

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
FEBRUARY 10, 2015**

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 the Annual Meeting Notice of January 2, 2015 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

Mayor	Ronald Dobies
Council President	Sean Kaplan
	Kevin Dotey
	Stephen Greco (Absent)
	John Madden
	Bob Schueler
	Jack Mikolajczyk
Attorney:	Jerome Solomon

Mayor Dobies added to the agenda the request from Parker Fire Company for approval for a coin toss and also in Executive Session the litigation regarding the swim pool.

PROCLAMATIONS-NONE

APPOINTMENTS-NONE

PRESENTATIONS - NONE

PUBLIC HEARING

The Borough Clerk read Ordinance No. 1869-15 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1869-15

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 318 ABANDONED PROPERTY, SECTION 318.1 DEFINITIONS, 318.3 REGISTRATION, SECTION 318.7 FEES AND SECTION 318.10 VIOLATIONS AND PENALTIES

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

ARTICLE I

Registration of Abandoned Property

§ 318.1 Definitions.

ABANDONED – A property that is vacant and/or is under a current notice of default and/or notice of trustee's sale, pending Tax Assessor's lien and/or properties that have become subject of a foreclosure where the title was retained by the beneficiary of a deed of trust involved in the foreclosure and properties transferred under a deed in lieu of foreclosure/sale.

AGREEMENT – Any agreement or written instrument which provides that title to property shall be transferred or conveyed from one owner to another owner after the sale, trade, transfer or exchange.

BUILDING – Any improved real property, or portion thereof, situated in the Borough, designated or permitted to be used for occupancy or for dwelling purposes, and shall include buildings and structures located on such improved real property. This includes any real property being offered for sale, trade, transfer, or exchange whether or not it is legally permitted and/or zoned for such use.

§ 318.3. Registration.

- A. Any beneficiary/trustee/mortgagee who holds a deed of trust/mortgage on a property located within the Borough of Middlesex shall perform an inspection of the property that is the security for the deed of trust/mortgage, upon default by the trustor/mortgager, prior to recording a notice of default. If the property is found to be vacant or shows evidence of vacancy, it is, by this article, deemed abandoned, and the beneficiary/trustee/mortgagee shall, within 10 days of the inspection, register the property with the Zoning Officer or his or her designee on forms provided by the Borough. If the property is occupied but remains in default, it shall be inspected by the beneficiary/trustee/mortgagee, or his designee, monthly until 1) the trustor/mortgagor or other party remedies the default; or 2) it is found to be vacant or show evidence of vacancy, at which time it is deemed abandoned, and the trustee shall, within 10 days of that inspection, register the property with the Zoning Officer or his designee on forms provided by the Borough. Registration of \$500 shall be paid at the time of initial registration for residential properties. A registration fee of \$1,000 shall be paid at the time of initial registration of all other properties. The fee shall be \$1,500 for the first renewal registration for residential properties; \$3,000 for the second renewal for residential properties; and, \$5,000 for the third or subsequent renewal of residential properties. The fee shall be \$3,000 for the first renewal registration for all other properties; \$6,000 for the second renewal of all other properties; and, \$10,000 for the third or subsequent renewal of all other properties.

§ 318.7. Fees.

The fee for registering an abandoned property shall be set by resolution of the Middlesex Borough Council.

§ 318.10. Violations and penalties.

Violations of this article shall be treated as a strict liability offense regardless of intent. Any person, firm and/or corporation that violates any portion of this article shall be subject to prosecution and/or administrative enforcement and shall be a penalty of not less than \$250 or more than \$1,000 for each and every violation of this article. For purposes of this article, each calendar day that a Building remains vacant and has not been registered as required under this article shall constitute a separate violation of this article.

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

1. The Governing Body does hereby amend Chapter 318, Sections 318-1, 318-3, 318-7 and 318-10 as stated above.
2. This Ordinance shall take effect immediately upon final passage and publication according to law.

Mayor Dobies opened the Public Hearing on Ordinance No. 1869-15. Seeing that there was no public participation, Mayor Dobies closed the Public Hearing on Ordinance No. 1869-15.

Councilman Kaplan moved for adoption seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

NEW BUSINESS

The Borough Clerk read Ordinance No. 1870-15 by title for introduction.

