



Borough of Middlesex
Mayor and Council Regular Meeting
~ Minutes ~

1200 Mountain Ave
Middlesex, NJ

Linda Chismar
732 356-7400 x238
www.middlesexboro-nj.gov

Tuesday, December 17, 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

Council President John Madden
Council Member Douglas Rex
Council Member Jason Carr
Council Member Kevin Dotey
Council Member Jack Mikolajczyk

Council Member Dan Parenti -- **Absent**

Also Present:

Marcia Karrow Administrator
Christopher Corsini Borough Attorney

Others Absent:

Ron DiMura Mayor

2. Council President Madden added discussion on 150 Lincoln Boulevard to the Executive Session Meeting

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

PRESENTATIONS

Council President Madden stated that yesterday, Mayor Ronald DiMura was the subject of a nine-count indictment by Attorney General Gurbir Grewal, which represents the apparent culmination of at least six years of inquiry into Mr. DiMura's financial arrangements with a local charity and his campaign account. Mr. DiMura

was charged with "theft and official misconduct for allegedly stealing approximately \$190,000 from various local political campaigns and using a local charity he runs to launder the money."

Mr. DiMura has submitted his resignation to this Borough, effective tomorrow. The public should know that actions allegedly taken by Mr. DiMura in this indictment in no way reflect the operations, values and integrity of the Borough of Middlesex. Mr. DiMura is entitled to his day in court, but if these allegations are true, his blatant abuse of power, disregard for the law, and violation of the public trust should be punished to the fullest extent possible. If proven true, these actions were committed by an individual who very clearly does not represent or share the values of the Middlesex Borough Council or our residents, and on behalf of those residents, we condemn this behavior in the strongest possible terms.

In two short weeks, our Borough will turn the page once and for all and begin a new era of transparency and accountability.

1. Library Summer Reading Awards

Council President Madden presented awards to the 40 outstanding readers below who completed the Summer Reading Program and also helped clean up trash around our town, wrote thank you cards to our public service workers for their commitment and volunteered in different community organizations. Council President Madden also stated to all of the children how valuable it is to continue to read.

Madelyn Anderson
Lenon Branca
Dylan Drecksage
Sara Elsayed
Courtney Emmons
Emma Hildebrand
Charlotte Kotch
Joseph Lauria
Caitlin Michels
Dhwij Patel
Lorna Rivera
James Stanczak
Kimberly Velasquez
Briana Wergland

John David Andaluz
Aspen Branca
Logan Drecksage
Catherine Emmons
Zoey Hargis
Jackson Ingrassia
Maddy Kotch
Joshua Levine
Cooper Murphy
Kunj Patel
Katrina Shankar
Thomas Stanczak
Jennifer Velasquez

Mary Andaluz
Lena Bron
Marwan Elsayed
Connor Emmons
Andrew Hildebrand
Ashley Keppel
Jacob Lauria
Jacob Levine
Katalina Olaya
Adrianna Pukas
Krish Shankar
Emily Trejo
Austin Wallitsch

2. Streetscape Project - Borough Engineer Doug Klee

Borough Engineer Frank Little presented recommendations for the Streetscape Project which will be done with funds that the Borough has received from a 2018 Local Aid Grant in the amount of \$1,030,560.00. The engineer discussed potentially using these funds to install brick pavers and or stamped concrete, street trees, benches and new decorative lighting, which would be done in the area by Mountain View Park (Middlesex High School) on the westbound side of Route 28 between Second Street to Dayton Avenue. Mr. Little was in attendance for the public comment on this proposal, and upon suggestions that were discussed, he will revise the project specifications.

Mr. Little also discussed the 2019 Municipal Aid Grant, which the borough received \$557,200.00. The engineering estimate for Ashland and Fisher came in at \$567,600.93. The engineer is hoping to go to bid at the beginning of 2020.

The 2020 Municipal Aid Grant was awarded in November, 2019 and Middlesex Borough received \$525,000. The estimates that were received for the street included in the bid include: Harris (Union to Madison) - \$451,668, Sherman (Williams to South) - \$376,000, Chestnut (C to Ashland) - \$243,000 and Hazelwood (Union to Orchard) - \$484,000.

APPOINTMENTS

PROCLAMATIONS

ORDINANCE(S) FOR INTRODUCTION

ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION

The Borough Clerk read ordinance 1983-19 by title:

ORDINANCE 1983-19

**AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF A 9-MEMBER
MIDDLESEX BOROUGH JOINT LAND USE BOARD AND FOR SAID BOARD TO
ASSUME ALL OF THE POWERS, DUTIES, AND RESPONSIBILITIES OF THE
MIDDLESEX BOROUGH ZONING BOARD OF ADJUSTMENT AND THE PLANNING
BOARD PURSUANT TO N.J.S.A. 40:55D-25(C)**

STATEMENT OF PURPOSE

The purpose of this Ordinance is to (a) reconstitute the Middlesex Borough Planning Board as a nine-member board; (b) providing that the Borough Planning Board shall now assume all of the powers previously exercised by the Middlesex Borough Zoning Board of Adjustment as authorized by N.J.S.A. 40:55D-25(c); and (c) by abolishing the previously existing separate Borough Zoning Board of Adjustment.

WHEREAS, N.J.S.A. 40:44d-23.1 provides that the governing body of a New Jersey municipality may, at its option, create either a nine (9) member or a seven (7) member Planning Board; and

WHEREAS, the Borough of Middlesex, pursuant to the Municipal Land Use Law, established its Planning Board by ordinance and codified in Section 56-1 of the Ordinances of the Borough of Middlesex; and

WHEREAS, the Borough of Middlesex, pursuant to the Municipal Land Use Law, established its Zoning Board of Adjustment by ordinance and codified in Section 56-12 of the Ordinances of the Borough of Middlesex; and

WHEREAS, the provisions of N.J.S.A. 40:55D-25(c)(1) provide that in a municipality, having a population of 15,000 or less, a nine member Planning Board, if so provided by Ordinance, shall exercise to the same extent and subject to the same restrictions, all of the powers of a Board of Adjustment; but the Class I and Class III members shall not participate in the consideration of applications which involve relief pursuant to subsection d of N.J.S.A. 40A:55D-70; and

WHEREAS, the Borough of Middlesex has a population of less than 15,000 as established by the 2010 United States National Census; and

WHEREAS, the governing body of the Borough of Middlesex has determined that it is in the best interests of the Borough of Middlesex to have the Planning Board hereafter act as a joint land use board, exercising all powers of the Board of Adjustment, and the functions of both boards to be merged into a Joint Land Use Board pursuant to N.J.S.A. 40:55D-25(c),

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

1. There is hereby established, pursuant to N.J.S.A. 40:55D-1 et seq. generally and N.J.S.A. 40:55D-23 and 40:55D-23.1 specifically, in the Borough of Middlesex, a new Joint Land Use Board consisting of nine (9) members and up to four (4) alternates as set forth in the statute. The composition of the member by class and terms shall be as set forth in the statute.
2. As of the Effective Date of this Ordinance, the Powers of the Middlesex Borough Planning Board, in accord with N.J.S.A. 40:552-25(c)(1) shall be conferred to and exercised by the Joint Land Use Board of the Borough of Middlesex, with said board to exercise, to the same extent and subject to the same restrictions, all powers of a Board of Adjustment under applicable New Jersey law;
3. Pursuant to N.J.S.A. 40:55D-25(c)(1), the Joint Land Use Board of the Borough of Middlesex shall be a planning board exercising, where applicable and appropriate, the statutory powers of a Zoning Board of Adjustment.
4. Provided, however, that the Class I and the Class III members of the Middlesex Borough Planning Board shall not participate in consideration of applications for development which involve relief pursuant to subsection d of N.J.S.A. 40A:55D-70.
5. All prior ordinances inconsistent with this Ordinance, including but not limited to any prior ordinance creating a Middlesex Borough Zoning Board of Adjustment, are hereby repealed to the extent of such inconsistency, and the Middlesex Borough Zoning Board of Adjustment is hereby abolished. Where appropriate, all appropriate powers and authority granted to the Middlesex Borough Zoning Board of Adjustment in the Borough code of the Borough Middlesex shall now be granted to the Middlesex Borough Planning Board.
6. Severability: In the event that any provision of this ordinance, or the application thereof to any person or circumstance is declared invalid by a court of competent jurisdiction, such declaration of invalidity shall not affect any other provision or application of this ordinance which may be given effect, and, to realize this intent, the provisions and applications of this ordinance are declared to be severable.
7. Effective Date: This Ordinance shall take effect as of January 7, 2020, after its passage and publication as required by law.

Council President Madden opened the Public Hearing on Ordinance No. 1983-19.

John Fuhrmann, 38 Whitney Drive congratulated Council President Madden on the electoral vote and expressed his concern about the combination of the boards because it would bring in clashing cultures and questioned why it would be good for the borough.

John Erickson, 209 Second Street spoke in favor of the Land Use Board, as Planning & Zoning members attended the same training classes.

Seeing that there was no further public participation, Council President Madden closed the Public Hearing on this ordinance.

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

The Borough Clerk read ordinance 1984-19 by title:

ORDINANCE 1984-19

AN ORDINANCE AMENDING CHAPTER 248 OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX ENTITLED "LAND DEVELOPMENT" TO PROHIBIT TANDEM PARKING IN CERTAIN CIRCUMSTANCES

WHEREAS, the Planning Board of the Borough of Middlesex transmitted to the Mayor and Council on November 13, 2019 a resolution recommending certain amendments to the Borough's Land Development Code; and

WHEREAS, specifically, the Planning Board has recommended that Section 248-4 (Definitions) and Section 248-17 (Off Street Parking and Loading), to more accurately define the parking method colloquially known as "tandem parking" and to prohibit said parking method in certain circumstances; and

WHEREAS, the Mayor and Borough Council have reviewed the recommendations of the Planning Board and substantively concur with same; and

WHEREAS, by this ordinance, the Mayor and Borough Council of the Borough of Middlesex desire to amend the corresponding sections of the Borough Code to incorporate the substance of the recommendations of the Planning Board into the aforementioned Code; 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 248 of the Municipal Code thereof is hereby amended as follows:

Section I

Chapter 248-4 entitled "Definitions" is hereby amended as follows, with this new definition to be inserted alphabetically into that Section:

Tandem Parking: Any configuration of two or more parking spots wherein automobiles or other vehicles are parked in a single, double-length perpendicular parking spot, with one space in front of the other, in a manner that would require one vehicle to be moved in order for the second one to exit the parking spot.

Section II

Chapter 248-17(c)(15)(a) entitled "Off Street Parking and Loading; Minimum space requirements for off-street parking areas:" is hereby amended as follows, with text to add to the ordinance appearing bolded and underlined:

Multifamily dwellings: 1.75 spaces per dwelling unit. **In no event shall tandem parking spaces as defined in this Chapter be permitted in any residential building in the**

Borough where said residential building consists of three (3) or more rental units.**Section III**

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

Section IV

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 V

This ordinance shall take effect upon adoption and publication in the manner required by New Jersey general law.

Council President Madden opened the Public Hearing on Ordinance No. 1984-19. Seeing that there was no public participation, Council President Madden closed the Public Hearing on this ordinance.

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

ADOPTION OF MINUTES

1. Approval of the November 17, 2019 Regular & Executive Meeting Minutes

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

MAYOR'S REPORT

REPORTS - STANDING COMMITTEES

Finance/Taxation/Real Estate/Insurance/Public Utilities

1. Tax Report - November, 2019

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

Fire/OEM/Rescue Squad

1. Accepting James Lukac as an Active Member of the Middlesex Fire Department

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

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

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

3. Approval of the October, 2019 Chief's Report

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

Recreation/Recreation Fields/Swim Pool/Community Celebrations

Public Works/Buildings & Grounds/Recycling

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

1. Approval of the Police Report for November, 2019

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

Administration/Department of Senior Services/Legislation/Licensing

ADMINISTRATOR'S REPORT

Administrator's Report

December 17, 2019

Items with asterices* have updates

- I. Flood Management
 - i. AW501 Forms
- II. Update of Sewer Projects:
 - i. Phase I:
 - a. Additional work on George Street - no update
 - b. Funds remaining- DEP Requirements - no update
 - c. O & M Manual required by DEP - no update
 - d. I/I Study
 - e. Sampling Program - no update
 - ii Phase II Funding: Pending with i-bank (DEP)
 - iii Phase IV (Sewer Bypass)
- III. *Update on Other Public Works Projects:
 - i. Streetscape Project
 - ii. South Avenue Reconstruction: Issue with pole relocation/Lucas
 - iii. Safe Routes to Schools - no update
 - iv. Road Design (2019 DOT Grant)
 - v. Road Design (2020 DOT Grant)
- IV. Update on Other Projects:
 - i. Library HVAC System
 - ii. Mountain View Park punch list
- V. *Video Taping of Meetings
- VI. *Miscellaneous
 - i. Recycling Bid: pending MCIA's bids
 - ii. Dredging of Lake/Mosquito Control Commission - no update
 - iii. Recreation Building Improvement - no update
 - iv. Personnel Manual
 - v. *Computer Migration/Upgrade
 - vi. *S&P Rating

PRIVILEGE OF THE FLOOR

Mike Hompesch, 5 Kalman Court

- Questioned if the Grants discussed were matching grants, and since Route 28 is a state road should the state be responsible for the sidewalks.
- Suggested pavers, not stamped crosswalks
- Urged the Mayor and Council to apply for more money, so that a year from now we are not still talking about this streetscape project.
- Questioned Councilman Parenti's attendance at the last 2 meetings.
- Questioned if Mayor DiMura still has keys to the building

John Erickson, 209 Second Street

- Commented that it might be best if the streetscape start at Warrentown Road, as that is the entrance to the borough.
- Thanked Councilman Dotey and Parenti for their service on Council and wished them well.

Lenny Vidal, DPW Foreman

- Recommended that pavers are not used, as they have had past issues with them.

- Recommended funds be used to fix sidewalks, lights, new benches and planters.

Evan Walter, 837 W. Second Street

- Questioned if the existing lights will be removed.
- Questioned if Resolution #295-2019 was for replacing vehicles.
- Questioned where to direct concerns regarding park rehabilitation.

Gary Leveson, 141 Vogel Place

- Questioned if the crosswalks would be fixed, as they are falling apart.

Frank Ryan, 303 Maple Street

- Recommended that pavers not be used and the sign at borough hall be removed.
- Questioned why the council would approve Resolution #265-2019 and make Advanced Development the only developer for that property, as they were denied by the Planning Board.

John Fuhrmann, 38 Whitney Drive

- Requested that the bus shelter that was in front of Superfoods be replaced and also the bus shelter at South Lincoln & Route 28.

Amy Flood, Grant Avenue

- Questioned if the Municipal Grants pertained to an area in need of redevelopment.
- In favor of decorative lighting and flags along the roadway, but requested that more signs with speed limit be installed on Route 28
- Requested that any trees that are planted with this project be trees that do not raise the sidewalks
- Questioned why there is another grant for Fisher/Harris/Ashland & recommended that we should prioritize the roads that get redone keeping our residents in mind.

Rich Rutkowski, 211 Maple Street

- Thanked Councilman Dotey for his service on the Council.
- Requested that the Council be aware that the Attorney representing Advanced Development Group had threatened the Planning Board at their last meeting.

Council President Madden and Attorney Corsini and responded to the above individuals and their concerns.

NEW BUSINESS/CONSENT AGENDA/RESOLUTIONS

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

The Borough Clerk read the following resolution:

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

RESOLUTION 265-2019

EXTENDING THE CONDITIONAL DESIGNATION OF ADVANCED DEVELOPMENT GROUP AS REDEVELOPER FOR PROPERTY KNOWN AS TAX BLOCK 317 LOTS 3, 7

& 14.01, IN THE LINCOLN BOULEVARD REDEVELOPMENT AREA FOR THE DEVELOPMENT OF A MIXED-USE PROJECT - *Item Removed from Consent*

WHEREAS, Tax Block 317, Lots 3, 7 and 14.01 (the "Property") is located in the Lincoln Boulevard Redevelopment Area (the "Redevelopment Area"); and

WHEREAS, the Borough of Middlesex (the "Borough") is desirous of the redevelopment of this 1.4+/- acre site for re-use consistent with the Borough's Master Plan and the Redevelopment Plan for the Redevelopment Area, adopted on December 13, 2016 as amended; and

WHEREAS, Advanced Development Group, made a presentation to the Borough Economic Development Advisory Committee regarding its concept proposal for the Property; and

WHEREAS, the Property is public and privately owned and Advanced Development Group., have a contract to purchase the privately-owned property; and

WHEREAS, Advanced Development Group have committed to rehabilitate the Publicly owned property Block 317 Lot 7 known as the Lincoln Monument Park for public use, and

WHEREAS, the proposal has been found consistent with the Borough's goals for redeveloping the area.

WHEREAS, on February 26, 2019 the Borough Council designated Advanced Development Group Somerset as redeveloper of the Property for a period of 120 days; and

WHEREAS, on June 6, 2019 the Borough Council extended said designation for an additional 120 days; and

WHEREAS, on April 26, 2019, Advanced Development Group and the Borough entered into an escrow agreement, one of the conditions of the original designation; and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Middlesex that it hereby further extends the conditional designation as redeveloper of Advanced Development Group, 1084 Route 22 West Mountainside, NJ 07092, for the development of Tax Block 317, Lots 3, 7 and 14.01; located in the Lincoln Boulevard Redevelopment Area, for a mixed-use project, the detail of which is subject to further refinement, for the reasons set forth herein.

BE IT FURTHER RESOLVED, that said conditional designation is subject to the following conditions:

1. That the conditional designation is limited to a period of one hundred and twenty (120) days from the date of this Resolution at which time it will automatically expire and be of no further force and effect, and the parties will no longer have any obligation to the other, except as to final payment of any Borough costs under the Escrow Agreement required herein. The Borough may, in its sole discretion, extend and re-extend the conditional designation provided sufficient progress is being in negotiation of a redevelopment agreement,

which determination is at the sole discretion of the Borough and which extension must be in the form of a duly adopted resolution of the Borough Council.

2. That Advanced Development Group and the Borough shall negotiate and agree upon the terms and conditions of a redevelopment agreement within the period of the conditional designation, as such period may be extended by the Borough in its sole discretion.
3. That Advanced Development Group agrees to pay any and all costs incurred by the Borough from the date of the conditional designation to execution of a redevelopment agreement or termination of the redeveloper designation, as set forth herein.

BE IT FURTHER RESOLVED, that upon completion of negotiations on a redevelopment agreement, the Borough Council shall be required to review and authorize execution of any and all related documents in order to effectuate the completion and implementation of this project.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

RESULT:	ADOPTED BY CONSENT VOTE [4 TO 1]
MOVER:	Jack Mikolajczyk, Council Member
SECONDER:	Kevin Dotey, Council Member
AYES:	Madden, Rex, Dotey, Mikolajczyk
NAYS:	Carr
ABSENT:	Parenti

The Borough Clerk read the following resolution:

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

RESOLUTION 295-2019

AUTHORIZING THE PURCHASE OF PUBLIC WORKS VEHICLES FOR THE BOROUGH OF MIDDLESEX - *Item Removed from Consent*

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase (4) Mason Dump Trucks and (4) Pick Up Trucks for the Borough of Middlesex from an authorized vendor under the Middlesex County Cooperative Purchasing Program; and

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

WHEREAS, Enterprise Fleet Management is under Middlesex County Cooperative Purchasing Agreement Sourcwell Bid# 060618 for the year 2019; and

WHEREAS, the cost for the purchase of (4) 2020 Chevy Mason Dumps and (4) 2020 Chevy Pick Up Trucks is \$385,162.80; and

WHEREAS, the Middlesex County Cooperative Purchasing Agreement provides for a five (5) year payment plan for the 8 vehicles in the amounts of \$135,709.76 (Year 1), \$61,709.76

(Year 2), \$61,709.76 (Year 3), \$61,709.76 (Year 4), and \$64,323.76 (Year 5);

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of Public Works Vehicles is ordered under the Middlesex County Cooperative Agreement and is hereby approved.

The Treasurer hereby certifies that the funds in the amount of \$135,709.76 are available in Account No. C-04-19-979-000-077 for the first year's installment and the remaining funds will be appropriated accordingly in subsequent years' Capital Budgets for the future payments.

Caroline Benson, Acting CFO/Treasurer

RESULT:	ADOPTED BY CONSENT VOTE [4 TO 0]
MOVER:	Jack Mikolajczyk, Council Member
SECONDER:	Douglas Rex, Council Member
AYES:	Madden, Rex, Carr, Mikolajczyk
ABSTAIN:	Dotey
ABSENT:	Parenti

The Borough Clerk read the following resolution:

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

RESOLUTION 296-2019

APPROVING TERESA STAHL AS A TEMPORARY PART TIME CONSULTANT FOR THE CLERK'S OFFICE

The Governing Body hereby hires Teresa Stahl, RMC as a temporary part time consultant for the Clerk's Office on an "as needed" basis at \$50.00 per hours effective November 27, 2019.

The Borough Clerk read the following resolution:

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

RESOLUTION 297-2019

AUTHORIZING THE TREASURER TO REMIT THE CONDO REIMBURSEMENTS FOR 2019

The Treasurer is hereby authorized to remit the Condo Reimbursements for 2019 to the following:

Gramercy Garden \$ 6,270.53
Midatlantic Property Mgmt
315 Raritan Avenue
Highland Park, NJ 08904

Foxhall Condo Association \$ 6,834.70
Attn: Sheila Paciullo, Manager
PO Box 233
Middlesex, NJ 08846

Hanover Square Condo Association \$ 5,187.37
Alliance Property Management
PO Box 2207
Morrestown, NJ 07962-2207

Wilton Avenue \$ 2,998.95
99 Wilton Ave
Middlesex, NJ 08846

Middlesex Village Condo Association \$ 22,293.06
C/O Regency Management Group
35 Clyde Road, Suite 102
Somerset, NJ 08873

The Borough Clerk read the following resolution:

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

RESOLUTION 298-2019

**AUTHORIZING THE TAX COLLECTOR TO REFUND CERTAIN PROPERTY OWNERS
SEWER CHARGES WHICH WERE PAID BY THE PROPERTY OWNER PRIOR TO
BEING WAIVED OR ADJUSTED**

WHEREAS, at the November 26, 2019 Regular Council Meeting the Governing Body approved Resolution #285-2019, which waived and adjusted sewer bills, and;

WHEREAS, payment was made prior to submitting the appeal on the following properties that are now entitled to a refund:

Block /Lot 80/ 37
Amount of Refund: \$167.52

Block/Lot 113/6.01
Amount of Refund: \$1329.69

Block/Lot 72/4.04
Amount of Refund: \$575.85

Block/Lot 202/21
Amount of Refund: \$ 73.29

Block /Lot 239 /15
Amount of Refund: \$554.91

Block/Lot 4.01/6
Amount of Refund: \$136.11

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

above listed property owners the amounts indicated above that were paid prior to the sewer bill being waived or adjusted.

The Borough Clerk read the following resolution:

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

RESOLUTION 299-2019

AUTHORIZING REIMBURSEMENT OF MEDICARE PREMIUMS FOR CERTAIN ELIGIBLE PENSIONERS UNDER CHAPTER III, PUBLIC LAW 1973, NJ HEALTH BENEFIT PLANS

WHEREAS, Chapter III of Public Laws 1973, which provided for reimbursement of Medicare premiums of certain eligible pensioners was adopted by the Mayor and Council by resolution on April 9, 1974; and

WHEREAS, certain retired employees of the Borough have applied for reimbursement.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex that the disbursing officers be and they are hereby authorized to draw checks, charged against Insurance (1) Group Insurance for Employees from the period July through December 2019, as follows:

James L Benson	\$630.00	Patricia A Benson	\$648.00
445 Harris Ave		445 Harris Ave	
Middlesex, NJ		Middlesex, NJ	
08846		08846	
Archie J Blood Jr	\$578.40	Margie L Blood	\$629.40
54 Lincoln Ave		54 Lincoln Ave	
Barnegat, NJ		Barnegat, NJ	
08005		08005	
Anthony Cole	\$813.00	Susan Cole	\$813.00
246 Oak Dr		246 Oak Dr	
Middlesex, NJ		Middlesex, NJ	
08846		08846	
Dorothy Coren	\$663.00	Joseph Coren	\$1,069.80
20 Mead Ave		20 Mead Ave	
Middlesex, NJ		Middlesex, NJ	
08846		08846	
John Fuhrmann	\$813.00	Sheila Fuhrmann	\$813.00
38 Whitney Dr		38 Whitney Dr	

Middlesex, NJ 08846		Middlesex, NJ 08846	
John Giuliano 339 Second St Middlesex, NJ 08846	\$578.40	John A Haverstick 771 County Rt 16 Mexico, NY 13114- 3193	\$813.00
Judith Lynch 359 Market St Middlesex, NJ 08846	\$730.80	Thomas Lynch 359 Market St Middlesex, NJ 08846	\$629.40
Charlie Nash 13 Homestead Terrace Scotch Plains, NJ 07076	\$783.00	Jerome Nowak 1886 East Fir Ave, Apt 104 Fresno, CA 93720	\$578.40
Arthur Roberts 305 Harris Ave Middlesex, NJ 08846	\$578.40	Erica Schaefer 58 Joe-Ent Rd Flemington, NJ 08822	\$629.40
Jerry Schaefer 58 Joe-Ent Rd Flemington, NJ 08822	\$629.40	Maureen Schaefer 58 Joe-Ent Rd Flemington, NJ 08822	\$379.20
Charles Sebastian 512 Clinton Ave Middlesex, NJ 08846	\$768.00	Earl S Thompson 6525 41 Ave North St Petersburg, FL 33709	\$355.50
Karen Thompson 6525 41 Ave North St Petersburg, FL 33709	\$406.50	James Tolomeo 841 West Second St Middlesex, NJ 08846	\$629.40
Rita Wahler 16 Fitzsimmons Ave Middlesex, NJ 08846	\$599.40	Roger Wahler 16 Fitzsimmons Ave Middlesex, NJ 08846	\$629.40

The Borough Clerk read the following resolution:

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

RESOLUTION 300-2019

APPROVING THE PERSONNEL POLICY AS AMENDED - *Item Removed from Consent*

The Governing Body hereby approves the Personnel Policy as amended effective immediately.

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

The Borough Clerk read the following resolution:

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

RESOLUTION 301-2019

AUTHORIZING THE PURCHASE OF TWO PIPS 3-CAM MOBILE ALPR SYSTEM UNDER NJ STATE CONTRACT #17-FLEET-00760

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase two (2) PIPS 3-Cam Mobile ALPR systems under the NJ State Contract #17-FLEET-00760; and

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

WHEREAS, General Sales Administration is under the NJ State Contract #17-FLEET-00760 through May 23, 2023 for PIPS 3-Cam Mobile ALPR systems; and

WHEREAS, the cost for the purchase of two (2) PIPS 3-Cam Mobile ALPR system is not to exceed \$26,830.00; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of two (2) PIPS 3-Cam Mobile ALPR systems under NJ State Contract #17-FLEET-00760 be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed \$26,830.00 is available in the 2019 Capital, Account No. C-04-19-979-000-071.

The Borough Clerk read the following resolution:

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

RESOLUTION 302-2019

**APPROVAL TO ADVANCE PATROLMAN BRYAN RODRIGUES TO PATROLMAN
CLASS "D" EFFECTIVE DECEMBER 14, 2019**

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

WHEREAS, On December 9, 2019 Chief Geist recommended Police Officer Brian Rodrigues 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 Bryan Rodrigues be and is hereby advanced in grade to Patrolman Class "D" effective December 14, 2019 at an annual salary of \$83,431.

The Borough Clerk read the following resolution:

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

RESOLUTION 303-2019

**APPROVAL TO ADVANCE PATROLMAN SCOTT MULFORD TO PATROLMAN CLASS
"C" EFFECTIVE DECEMBER 29, 2019**

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

WHEREAS, On December 9, 2019 Chief Geist recommended Police Officer Scott Mulford 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 Scott Mulford be and is hereby advanced in grade to Patrolman Class "C" effective December 29, 2019 at an annual salary of \$92,677.

The Borough Clerk read the following resolution:

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

RESOLUTION 304-2019

**REQUESTING THE TOWNSHIP OF PISCATAWAY TO AIR ALL PUBLIC MEETINGS OF
MIDDLESEX BOROUGH IN A TIMELY MANNER FOLLOWING EACH MEETING**

Whereas, Mayor and Borough Council of the Borough of Middlesex recognize the importance of keeping the Borough's residents informed and of encouraging public participation in local government; and

Whereas, Mayor and Borough Council of the Borough of Middlesex believes that having access to public information, including municipal meetings, is inherent for the public to participate; and

Whereas, the Borough of Middlesex has purchased equipment to video record public meetings for the public's benefit; and

Whereas, in furtherance of the aforementioned, the Borough of Middlesex wishes to provide the residents of the Borough with ready and available public access to the video recordings of all public municipal meetings, and

Whereas, Piscataway Township operates a regional public access cable television station which includes the area of Middlesex Borough,

Now therefore be it resolved by the Governing Body of the Borough of Middlesex, County of Middlesex and State of New Jersey that:

1. The Middlesex Borough Council requests that the Township of Piscataway air all public meetings of Middlesex Borough on PCTV in a timely manner following each meeting.
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 305-2019

APPROVAL FOR REMINGTON VERNICK ENGINEERS TO COMPLETE AN AERIAL SURVEY OF THE PROPOSED SEWER BYPASS ROUTE IN ORDER FOR THE MCUA TO BE RESPONSIBLE FOR 100% OF THE SEWAGE FLOW IN AN AMOUNT NOT TO EXCEED \$80,000

Whereas, most of Borough of Middlesex's sewerage is treated by Middlesex County Utilities Authority; and

Whereas, a portion of Borough of Middlesex sewerage is treated by a utility owned by the Township of Piscataway; and

Whereas, Borough of Middlesex is desirous of having the Middlesex County Utilities Authority be responsible for 100% of the sewerage flow; and

Whereas, in order to bring all sewerage flow to lines owned and operated by the Middlesex County Utilities Authority, the utility lines of the Township of Piscataway will need to be bypassed, which will require a design for a pump site and force main route and investigation to see if this is feasible both financially and in engineering due to restrictions caused by easements, waterways, structures, and other man-made and naturally occurring obstructions, and

Whereas, in order to determine the feasibility of a sewer bypass, the proposed route of the bypass must be studied; and

Whereas, the proposed route runs along both developed and undeveloped stretches of land on which many mature trees grow; and

Whereas, due to the seasonal loss of foliage, the route for this bypass is easily seen and photographed by plane so that said route can be thoroughly evaluated for engineering design; and

Whereas, an aerial survey will establish critical elevations at the site and the force main discharge point to aid in the pump hydraulic calculations, determine location and add wetlands line to existing condition drawings;

Whereas, the availability of funds has been certified by the Chief Financial Officer in accordance with the applicable statutes; and

Now therefore be it resolved that the Borough of Middlesex hereby authorized \$80,000 from Sanitary Sewer Ordinance C-04-17-907-000-050 for Remington Vernick Engineers to have an aerial survey completed of the proposed sewer bypass route.

The Borough Clerk read the following resolution:

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

RESOLUTION 306-2019

**ACKNOWLEDGING THE CHANGE IN STATUS FOR CERTAIN PROPERTIES UNDER
THE SENIOR CITIZEN/DISABLED PERSON TAX DEDUCTION**

WHEREAS, certain Senior Citizens/Disabled Persons were the owners of property in the Borough of Middlesex on or before October 1, 2018, and

WHEREAS, said Senior Citizens/Disabled Persons did file their claims for the Senior Citizen/Disabled Person deduction with the proper official of the Borough of Middlesex, Middlesex County prior to December 31, 2019; and

WHEREAS, the Tax Collector has disallowed the following Senior Citizen/Disabled Person deduction for the 2019 year totaling \$43.15.

Name:	Domanski, Adam T. & Stella T.
Block:	50
Lot:	19
Amount:	\$43.15
Reason:	Sale 10/29/19
Year:	2019 Prorated

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.

The Borough Clerk read the following resolution:

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

RESOLUTION 307-2019**APPROVING TRANSFERS FOR THE CURRENT BUDGET OF 2019**

The Treasurer hereby authorizes the transfer of funds for the Current Budget of 2019:

Department	From	To
Group Insurance	\$49,200.00	
Mayor & Council -		\$200.00
Miscellaneous		
Sanitary Landfill		\$25,000.00
		0
Middlesex County Sewer		\$20,000.00
Authority		0
DCRP		\$500.00
Municipal Court - Salary &		\$3,500.00
Wage		
	\$49,200.00	\$49,200.00
		0

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 308-2019**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:	Jack Mikolajczyk, Council Member
SECONDER:	Kevin Dotey, Council Member
AYES:	Madden, Rex, Carr, Dotey, Mikolajczyk
ABSENT:	Parenti

The Borough Clerk read the following resolution:

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

RESOLUTION 309-2019**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. Planning Board Resolution - Recommendations to Land Use Ordinance 248

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

AGENDA WORKSHOP ITEM

PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS

EXECUTIVE SESSION

1. Potential Litigation - Planning Board Resolution - Recommendations to Land Use Ordinance 248

Council President Madden thanked Councilman Dotey and Councilman Parenti for their service on Council and thanked everyone for supporting him, as he has tried to do right for the town.

ADJOURNMENT

The next Meeting will be January 1, 2020

Respectfully yours,

Borough Clerk