

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
NOVEMBER 17, 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 (absent – work)
	Kevin Dotey
	Stephen Greco
	John Madden
	Bob Schueler
	Jack Mikolajczyk (absent – work)
Attorney:	Aravind Aithal

APPOINTMENTS

The Borough Clerk read the following resolution:

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

Resolution #255-15

WHEREAS, Sergeant Frank DeNick has successfully completed all phases of the promotional testing procedures; and

WHEREAS, Chief Matthew Geist has recommended that Sergeant DeNick be promoted to the rank of Lieutenant.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, New Jersey, that Sergeant be promoted to the rank of Lieutenant effective November 18, 2015 at an annual salary of \$117,697.00.

Councilman Schueler made a motion for adoption seconded by Councilman Greco and carried by the following roll call vote: Ayes: Greco, Dotey, Madden 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 #256-15

WHEREAS, Sergeant Daniel O'Connor has successfully completed all phases of the promotional testing procedures; and

WHEREAS, Chief Matthew Geist has recommended that Sergeant O'Connor be promoted to the rank of Lieutenant.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, New Jersey, that Sergeant be promoted to the rank of Lieutenant effective November 18, 2015 at an annual salary of \$117,697.00.

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

Police Chief Geist congratulated the new Lieutenants and thanked the Mayor and Council for their continued support of the Police Department.

Mayor Dobies appointed Peyton Yanchurak to the Board of Health effective immediately.

PROCLAMATIONS

The Borough Clerk read the following Proclamation Celebrating the 100 Year Birthday of Borough Resident Amelia Zuccarelli:

PROCLAMATION

WHEREAS, Amelia Zuccarelli was born December 6, 1915 in New York City; and

WHEREAS, Amelia Zuccarelli 95 years ago moved to Drake Avenue (aka the Lincoln Section of Middlesex Borough) with her parents and three brothers Chris, John, and Benny; and

WHEREAS, Amelia Zuccarelli went to both Parker and Pierce Schools; and

WHEREAS, Amelia Zuccarelli as a young girl worked for a lamp shade factory on Lincoln Boulevard; and

WHEREAS, Amelia Zuccarelli married the former Mayor Joseph Zuccarelli on May 25, 1935 and they were married for 77 years; and

WHEREAS, Amelia Zuccarelli still enjoys crocheting afghans for family and friends.

NOW, THEREFORE, I, Ronald S. Dobies, Mayor of Middlesex Borough, State of New Jersey, along with the Middlesex Borough Council and on behalf of the citizens of Middlesex wish to give special recognition to Amelia Zuccarelli as she celebrates her 100th Birthday by presenting to her this Proclamation and hereby set my hand and the Seal of the Borough of Middlesex to be affixed on this 17th day of November, 2015.

The Borough Clerk read the following Proclamation commemorating Robert Poltorak's 50 Years of Service with the Middlesex Fire Department:

PROCLAMATION

WHEREAS, Robert J. Poltorak was born November 17, 1940 and is a lifelong resident of Middlesex Borough; and

WHEREAS, Robert J. Poltorak is the son of John J. Poltorak Sr., a member of Parker Engine & Hose Co. #4, a former Assistant Chief of Middlesex Fire Department and President of Parker Engine & Hose; and

WHEREAS, Robert J. Poltorak joined Parker Engine & Hose Co. #4 on September 27, 1965; and

WHEREAS, Robert J. Poltorak served as a Grand Marshall for the Middlesex Fire Department's 100th Anniversary celebration; and

WHEREAS, Robert J. Poltorak in his 50 years of service has served a total of 36 years as a line officer for Parker Engine & Hose; and

WHEREAS, Robert J. Poltorak has served 6 years as Assistant Engineer (1967, 1968, 1969, 1973, 2008, 2009), 20 years as Engineer (1970-1972, 1974, 1996-2005, 2010-2015), 2 years as Lieutenant (1975, 1976), and 8 years as Captain (1977-1982, 1984, 1985); and

WHEREAS, Robert J. Poltorak is the Engineer-elect for the 2016 year, his 51st year of service.

NOW, THEREFORE, I, Ronald S. Dobies, Mayor of Middlesex Borough, State of New Jersey, along with the Middlesex Borough Council and on behalf of the citizens of Middlesex, wish to thank Robert J. Poltorak for all of his service and sacrifice to our community, by presenting to him this Proclamation and hereby set my hand and the Seal of the Borough of Middlesex to be affixed on this 14th day of November, 2015.

PRESENTATIONS-NONE

PUBLIC HEARING

The Borough Clerk read Ordinance No. 1884-15 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1884-15

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 420, ZONING, SECTION 420-67 VIOLATIONS AND PENALTIES

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. The Code of the Borough of Middlesex, Middlesex County, New Jersey is hereby amended to the following:

§ 420-67 Violations and penalties.

For each and every violation of the provisions of this chapter, the owner, contractor or other person or persons interested as lessee, tenant or otherwise in any building or premises where such violation has been committed or shall exist and who refuses to abate said violation be subject to a fine of not more than \$1250 or imprisonment for a period not exceeding 30 days, or both, at the discretion of the court or judicial officer before whom the conviction was prosecuted. Each and every day that such violation continues after such notice shall be considered a separate and specific violation of this chapter

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 20 days after passage and publication as provided by law.

Mayor Dobies opened the public hearing on Ordinance No. 1884-15. Seeing that there was no public participation, Mayor Dobies closed the public hearing on Ordinance No. 1884-15.

Councilman Dotey made a motion for adoption of Ordinance No. 1884-15 seconded by Councilman Greco and carried by the following roll call vote: Ayes: Greco, Dotey, Madden and Schueler. No: None. Abstain: None.

NEW BUSINESS - NONE

ADOPTION OF MINUTES

Councilman Madden made a motion to approve the October 27, 2015 Regular Meeting Minutes and Executive Session Meeting Minutes seconded by Councilman Greco and carried by the following roll call vote: Ayes: Greco, Madden, and Schueler. Nos: None. Abstain: Dotey.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance - Councilman Kaplan was absent
2. Recreation/Recreation Fields/Water & Light – Nothing to report
3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Councilman Dotey made a motion to accept the resignation of Joe Eckert and Diamante Stewart as active members of the Middlesex Fire Department.
 - B. Councilman Dotey reported that the elections for the Fire Department were held last week and Ryan Zittel has been elected Fire Chief, Andrew Castaldo, Jr. was elected First Assistant Chief and Darren Lubetkin was elected Second Assistant Chief.
4. Public Works/Parks/Sanitation/Recycling
 - A. Councilman Schueler reported on the following regarding the DPW:
 - 1) Bulk pick up ended Oct. 28 and will resume 1st Wed. in Feb. 2016
 - 2) Leaf pick up is in full swing (bags only) Wed. , Thurs. , and usually Fri. – Bags can still be picked up at Recycle center with a coupon which was included in your tax bill along with bulk coupons
 - 3) Completed a major cleanup of the Tot lot (playground) at Victor Crowell Park (lake) edged, cleaned, trimmed, mulched. (We had supervised labor from county prisoners.)
 - 4) Removed goal posts down on Cook Field.
 - 5) Repaired or replaced 17 signs (various) throughout Borough
 - 6) As of Nov. 9 , 2015 all Middlesex Borough Street signs were replaced to meet MUTCD regulations in which letters had to be 6” reflective letters, 430 signs were constructed and replaced by the DPW Sign Dept.
 - 7) Completed work for Ordinance No. 1805-11 installation of 32 new stop signs around town.
 - 8) Removed , cleaned , repaired , and stored away Aerators from Victor Crowell Lake for winter

- 9) Made and filled Brine Tank with 5000 gals of Brine for use during winter season to Brine Main Roads , Bridges , Parking areas, and other various locations.
- 10) Purchased shipping container for Electronics (from recycle trust fund) to restart electronics recycle program, TV's, computers monitors, printers, and other various electronic components.
- 11) Installed new A/C – heater unit in conference room at Borough Hall , Painted exterior doors on back of Borough Hall, and did general repairs and maintenance.
- 12) finishing up punch list for Dorn Ave. project. The pathway has hard surface with rolled millings , dead or dangerous trees were removed , all overgrown brush was removed , and large areas have been mulched with chips used from trees that were taken down, project should be 100% completed very shortly.
5. Police/Legal/Code Enforcement/Construction/Municipal Court
- A. Councilman Madden made a motion to approve the October, 2015 Municipal Court Report seconded by Councilman Dotey and carried by a unanimous vote of Council.
- B. Councilman Madden also recognized Chief Geist and invited him to address the Council at the Executive Session Meeting to discuss his contract.
6. Administration/Department of Senior Services/Legislation/Licensing
- A. The Borough Clerk reported on behalf of Councilman Mikolajczyk reported that the schools have authorized an agreement with their architects to survey the five school buildings and update the floor plans. These floor plans will be shared with the Middlesex Borough Police.
- B. The borough organizational chart will be updated for the recent restructure in the police department and we will look to bring this to the council in December.
- C. The Borough Clerk stated that at this time we only have one quote for the A/V System for the library and expect that within the next 2 weeks we should have received a second quote for approval by the Purchasing Agent. The HUD Committee would like to put a resolution to transfer funds for this A/V System on the December 8, 2015 Regular Meeting for council approval.

REPORTS

Mayor

1. DPW Union Request – Mayor Dobies received a request from the DPW union to fill the job openings for lead person and chief mechanic. This request will be turned over to the Finance Committee for the 2016 Budget.

2. Code Enforcement Inspector – A resolution for the job description has been put on the Agenda for approval this evening. The Council approved moving forward with this position at \$13.00 per hour.
3. Carpaccio's Sewer Fee - Mayor Dobies has forwarded to council his recalculations for the Carpaccio's Sewer Fee. Based upon the calculations in the ordinance, they are entitled to a credit of 242,800 gallons. They have been given a credit of 300,000 gallons, and therefore will owe the borough the difference. Based upon the review by the Tax Assessor, there is a total of 6496 square feet of total area, with approximately 38.42% used for the apartment and 61.58% for the restaurant. The Mayor is directing Tonya Hubosky to proceed with the calculations for the 2014 billing.
4. Mayor's Ethics Charge - Mayor Dobies read the following regarding his ethics charge:

I am presenting the following information on the Borough Council's ethics complaint because I was told the State Ethics Board was 3 years behind. Since I have not received any monetary loss or reputation loss I am using this as a learning process for the Borough Council since there were several transparency issues and a violation of my Constitutional Rights of due process. I bear no ill-feelings toward anyone on this issue.

On February 11, 2014 at 6:31 p.m. an email was sent by the Borough Attorney informing me and CP Kaplan of an alleged violation and what as attorney he has to do. Unfortunately I did not see the email until after the meeting because I was getting ready for the 7:00 p.m. meeting.

During the Executive Session of the 2/11/14 a Council member added the following item to the session – Allegation of interference with Court Proceedings. This is a transparency issue as any addition to the agenda must be brought up during the beginning of the meeting. The same Council member then read a letter from my accuser, incidentally I still haven't received a copy of that email, after which the Council agreed to have Borough Attorney forward the allegation of a violation of the Code of Ethics to the State Local Finance Board for the investigation or dismissal.

I explained verbally and in written form that a neighbor came in and said he couldn't make the Monday Court date and wanted a postponement. He also gave me a copy of the violation notice that he violated the rental ordinance. He said he does not rent the home out, but I told him he had to deal with the Zoning Officer.

I then walked him down to the Court and explained that he couldn't make the Court Date. Ms. Fritizinger said that was ok and went to some file. There was a discussion about his violation and I said I was in touch with the Zoning Officer and she would investigate the property rental. It is unfortunate that the owner's home is still vacant from the 2/11/14 to 11/16/15. So he was justified in challenging the violation notice, but again that has to be taken up with the Zoning Officer.

The M & C then went back into open session and the following resolution (70-14) authorizing the Borough Attorney, based on information by the Code Enforcer/Zoning Officer, Barrie Palumbo, to forward that information to the State Ethics Committee. There are two basic problems with this in that it did not specify who the accused person and what he/she was being accused of (Transparency). It was not until I was questioned by former Councilwoman Elizabeth Platen at a subsequent meeting that I said it was me. The major and more serious problem with the passage of that resolution is that I was denied my Constitution Right of Due Process of Law (Rice Notice). I think by now the Council is aware of this because I correctly went to the process of Law including notification of the Rice Notice. At the time I didn't expect the Council to know, but I felt the Borough Attorney should have advised them before the poor resolution was passed.

I now wonder if the Borough Attorney ever circulated the letter from the Court Administrator that addressed the situation. I also found it strange that the Borough Attorney move the trial of the rental property violation, that I was accused of interfering with, without mine or councils authority as far as I know.

I am asking this Council, since there are still four members from the February 11th meeting, to dismiss the ethic allegation or retract the previous proposal by a resolution tonight before I leave office. I realize this may not resolve the issue with the Ethic Board and I am prepared to attend the meeting with my attorney on the alleged ethic violation. – Ron Dobies, Mayor

The Borough Attorney stated that he does not have the authority to move a case out of a jurisdiction. This decision would be made with the Superior Court when there is a conflict, and they decide if is appropriate. Attorney Aithal did indicate that he has an ethical obligation to request that the case be moved.

Also, the Borough Attorney mentioned that the Mayor believes he was entitled to a rice notice. He has looked into case law that a part time mayor receiving a stipend is considered to be an employee and could not find a single case to support that claim. Also, with regard to the possibility of council passing a resolution to dismiss the case, Attorney Aithal mentioned that he acts at the pleasure of council and cannot withdraw a complaint without council's request to write a letter or adjudicate the matter. Mayor Dobies stated that he is fighting for his reputation and will take any action necessary to protect his reputation.

Councilman Schueler made a motion to have the Borough Attorney forward a letter to the Ethics Board to request an expedited adjudication in regard to this Ethics Charge seconded by Councilman Dotey and carried by a unanimous vote of members present.

5. Parking along Baekeland Avenue – Mayor Dobies discussed that there are cars parked on borough property (grass and pavement) on Baekeland Avenue, and he needs directions from council on how they would like to handle this matter as there is concern of liability involved. Council would like to discuss any suggested proposals from the

property owners, and at this time will request that the Police Chief enforce “No Parking”, and the DPW Supervisor measure the area in question and count the cars that are parking in the area. Also, the Borough Attorney will forward a letter to the business owners to put them on notice that they are parking on borough property, and Mayor Dobies will confirm with the Borough Assessor that this area is borough property.

6. Administrative Offices Closed on Christmas Eve – Councilman Schueler made a motion to have the employees take a vacation day or personal day on December 24 to allow them to be off on Christmas Eve seconded by Councilman Greco and carried by a unanimous vote of council present.
7. 2016 Mill & Overlay – Mayor Dobies is recommending George Avenue, Warrentville Road (Blocks 3 & 4) and the first block of Howard Avenue and is requesting council’s permission to authorize the engineer to move forward. Councilman Schueler made a motion to have the engineer begin an assessment on George Avenue, Warrentville Road and Howard Avenue seconded by Councilman Dotey and carried by a unanimous vote of Council.
8. Street Name Changes – Honoring Residents – Mayor Dobies mentioned that he was approached about renaming a street from a member of a former mayor’s family and also a fireman. Mayor Dobies suggested possibly naming Mohawk from Fairview Avenue to Victor Crowell Park where there are no homes involved. He stated that he would never change a street name with houses involved. A consensus of council was to not change any names of streets. Rather than renaming a street, Councilman Schueler suggested that the council might want to consider putting a banner on a light post on Willow Drive in Victor Crowell Park to honor certain individuals.

The Borough Clerk read the following resolution:

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

Consent Agenda 2015(U)

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 wish to remove Resolution #267-15 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 #257-15 – Resolution #266-15

Resolution #268-15 - #271-15

Councilman Greco made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Madden, 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 #257-15

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

WHEREAS, On October 23, 2015 Chief Geist recommended Police Officer Daniel McCue 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 Daniel McCue be and is hereby advanced in grade to Patrolman Class "D" effective November 21, 2015 at an annual salary of \$76,327.

The Borough Clerk read the following resolution:

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

Resolution #258-15

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

WHEREAS, On October 23, 2015 Chief Geist recommended Police Officer Jamie Marczak 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 Jamie Marczak be and is hereby advanced in grade to Patrolman Class "F" effective November 19, 2015 at an annual salary of \$58,997.

The Borough Clerk read the following resolution:

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

Resolution #259-15

WHEREAS, the contract with Munidex, Inc for the Finance, Clerk and Tax software expires on December 31, 2015

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the Mayor is authorized to execute a contract with Edmunds and Associates to provide the software for the Finance, Clerk and Tax offices for a contract length of four years commencing on January 1, 2016

NOW FURTHER BE IT RESOLVED that the Treasurer hereby certifies that the funds for the initial setup of \$49,731.50 are available as follows:

04-1605-00-1605-54	\$14,495.63
04-1605-00-1605-55	\$ 820.25
04-1687-00-1687-54	\$ 5,207.24
04-1687-00-1687-70	\$ 624.41
04-1832-00-1832-54	\$ 10,000.00
04-1832-00-1832-55	\$ 4,694.97
01-2010-20-1302-138	\$ 1,500.00

The annual maintenance fee of \$12,389.00 will be budgeted for in the 2016 Operating Budget.

The Borough Clerk read the following resolution:

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

Resolution #260-15

Authorizing the Mayor and Borough Clerk to execute the Solid Waste Disposal Agreement between the Borough of Middlesex and the Middlesex County Utilities Authority for a three year term effective January 1, 2016 – December 31, 2018.

The Borough Clerk read the following resolution:

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

Resolution #261-15

Hiring Robyn Seif, 78 Ramsey Road, Middlesex, NJ as Temporary Part-Time Administrative Assistant in the Police Department for approximately 12 weeks but no longer than 16 weeks at \$13.00/hr. 20 hours a week effective November 30, 2015 pending a satisfactory background check.

The Borough Clerk read the following resolution:

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

Resolution #262-15

The Tax Collector is hereby authorized to issue a check in the amount of \$22.00 to record tax sale certificates acquired at the October 22, 2015 tax sale. The check should be made payable to:

Middlesex County Clerk
P O Box 1110
New Brunswick, NJ 08903-1110

The Borough Clerk read the following resolution:

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

Resolution #263-15

**RESOLUTION AUTHORIZING STATE CONTRACT
PURCHASE OF UPGRADE TO VMWARE & SUPPORT FOR NEW BOROUGH HALL
SERVERS**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase upgrade VMware vCenter Standard and VMware Support for Borough Hall servers 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, SHI International Corp is under State Contract No. 89851 for the year 2015; and

WHEREAS, the cost for the purchase of VMware & support is \$4,505.62; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of VMware & support is ordered under State Contract No. 89851 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount of \$4,505.62 are available in Account No. 04-1879-00-1879-90.

The Borough Clerk read the following resolution:

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

Resolution #264-15

RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF

EMAIL MESSAGE ARCHIVER

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase Email Message Archiver 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, SHI International Corp is under State Contract No. NJ Barracuda WSCA AR069 for the year 2015; and

WHEREAS, the cost for the purchase of the Email Message Archiver is \$4,776.73; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of Email Message Archiver is ordered under State Contract No. NJ Barracuda WSCA AR069 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount of \$4,776.73 are available in Account No. 04-1879-00-1879-90.

The Borough Clerk read the following resolution:

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

Resolution #265-15

RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF RADIO PROGRAMMING CABLE

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase radio programming cable 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, Motorola Solutions is under State Contract No. 83909 for the year 2015; and

WHEREAS, the cost for the purchase of radio programming cable is \$392.00; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of radio programming cable is ordered under State Contract No. 83909 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount of \$392.00 are available in Account No. 04-1879-00-1879-90.

The Borough Clerk read the following resolution:

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

Resolution #266-15

WHEREAS, Jeffrey Buccellato was issued a street opening permit on 10/27/15; and

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

WHEREAS, said roadway at 758 Voorhees Avenue was never opened and no work has taken place or will take place.

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 \$2500 in favor of Jeffrey Buccellato, 313 Beechwood Ave, Middlesex, NJ 08846, for refund of Street Opening Permit No. 2015-015.

The Borough Clerk read the following resolution:

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

Resolution #268-15

The Treasurer hereby authorizes the transfer of funds for the Current Budget of 2015:

ACCOUNT NAME	TO:	FROM:
Administration S/W		\$ 60,785
Assessment of Taxes	\$ 500	
Construction O/E	\$ 1,000	
Group Insurance	\$ 15,000	
Buildings & Grounds	\$ 5,000	
Parks & Playgrounds O/E	\$ 2,000	
Senior Transportation	\$37,285	

The Borough Clerk read the following resolution:

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

Resolution #269-15

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE LIGHTING
EQUIPMENT & MOUNTING FOR NEW FIRE CHIEF CAR**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase lighting equipment and mounting for new fire chief car 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, East Coast Emergency Lighting Inc. is under State Contract No. 81338 for the year 2015; and

WHEREAS, the cost for the purchase of lighting equipment and mounting is \$14,526.76; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of lighting equipment and mounting is ordered under State Contract No. 81338 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount not to exceed \$14,526.76 are available in Account No. 04-1879-1879-75.

The Borough Clerk read the following resolution:

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

Resolution #270-15

WHEREAS, the 2013 Capital Budget appropriated funds for the purchase of new fire trucks,

NOW THEREFORE BE IT RESOLVED, that the unused balance be re-appropriated and used for Building Repairs to Parker Fire House, Repairs to the Firehouse Doors for Beechwood Fire House and a Generator for Pierce Fire House

NOW FURTHER BE IT RESOLVED that the Treasurer hereby certifies that the funds in the amount of \$24,000.00 are available in Account No. 04-1832-00-1832-74.

The Borough Clerk read the following resolution:

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

Resolution #271-15

WHEREAS, the Crossing Guard salary is currently \$13.77/hr. and the Police Chief requested an increase to \$14.25/hr; and

WHEREAS, the Chief has done a comparison with other towns and there has been no increase in the Crossing Guard Salary since 2010;

NOW THEREFORE BE IT RESOLVED the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey hereby approves the increases for Crossing Guards to \$14.25/hr. effective November 16, 2015.

The Borough Clerk read the following resolution:

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

Resolution #274-15

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF
MINITOR VI PAGERS**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase radio programming cable 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, Motorola Solutions is under State Contract No. 83909 for the year 2015; and

WHEREAS, the cost for the purchase of Minitor VI Pagers is \$4039.20; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of radio programming cable is ordered under State Contract No. 83909 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount of \$4039.20 are available in Account No. 04-1879-00-1879-90.

Councilman Kaplan made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Greco, Kaplan, Madden, and Mikolajczyk. Nos: 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 #267-15

Approving the Job Description of the Code Enforcement Inspector which is listed below and filed in the Municipal Clerk's office.

Responsibilities

1. Under the direction of the Zoning Officer, performs field inspection work to ensure compliance with the housing and maintenance regulations, including conducting inspections to eliminate blight and and/or eliminate substandard housing accommodations. Photographs may be taken to provide the Zoning Officer with relevant information as well as providing a record of the potential violation(s).
2. Inspects and reports compliance with the following Code Enforcement Regulations to the Zoning Officer/Code Enforcer:
 - a. Section 317 Property Maintenance
 - b. Section 403 Abandoned Vehicles
 - c. Section 318 Abandoned Properties
 - d. Section 351 Solid Waste
 - e. Section 288 Numbering of Lots and Buildings
 - f. Section 320 Landlord Registration
 - g. Other duties that may be necessary as per the Zoning Officer/Code Enforcer

Councilman Madden made a motion for approval seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Greco, Kaplan, Madden, and Mikolajczyk. Nos: 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 #272-15

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

DISCUSSION ON AGENDA WORKSHOP ITEMS-NONE

PUBLIC COMMENTS

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

Sharon Smigel, 23 Washington Avenue questioned Resolution No. 259-15 and if the \$49,731.50 was a one-time fee for the Edmunds software system. Mayor Dobies responded that this is the initial set up fee and that the annual fee is \$12,389.00.

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 #273-15

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. Chief of Police's Contract
2. Part Time Salaries
3. DPW Reprimand

Councilman Schueler made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Greco, Kaplan, Madden, and Mikolajczyk. Nos: 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 (absent)

Kevin Dotey
Stephen Greco
John Madden
Bob Schueler
Jack Mikolajczyk (absent)

Attorney: Aravind Aithal

ADJOURNMENT

Councilman Schueler 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