ORDINANCE NO. 1870-15

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 407, ARTICLE XI, SECTION 407-33 VEHICLES AND TRAFFIC

WHEREAS, pursuant to N.J.S.A. 40:48-1, the governing body of a municipality may make, amend, repeal, and enforce ordinances to manage regulate and control the finances and property of the municipality; and

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Middlesex, County of Middlesex, State of New Jersey as follows:

SECTION ONE. Section 407-33 is hereby amended to include the following locations.

407-33 Turn Prohibitions

No left turn on Valentine Street at Route NJ 28 Northbound on Valentine Street to Westbound on Route NJ 28 from 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m. Monday to Friday when school is in session

No Left turn on Vail Street at Route NJ 28 Northbound on Vail Street to Westbound on Route NJ 28 from 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m. Monday to Friday when school is in session.

SECTION TWO. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

SECTION THREE. This Ordinance may be renumbered for codification purposes.

SECTION FOUR. In the event that any section, part or provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION FIVE. This ordinance shall take effect immediately upon final adoption and publication in accordance with the laws of the State of New Jersey.

Councilman Dotey moved for introduction seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

ADOPTION OF MINUTES

Councilman Dotey made a motion to approve the January 27, 2015 Regular Meeting Minutes & Executive Session Minutes seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance
 - A. Council President Kaplan mentioned that the Finance Committee met and reviewed the budget and made cuts. A meeting will be set with the Treasurer on Monday and cuts will be discussed with the auditor, and circulated to council.

2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Mikolajczyk spoke on behalf of Councilman Greco and relayed the following Recreation Department program updates:
 - (1) Recreation Basketball has 214 registered players this year. Photo Day has been moved to February 11, 2015.

- (2) Recreation Baseball and Softball registration forms were delivered to the Middle and Elementary Schools on February 3, 2015. The forms were also sent out in a form of an E-blast from the School District. Registration deadline is February 27, 2015.
- (3) There was a Novice Wrestling Tournament held on Sunday, January 25th in the High School Gym. Middlesex has 36 wrestlers registered this year. Even though the tournament was cut short by a day due to inclement weather, there was a great turnout. Congratulations to all who participated.
- (4) In travel basketball we have 4 teams entered in the Garden State League. Our 5th/6th boys' team is 8-1, the 5th/6th girls are 8-0, the 7th/8th boys are 5-3, and the 7th/8th girls are 1-6. The turn out at home games has been great. Thank you for supporting our children.
- (5) Attention Residents: There are Discount Ski lift/tubing tickets are available for residents in the recreation office. There are two Movie Nights in the Park scheduled for this summer. The dates are Friday July 10th and Friday August 7th.
- (6) REMINDER: Please join the Girl Scouts of Middlesex Borough along with the Boy/Cub Scouts and other organizations on the Lincoln Pilgrimage this Sunday February 15th at 1:00 PM. All participants will gather behind Borough Hall and begin their walk at 1:15 PM. The Parade will proceed down Mountain Avenue and across to Lincoln Boulevard to the Lincoln Memorial. At the statue, a reading of the Gettysburg Address will take place. Then all participants will complete the walk back to the Recreation Center for refreshments.

- B. Swim Pool Project – Councilman Mikolajczyk stated the weather is not cooperating with us, pool professionals are moving ahead as far as they can on the new lap pool.

The pool commission soil sampling came back clean, so the dirt can now be removed/relocated from the pool site as needed. The commission will be providing the Mayor and Council the amount of soil that is needed to be relocated / removed from the pool site shortly. Mayor Dobies stated the landfill or recycling may be a potential location for the soil, and would like to keep the soil in town.

- 3. Fire/OEM/Board of Health/Rescue Squad/Flood – Nothing to report

- 4. Public Works/Parks/Sanitation/Recycling –

- A. Councilman Schueler stated that so far this year we have used 100 tons of salt for roads and almost 4 tons of ice melt for sidewalks. Repairs to snow plows have been reduced over last year. We are continuing to work on getting all our

street signs in compliance by the end of year so we can comply with state mandate, we are on the last section and are replacing old and destroyed signage as well. We are doing this in our sign shop so we don't have to go outside for the expense. We had a significant snowfalls that required plowing. I am awaiting info for the cost of overtime so we can share with council and finance and make sure we have it covered in budget. We have had a few delays in the collection of garbage on Mondays corresponding to the snowfalls. This allows our staff to quickly clear the roadways and public sidewalks. I think our guys have done a good job and have worked diligently to clear the roads for our residents. We do have to balance the closeness of the plow to the road with the safety of the road and the staff. A plow too close will tear up the surface or break the curb and gutter as well as damage the plow and potentially injury our employees. When the weather gets warmer we will be taking further measures to clean and repair catch basins. I have asked the DPW Manager to keep me apprised of the process of this. We have Ron Safar attached to our Sewer Department so we can keep the knowledge in house and gain some bench strength in some of our specialty departments. This will be an ongoing process.

- B. Councilman Schueler gave a CAP update, Community Advisory Panel, to look at business and safety issues within the borough, relating to the industrial areas of town. This was taken over by Marisol after Dow left. I have had a call with Kristi Moore and will be getting more info from the meeting. I will have monthly meeting Feb 26 at the Fire training center in Piscataway. I will give more of an update after this meeting.
5. Police/Legal/Code Enforcement/Construction/Municipal Court
- A. Councilman Madden has been in touch with the Court Administrator to get updated court reports.
6. Administration/Department of Senior Services/Legislation/Licensing
- A. Councilman Mikolajczyk mentioned that he had an e-mail from the YMCA regarding volunteering in the borough. Mayor Dobies forwarded this e-mail to the DPW Supervisor. Suggestions were to have someone help in the borough hall, clean OEM, help the Fire Dept., work in the library or possibly help to prep the senior garden.
 - B. Councilman Mikolajczyk mentioned that he would like the job descriptions and Mayor Dobies has them and would provide them to him.
 - C. Councilman Mikolajczyk attended the Middlesex Board of Education Meeting and reported (1) The Administrative Union has resolved their issues; (2) They are aggressive in terms of their lease for 5 years for 1.7 million dollars to fix up Hazelwood School (roof and windows); and (3) The BOE entered into a 20 year contract for 5.8 million dollars with Johnson Controls for boilers and electrical work.

- D. Councilman Mikolajczyk stated that he will be meeting with the Board of Education School Superintendent, Board Administrator and School Board President before the next Regular Meeting.

REPORTS

Mayor

1. Mayor Dobies will be meeting with the Administrative Committee about the football complex, and he does anticipate support from the Board of Education. This project may have to be done in phases, with the needed highlights done first.

The Borough Clerk read the following resolution:

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

Consent Agenda 2014(D)

WHEREAS, the Mayor and Council of the Borough of Middlesex has reviewed the Consent Agenda consisting of various proposed resolutions; and

WHEREAS, the Mayor and Council of the Borough of Middlesex wishes to remove Resolution #63-15 from this Consent Agenda.

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 resolutions on the Consent Agenda are hereby approved and adopted.

Resolution #58-15 – Resolution #62-15
Resolution #65-15

Councilman Kaplan made a motion for approval seconded by Councilman Mikolajczyk and carried by the following roll call vote: Ayes: Dotey, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

The Borough Clerk read the following resolution:

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

Resolution #58-15

The Tax Collector is hereby authorized to issue a check in the following amounts for liens that were redeemed. The check is to be made payable to:

FWDSL & Associates LP

5 Cold Hill Rd South #11
Mendham, NJ 07945

BLOCK/LOT	NAME/ADDRESS	AMOUNT	CERT NO.
33/1	Petschko, Johann & Christel 613 Bound Brook Rd	\$60,277.70 \$10,000.00 premium	2012-1785
318/19	All G's Transport & Warehousing LLC 201 Mountain Ave	\$21,116.93 \$13,500.00 premium	2014-1836
318/21	All G's Transport & Warehousing LLC Wood Ave	\$ 5,898.47	2014-1837

The Borough Clerk read the following resolution:

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

Resolution #59-15

The following items have been approved by the Housing and Community Development Committee to be submitted to the Middlesex County Housing & Community Development for approval for the use of the 2015 Grant Funds:

Senior Coordinator Salary	\$11,075
Senior Van Driver	\$7,500
Code Enforcement	\$7,500
Nutritional Program	\$7,500
Senior Ctr. Bathrooms	\$15,346
TOTAL	\$48,921

The Borough Clerk read the following resolution:

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

Resolution #60-15

**RESOLUTION AUTHORIZING STATE CONTRACT
PURCHASE OF NEW HANDGUNS, SHOTGUNS & RELATED EQUIPMENT FOR THE
POLICE DEPARTMENT**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase handguns, shotguns and related equipment for the Police Department from an authorized vendor under the State of New Jersey 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, Atlantic Tactical of NJ, Inc. is under State Contract No. A82102 and A81297 for the year 2015; and

WHEREAS, the cost for the purchase of handguns, shotguns and related equipment (less trade in of \$12,167.00) is \$16,723.04; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of handguns, shotguns and related equipment for the Police Department is ordered under State Contract No. A82102 and A81297 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount of \$16,723.04 are available in Account No. 04-1855-00-1855-71.

The Borough Clerk read the following resolution:

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

Resolution #61-15

The Tax Collector is hereby authorized to issue a check in the amount of \$39,622.79 to redeem tax sale certificate #2012-1797 and a check in the amount of \$16,500 for a tax sale premium, Block 197, Lot 35, 424 Cook Avenue, check is to be made payable to:

U S Bank cust for Phoenix Funding Inc
2 Liberty Place - TLSG
50 South 16th Street – Suite 1950
Philadelphia, PA 19102

The Borough Clerk read the following resolution:

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

Resolution #62-15

WHEREAS, Roto Rooter was issued a street opening permit on 10/25/2012; and

WHEREAS, Roto Rooter deposited \$2500.00 with the Borough of Middlesex to ensure proper repair and maintenance of the roadway; and

WHEREAS, said roadway at 413 Melrose Ave was inspected by Angelo Rossi, Plumbing Inspector, and found to have been maintained in a satisfactory manner.

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 a check in

the amount of \$1875.00 in favor of Roto Rooter, 80 Veronica Ave, Somerset, NJ 08873, for refund of Street Opening Permit No. 2012-009.

The Borough Clerk read the following resolution:

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

Resolution #66-15

WHEREAS, Parker Engine & Hose Co. No. 4 has requested to hold fund raising within the borough of Middlesex by conducting two coin tosses within the borough at the intersections of Route 28 and South Lincoln Avenue; and

WHEREAS, Parker Engine & Hose Co. No. 4 would like to conduct these coin tosses, one in the Spring and one in the fall on either March 28 or April 4, 2015 and either October 10 or October 17, 2015; and

WHEREAS, Parker Engine & Hose Co. No. 4 has met all of the criteria required in Middlesex Borough Ordinance No. 1747-09, with the exception of the approval of the New Jersey Department of Transportation.

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

1. The Governing Body hereby approves Parker Engine & Hose Co. No. 4 conduct coin tosses on either March 28, 2015 or April 4, 2015, and October 10, 2015 or October 17, 2015 at the above locations, pending receipt of approval from the New Jersey Department of Transportation.
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 #63-15

The Mayor and Borough Clerk are hereby authorized to execute the Contract between the Middlesex Borough PBA Local 181 and the Borough of Middlesex effective January 1, 2015 – December 31, 2017.

Councilman Schueler made a motion to table Resolution #63-15 seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Dotey, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

The Borough Clerk read the following resolution:

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

Resolution 64-15

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.

Councilman Mikolajczyk made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Board of Health – Powers and Duties - Attorney Aithal attended the last Board of Health meeting to discuss if they were autonomous or advisory. In the Code Book, Chapter 48 created the Board of Health which refers to the state law from the 1800's and the board was never termed either autonomous or advisory. He said the donut hole needs to be closed and direction needs to be given to the board so that they know how to operate. Mayor Dobies indicated that as an autonomous board, they could have their own lawyer, but as an advisory board, the council would become the Board of Health. Mayor Dobies feels that the council will have to make a decision before a vote is taken on the type of board that they would like them to be.

Councilman Madden stated that when he was on the Board of Health they were able to procure a county agreement saving \$62,000, but that he would like to see the Board of Health be more proactive and take advantage of the services that are available. Suggestions were to negotiate a stronger contract with the County, bolster the position of the REHS, charge Dunellen for services of our office, clarify how the board is going to operate, and empower the board of health to utilize the services. Mayor Dobies will do a study and get a clear idea of the Board's functions.

Attorney Aithal recommended the council considering drafting an amendment to the ordinance to fill the hole.

PUBLIC COMMENTS

Mayor Dobies opened the Public Portion of the meeting for any comments.

Dave Oliver, 216 Ashland Road discussed the following items: (1) Explained the lease purchase financing for Hazelwood School roof/windows and also the Board of Public Utilities Efficiency Program for electricity and power in the district, which will make the district more energy efficient, and includes a guaranteed savings, and (2) Disappointed that the library is not opened more hours and requested that the library extend their hours.

Councilman Schueler is pleased the Board of Education takes the opportunity to capitalize expenses, so that there is less of a burden on the residents and showing good fiscal responsibility

Betty Platten discussed the following items: (1) status of the changing of the redevelopment plan so that the resident that attended the meeting could move forward with the selling of their property, (2) Pleased that the Board of Education is financing the upgrading being done in the school district, (3) The Board of Health Contract; and (4) status of the security cameras at Borough Hall and Mountain View Park.

Mr. Mavrianos, Mountain View Diner questioned why there was such a difference in the two sewer bills that he received from the borough.

Mayor Dobies stated that in 2011 and 2012 Mr. Mavrianos should have about the same bills, but in 2013 all the businesses were put in a lower class, and our professionals have now categorized the classes properly. Councilman Kaplan recommended that a letter be drafted to the businesses to explain the calculations.

John Hoffman, 455 Lincoln Boulevard discussed the following items: (1) Recommended clearing up what are the functions of the Board of Health; (2) Charging Dunellen for the use of the Board of Health Office space; (3) Plowing with the bucket truck; (4) Another apartment building looking to come into town; (5) Concern with the use of the pilot program money; (6) Recording of council meetings; and (7) removal of the PBA Resolution from the Agenda.

Barbara Benson, Middlesex Village (Middlesex Board of Health Member) discussed the following items: (1) Middlesex County Board of Health Contract and exactly what it includes; (2) Lack of training of the Board members; (3) Notification by the Borough Attorney that the Board was never designated as an autonomous board; (4) Request that the Council decide whether the Board of Health is advisory or autonomous; and (5) Liability insurance coverage for members of the Board.

Mayor Dobies stated that the contract he signed for the Board is available to review if interested, but at this time the board is considered autonomous, until it is changed by council. Councilman Dotey requested that he would like to see the “donut hole” closed.

Mayor Dobies addressed all questions from the Public. Seeing that there was no further public participation, Mayor Dobies closed the public portion of the meeting.

The Borough Clerk read the following resolution:

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

Resolution #65-15

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) Swim Pool Bond

Councilman Schueler made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

Councilman Madden moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by the following roll call vote.

ROLL CALL

Mayor	Ronald Dobies
Council President	Sean Kaplan
	Kevin Dotey
	Stephen Greco (absent)
	John Madden
	Bob Schueler
	Jack Mikolajczyk

Attorney: Jerome Solomon

The Borough Clerk read the following resolution:

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

Resolution #67-15

WHEREAS, the Swim Pool Commission recommends terminating the contract with Jamali Developers LLC; and

WHEREAS, Jamali Developers LLC performance has been unsatisfactory and has failed to correct numerous deficiencies on the project as well as not meeting deadlines for this time sensitive project; and

WHEREAS, pursuant to section 1.16 of the contract between the Borough of Middlesex and Jamali Developers LLC the Borough of Middlesex wishes to terminate the contract.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the Borough Council hereby authorizes the Borough Attorney to send correspondence to Jamali Developers LLC of the termination of the contract for the Upgrades to the Middlesex Community Pool.

Councilman Schueler made a motion for approval seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

The Borough Clerk read the following resolution:

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

Resolution #68-15

WHEREAS, based on emergent circumstances, the Upgrades to the Middlesex Community Pool project cannot be completed unless a new contractor is onsite to complete the project; and

WHEREAS, the Swim Pool Commission recommends that the Governing Body authorize the next lowest bidder Ray Palmer, 95 King Street, Dover, NJ to provide Upgrades to the Middlesex Community Pool in the amount of \$1,151,900.00.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the Governing Body hereby awards the bid for the Upgrades to the Middlesex Community Pool to Ray Palmer Associates, Inc. in the amount of \$1,151,900.00.

NOW FURTHER BE IT RESOLVED that the Treasurer hereby certifies that funds in the amount of \$1,151,900.00 are available in Account No. 06-1510-03-1852-60.

The funds for this resolution were not certified by the Treasurer prior to adoption.

Councilman Schueler made a motion for approval seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Kaplan, Madden, Mikolajczyk and Schueler. No: None. Abstain: None

ADJOURNMENT

Councilman Schueler made a motion to adjourn the Regular Meeting seconded by Councilman Kaplan and carried by a unanimous vote of members present.

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk