

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
MAY 28, 2013**

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 December 31, 2012 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:	Ron DiMura
	Kevin Dotey
	Sean Kaplan
	Patricia Jenkins
	Bob Schueler
	Michele Tackach

Attorney: Aravind Aithal

APPOINTMENTS-None

PROCLAMATION-None

PUBLIC HEARINGS

The Borough Clerk read Ordinance No. 1828-13 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1828-13

**AN ORDINANCE ESTABLISHING THE BOROUGH OF MIDDLESEX ALLIANCE
COMMITTEE ON ALCOHOLISM AND DRUG ABUSE**

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

ARTICLE 1 - NAME

The name of this organization shall be the Middlesex Borough Municipal Alliance Committee.

ARTICLE 2 - AUTHORIZATION

As authorized by the Governing Body of the Borough of Middlesex through a resolution, this group shall serve as the Alliance of the above said municipality in accord with P.L. 1989, C.51.

ARTICLE 3 – PURPOSE & FUNCTION

In accord with P.L. 1989, C.51 (C.26:2BB-8), the Middlesex Borough Municipal Alliance Committee on Alcoholism and Drug Abuse purpose is:

- a. Organize and coordinate efforts involving school, law enforcement, business and community groups for purpose of reducing alcoholism, drug abuse and crime.
- b. Develop comprehensive alcoholism and drug abuse education, out read and support efforts for parents.
- c. Develop a comprehensive alcoholism and drug abuse community awareness program.
- d. Develop a community watch program.
- e. Develop and submit a plan for the expenditure of funds derived from the “Drug Enforcement and Demand Reduction Fund” pursuant to N.J.S. 2c-35-15.

ARTICLE 4 – MEMBERSHIP

Membership on the Municipal Alliance Committee shall be appointed by the Municipal Alliance Chairperson, and shall include but not necessarily be limited to representatives of the following groups:

Section 1 – Membership

- a. Council Member
- b. Police Officer
- c. Municipal Employee
- d. Representative of local religious groups
- e. Youth representative
- f. At least two residents of the Borough of Middlesex

Section 2 – Requirements

- a. Members shall be legal residents within Middlesex Borough.
- b. A quorum of 8 is necessary to conduct an Alliance meeting. The majority of the quorum is required for a decision making vote.
- c. Any member employed by or on the governing board of an agency which has an interest or may potentially profit from a particular Municipal Plan, shall advise the Alliance Committee of such interest and may refrain from voting on that individual Municipal Plan.

ARTICLE 5 – FUNCTIONS

The functions of the Municipal Alliance Committee shall be:

- a. To create a network of community leaders, private citizens, and representatives from public and private human service agencies who are dedicated to promoting and supporting alcohol and other drug and crime prevention and education programs.
- b. To conduct an assessment of community wide needs pertaining to Alcohol and other drug abuse issues.
- c. To identify existing efforts and services acting to reduce alcohol and other drug abuse.

- d. To assist in the development of programs at the Municipal level that accomplishes the purpose of the Alliance efforts.
- e. To assist the municipality in acquiring funds for Alliance programs.
- f. To cooperate with the Governor's Council on Alcoholism and Drug Abuse, as well as the County Alliance Committee to provide data, reports, or other information that may be needed to assist in the Alliance effort.

ARTICLE 6 – MEETINGS

Meetings shall be held as the schedule is adopted as the last meeting of the calendar year, each year, which will include the time and place of the meeting. Quorum shall consist of one-third (8 members) of its current membership. All meetings shall be open to the public and conducted in accordance with the New Jersey Open Public Meeting Act. All official actions shall be in the form of motions, duly seconded, and carried by a majority of the membership present, provided as quorum is present. Robert's Rule of Order shall be followed unless herein modified regarding all meetings.

ARTICLE 7 - FUNDING

The Alliance shall develop a comprehensive plan to provide matching funds at least equivalent to the amount of monies received from DEDR funds. These matching funds shall be a minimum of 25% cash and in-kind services. All decisions of the MACADA involving the use and expenditure of funds require a vote of a simple majority of members of the Alliance.

ARTICLE 8 – VOTING PROCEDURES AND ADOPTION

All decisions require a quorum to be present; a quorum being defined herein as at least one-third 1/3; 8 members, of the appointment membership. Each appointed member of the Alliance shall have one (1) vote.

ARTICLE 9 – CONFLICT OF INTEREST

A conflict of interest may exist if a MAC member can reasonably expect that his or her conduct will directly result in a financial benefit to him or herself, his or her family members, his or her business associates, his or her employers, or to businesses that the member represents. In situation where a conflict of interest may exist, the MAC member must recuse him or herself. All Municipal Alliance Committees must have their members sign conflict of interest statements annually to be made available for review by the county and/or GCADA.

Recusal means that the individual is not participating in deliberations or debates, making recommendations, giving advice, considering findings, voting or in any other way assuming responsibility for or participating in any aspect of the decision making regarding the matter, where there are potential conflicts of interest.

Consultants or providers who are directly or indirectly involved in providing prevention services to the municipal Alliance are subject to the recusal requirements.

ARTICLE 10 – AMENDMENT

All proposed amendments or proposed changes to the mission statement shall be presented to the Alliance one (1) month prior to the formal voting meeting. All decisions on amendments or changes to the mission statement require a majority vote of the attending voting membership.

The mission statement was duly adopted with a majority vote and with the issuance of Borough Resolution dated March 13, 1990. Revised Borough Resolution #50-13, dated January 22, 2013.

Mayor Dobies opened the Public Hearing on Ordinance No. 1828-13. Seeing that there was no public participation, Mayor Dobies closed the Public Hearing on Ordinance No. 1828-13.

Councilman Kaplan made a motion for adoption seconded by Council President DiMura and carried by the following roll call vote: Ayes: DiMura, Dotey, Jenkins, Kaplan, Schueler and Tackach. Nos.: None. Abstain: None.

The Borough Clerk read Ordinance No. 1829-13 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1829-13

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING THE CODES OF THE BOROUGH OF MIDDLESEX TO CREATE CHAPTER 320, LANDLORD REGISTRATION

WHEREAS, the Borough Council of the Borough of Middlesex desires to create Chapter 320, Landlord Registration, of the Codes of the Borough of Middlesex, New Jersey.

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

SECTION ONE. Chapter 320 of the Codes of the Borough of Middlesex, New Jersey is hereby created to read as follows:

320-1 Registration and License Application

- a. A registration and license application must be completed for each dwelling unit within the Borough available for rent to tenants. Without infringing upon the requirements of N.J.S.A. 46:8-28, all dwelling units within the Borough available for rent to tenants shall be registered and licensed as provided herein. Every owner shall file with the Zoning Officer or his/her designee a registration form for each individual unit contained within a dwelling available or offered for rent or currently rented. Every owner of any dwelling unit available for rent to tenants (or currently rented) shall be responsible for registering and licensing as provided herein, including any renewals, amendments or updates without any further notice from the Borough.
- b. Every owner is required to provide each occupant or tenant occupying a rental unit with a copy of the completed registration form.

- c. Upon the filing of a completed registration form, payment of the prescribed fee, and, if deemed necessary in the judgment of the Zoning Officer or his/her designee, a satisfactory inspection, the owner shall be entitled to the issuance of a license commencing on the date of issuance and expiring on the anniversary of the commencement date or September 1st, whichever should occur first in time. Any lease which has been executed prior to the adoption of this Ordinance shall not be affected, but the rental unit must nevertheless be registered, inspected and licensed in accordance with this Ordinance. No rental unit shall hereafter be rented unless the rental unit is registered and licensed in accordance with this Ordinance. A registration form shall be required for each rental unit, and a license shall be issued to the owner for each rental unit, even if more than one (1) rental unit is contained within the property.
- d. Every person required to file a registration form pursuant to this Ordinance, shall file an amended registration form within 20 days after any change in the information required to be included thereon. No fee shall be required for the filing of an amendment except where the ownership or tenancy of the premises is changed.
- e. Each rental unit may be subject to an inspection hereunder upon notice. The Borough of Middlesex Construction Office will contact the owner of the rental unit to schedule an inspection. The owner and/or occupant is required to give the inspecting officer free access to the rental facility at all reasonable times for the purpose of such inspection.
- f. No person shall hereafter occupy any rental unit nor shall the owner permit occupancy of any rental unit which is not registered and licensed.

320-2 Periodic Inspections

- a. Periodic Inspections: Each rental unit shall conform will all applicable codes, laws, regulations and/or ordinances. Periodic inspections may, in the judgment of the Borough of Middlesex Construction Office, be conducted upon notice to the owner for the purpose of determining Zoning Ordinance compliance, and to the extent applicable, to determine if the property complies with the Property Maintenance Code, Uniform Construction Code, BOCA Maintenance Code, Housing Code and/or Building Code and the Uniform Fire Safety Act or any other applicable codes, laws, regulations and/or ordinances. Upon compliance, the Construction Official shall cause to be issued a certificate of occupancy pursuant to Chapter 158 of the Code of the Borough of Middlesex.

320-3 Fees

- 1. Fees:
 - (i) An annual registration fee of \$50.00 dollars;
 - (ii) A second Re-inspection fee of \$50.00 dollars;
 - (iii) There shall be no fee if the owner of the property is:

1. A Senior Citizen who resides in a unit of the property and rents the remaining unit and would qualify for a State of New Jersey property Tax Deduction under N.J.S.A. 54:4-8.41; or
2. A bona fide, full-time resident of a unit in the same building, so long as there are no more than two (2) residential units in such building.

(iv) If any fee is not paid within thirty (30) days of its due date, a late fee surcharge of \$30.00 will be assessed for each calendar month or any part thereof following the due date of such fee.

320-4 Violations & Penalties

- a. In the event that the inspection(s) of a rental unit indicates the need for maintenance and/or repairs, such property shall not thereafter be registered, nor shall a license be issued, and the owner of the property, or his agent, shall not lease or rent such property, nor shall any tenant occupy the property until the necessary maintenance, repairs and corrections have been made so as to bring the property and rental unit into compliance with the applicable Code(s), laws, regulations and/or ordinances and the property is thereafter subsequently re-inspected, approved, registered and licensed. In the event that such property is occupied when such conditions are discovered, all such corrections shall be made within thirty (30) days, and if not made within that time period, the owner shall be deemed in violation of this Ordinance and every day that the violation continues shall constitute a separate and distinct violation, subject to the penalty provisions of section 320-4 (c) of this Ordinance.
- b. No license will be issued for any property containing a rental unit unless all Municipal taxes, water and sewer charges and any other Municipal assessments are paid on a current basis.
- c. Any person who violates any of the provisions of this ordinance, in addition to any another penalty that may be assessed, shall upon conviction thereof, pay a fine of not less than \$200.00, up to \$2,000.00, or imprisonment for any term, not exceeding 90 days, or a period of community service not exceeding 90 days, for the violation thereof.

SECTION TWO. 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 THREE. This Ordinance shall take effect immediately upon final passage and publication according to law. Upon enactment of this Ordinance, every owner required to complete a registration hereunder shall file such registration form(s) and pay the prescribed fee on or before September 2, 2013. Thereafter, every owner required to complete a registration hereunder shall file such registration form(s) on or before the first Monday in September, notwithstanding any requirement hereunder to file an amended registration form.

Mayor Dobies opened the Public Hearing on Ordinance No. 1829-13.

John Hoffman, 455 Lincoln Boulevard discussed this ordinance and mentioned that the original ordinance from Raritan is much longer and that the ordinance introduced tonight does not include all the items that he is concerned with. Council President DiMura mentioned that this ordinance is only the first step and if we need to amend it that they will. Also, a lot of Mr. Hoffman’s concerns are covered under separate ordinances.

Seeing that there was no further public participation, Mayor Dobies closed the Public Hearing on Ordinance No. 1829-13.

Councilman Kaplan made a motion for adoption seconded by Council President DiMura and carried by the following roll call vote: Ayes: DiMura, Dotey, Jenkins, Kaplan, Schueler and Tackach. Nos.: None. Abstain: None.

NEW BUSINESS

The Borough Clerk read Ordinance No. 1830-13 for introduction.

ORDINANCE NO. 1830-13

AN ORDINANCE TO AMEND CHAPTER 68 OFFICERS AND EMPLOYEES, ARTICLE X BOROUGH ADMINISTRATOR, SECTION 68-41 APPOINTMENT; TERM OF OFFICE AND SECTION 68-45 ABSENCE OR DISABILITY OF ADMINISTRATOR IN THE CODE OF THE BOROUGH OF MIDDLESEX

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

Section 68-41 Appointment; Term of Office is amended to read as follows:

A. The Borough Administrator shall be nominated for appointment by the Mayor, subject to the approval of Council. If the Mayor fails to nominate an individual for appointment within 30 days after the office of Borough Administrator is created or upon recommendation of Council to appoint a Borough Administrator, or if the Council fails to confirm any such nomination for appointment made by the Mayor, then, after the expiration of the said 30 days, the Council shall appoint a Borough Administrator. A majority vote of at least three affirmative votes shall be required for such appointment or nomination for appointment. The Mayor shall only vote in the case of a tie. The Borough Administrator need not be a resident of the Borough of Middlesex in order to qualify for the position. The term of office of the borough Administrator shall be at the pleasure of the governing body and, under normal circumstances, the Borough Administrator shall serve for the calendar year in which said person is appointed and until a successor is appointed and qualified, but the term may be shortened if the governing body deems to do so. Any vacancy shall be filled in the manner of the original appointment for the unexpired term.

B. The nomination of appointment of the Borough Administrator by the Mayor shall be upon formation and recommendation of a search and qualification committee.

1. The Mayor, Council President and the Administration Councilmatic Liaison shall comprise a search and qualifications committee to determine the necessary qualifications for

the Borough Administrator's position and to seek qualified candidates for the position of Borough Administrator.

2. The committee, by a simple majority, shall determine the required qualifications of the candidates seeking the position of Borough Administrator based on the needs of the Borough.

3. The committee shall direct and permit the Clerk of the Borough of Middlesex to advertise and solicit responses, using advertisements and medium the committee deems reasonable, from qualified and interested individuals seeking to fill the position of Borough Administrator.

4. The committee shall review the resumes and qualifications of prospective candidates seeking to fill the position of Borough Administrator and shall use its best efforts to determine which candidates, if any, to conduct further research, investigate or interview.

5. A simple majority of the committee shall determine which candidate(s) to interview and what, if any, background and verifications to conduct on candidates for the position of Borough Administrator.

6. Within 90 days after formation, the committee shall compile a list of all qualified candidates and shall rank such candidates based on the qualifications of the candidates, the objective and subjective performance of the candidates in interviews, any recommendations or other background information reviewed, experience, and the needs of the Borough. If none of the responding candidates are deemed qualified in the independent judgment of a simple majority of the committee, the committee shall report the same to Council.

7. The committee shall be considered "formed" for purposes hereunder upon vote of the simple majority of the committee that it has sufficient information to begin its duties hereunder.

8. By simple majority of the committee, the best qualified candidate, as ranked and determined hereunder in the independent judgment of the members of the committee, shall be nominated by the Mayor for consideration of approval by the Council.

9. The Council may elect to act and hire from the best qualified candidate presented by the committee or require the committee to continue the search for qualified individuals for an additional period of sixty (60) days.

Section 68-45 Absence or Disability of Administrator is amended to read as follows:

During the absence or disability of the Borough Administrator, unless stated otherwise in the Personnel Policy Manual, the Mayor shall be responsible for the day-to-day activities of the Borough and shall perform and shall make recommendations to the Council on personnel matters and shall administer and interpret the personnel matters of the Borough. If not specifically authorized in the Personnel Policy Manual, the Mayor shall seek the authorization of the Council prior to taking any action or assuming any duties of the Borough Administrator.

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 amends Chapter 68 Officers and Employees, Article X Borough Administrator, Section 68-41 Appointment; Term of Office, and Section 68-45 Absence or Disability of Administrator to read as stated above.
2. This Ordinance shall take effect immediately upon final passage and publication according to law.

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

ADOPTION OF MINUTES-None

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance
 - (a) Waiver of Board of Health Fees for Vendors at the 100th Anniversary Celebration - Councilman DiMura requested that a letter be written to the Board of Health to waive the fees for vendors for the 100th Anniversary Celebration. Council Approved.
2. Recreation/Recreation Fields/Water & Light – Nothing to Report
3. Fire/OEM/Board of Health/Rescue Squad
 - (a) Councilman Kaplan moved the approval of Timothy Chojnowski, Eric Berg and Skyler Tucker to the Middlesex Fire Department seconded by Councilman Schueler and carried by a unanimous vote of Council.
 - (b) Councilman Kaplan moved the acceptance of the resignation of Rich Reedy, Jr. from Lincoln Hose Co. #1 and Acceptance of him as a member of Parker Engine and Hose and Driver of Truck 24 seconded by Councilwoman Jenkins and carried by a unanimous vote of Council.
 - (c) Councilwoman Jenkins and Councilman Kaplan recommended that Eric Schwarz be approved as the Lead Person for the Stream Cleaning and Rob Heisch be approved as the backup. Council President DiMura made a motion to approve Eric Schwarz be the Lead Person for the Stream Cleaning and Rob Heisch be the backup seconded by Councilman Kaplan and carried by a unanimous vote of Council. A meeting will be held on Thursday to review plans.
4. Public Works/Parks/Sanitation/Recycling – Nothing to Report
5. Police/Legal/Code Enforcement/Municipal Court – Nothing to Report
6. Administration/Office on Aging/Legislation/License/Buildings & Grounds – Nothing to Report

REPORTS – None

The Borough Clerk read the following resolution:

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

Consent Agenda 2012(O)

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 desirous of removing Resolution #152-13 from this 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 #153-13 – Resolution #159-13

Councilwoman Jenkins made a motion for approval, seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: DiMura, Dotey, Jenkins, Kaplan, Schueler and Tackach. 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 #153-13

WHEREAS, the resident at 7 Edward Avenue has requested to have a block party on June 29, 2013 between the hours of 11 a.m. and 11 p.m.; and

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

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

1. The Governing Body hereby grants approval to the residents of 7 Edward Avenue, to conduct a block party on June 29, 2013 between the hours of 11 a.m. and 11 p.m.
2. This resolution shall take effect immediately.

The Borough Clerk read the following resolution:

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

Resolution #154-13

WHEREAS, URS, is working on behalf of GATX Corporation to construct a monitoring well on property owned by Cedar Rose Associates known as Block 318, Lot 50; and

WHEREAS, URS is requesting permission from the borough to travel across two borough-owned properties known as Block 318, Lot 44 and Block 319, Lot 47 off the east end of William Street and south of the Middlesex Sampling Plant; and

WHEREAS, since these parcels are in a flood hazard area, URS is preparing the relevant NJDEP permits to make authorized access into the wetlands and/or flood hazard areas; and

WHEREAS, the governing body originally adopted Resolution 62-12 at the February 14, 2012 Regular Meeting granting this access through Block 318, Lot 44 and Block 319, Lot 47, and since last year, the owner of the property where the well is located (Cedar Rose Associates) has finally consented to this access, therefore requiring the borough to update the original consent for access.

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

1. The Governing Body hereby approves access to URS on behalf of GATX Corporation across the two borough-owned properties to construct the monitoring well on Block 318, Lot 50.
2. The governing body authorizes the Mayor to execute the updated Wetlands Disturbance/Flood Hazard Area Permit.
3. 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 #155-13

The governing body hereby hires the following DPW Temporary Employee effective June 3, 2013 – August 30, 2013 for 28 hours per week at \$12.00 per hour:

James Louis Recine
36 Rachel Trail
Piscataway, NJ

Mark William Stitt
553 Lorraine Avenue
Middlesex, NJ

Devin Andrew Sarao
132 Second Street
Middlesex, NJ

Nicholas Kevin Towey
342 Fairview Avenue
Dunellen, NJ

The Borough Clerk read the following resolution:

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

Resolution #156-13

The Tax Collector is hereby authorized to cancel and/or refund 2012 Sanitary Sewer Use Charges on the following properties:

BLOCK/LOT	NAME & ADDRESS	AMOUNT
22/3.25	Russomanno, Anthony 501 Grandview Street	\$1,038.96
40/48	Burbage, Lori 321 High Street	\$ 830.81
139/7	Skydell, Richard A 417 Chestnut Street	\$1,031.92 – 2012 \$ 759.51 – 2011 refund

153/24	Pittman, Gloria 291 Lincoln Blvd	\$ 837.37
266/2.02	Schifano Construction Corp One Smalley Avenue	\$1,032.41
288/1	TruGreen Land Care 200 South Avenue	\$ 561.67
310/29	Fisher, Robert & Cecilia 336 Seneca Avenue	\$ 797.66
341/1	JH Reid 172-176 Baekeland Ave	\$6,503.72
344/3	Spray Tek Cedar Avenue	\$64,557.13

The Borough Clerk read the following resolution:

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

Resolution #157-13

“A RESOLUTION TO PROVIDE FOR A TEMPORARY BUDGET FOR PAYMENT OF CLAIMS UNTIL THE ADOPTION OF THE 2013 BUDGET

A Temporary Budget in the amount of \$12,500.00 to provide for the payment of claims and salaries including debt service payments between the first day of January 2013 and the adoption of the 2013 budget to be set up as follows:

General Government Operations:

Building & Grounds - O/E	\$ 10,000.00
Natural Gas – O/E	\$ 2,500.00

The Borough Clerk read the following resolution:

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

Resolution #158-13

WHEREAS, a meeting was held with T&M Associates on May 9, 2013 regarding the municipal building indoor air quality/mold investigation of the basement municipal vault; and

WHEREAS, it was determined that the borough is interested in retaining the services of a qualified environmental consultant to assess the source of the moisture, verify the potential

presence of mold growth on the documents, and potential impact on the indoor air environment to recommend permanent remedial repairs; and

WHEREAS, a proposal was received from T&M Associates dated May 14, 2013 for the Municipal Building Indoor Air Quality/Mold Investigation of the Basement Municipal Vault, which itemized the scope of services that they would provide the borough.

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 approves the proposal from T&M Associates for the municipal building indoor air quality/mold investigation of the basement municipal vault in an amount not to exceed \$2,850.
2. This resolution shall take effect immediately.

NOW FURTHER BE IT RESOLVED, that the CFO hereby certifies that funds in the amount of \$2,850 are available in Account No. 01-2010-25-3102-132.

The Borough Clerk read the following resolution:

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

Resolution #159-13

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF
ONE DELL C1760NW COLOR LASER PRINTER FOR TAX ASSESSOR**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase (1) One Dell C1760NW Color Laser Printer 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, Dell is under State Contract No. 70137 for the year 2013; and

WHEREAS, the cost for the purchase of the printer is not to exceed \$272.99; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of the printer is ordered under State Contract No. 70137 be and is hereby approved.

The CFO hereby certifies that the funds in the amount not to exceed \$272.99 are available in Account No. 01-2010-20-1401-053.

The Borough Clerk read the following resolution:

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

Resolution #152-13

WHEREAS, the Recreation Department will be hiring Playground Counselors for the Summer Playground Program which will run from July 1, 2013 – August 9, 2013; and

WHEREAS, the individuals listed below have been approved by the Recreation Department and the Recreation Commission to be employed for this Summer Playground Program:

2013 SUMMER PLAYGROUND PROGRAM

NAME	RATE
Chismar, Chris	13.23
Colacci, Jenna	7.99
Costantino, Nicholas	7.25
Dornick, Christopher	7.61
Shattle, Emily	7.25
Girvan, Courtney	10.50
Girvan, Erica	9.63
Girvan, Skylar	8.39
Seif, Zack	7.61
Kaplan, Sarah	7.99
Kennick, Jessica	8.39
Keri, Christopher	11.03
Lawless, Christine	7.61
Leandro, Joe	7.61
Lester, Michael	7.61
Lorah, Carly	7.61
Dotey, Kyle	7.25
Lester, Stewart	7.25
Chismar, Mary	10.00

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

The Borough Clerk read the following resolution:

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

Resolution #160-13

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.

Including the following Confirming Orders:

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

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Mt. View Park Sign – Council President DiMura mentioned that we have received funds for this sign which was destroyed during Superstorm Sandy and suggested that it be replaced. Councilman DiMura made a motion to replace the sign at Mt. View Park seconded by Councilwoman Jenkins and carried by a unanimous vote of Council.

PUBLIC COMMENTS

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

John Erickson 209 Second Street discussed (1) 680 Bound Brook Road and his concern for noise; (2) Variance for billboard on Route 28; (3) Status of the removal of trees that are not blocking waterways; and (4) The Borough reporting status of progress or plan on the stream cleaning on borough website.

John Hoffman, 455 Lincoln Boulevard discussed (1) 680 Bound Brook Road and the zoning map; (2) Complaints made to Zoning Official about neighbor parking in yard, shingles coming off the roof and tent in the back of the house that did not have a permit; (3) Illegal 5 bedroom rental; (4) Chapter 36 Ethics and how it relates to municipal employees and (5) status of New Journey. Mayor Dobies instructed Attorney Aithal to set up a meeting with the County to discuss New Journey.

Mayor Dobies addressed all the other issues that were discussed in the public.

Seeing that there was no further public comment, 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 #161-13

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. RFP for Legal Counsel – Board of Adjustments/Planning Board

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

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

ADJOURNMENT

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

Respectfully submitted,

Kathleen Anello, RMC
Borough Clerk