS EFFECTIVE IMMEDIATELY**

The Governing Body hereby accepts the resignation of Stewart Diamante as a Part Time DPW Employee in the Recycling Center effective immediately.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on January 15, 2019.

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

Resolution #26-2019

APPROVAL OF THE MCUA SOLID WASTE DISPOSAL AGREEMENT - JANUARY 1, 2019 - DECEMBER 31, 2021

Authorizing the Mayor and Borough Clerk to execute the Solid Waste Disposal Agreement between the Borough of Middlesex and the Middlesex County Utilities Authority for a three year term effective January 1, 2019 - December 31, 2021.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on January 15, 2019.

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

Resolution #27-2019

AUTHORIZING THE TAX COLLECTOR TO ADJUST 2017 SANITARY SEWER USE CHARGES FOR BLOCK 42, LOT 5

The Tax Collector is hereby authorized to adjust 2017 Sanitary Sewer Use Charges and issue a refund in the amount of \$498.38 on the following property:

BLOCK	LOT	ORIGINAL AMOUNT	ADJUSTED AMOUNT
42	5	\$4,827.90	\$4,329.52

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on January 15, 2019.

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

Resolution #28-2019

AUTHORIZING THE TAX COLLECTOR TO REDEEM TAX SALE CERTIFICATE #17-0010 IN THE AMOUNT OF \$1,432.84 FOR BLOCK 304, LOT 11

The Tax Collector is hereby authorized to issue a check in the amount of \$1,432.84 to redeem Tax Sale Certificate #17-0010, Block 304 Lot 11, 641 Lorraine Avenue. Check is made payable to:

US Bank Cust for PC7 First Trust
50 South 16th Street
Suite 2050
Philadelphia, PA 19102

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on January 15, 2019.

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

Resolution #29-2019

**AFFIRMING THE CONTINUATION & AUTHORITY OF THE COMMUNITY
EMERGENCY RESPONSE TEAM UNDER THE AUTHORITY OF THE OFFICE OF
EMERGENCY MANAGEMENT**

WHEREAS, the Borough of Middlesex, County of Middlesex, State of New Jersey, hereby affirms the continuation of the Community Emergency Response Team (CERT); and

WHEREAS, CERT members are volunteers that shall only be activated under the authority of the Office of Emergency Management (OEM) and;

WHEREAS, CERT members are training in various fields of emergency response through the OEM and

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Middlesex, County of Middlesex, State of New Jersey approves the following:

1. Continuation of the CERT Program
2. CERT members are volunteers that may be activated under the authority of the Office of Emergency Management.
3. CERT members are trained and provided continuing education opportunities through the OEM

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on January 15, 2019.

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

Resolution #30-2019

APPROVAL TO ADVANCE PATROLMAN PAUL MULDOWNNEY TO PATROLMAN CLASS "D" AT AN ANNUAL SALARY OF \$83,431

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

WHEREAS, On January 8, 2019 Chief Geist recommended Police Officer Paul Muldowney 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 Paul Muldowney be and is hereby advanced in grade to Patrolman Class "D" effective January 27, 2019 at an annual salary of \$83,431.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on January 15, 2019.

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

Resolution #31-2019

**APPOINTING JACK COSTA AS OEM DIRECTOR EFFECTIVE JANUARY 1, 2019 -
DECEMBER 31, 2021**

The Governing Body hereby appoints Jack Costa as OEM Director effective January 1, 2019 - December 31, 2021.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on January 15, 2019.

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

Resolution #32-2019

**AUTHORIZING THE GOVERNING BODY TO GRANT RIDGE REALTY A WAIVER
FROM THE DEVELOPERS AGREEMENT**

WHEREAS, The Planning Board approved an industrial building for warehouse space and a small office for Ridge Realty at 209 Egel Avenue, Block 288, Lot 32; and

WHEREAS, There is no tractor trailer or any visitors to the site; and

WHEREAS, the use and improvements have no impact on the surrounding properties or area that requires any additional off-site improvements to be imposed by the Council.

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

1. The Governing Body hereby approves Ridge Realty, 209 Egel Avenue be given a waiver from the Developers Agreement

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on January 15, 2019.

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

Resolution #33-2019

**APPROVAL OF THE PUBLIC HEALTH INTERLOCAL SERVICE CONTRACT WITH
MIDDLESEX COUNTY - JANUARY 1, 2019 - DECEMBER 31, 2020**

The Governing Body hereby approves the Public Health Interlocal Service Contract with the County of Middlesex effective January 1, 2019 - December 31, 2020.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on January 15, 2019.

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

Resolution #34-2019

PAY ALL CLAIMS

THE DISBURSING OFFICERS BE AND THEY ARE HEREBY AUTHORIZED TO PAY THE ATTACHED CLAIM LIST AS PRESENTED, IF FOUND CORRECT, AND APPROVED BY THE FINANCE COMMITTEE. EXCLUDED VOUCHERS MAY BE PAID UPON BEING FOUND ACCEPTABLE.

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on January 15, 2019.

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

Resolution #35-2019

EXECUTIVE SESSION

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting; and

WHEREAS, the Governing Body of the Borough of Middlesex has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public; and

WHEREAS, the regular meeting of this Governing Body will reconvene.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Middlesex will go into closed session for the following reason listed below as outlined in N.J.S.A. 10:4-12 and the minutes will be kept, and once the matter involving the confidentiality of the items no longer require confidentiality, the minutes can be made public.

1. Registrar Position
2. Administrator/Clerk Position
3. Borough Clerk - Retirement
4. Carry Over Vacation Days
5. Landlord Registration Ordinance

I Hereby Certify that the above resolution was duly adopted by the Governing Body of the Borough of Middlesex, at a meeting of said Borough Council on January 15, 2019.