

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
JUNE 10, 2014**

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 Revised Annual Meeting Notice of December 31, 2013 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 |
| | Patricia Jenkins |
| | Bob Schueler |
| | Michele Tackach (absent) |

Attorney: Aravind Aithal

Mayor Dobies added the following items to the Agenda for the meeting tonight: (1) Administrator's Position; (2) Administrator's Salary in Executive Session; and (3) 100th Anniversary Surplus Funds.

PROCLAMATIONS-NONE

APPOINTMENT

The Borough Clerk read the following resolution:

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

Resolution #148-14

WHEREAS, Richard Szymczak Jr. has successfully completed the psychological and medical examination required for the position of a Probationary Patrolman in the Borough of Middlesex; and

WHEREAS, Chief Young is recommending that Richard Szymczak Jr. be appointed to the position of Probationary Patrolman effective June 11, 2014 at an annual salary of \$49,346.00.

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

1. Richard Szymczak Jr. is hereby appointed a Probationary Patrolman for the Borough of Middlesex effective June 11, 2014 at an annual salary of \$49,346.00.
2. This resolution shall take effect immediately.

Chief Young welcomed Patrolman Szymczak and his family to the Middlesex Borough Police Department. Chief Young thanked the Council for the support that they've given him and the entire department throughout the hiring process.

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

PRESENTATIONS-NONE

PUBLIC HEARING

Mayor Dobies opened the Public Hearing on the 2014 Budget.

Robert Sherr, 212 Lucia Street – Former Mayor Sherr questioned (1) Whether the sewer user tax has been worked out and if it is accounted for in the budget, (2) How much was budgeted for uncollected taxes, and (3) What is the amount of surplus in the budget.

Mayor Dobies stated that he met with the Engineer and Attorney and a letter will be going out to the businesses regarding the sewer user charges. Some will go back to the old way and some will be new.

Auditor Andy Hodulik noted that we had uncollected taxes of \$876,000. The surplus in the budget and the balance as of December 2013 was \$1.5 million and \$996,000 was utilized.

Council President Kaplan thanked the Finance Committee and Auditor for all the hard work done on the budget.

Mayor Dobies stated that we are in the ball park we want to be realizing that a lot of our resident are hurting. The increase is \$62.00 on an average house assessed.

See no further 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 #157-14

BOROUGH OF MIDDLESEX
COUNTY OF MIDDLESEX

RESOLUTION TO ADOPT 2014 MUNICIPAL BUDGET

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Middlesex, County of Middlesex, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

(a) \$ 11,394,628.30 (Item 2 below) for municipal purposes
(e) \$ 467,325.64 (Item 5 below) Minimum Library Tax

Recorded Vote
(Insert last name)

| | | | |
|------|---|-----------|---|
| | (| | (|
| | (| Abstained | (|
| | (| | (|
| Ayes | (| Nays | (|
| | (| | (|
| | (| Absent | (|
| | (| | (|

Current Fund:

SUMMARY OF REVENUES

| | |
|--|---------------|
| 1. General Revenues | |
| Surplus Anticipated | \$ 996,000.00 |
| Miscellaneous Revenues Anticipated | 3,466,573.81 |
| Receipts from Delinquent Taxes | 890,000.00 |
| 2. Amount to be Raised by Taxation for Municipal Purposes (Item 6[a], Sheet 11) | 11,394,628.30 |
| 5. Amount to be raised by taxation minimum library levy | 467,325.64 |

Total Revenues \$ 17,214,527.75

SUMMARY OF APPROPRIATIONS

5. General Appropriations:

Within "CAPS"

(a&b) Operations Including Contingent 10,738,296.03

(e) Deferred Charges and Statutory Expenditures - Municipal 1,146,326.00

Excluded from "CAPS"

(a) Operations - Total Operations Excluded from "CAPS" 2,499,055.13

(c) Capital Improvements 65,000.00

(d) Municipal Debt Service 1,754,415.59

(e) Deferred Charges - Municipal 135,000.00

(m) Reserve for Uncollected Taxes 876,435.00

Total Appropriations \$ 17,214,527.75

Swimming Pool Utility Fund:

Total Revenues \$ 389,390.00

Total Appropriations \$ 389,390.00

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 10th day of June, 2014. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2014 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Auditor Andy Hodulik stated that this is a unique year because it is the first year doing self-examination on our budget. Overall including the library tax the tax levy is increasing 2.6% over the previous year which is \$12 over \$301,000 in tax increments compared to 2013.

Councilman Greco made a motion for approval seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, and Schueler. Nos.: None. Abstain: None.

NEW BUSINESS

The Borough Clerk read Ordinance No. 1851-14 for introduction.

ORDINANCE NO. 1851-14

**AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX,
AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, CHAPTER 248, LAND
DEVELOPMENT, SECTION 248-10, FILING FEES**

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

SECTION 1. Section 248-10 is hereby repealed in its entirety and replaced as follows:

An application to the Planning Board or Zoning Board of Adjustment for any application for development as defined herein shall be accompanied by a filing fee which shall be used to defray the administrative cost of processing the application as follows:

| Type of Application | Escrow Amount |
|--|-------------------------------|
| Minor Subdivision - Lot Line Adjustment | \$1,000.00 |
| Minor Subdivision | \$3,000.00 |
| Major Subdivision | \$2,000.00 + \$100.00 per lot |
| Final Major Subdivision | 50% of preliminary escrow |
| Variance with Subdivision | \$3,000.00 |
| Minor Site Plan | \$2,000.00 |
| Major Site Plan | \$3,000.00 |
| Variance with Site Plan | \$3,000.00 |
| Interpretation Application (40:55D-68 & 40:55D-70a, b) | \$ 300.00 |
| Variance Application to Board of Adjustment | \$1,000.00 |
| Special Meetings/Appeals | N/A |
| Variance Application - Residential Accessory Building | \$ 250.00 |
| Site Plan Review & Requirements for New Jersey Department of Environmental Protection Permits or County Environmental Protection Permits | \$2,000.00 + \$100.00 per lot |

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

SECTION 5. The Clerk shall cause a copy of the final form of ordinance as adopted by the Council to be filed with the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

SECTION 6. This Ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final form of adopted ordinance by the Clerk with the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

Council President Kaplan made a motion for introduction seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, and Schueler. No: None. Abstain: None.

The Borough Clerk read Ordinance No. 1852-14 for introduction.

ORDINANCE NO. 1852-14

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO EXISTING MIDDLESEX COMMUNITY POOL, WADING POOL AND RELATED FACILITIES, AND CONSTRUCTION OF NEW COMPETITION POOL, BY AND IN THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$1,300,000 THEREFOR FROM THE POOL UTILITY OF THE BOROUGH AND AUTHORIZING THE ISSUANCE OF \$1,235,000 BONDS OR NOTES TO FINANCE THE COST THEREOF

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Pool Utility of the Borough of Middlesex, in the County of Middlesex, State of New Jersey (the "Borough") as general improvements. For the said improvements stated in Section 3, there is hereby appropriated the principal amount of

\$1,300,000 from the Pool Utility of the Borough, said sum being inclusive of the sum of \$65,000 as the aggregate amount of down payments for said improvements or purposes as required by the Local Bond Law, N.J.S.A. §40A:2-1 et seq. (the "Local Bond Law"). The aggregate down payments are now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Borough Pool Utility for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the part of said \$1,300,000 appropriation not provided for by application hereunder of said down payments, negotiable bonds of the Pool Utility of the Borough are hereby authorized to be issued in the principal amount of \$1,235,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Pool Utility of the Borough in a principal amount not exceeding \$1,235,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued, include but are not limited to, various improvements to the existing community pool, wading pool and related facilities, and the construction of a new competition pool.

(b) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto and all in accordance with the plans and specifications therefor on file in the Office of the Clerk of the Borough and available for public inspection and hereby approved.

(c) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$1,235,000.

(d) The estimated cost of said improvement or purpose is \$1,300,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor, being the aggregate amount of the \$65,000 in down payments available for said purposes

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Middlesex make a contribution or grant in aid to the Borough for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Middlesex. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Middlesex shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid. In addition, the amount of the bonds or notes authorized by Section 2 hereof shall also be reduced by any amount of available cash the Borough pool utility shall determine to contribute, and shall be appropriated by the Borough, prior to the issuance of any such bonds or notes, to the improvements and purposes authorized hereby.

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

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

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

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

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 15 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Pool Utility of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$1,235,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$200,000 for items of expense listed in and permitted under N.J.S.A. § 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. Unless paid from other sources, 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 bond ordinance. Unless paid from other sources, 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 property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Borough for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Borough other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$1,235,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

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

SECTION 11. This bond ordinance shall take effect twenty (20) days after final adoption, and approved by the Mayor, as provided by the Local Bond Law.

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

ADOPTION OF MINUTES

Councilman Dotey made a motion to approve the May 27, 2014 Regular and Executive Meeting Minutes seconded by Council President Kaplan and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, and Schueler. No: None. Abstain: None.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance –
 - A. Council President Kaplan attended the Recreation Commission meeting on Monday night stating that he spoke with the Recreation Commission regarding their budget. He noted that only \$15,300 was taken out of their budget. The money to pay for referees, umpires, and scorekeepers should be paid through the Recreation Trust which will make them more self-sufficient so the taxpayers don't have to fund the programs. The Finance Committee will get together with the auditor for further review.
 - B. Councilman Kaplan mentioned that the Welcome Home Committee along with the borough emergency services greeted a group of veterans on June 1, 2014 at 7 PM for the return of the Veterans Memorial Bus. Council President Kaplan and the Mayor greeted the veterans as they came off the bus and it was a very emotional event as the veterans were not aware of the welcoming home event.

2. Recreation/Recreation Fields/Water & Light
 - A. Councilman Greco thanked Council President Kaplan for attending the monthly meeting of the Recreation Department.

3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Councilman Dotey stated that both new fire trucks are here in Middlesex and we will be taken delivery shortly.

4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler asked if the council would approve planting asclepiad tuberosa seeds/flowers given to us by a resident of the Borough. Council did approve. Councilman Schueler will contact the Victor Crowell Park Committee for scope and location of the plantings.
 - B. Councilman Schueler will be scheduling a meeting to discuss DPW garbage ordinance with DPW Committee to establish rules and to make the pickup of garbage more efficient and cost effective by eliminating recyclables from the garbage stream and to define and educate the public as to what is garbage and what is recyclable and to look at potential enforcement ideas.
 - C. Councilman Schueler requested from the Finance Committee the timeline for the authorization to hire DPW workers both full and part-time so we can make sure we have the staff needed for the upcoming summer months with twice-a-week garbage pickup given staff vacation and other unforeseen time off.

5. Police/Legal/Code Enforcement/Municipal Court
 - A. Councilwoman Jenkins acknowledged the new Police Officer hired tonight.

6. Administration/Department of Senior Services/Legislation/Licensing
 - A. Councilwoman Jenkins reported on behalf of Councilwoman Tackach's Administration Committee report that in regards to the transparency issue relating to the opening of the Mayor's mail. The Administration Committee agreed that it is the Mayor's responsibility to open his own mail.

REPORTS

Mayor

1. Administrator – Mayor Dobies stated that we need to move forward on hiring an Administrator. Council gave the Borough Clerk permission to advertise for the position. Council will discuss the salary in executive session.

The Borough Clerk read the following resolution:

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

Consent Agenda 2014(p)

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 is not desirous of removing any resolutions 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 #149-14 - Resolution #154-14

Council President Kaplan made a motion for approval seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, 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 #149-14

The Governing Body hereby approves adding “Section 8.2a Summer Hours for Borough Hall and Recreation Center” to the Personnel Policy.

The Borough Clerk read the following resolution:

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

Resolution #150-14

The Treasurer hereby approves the refund of \$500.00 to Zhang Hua Massage, 1313 Bound Brook Road, Middlesex, New Jersey for their 2014 Massage Therapy License, as they have sold their business prior to completion of the renewal process.

The Borough Clerk read the following resolution:

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

Resolution #151-14

WHEREAS, The State of New Jersey Department of Transportation has conducted a survey to inventory all bus stops along State and US Routes in New Jersey; and

WHEREAS, based upon the engineering investigation and review by the Traffic Engineering Bureau (Regulations) the following locations have been recommended for approval:

- (1) Route NJ 28, eastbound on the southerly side at Hallock Avenue – (far side) – Beginning at the easterly curb line of Hallock Avenue and extending 100 feet easterly therefrom.
- (2) Route NJ 28, westbound on the northerly side at North Lincoln Avenue – (far side) – Beginning at the westerly curb line of North Lincoln Avenue and extending 100 feet westerly therefrom.
- (3) Route NJ 28, westbound on the northerly side at Cindy Court – (far side) – Beginning at the prolongation of the westerly curb line of Cindy Court and extending 100 feet westerly therefrom.

WHEREAS, in order to legally establish the bus stops, the NJDOT must promulgate a Traffic Regulation Order, and therefore must receive a Resolution of Support from the governing body to begin this process; and

WHEREAS, the Police Chief and Supervisor of Public Works have reviewed the inventory of all bus stops along Route 28.

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

1. The Governing Body hereby supports the above-referenced Bus Stop locations that are recommended by the NJDOT.
 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 #152-14

The Tax Collector is hereby authorized to refund 2013 taxes based on Tax Court of New Jersey judgment on the following property:

| <u>BLOCK/LOT</u> | <u>NAME & ADDRESS</u> | <u>AMOUNT</u> |
|-------------------------|--|----------------------|
| 178/4.01 | Sevco Associates LLC 550 Union Avenue | \$1,404.72 |

The check is to be made payable to: Bruce J Stavitsky, Esq
Stavitsky & Associates LLC
350 Passaic Avenue
Fairfield, NJ 07004

The Borough Clerk read the following resolution:

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

Resolution #153-14

A RESOLUTION AUTHORIZING REIMBURSEMENT OF MEDICARE PREMIUMS FOR CERTAIN ELIGIBLE PENSIONERS UNDER CHAPTER III, PUBLIC LAW 1973, NJ HEALTH BENEFITS 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 for the period January through June, 2014, as follows:

| | | | |
|---------------------|----------|---------------------|----------|
| James L Benson | \$629.40 | Patricia A Benson | \$629.40 |
| 445 Harris Ave | | 445 Harris Ave | |
| Middlesex, NJ 08846 | | Middlesex, NJ 08846 | |
| Archie J Blood Jr | \$578.40 | Anthony Cole | \$578.40 |
| 54 Lincoln Blvd | | 246 Oak Dr | |

Barnegat, NJ 08005

Middlesex, NJ 08846

Susan Cole \$578.40
246 Oak Dr
Middlesex, NJ 08846

Dorothy Coren \$663.00
20 Mead Pl
Middlesex, NJ 08846

Anthony DiBartolomio \$578.40
4714 Southern Trail
Myrtle Beach, SC 29579

John Giuliano \$578.40
339 Second St
Middlesex, NJ 08846

Thomas Lynch \$419.60
359 Market St
Middlesex, NJ 08846

Charlie Nash \$578.40
213 Melrose Ave
Middlesex, NJ 08846

Diane Nash \$578.40
213 Melrose Ave
Middlesex, NJ 08846

Jerome Nowak \$578.40
1886 East Fir Ave, Apt 104
Fresno, CA 93720

Arthur Roberts \$578.40
305 Harris Ave
Middlesex, NJ 08846

Lorraine Smith \$578.40
5602 Gold Ct
New Bern, NC 28560-9747

Earl S Thompson \$624.00
6525 41 Ave North
St Petersburg, FL 33709-4907

Karen Thompson \$624.00
6525 41 Ave North
St Petersburg, FL 33709-4907

Rita Wahler \$599.40
16 Fitzsimmons Ave
Middlesex, NJ 08846

The Borough Clerk read the following resolution:

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

Resolution #154-14

Authorizing Predator to grind grounded trees in the fields along 3rd, 4th, 5th, and 6th Streets for 7 days at \$1500.00 per day.

The Treasurer hereby certifies funds in the amount of \$10,500 are available in Account No. 04-1832-00-1832-91.

The Borough Clerk read the following resolution:

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

Resolution #155-14

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

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Fireworks – Council agreed to have the Fireworks on Saturday, July 19, 2014.
2. Proposed Ordinance Amendment on Public Hearing Notices in Land use Applications – Mayor Dobies reviewed the recommendation made by the Planning Board that it would be a benefit to the residents of the Borough to require notice of all land use applications that go before the planning and Zoning Boards. Borough Clerk will put an ordinance on for the next meeting for introduction.
3. Special Meeting of the Mayor and Council on June 12, 2014 - A special meeting will be held to consider an action the Planning Board may take on Wednesday, June 11, 2014 regarding the Phase I Preliminary Investigation Study for the Lincoln Blvd. Area to meet the criteria for a Non-Condemnation Redevelopment Area.
4. 100th Anniversary Surplus Funds – Mayor Dobies stated there is \$3,000 from last year's funds and he would like the council to consider at the next meeting how to use these funds. Some of the recommendations the Mayor had were (1) Use for wet down- Police, (2) the Welcome Home Committee – cost for flags, etc., and (3) Awards given out by the Mayor – Outstanding Citizens, Certificates of Achievement and Appreciation. Council should before the next meeting give him some ideas.

PUBLIC COMMENTS

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

John Ellery, 701 Lincoln Blvd. – Asked that before the Governing Body makes any decision regarding the Sewer User Charges that both committees meet before any action is taken. Mr. Ellery stated that he is trying to save the taxpayers and business community money before it gets into the hand of the lawyers. Mr. Ellery also questioned when the Planning Board will get together with the business community on the trailer ordinance.

John Hoffman, 455 Lincoln Blvd. – Made the following statements:

- (1) The garbage & recycling request to move forward with the amendment to the ordinance t by Councilman Schueler is a pressing issue. He noted that Middlesex County Recycling sends out a flyer which states what to recycle which is in their Recycling Schedule.
- (2) We should get off the summer time twice-a-week garbage schedule because we are sending around DPW trucks and workers and there is hardly any garbage to pick up on the second day.
- (3) Mr. Hoffman gave a heads up on the patching on South Avenue roadway.
- (4) Agreed with the cutting of the Recreation Department budget. He was glad something was done because the taxpayers pay enough in taxes for other people's kids. They should be using the trust.
- (5) 503 Lincoln Blvd. – There must be an illegal rental unit there with a curb load of garbage including 15 bags and furniture. There was a countertop out there for over a year. Also across from Cahoots is carpet and garbage.
- (6) Bus Stop by 151 Raritan Avenue & Rt. 28 has glass blown out of the bus shelter.
- (7) Questioned whether J&G has a used car dealership. Stating either way this is problem as they have all unregistered vehicles beyond the fence. Mayor noted that they have 7 violations. Mr. Hoffman stated they should get a per day violation and then they play games and try and come before the boards. They got denied at the zoning board and are now before the planning board.

Amy Bigge, 5 Marshall Place – Stated that the MCIA has somebody who will come out to the schools to teach the kids about recycling noting that this would be a good learning experience.

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 #156-14

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. Part Time Employee Salaries & Benefits
2. 2014 Non-Union Salary Increases
3. Administrator's Salary

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

Councilman Greco moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by a unanimous vote of Council.

ADJOURNMENT

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

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk