

Municipal Building
1200 Mountain Avenue

February 25, 2003

A public meeting of the Mayor and Council was held at the above place on the above date commencing at 8:00 p.m.

Mayor	Ronald S. Dobies
Council President	Bruce Sadowski
	Louis Curcio (absent)
	Colin Fowler
	Michael Hompesch
	Josephine Liana (absent)
	Garrett Mulcahy

Attorney:	George Hendricks
Administrator:	Joseph Manning
Auditor:	Andy Hodulik

Mayor Dobies opened the meeting with the Sunshine Law Statement saying the meeting had been advertised in the Public Meeting Notice of January 7, 2003.

The Borough Clerk read Ordinance No. 1577-03 by title only saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1577-03

**“CAP” ORDINANCE TO EXCEED INDEX RATE: INDEX RATE LESS THAN 5%
LIMITATIONS FOR THE YEAR 2003**

Mayor Dobies opened the Public Hearing on Ordinance No. 1577-03. Seeing that there was no public participation, Mayor Dobies closed the hearing on Ordinance No. 1577-03.

Auditor Andy Hodulik indicated that the reason for adopting this Ordinance is that presently a bill is pending in the legislature which creates the inability to increase the cap. The Borough does not anticipate using this “Cap” Ordinance for the 2003 Budget, but if this legislation is passed, it can be used for the 2004 Budget.

Mr. Sadowski moved for adoption seconded by Mr. Hompesch and carried by the following roll call vote: Ayes: Members Fowler, Hompesch, Mulcahy and Sadowski. Nos.: None. Abstain: None.

The Borough Clerk read Ordinance No. 1576-03 by title only saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1576-03

AN ORDINANCE TO SELL BLOCK 38, LOT 28 NEW STREET

Mayor Dobies opened the Public Hearing on Ordinance No. 1576-03. Seeing that there was no public participation, Mayor Dobies closed the hearing on Ordinance No. 1576-03.

Mr. Sadowski moved for adoption seconded by Mr. Hompesch and carried by the following roll call vote: Ayes: Members Fowler, Hompesch, Mulcahy and Sadowski. 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:

Consent Agenda 2003(E)

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 for individual action from the 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 #60-03 - Resolution #76-03

Mr. Sadowski moved for adoption seconded by Mr. Mulcahy and carried by the following roll call vote: Ayes: Members Fowler, Hompesch, Mulcahy and Sadowski. 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 #60-03

A RESOLUTION TO PROVIDE TO AMEND THE TEMPORARY BUDGET FOR THE PAYMENT OF CLAIMS UNTIL THE ADOPTION OF THE 2003 BUDGET:

Hazardous Waste

Other Expenses	\$2,000.00
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Roads

Other Expenses	\$4,000.00
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Parks

Other Expenses	\$1,000.00
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Sewers

Other Expenses	\$4,000.00
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Municipal Court

Other Expenses	\$6,000.00
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The Borough Clerk read the following resolution:

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

Resolution #61-03

The Tax Collector is authorized to cancel a partial veteran’s deduction on Block 172, Lot 10, 412 Decatur Avenue in the amount of \$125.00. The previous homeowner received an allowed by collector deduction and subsequently sold the property. The new homeowner is not entitled to the deduction.

The Borough Clerk read the following resolution:

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

Resolution #62-03

The Tax Collector is authorized to refund an overpayment of 1st quarter 2003 property taxes on Block 124, Lot 9, 129 Chestnut Street in the amount of \$1,003.04. The mortgage company paid incorrectly for a property located in South River with the same block and lot. The check should be made payable to:

Transamerica
Attn: Refunds Department
1201 Elm Street, Suite 400

The Borough Clerk read the following resolution:

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

Resolution #63-03

The Tax Collector is authorized to refund an overpayment of 1st quarter 2003 property taxes on Block 188, Lot 23, 340 Cook Avenue in the amount of \$1,059.09. The homeowner and their mortgage company paid the same quarter. The check should be made payable to:

Francis & Toni M Kisly
340 Cook Avenue
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 #64-03

The Tax Collector is authorized to refund an overpayment of 1st quarter 2003 property taxes on Block 272, Lot 17.01, 704 William Street in the amount of \$62.50. The homeowner receives a new veteran's deduction, which reduces the first two quarterly payments. The check should be made payable to:

Edwin & Judith Staunch
704 William Street
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 #65-03

The Tax Collector is authorized to refund an overpayment of 1st quarter 2003 property taxes on Block 295, Lot 41, 443 Lincoln Blvd in the amount of \$2,079.48. The mortgage company inadvertently paid twice. The check should be made payable to:

Lereta Corporation
Attn: Wendy Felix
4910 E. Rivergrade Rd, 3rd Floor
Irwindale, CA 91706

The Borough Clerk read the following resolution:

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

Resolution #66-03

The Tax Collector is authorized to refund an overpayment of 1st quarter 2003 property taxes on Block 321, Lot 36, 519 Fairview Avenue in the amount of \$62.50. The homeowner receives a new veteran's deduction, which reduces the first two quarterly payments. The check should be made payable to:

Roger D & Grace m Shepherd
519 Fairview Avenue
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 #67-03

BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, New Jersey that the disbursing officers be and are hereby authorized to refund escrow monies to close the following escrow account:

BLOCK/LOT	NAME	AMOUNT	ACCOUNT #
196/27	Philip Manno 440 Giles Avenue Middlesex, NJ 08846	\$500.00	60075

including interest to date of refund.

The Borough Clerk read the following resolution:

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

Resolution #68-03

BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, New Jersey that the disbursing officers be and are hereby authorized to refund escrow monies to close the following escrow account:

BLOCK/LOT	NAME	AMOUNT	ACCOUNT #
279/20	Daisy Construction, Inc 342 Grant Avenue Middlesex, NJ 08846	\$650.00	60029

The Borough Clerk read the following resolution:

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

Resolution #69-03

The treasurer is hereby authorized to issue a check in the amount of \$11,244.84 to redeem tax sale certificate 2001-1624, made payable to:

Crusader Servicing Corporation
Attn: Christina Peters
179 Washington Lane
Jenkintown, PA 19046

The Certificate covered property located at 101 E. Fulton St, Block 24, Lot 8.

The Borough Clerk read the following resolution:

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

Resolution #70-03

The Treasurer is hereby authorized to refund tax sale premium in the amount of \$2,500.00 on Tax Sale Certificate 2001-1624, Block 24, Lot 8, made payable to:

Crusader Servicing Corporation
Attn: Christina Peters
179 Washington Lane
Jenkintown, PA 19046

The Borough Clerk read the following resolution:

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

Resolution #71-03

WHEREAS, the New Jersey Department of the Treasury requires that every municipality designate a Public Agency Compliance Officer (PACO) each year.

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

1. Andrea Corcoran hereby is appointed PACO Officer for the Borough of Middlesex for the year 2003.
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 #72-03

SUPPORTING A-2625/S-1999 AUTO INSURANCE REFORM

WHEREAS, New Jersey's auto insurance system is in the midst of a capacity and availability crisis; and

WHEREAS, during the past three decades, many efforts have been made to fix the system, however, these temporary solutions have only resulted in an unstable and anti-competitive market; and

WHEREAS, four out of the six largest insurers in America do not write business in our state and that number could rise to five out of the six largest companies within the next year; and

WHEREAS, more than twenty auto insurance companies have left our state in the past decade and as of last year, New Jersey has 47 percent fewer companies selling insurance than Illinois, 34 percent fewer than New York and 31 percent fewer than Pennsylvania; and

WHEREAS, New Jersey drivers deserve a competitive auto insurance market where insurers compete and consumers win; and

WHEREAS, bipartisan legislation has been introduced in the New Jersey General Assembly and New Jersey Senate which directs New Jersey toward a more competitive market with increased capacity.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Middlesex, Middlesex County, New Jersey hereby calls upon the New Jersey Legislature and New Jersey Governor to support Assembly Bill 2625 (Greenwald/Bateman) and Senate Bill S-1999 (Bucco/Ciesla).

The Borough Clerk read the following resolution:

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

Resolution #73-03

**RESOLUTION ENDORSING ASSEMBLY RESOLUTION NO. 241 SPONSORED BY
ASSEMBLYWOMAN LINDA STENDER AND ASSEMBLMAN PAUL SARLO
MEMORIALIZING CONGRESS AND PRESIDENT BUSH TO RELEASE FIRST
RESPONDER FUNDS TO MUNICIPALITIES**

WHEREAS, Law enforcement officers, firefighters and emergency medical personnel are collectively known as first responders; and

WHEREAS, First responders protect the well-being, security and safety of Americans everyday; and

WHEREAS, This State has forgotten the heroic efforts of first responders after the terrorist attack of September 11, 2001, the bombing of the Alfred P. Murrah Federal Building in Oklahoma City, Oklahoma, on April 19, 1995, and the bombing of the World Trade Center on February 26, 1993; and

WHEREAS, First responders have the greatest potential to save lives and limit casualties in the event of a future terrorist attack; and

WHEREAS, Current capabilities for responding to a terrorist attack vary widely by locality; and

WHEREAS, Even the best-prepared localities lack the resources to adequately train and equip their first responders to address the full range of terrorist threats facing this Nation; and

WHEREAS, Immediately following the terrorist attacks of September 11, 2001, the United States Congress appropriated funds for first responders, which the President has yet to release fully to municipalities.

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 Mayor and Council of the Borough of Middlesex hereby support Assembly Resolution No. 241 Memorializing Congress and President Bush to Release First Responder Funds to Municipalities.
2. This resolution shall take effect immediately.
3. Copies of this Resolution shall be forwarded to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, Assemblywoman Linda Stender and Assemblyman Paul Sarlo.

The Borough Clerk read the following resolution:

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

Resolution #74-03

WHEREAS, Cornerstone Architectural Group was awarded a contract to provide the Renovations and Expansion of the Middlesex Public Library; and

WHEREAS, it has been decided that a new roof be placed on the existing Library Building; and

WHEREAS, Cornerstone Architectural Group will prepare the scope of services to include:

- Prepare bid package (drawings and specifications) for Change Order Proposal
- Revise Architectural Roof Plan
- Revise Plumbing Drawings, coordinating new roof drains and piping
- Revise Site Drawings
- Prepare and coordinate Change Order to add this work to the construction contract
- Review and take action on Contractor submittals
- Include this work in Cornerstone's Construction Administration Services.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that Cornerstone Architectural Group provide the Scope of Services listed above not to exceed \$12,500.

NOW FURTHER BE IT RESOLVED that the Chief Financial Officer hereby certifies that funds are available in Ordinance No. 1551-02.

The Borough Clerk read the following resolution:

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

Resolution #75-03

WHEREAS, the American Legion Post #306 would like to erect a monument to the dedication of all Veterans past and present; and

WHEREAS, the Middlesex Public Library Board of Trustees and the Governing Body of the Borough of Middlesex have agreed to allow the monument to be placed on municipal property near the flag pole facing the front door of the Library; and

WHEREAS, the American Legion Post #306 has raised the money through donations and fundraisers to support the project.

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 and Council endorse the erection of the Veteran’s monument donated by the American Legion Post #306, which will be dedicated on Armed Forces Day, May 17, 2003.

The Borough Clerk read the following resolution:

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

Resolution #76-03

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.

The Borough Clerk read the Proclamation recognizing Sherley Penrose as the Middlesex Elks “Citizen of the Year”.

PROCLAMATION

WHEREAS, the Borough of Middlesex, County of Middlesex, State of New Jersey recognizes and acknowledges the dedication, the volunteer work, the concern and services of Ms. Sherley Penrose provides our Borough and our citizens; and

WHEREAS, Sherley Penrose has continuously served the Borough of Middlesex as a volunteer, serving our children and residents, for more than 30 years; and

WHEREAS, Sherley Penrose served the Borough as a Councilwoman, Chair and member of our Recreation Commission, Chair and member of our Beautification Committee, member of our Drug and Alcohol Alliance Commission, Watchung Terrace Senior Citizen Housing Board, and a charter member of the Citizen Advisory Panel (CAP) for Dow Chemical; and

WHEREAS, Sherley Penrose has been a lifetime active member of the Girl Scouts for more than 20 years and a master trainer for the Rolling Hills Girl Scouts; and

WHEREAS, Sherley Penrose 9 year tenure on the council included Council President and chairperson of our Public Works Department, member of our Planning Board, and liaison to our Environmental Commission, Swim Pool Commission, Rescue Squad, Municipal Court, Senior Citizens and our Accident & Safety Review Committee; and

WHEREAS, Sherley Penrose’s volunteer service and involvement has not slowed down since leaving her Borough Council position in that she is still active on the Recreation Commission, Drug and Alcohol Alliance, the Girl Scouts and her church. Sherley has also served on and chaired our Hometown Day Committee that brought a lot of joy and happiness to our residents and children during these gala celebrations; and

WHEREAS, Sherley Penrose has been named the Middlesex Elks “Citizen of the Year”.

NOW, THEREFORE, I RONALD S. DOBIES, Mayor of the Borough of Middlesex, along with the members of the Governing Body, on behalf of our citizens, wish to thank Sherley Penrose for all her work and dedication.

IN WITNESS WHEREOF, I hereby declare Sherley Penrose an outstanding citizen and hereunto set my hand and cause the seal of the Borough of Middlesex to be affixed this 15th of February, 2003.

Mayor Dobies opened the public portion of the meeting for comments or questions.

Frank Ryan, 303 Maple Street questioned if the Mayor thought the 2003 budget was a “good” budget and also questioned if the Borough had representation at the Mayor’s meeting in Princeton when Governor McGreevy previewed the 2003 Budget.

Seeing that there was no further public comments, Mayor Dobies closed the public portion of the meeting.

Mr. Mulcahy moved the approval of the Police Department Report for the month of January, 2003 seconded by Mr. Sadowski and carried by a unanimous vote of council.

Mr. Sadowski moved the approval of the Treasurer's Report for the month of January, 2003 seconded by Mr. Mulcahy and carried by a unanimous vote of council.

There being no further business to discuss, the meeting was adjourned by Mr. Sadowski and seconded by Mr. Fowler and carried by unanimous vote of Council.

Respectfully submitted,

Kathleen Anello, RMC
Borough Clerk