



Borough of Middlesex
Mayor and Council Regular Meeting
~ Minutes ~

1200 Mountain Ave
Middlesex, NJ

Gretchen McCarthy
www.middlesexboro-nj.gov

Tuesday, September 24, 2019

7:00 PM

Municipal Building

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.

SALUTE TO FLAG

ROLL CALL

Mayor Ron DiMura
Council President John Madden
Council Member Douglas Rex
Council Member Jason Carr
Council Member Dan Parenti
Council Member Kevin Dotey
Council Member Jack Mikolajczyk

Also Present:

Marcia Karrow Administrator
Christopher Corsini Borough Attorney

Others Absent:

PRESENTATIONS

None

APPOINTMENTS

None

PROCLAMATIONS

1. October, 2019 Domestic Violence Awareness Month

WHEREAS, domestic violence impacts countless New Jersey residents without regard to age, race, religion, or economic status; as victims suffer at the hands of a spouse or partner, and it affects their children, families, and entire communities; and

WHEREAS, Women Aware, Inc. along with The Middlesex/Dunellen Domestic Violence Response Team has offered unparalleled services to women, children and men who have been victimized by domestic violence;

WHEREAS, the Borough of Middlesex joins with others across New Jersey and across the Nation in supporting victims of domestic violence and shares the worthy goals of this month-long observance, and likewise supports the work of Women Aware, Inc. along with The Middlesex/Dunellen Domestic Violence Response Team as they strive to provide the best coordinated response to domestic violence in our community, sending a loud and clear message to abusers that domestic violence is not tolerated in Middlesex Borough;

Now, THEREFORE, I, Mayor Ronald J. DiMura, do hereby proclaim October 2019 as Domestic Violence Awareness Month in the Borough of Middlesex and I urge all citizens to actively participate in the scheduled activities and programs sponsored by Women Aware, Inc., and to work toward the elimination of personal and institutional violence against women, children, and men.

The Borough Clerk proclaimed October, 2019 as Domestic Violence Awareness Month.

ORDINANCE(S) FOR INTRODUCTION

The Borough Clerk read ordinance 1978-19 by title:

ORDINANCE 1978-19

**CAPITAL ORDINANCE AMENDING IN PART CAPITAL ORDINANCE NO. 1899-16
ADOPTED OCTOBER 11, 2016, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS
AND APPROPRIATING \$614,202.14 THEREFOR, IN ORDER TO AMEND THE SCOPE
OF IMPROVEMENTS TO INCLUDE THE ACQUISITION OF A FINGERPRINT MACHINE
AND TO EXCLUDE THE ACQUISITION OF AN ALCOHOL MEASUREMENT
INSTRUMENT, AUTHORIZED IN AND BY THE BOROUGH OF MIDDLESEX, IN THE
COUNTY OF MIDDLESEX, NEW JERSEY**

WHEREAS, the Borough of Middlesex, in the County of Middlesex, New Jersey (the "Borough") adopted Capital Ordinance No. 1899-16 on October 11, 2016 (the "Prior Ordinance") authorizing various capital improvements; and

WHEREAS, the Borough has determined that the purpose of the Prior Ordinance should be amended to include the acquisition of a fingerprint machine and to exclude the acquisition of an alcohol measurement instrument, without amending the aggregate appropriation for said improvements.

NOW, THEREFORE, BE IT ORDAINED 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 members thereof affirmatively concurring), AS FOLLOWS:

Section One. Section 2 of the Prior Ordinance is hereby amended to read as follows:

SECTION 2. The improvements and purposes hereby authorized and purposes for the financing of which said debt obligations are to be issued are Police:

fingerprint machine, replace OC - MK3 and MK9, patrol car radar unit replacement, bullet proof vests and modular UPS revitalization service; Garage: garbage trucks nos. 1 and 2; Roads: portable trailer mounted steam cleaner; Rescue Squad: power load cot fastening system; Recreation: Haverstick slide replacement; Buildings and Grounds: Municipal Building upgrade and new postage machine; Stream Cleaning: stream cleaning; and Mill and Overlay: mill and overlay. The appropriation set forth above also includes all work, materials, appurtenances and equipment necessary for or incidental thereto.

Section Two. The 2019 capital budget of the Borough shall conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section Three. The Borough Attorney and other Borough officials and representatives are hereby authorized to do all things necessary to accomplish the purposes of the appropriation made herein.

Section Four. All other provisions of the Prior Ordinance remained unchanged.

Section Five. This ordinance shall take effect as provided by law.

RESULT:	FIRST READING [UNANIMOUS]	Next: 10/8/2019 7:00 PM
MOVER:	Jack Mikolajczyk, Council Member	
SECONDER:	John Madden, Council President	
AYES:	Madden, Rex, Carr, Parenti, Dotey, Mikolajczyk	

ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION

The Borough Clerk read ordinance 1973-19 by title:

ORDINANCE 1973-19

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, CHAPTER 407, VEHICLES AND TRAFFIC, ARTICLE III, STOP INTERSECTIONS, SECTION 407-6, STOP INTERSECTIONS; SIGNS

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

SECTION 1. In accordance with N.J.S.A. 39:4-8.b.(1) and N.J.S.A. 39:4-197(e), Section 407-6 is hereby supplemented, amended and revised to reflect:

(74) *Washington Avenue and Woodrow Street: The intersection is hereby established as a 4-way stop intersection. Stop signs and stop bars are to be installed on Washington Avenue at the north and south approaches to the intersection with Woodrow Street.*

(75) *Washington Avenue and Nelson Street: The intersection is hereby established as a 4-way stop intersection. Stop signs and stop bars are to be installed on Washington Avenue at the north and south approaches to the intersection with Nelson Street.*

(76) *Washington Avenue and Wilson Street: The intersection is hereby established as a 3-way stop intersection. Stop signs and stop bars are to be installed on Washington Avenue at the north and south approaches to the intersection with Wilson Street.*

(77) *Washington Avenue and Dogwood Drive: Stop signs to be installed on Dogwood Drive at the intersection with Washington Avenue.*

(78) *Starlit Drive and June Way: Stop signs to be installed on June Way at both intersections with Starlit Drive.*

SECTION 2. The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged invalid and shall not be deemed to effect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION 3. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 4. This Ordinance shall take effect immediately upon final passage and publication according to law.

Mayor DiMura opened the Public Hearing on Ordinance No. 1973-19. Seeing that there was no public participation, Mayor DiMura closed the Public Hearing on this ordinance.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jack Mikolajczyk, Council Member
SECONDER:	Douglas Rex, Council Member
AYES:	Madden, Rex, Carr, Parenti, Dotey, Mikolajczyk

The Borough Clerk read ordinance 1976-19 by title:

ORDINANCE 1976-19

AN ORDINANCE CREATING A NEW CHAPTER 10 IN THE BOROUGH CODE OF THE BOROUGH OF MIDDLESEX ENTITLED "CULTURAL ARTS COMMITTEE" TO ESTABLISH AN ADVISORY COMMITTEE FOR THE PRESERVATION THE CULTURE AND HERITAGE OF MIDDLESEX BOROUGH

WHEREAS, the Borough Council of the Borough of Middlesex seeks to establish an ordinance for the creation of a cultural arts committee, to be organized as mandated hereby; and

BE IT ORDAINED, by the Borough Council of the Borough of Middlesex in the County of Middlesex and State of New Jersey that Chapter 10 of the Municipal Code thereof is hereby created as follows:

Section I

Chapter 10-1 is hereby created and entitled "Establishment" and shall appear in its entirety as follows:

There is hereby established a Cultural Arts Committee for the advancement of the creative arts in the Borough of Middlesex. The term "Committee," when used by itself in this Chapter, shall refer to the Borough of Middlesex Cultural Arts Committee.

Section II

Chapter 10-2 is hereby created and entitled "Appointment; Membership; Term" and shall appear in its entirety as follows:

The Committee shall consist of nine members, each of whom shall be residents of the Borough of Middlesex. Members shall be appointed by the Mayor with the advice and consent of the Borough Council. Members shall be appointed for a term of three calendar years from the date of appointment. The initial appointment terms will be staggered in order to prevent all nine members' terms from expiring at the same time. Initial appointments will contain three one-year terms, three two-year term and three three-year term. In the event of a vacancy prior to the expiration of member's term, the Mayor shall appoint, with advice and consent of the Council, a resident of the Borough of Middlesex to fill the remaining portion of the unexpired term.

Section III

Chapter 10-3 is hereby created and entitled "Organization" and shall appear in its entirety as follows:

The membership of the Committee shall appoint from among their membership a chairperson who shall preside of meetings of the Committee. The Committee may approve by-laws for conduct of its business that are consistent with this Chapter and any other relevant legal provision.

Section IV

Chapter 10-4 is hereby created and entitled "Organization" and shall appear in its entirety as follows:

- A. The duties of the Committee shall consist of engaging and encouraging cultural and artistic exhibitions, events and all related activities. These duties may include, but shall not be limited to, the advancement of the following:
 - (1) Visual arts, including, but not limited to, sculpture, painting, drawing, architectural design, photography, motion pictures, and television.
 - (2) Literary arts, including, but not limited to, the writing of prose, poetry, drama and choreography.
 - (3) Performing arts, including, but not limited to, music, dance, poetry-reading, and theater.
 - (4) The collection and display of art objects.

- (5) The preservation or commemoration of the culture and history of the Borough of Middlesex.
 - (6) Other activities which the Committee defines as advancing the creativity or culture in the Borough of Middlesex.
- B. The Committee shall advise the Mayor and the Borough Council on ways and means for the encouragement of creative talent within the Borough of Middlesex and for the recognition of persons who have made outstanding contributions to the development, expansion, or preservation of culture and history in Middlesex, whether such person is or is not an artist.
- C. The Committee is encouraged to establish cooperative efforts to seek voluntary assistance from other sources of expertise consistent with its purpose.
- D. The Committee shall be authorized and encouraged to apply for and to accept grants and contributions under the auspices of and through the Borough of Middlesex from public and private sources to finance its initiatives. The Committee shall make no expenditure or commitment of Borough funds without the specific authorization of the Council, except that the Mayor, to the extent of staff availability, may authorize administrative staff support for grant applications and publicity.

Section V

All ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section VI

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to this section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

Section VII

This ordinance shall take effect upon adoption and publication in the manner required by New Jersey general law but, in no event, less than 20 days after its final passage by the Borough Council, where such approval is required in the manner prescribed by law.

Mayor DiMura opened the Public Hearing on Ordinance No. 1976-19. Seeing that there was no public participation, Mayor DiMura closed the Public Hearing on this ordinance.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Dotey, Council Member
SECONDER:	John Madden, Council President
AYES:	Madden, Rex, Carr, Parenti, Dotey, Mikolajczyk

The Borough Clerk read ordinance 1977-19 by title:

ORDINANCE 1977-19

REFUNDING BOND ORDINANCE OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF THE BOROUGH'S GENERAL IMPROVEMENT BONDS DATED MAY 15, 2010, APPROPRIATING AN AMOUNT NOT EXCEEDING \$4,250,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$4,250,000 GENERAL OBLIGATION REFUNDING BONDS OF THE BOROUGH OF MIDDLESEX FOR FINANCING THE COST THEREOF

WHEREAS, pursuant to the Local Bond Law (N.J.S.A. 40A:2-1 et seq.), the Borough of Middlesex, in the County of Middlesex, New Jersey (the "Borough") has heretofore issued \$9,865,000 aggregate principal amount of its General Improvement Bonds, dated May 15, 2010 (the "Series 2010 Bonds") providing for the financing of certain capital improvements of the Borough; and

WHEREAS, the Borough Council has determined that it is in the best interests of the Borough to refund all or a portion of the outstanding Series 2010 Bonds.

NOW, THEREFORE, 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 members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The Borough is hereby authorized (A) to refund all or part of the Series 2010 Bonds (collectively, the "Bonds to Be Refunded"), and (B) to provide for the payment of the costs of issuing the refunding bonds (including printing, advertising, accounting, financial and legal services, and further including bond insurance premium (if any) and underwriting compensation).

Section 2. In order to finance the cost of the purpose described in Section 1 hereof, one or more series of negotiable general obligation refunding bonds (the "Refunding Bonds") are hereby authorized to be issued from time to time in the principal amount not to exceed \$4,250,000 pursuant to the Local Bond Law.

Section 3. An aggregate amount not exceeding \$125,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 4. The purposes for which the Refunding Bonds are to be issued are (i) refunding the Bonds to Be Refunded and (ii) to provide for the payment of the costs of issuing the refunding bonds (including printing, advertising, accounting, financial and legal services, and further including bond insurance premium (if any) and underwriting compensation).

Section 5. Further provisions as to the terms of sale, deposit, securing, regulation, investment, reinvestment, disposition or application of the proceeds of the refunding bonds, and any matters in connection therewith, shall be determined by resolution of the Borough Council of the Borough adopted prior to the issuance of the refunding bonds.

Section 6. All other matters relating to the refunding bonds shall be performed or determined by subsequent resolution of the Borough Council of the Borough, or the

performance or determination thereof shall be delegated by resolution of the Borough Council of the Borough to the Chief Financial Officer of the Borough.

Section 7. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this refunding bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 8. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the chief financial officer of the Borough as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein.

Section 9. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that, except for refunding bonds issued in accordance with N.J.S.A. 40A:2-51(c), this refunding bond ordinance shall not be effective as to any refunding bonds unless the consent of the Local Finance Board has been endorsed upon a certified copy of this refunding bond ordinance as finally adopted.

Mayor DiMura opened the Public Hearing on Ordinance No. 1977-19. Seeing that there was no public participation, Mayor DiMura closed the Public Hearing on this ordinance.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Madden, Council President
SECONDER:	Jack Mikolajczyk, Council Member
AYES:	Madden, Rex, Carr, Parenti, Dotey, Mikolajczyk

ADOPTION OF MINUTES

1. Adoption of the September 10, 2019 Regular & Executive Meeting Minutes

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kevin Dotey, Council Member
SECONDER:	Dan Parenti, Council Member
AYES:	Madden, Rex, Carr, Parenti, Dotey, Mikolajczyk

MAYOR'S REPORT

None

REPORTS - STANDING COMMITTEES

Finance/Taxation/Real Estate/Insurance/Public Utilities

1. August 2019 Tax Totals Report

Councilman Mikolajczyk updated council on the Finance Meeting that was held prior to this meeting regarding the budget, potential capital changes and the preliminary 2020 budget. The next budget meeting will be held on October 22, 2019, prior to the November 1, 2019 budget transfers.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jack Mikolajczyk, Council Member
SECONDER:	Kevin Dotey, Council Member
AYES:	Madden, Rex, Carr, Parenti, Dotey, Mikolajczyk

Fire/OEM/Rescue Squad

1. Approval of the August, 2019 Chief's Report

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Douglas Rex, Council Member
SECONDER:	Kevin Dotey, Council Member
AYES:	Madden, Rex, Carr, Parenti, Dotey, Mikolajczyk

2. Approval of the Board of Fire Officer's Report

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Douglas Rex, Council Member
SECONDER:	Dan Parenti, Council Member
AYES:	Madden, Rex, Carr, Parenti, Dotey, Mikolajczyk

Recreation/Recreation Fields/Swim Pool/Community Celebrations

1. Approval of the September, 2019 Recreation Director's Report

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Madden, Council President
SECONDER:	Kevin Dotey, Council Member
AYES:	Madden, Rex, Carr, Parenti, Dotey, Mikolajczyk

2. Approval of the August, 2019 Recreation Trust Account

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Madden, Council President
SECONDER:	Kevin Dotey, Council Member
AYES:	Madden, Rex, Carr, Parenti, Dotey, Mikolajczyk

Public Works/Buildings & Grounds/Recycling

1. August 2019 DPW Report

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dan Parenti, Council Member
SECONDER:	John Madden, Council President
AYES:	Madden, Rex, Carr, Parenti, Dotey, Mikolajczyk

Police/Legal/Code Enforcement & Zoning/Shade Tree/Construction/Municipal Court

1. Approval of the August, 2019 Police Department Report

Councilman Dotey updated council on the status of the Streetscape Grant which was referred to the Engineer for review and measurements and report back to the Borough.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kevin Dotey, Council Member
SECONDER:	John Madden, Council President
AYES:	Madden, Rex, Carr, Parenti, Dotey, Mikolajczyk

Administration/Department of Senior Services/Legislation/Licensing

Councilman Carr updated council on the status of the Zero Lot Line Ordinance and the Noise Ordinance which was referred to the Police Chief to discuss further with the Court Administrator.

ADMINISTRATOR'S REPORT

Administrator's Report
September 24, 2019

- I. Flood Management
 - i. AW501 Forms - no update
- II. Update of Sewer Projects:
 - i. Phase I:
 - a. i-Bank (formerly EIT) funding reimbursement
 - b. Additional work on George Street - no update
 - c. Funds remaining- DEP Requirements
 - d. O & M Manual required by DEP - no update
 - e. I/I Study
 - f. Sampling Program
 - ii Phase II Funding - no update
 - iii Phase IV: Sewer Bypass
- III. Update on Other Public Works Projects:
 - i. Streetscape Project - no update
 - ii. South Avenue Reconstruction: Issue with pole relocation/Lucas (Exec)
 - iii. Safe Routes to Schools - no update
- IV. Update on Other Projects:
 - i. Library HVAC System
 - ii. Mountain View Park
- V. Video Taping of Meetings - no update
- VI. Miscellaneous
 - i. Rec Center, Rec Policies and Rec Ordinance Updates - no update
 - ii. Purchasing Manual Update - no update
 - iii. Recycling Bid - no update
 - iv. Dredging of Lake/Mosquito Control Commission - no update
 - v. Recreation Building Improvement - no update
 - vi. Library Flooring
 - vii. Fall Newsletter

PRIVILEGE OF THE FLOOR

Dave Polakiewicz, 240 Hazelwood Avenue

- Inquired whether the town received any PILOT payments since the previous Council meeting and if it was more than 6 figures.

Georgiana Powers, 210 Appian Way

- Requested that Council look to install a green arrow at the light that is in front of the High School due to the traffic congestion.

Kevin Nelson, 351 Market Street

- Expressed his concern with the gate on Market Street being closed during the entire year, and requested that it only be closed during the Pool Season.
- Requested that Google search not list "Market Street" as the Pool address, so that if address is searched it is not directed to his block.
- Requested additional signage be installed to prevent the traffic congestion that is created by the pool patrons.

Rich Rutkowski, 211 Maple Street

- Spoke about the grass area and parking being discussed by the Planning Board for the proposed project by the Lincoln Statute.

Mayor DiMura addressed all concerns raised by the Public that were not regarding potential litigation/litigation and would refer the concern of the traffic light in front of the High School to the Police Chief to investigate.

NEW BUSINESS/CONSENT AGENDA/RESOLUTIONS

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dan Parenti, Council Member
SECONDER:	Jason Carr, Council Member
AYES:	Madden, Rex, Carr, Parenti, Dotey, Mikolajczyk

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

RESOLUTION 239-2019

APPROVING A BLOCK PARTY ON B STREET BETWEEN WALNUT STREET AND MAPLE STREET ON OCTOBER 5, 2019 BETWEEN THE HOURS OF 2 P.M. AND 6 P.M.

WHEREAS, the residents of 237 B Street have requested to have a block party on B Street between Walnut Street and Maple Street on October 5, 2019 between the hours of 2 p.m. and 6 p.m.; and

WHEREAS, all the designated officials have given approval for this block party.

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

1. The Governing Body hereby grants approval to the residents of 237 B Street to conduct a block party on B Street between Walnut Street and Maple Street on October 5, 2019 between the hours of 2 p.m. and 6 p.m.

2. This resolution shall take effect immediately.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

RESOLUTION 240-2019

**APPROVING THE BLOCK OF HOWARD AVENUE BETWEEN FISHER AVENUE AND
WOODLAND AVENUE FOR THE WATCHUNG SCHOOL PTO TO HOLD A TRUNK OR
TREAT ON FRIDAY, OCTOBER 25, 2019 FROM 5:30PM - 8PM**

WHEREAS, the Watchung School PTO has requested to have a "Trunk or Treat" on Howard Avenue between Fischer Avenue and Woodland Avenue on October 25, 2019 between the hours of 5:30 p.m. and 8 p.m.; and

WHEREAS, all the designated officials have given approval for this block party.

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

1. The Governing Body hereby grants approval to the Watchung School PTO to conduct a "Trunk or Treat" on Howard Avenue between Fischer Avenue and Woodland Avenue on October 25, 2019 between the hours of 5:30 p.m. and 8 p.m.
2. This resolution shall take effect immediately.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

RESOLUTION 241-2019

APPROVE REDEMPTION OF TAX LIEN ON BLOCK 264, LOT 2.01

WHEREAS, said liens have been redeemed by the owners or those persons having an interest, and the purchasers of said property are legally entitled to receive redemption funds in the following specific amounts;

WHEREAS, the interest and payments on the following Tax Title Lien Redemptions were calculated for September 24th, 2019;

NOW, THEREFORE, BE IT RESOLVED the Tax Collector is hereby authorized to issue a check to the said individual in the following amount(s):

<u>Date of Sale:</u>	7/12/17
<u>Block/Lot:</u>	264 / 2.01
<u>Amount:</u>	\$530.58
<u>Premium:</u>	\$300.00

Certificate: 16-00029
Payable To: Trystone Capital Assets, LLC
PO Box 1030
Brick, NJ 08723

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

RESOLUTION 242-2019

APPROVING THE MUNICIPAL ALLIANCE CONTRACT BETWEEN THE COUNTY OF MIDDLESEX AND THE BOROUGH OF MIDDLESEX FOR FY2020 - *Item Removed from Consent*

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the Borough of Middlesex Council of the Borough of Middlesex, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Borough of Middlesex Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Borough of Middlesex Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Middlesex;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Middlesex, County of Middlesex, State of New Jersey hereby recognizes the following:

1. The Borough of Middlesex Council does hereby authorize submission of a strategic plan for the Middlesex Borough Municipal Alliance grant for fiscal year 2019-2020 in the amount of:

DEDR	\$24,965.00
Cash Match	\$ 6,241.25
In-Kind	\$18,723.75

The Borough of Middlesex Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Jason Carr, Council Member
SECONDER:	Dan Parenti, Council Member
AYES:	Madden, Rex, Carr, Parenti, Dotey, Mikolajczyk

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

RESOLUTION 243-2019

**AUTHORIZE TAX COLLECTOR TO CANCEL TAXES FOR BLOCK 295, LOT 8, C002,
AND AUTHORIZE TAXES PAID TO BE APPLIED TO BLOCK 295, LOT 8 DUE TO
PLANNING BOARD DENIAL OF SUBDIVISION**

WHEREAS, the property owner of 420-422 Voorhees Avenue filed a Planning Board application for a Zero Lot Line Subdivision; and

WHEREAS, Block 295 Lot 8 C002 was created in conjunction with said application and thereby causing a tax bill to be generated for said parcel; and

WHEREAS, the application for the subdivision was denied by the Planning Board; and

WHEREAS, the property owner paid taxes on 3rd Qtr 2019 in the amount of \$733.36:

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, New Jersey that the Tax Collector is hereby authorized to credit the amount of \$733.36 in taxes paid for Block 295, Lot 8, C002 and apply said credit to Block 295 Lot 8;

BE IT FURTHER RESOLVED, that the Tax Collector is hereby also authorized to cancel the remaining taxes billed for Block 295 Lot 8 C002 in the following amounts;

2019 Quarter 4 - \$733.36

2020 Quarter 1 - \$366.68

2020 Quarter 2 - \$366.68

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

RESOLUTION 244-2019

**WAIVING PERMIT FEES FOR CONSTRUCTION, PLUMBING, ELECTRIC AND ZONING
FOR THE BATHROOM RENOVATIONS FOR PARKER ENGINE & HOSE CO. #4**

The Governing Body hereby approves waiving the permit fees for the construction, plumbing, electric and zoning for the bathroom renovations for Parker Engine & Hose Co. #4, which is scheduled to commence in the near future.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

RESOLUTION 245-2019

AUTHORIZE REJECTION OF BIDS AND AUTHORIZE RE-ISSUANCE OF BID DOCUMENTS FOR MIDDLESEX PUBLIC LIBRARY A.H.U. REPLACEMENT PROJECT

WHEREAS, the Borough of Middlesex did authorize the receipt of bids for the A.H.U. Replacement at the Middlesex Public Library; and

WHEREAS, bids were received, opened and read in public on September 12, 2019; and

WHEREAS, pursuant to N.J.S.A. 40A:11-13.2(e), a contracting unit may reject all bids if “the purposes or provisions or both of P. L. 1971, c.198 (C.40A:11-1 et seq.) are being violated”; and

WHEREAS, it has been determined that bid addendum and notices of addendum were not issued in compliance with the rules set forth by N.J.S.A. 40A:11-23(c)(2)

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of Middlesex, County of Middlesex, State of New Jersey, that all bids received, opened and read in public on September 12, 2019, for the A.H.U. Replacement at the Middlesex Public Library are hereby rejected pursuant to N.J.S.A. 40A:11-13-2 (e.)

BE IT FURTHER RESOLVED, that the Borough Purchasing Agent is hereby authorized to reissue bid specifications and advertise for receipt of bids for the A.H.U. Replacement at the Middlesex Public Library.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

RESOLUTION 246-2019

SPECIAL ITEMS OF REVENUE AND APPROPRIATION - MIDDLESEX COUNTY OFFICE OF AGING INFORMATION & ASSISTANCE GRANT

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 2019 in the sum of \$8,500.00, which item is now available as a revenue from the Middlesex County Office of Aging Information & Assistance Grant in the amount of \$8,500.00;

BE IT FURTHER RESOLVED that the like sum of \$8,500.00 is hereby appropriated under the caption of "Middlesex County Office of Aging Information & Assistance Grant"; and

BE IT FURTHER RESOLVED that the above is a result of a County Grant of \$8,500.00 from the Middlesex County Office of Aging Information & Assistance Grant.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

RESOLUTION 247-2019

SPECIAL ITEMS OF REVENUE AND APPROPRIATION - DRIVE SOBER OR GET PULLED OVER GRANT

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 2019 in the sum of \$5,500.00, which item is now available as a revenue from the Drive Sober or Get Pulled Over Grant in the amount of \$5,500.00;

BE IT FURTHER RESOLVED that the like sum of \$5,500.00 is hereby appropriated under the caption of "Drive Sober or Get Pulled Over Grant"; and

BE IT FURTHER RESOLVED that the above is a result of \$5,500.00 from the Drive Sober or Get Pulled Over Grant.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

RESOLUTION 248-2019

RESOLUTION TO APPROVE THE SALARIES AND COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF MIDDLESEX FOR YEAR 2019 -

Item Removed from Consent

WHEREAS, the Mayor and Council has the sole discretion to fix and determine the salaries and compensation of the officers and employees of the Borough of Middlesex,

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following salaries and rates of compensation for the year 2019 be hereby fixed respectively as follows:

<u>Title</u>	<u>2019 Salary</u>
Deputy Borough Clerk	\$61,424.00
Purchasing Agent	\$52,196.00
Chief Financial Officer	\$22,184.00
Treasurer	\$54,596.00
Tax Collector	\$61,500.00
Tax Assessor	\$26,000.00
DPW Supervisor	\$105,062.00
Recreation Director	\$64,613.00
Recreation Asst Director	\$12,287.00
Senior Services Director	\$61,500.00
Zoning Officer/Code Enforcer	\$59,229.00
Construction Official	\$30,239.00
Electrical SubCode Official	\$13,541.00
Fire SubCode Official	\$12,607.00
Plumbing SubCode Official	\$17,919.00
Finance Clerk	\$16.18
Construction Admin Assistant	\$16.00
Resale Certificate Inspector	\$15.76
Code Enforcement Assistant	\$12.60
Public Works Laborers	\$12.30
Toddler Playgroup Instructor	\$13.30
Toddler Playgroup Assistant	\$12.37
Recreation Admin Assistant	\$12.60
Custodian	\$15.76
Crossing Guards	\$14.75

RESULT:	ADOPTED BY CONSENT VOTE [5 TO 0]
MOVER:	Jason Carr, Council Member
SECONDER:	Dan Parenti, Council Member
AYES:	Madden, Rex, Carr, Parenti, Mikolajczyk
ABSTAIN:	Dotey

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

RESOLUTION 249-2019

AUTHORIZE EXTRA WORK HOURS FOR FINANCE CLERK TO COMPLETE SUMMARY FORMS MANDATED BY THE NEW JERSEY PUBLIC EMPLOYMENT RELATIONS COMMISSION

WHEREAS, N.J.S.A. 34:13A-8.2 provides that public employers shall file, with the New Jersey Public Employment Relations Commission, any contracts negotiated with public employee representatives following consummation of negotiations; and

WHEREAS, effective January 1, 2011, N.J.S.A. 34:13A-16.8(d)(2) requires all public employers to not only provide copies of the completed contracts to the Commission, but also to provide a summary report of all costs and their impact associated with the negotiated agreement for all bargaining units; and

WHEREAS, the Borough of Middlesex is currently party to three collective bargaining agreements; and

WHEREAS, it is estimated that the completion of the summary forms for the Borough's three collective bargaining agreements will require 20-25 hours to complete; and

WHEREAS, the Borough's Finance Clerk, Toni Kisly, is capable and willing to undertake this summary report project; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, New Jersey that Finance Clerk Toni Kisly be and is hereby authorized 20-25 work hours above and beyond normal work hours, at cost not to exceed \$500.00, in order to complete the required Public Employment Relations Commission summary reports for the Borough's three collective bargaining agreements.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

RESOLUTION 250-2019

REDEMPTION OF TAX LIEN 16-00006 ON BLOCK 22 LOT 3.39 IN THE AMOUNT \$2549.53

WHEREAS, said liens have been redeemed by the owners or those persons having an interest, and the purchasers of said property are legally entitled to receive redemption funds in the following specific amounts;

WHEREAS, the interest and payments on the following Tax Title Lien Redemptions were calculated for September 24th, 2019;

NOW, THEREFORE, BE IT RESOLVED the Tax Collector is hereby authorized to issue a check to the said individual in the following amount(s):

Date of Sale: 7/12/17
Block/Lot: 22 / 3.39
Amount: \$2549.53
Premium: \$1,100.00
Certificate: 16-00006
Payable To: Trystone Capital Assets, LLC
PO Box 1030
Brick, NJ 08723

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

RESOLUTION 251-2019

REFUND 2016 HOMESTEAD REBATE TO 100% DISABLED VETERANS RECENTLY EXEMPTED

WHEREAS, the State of New Jersey granted the second half of the 2016 Homestead Rebates to eligible homeowners; and

WHEREAS, this rebate is to be applied to 4th Qtr 2019; and

WHEREAS, there are 100% Disabled Veterans who have been recently exempted from paying taxes and;

THEREFORE, the Tax Collector is hereby authorized to refund the 2016 Homestead Rebate to the following homeowners and make checks payable to:

Name: Peter Fusco
40 Ramsey Road
Middlesex, NJ 08846
Block 84/ Lot 15

Amount: \$252.41

Name: Teresa Pawlowski
211-213 Seventh St.
Middlesex, NJ 08846
Block 224/ Lot 11.01

Amount: \$138.95

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

RESOLUTION 252-2019

**ACKNOWLEDGING THE CHANGE IN STATUS FOR CERTAIN PROPERTIES UNDER
THE VETERAN TAX DEDUCTIONS**

WHEREAS, certain Veterans were the owners of property in the Borough of Middlesex on or before October 1, 2018, and

WHEREAS, said Veterans did file their claims for the Veteran deduction with the proper official of the Borough of Middlesex, Middlesex County prior to December 31, 2019; and

WHEREAS, the Tax Collector has allowed the following Veteran deduction for the 2019 year totaling \$250.00.

Name: Bonillo, James F. & Karen L.

Block/Lot: 81/17

Amount: \$250.00

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Middlesex, Middlesex County, that the Chief Financial Officer of the Borough of Middlesex, Middlesex County be instructed to post to the books the collection of taxes receivable as detailed.

NON-CONSENT AGENDA/RESOLUTIONS

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

RESOLUTION 253-2019**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.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Dotey, Council Member
SECONDER:	Jack Mikolajczyk, Council Member
AYES:	Madden, Rex, Carr, Parenti, Dotey, Mikolajczyk

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

RESOLUTION 254-2019

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. 150 Lincoln Boulevard and 242 Lincoln Boulevard (potential litigation)
2. South Avenue Project American Tower Pole (potential litigation)
3. Finance Officer (Personnel)
4. Financial Accounting Advisors (Contract Negotiation)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jason Carr, Council Member
SECONDER:	John Madden, Council President
AYES:	Madden, Rex, Carr, Parenti, Dotey, Mikolajczyk

AGENDA WORKSHOP ITEM

None

PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS

EXECUTIVE SESSION

1. 150 Lincoln Boulevard and 242 Lincoln Boulevard (potential litigation)
2. South Avenue Project American Tower Pole (potential litigation)
3. Finance Officer (Personnel)
4. Financial Accounting Advisors (Contract Negotiation)

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

RESOLUTION 255-2019

**RESOLUTION AWARDDING A PROFESSIONAL SERVICE CONTRACT TO SUPLEE,
CLOONEY & COMPANY FOR FINANCIAL ACCOUNTING SERVICES**

WHEREAS, the Borough of Middlesex requires financial accounting services to provide as-needed assistance to the Borough's temporary chief financial officer; and

WHEREAS, pursuant to N.J.S.A. 40A:11-1 et seq., the Borough desires to retain the firm of Suplee, Clooney & Company to perform the aforementioned professional financial accounting services under the terms of a non-fair and open contract; and

WHEREAS, the terms of the Borough's contract shall include that Suplee, Clooney & Company will be compensated for said services at a rate of \$125 per hour; and

WHEREAS, the term of the Borough's contract with Suplee, Clooney & Company shall be from September 30, 2019 through September 29, 2020; and

WHEREAS, the value of the services to be provided by Suplee, Clooney & Company pursuant to this contract shall not exceed \$25,000.00; and

WHEREAS, Suplee, Clooney & Company shall be required to complete and submit a Business Entity Disclosure Certificate which certifies that Suplee, Clooney & Company has not made any reportable contributions to a political or candidate committee in the Borough of Middlesex in the previous one year period, and that the contract will prohibit Suplee, Clooney & Company from making any reportable contributions during the term of the contract;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey, does hereby authorize and direct the mayor, on behalf of the Borough, to execute a contract with Suplee, Clooney & Company in accordance with the foregoing parameters and the following terms:

1. The Mayor shall, on behalf of the Borough, execute a contract with Suplee, Clooney & Company for financial accounting services at an hourly rate of \$125.00 for a term commencing September 30, 2019 and concluding September 29, 2020 in an amount not to exceed \$25,000.00.
2. The contract is awarded without competitive bidding as a professional service under the provisions of N.J.S.A. 40A:11-5(1)(a)(i).
3. Notice in accordance with this Resolution and the New Jersey Local Public Contracts Law shall be published at least one time in the Borough's official newspaper.
4. That a certified copy of this Resolution shall be transmitted to Suplee, Clooney & Company.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey, does authorize the Administrator of the Borough of Middlesex or her designee to take whatever actions are necessary to obtain approval of the Director of the Division of Local Government Services of the New Jersey Department of Community Affairs to extend the aforementioned temporary appointment if said extension is merited and required.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Madden, Council President
SECONDER:	Dan Parenti, Council Member
AYES:	Madden, Rex, Carr, Parenti, Dotey, Mikolajczyk

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

RESOLUTION 256-2019

RESOLUTION APPOINTING CAROLINE BENSON AS TEMPORARY CHIEF FINANCIAL OFFICER

WHEREAS, N.J.S.A. 40A:9-140.10(a) requires that every municipality in the State of New Jersey appoint a Chief Financial Officer (CFO) to provide for the proper financial administration thereof; and

WHEREAS, N.J.A.C. 5:32-2.5(a) permits the governing body of a municipality to appoint of a temporary chief financial officer for a period of one year; and

WHEREAS, the aforementioned temporary appointment may be renewed for two one-year terms with the approval of the Director of the Division of Local Government Services of the New Jersey Department of Community Affairs; and

WHEREAS, the position of chief financial officer for the Borough of Middlesex shall be vacant as of the close of business on September 27, 2019.

WHEREAS, Caroline Benson currently serves as the treasurer of the Borough of Middlesex; and

WHEREAS, the governing body of the Borough of Middlesex seeks to appoint Ms. Benson as the temporary chief financial officer of the Borough of Middlesex under the authority conferred thereto under the applicable statutes and regulations; and

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey, does hereby appoint Caroline Benson as temporary chief financial officer of the Borough of Middlesex pursuant to N.J.A.C. 5:32-.25(a) for a period commencing September 28, 2019 and concluding September 27, 2020; and

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey, does authorize the Administrator of the Borough of Middlesex or her designee to take whatever actions are necessary to obtain approval of the Director of the Division of Local Government Services of the New Jersey Department of Community Affairs to extend the aforementioned temporary appointment if said extension is merited and required.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jack Mikolajczyk, Council Member
SECONDER:	Jason Carr, Council Member
AYES:	Madden, Rex, Carr, Parenti, Dotey, Mikolajczyk

ADJOURNMENT

The next Regular Meeting will be October 8, 2019

Respectfully yours,

Borough Clerk