

Municipal Building
1200 Mountain Avenue

March 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.

Junior Mayor & Council

Mayor	Ronald S. Dobies	Zack Auger
Council President	Bruce Sadowski	Natalie Jesionka
	Louis Curcio	Jason Ruggieri
	Colin Fowler (absent)	Mike Lally
	Michael Hompesch	Jeffrey Metallo
	Josephine Liana	Nadine Owens
	Garrett Mulcahy (absent)	Brian Wertheim
Attorney:	George Hendricks	David Simcha
Administrator:	Joseph Manning	Trevor Scholl

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.

Mr. Vincent Rodgers spoke on the purchase of Block 38, Lot 28. He requested that the council consider that his family has been using this property for the past 40 years. Seeing that there was not a motion made by the council to postpone this auction, Mayor Dobies then proceeded with the auction of Block 38, Lot 28 setting the minimum bid at \$28,500.

Mayor Dobies conducted the auction of Block 38, Lot 28 to the two adjoining property owners, Mr. Vincent Rodgers and Mr. Robert Tunison. Mr. Robert Tunison was the high bidder on this property with a bid of \$30,100 and provided a deposit check in the amount of \$3,010 for the purchase of this property.

Mayor Dobies indicated that the 2003 Budget has not been approved at this point and the Borough has applied for \$500,000 in extraordinary aid. Mayor Dobies, Council President Sadowski and Administrator Joseph Manning will travel to Trenton in April to request additional aid.

Borough Auditor Andy Hodulik stated that the 2003 Budget was introduced on February 11, 2003 and the Public Hearing was scheduled at that time for this evening. In January, the budget was at 25 points and after numerous meetings, the Finance Committee was able to reduce the budget to a 12 cent tax increase over last year. The appropriations have increased \$531,000, with an approximate \$200,000 increase in group insurance, salaries increased \$107,000, MCUA increased costs and Debt Service increased approximately \$110,000. The revenue side of the budget had a shortfall in interest income and a \$45,000 decrease in Municipal Court revenues. Mr. Hodulik indicated that last year we received \$100,000 in extraordinary aid, but we cannot anticipate anything at this time, which impacts the revenues listed in our budget.

Mayor Dobies commented that considering the pressures we have had from the State, the Auditor, Administrator and Finance Committee did an excellent job bringing down the budget from a 25 point increase to a 12 point increase. Mayor Dobies indicated that we realize the hardship that people have and also the Board of Education Budget, but we remain optimistic that we will get some money from the state. We hope that the citizens realize that these are not easy times and we have made some hard cuts, but the Borough has had a tight budget for many years.

Mayor Dobies opened the hearing on the Budget for 2003. Seeing that there was no public participation, Mayor Dobies closed the hearing on the 2003 Budget.

The Junior Mayor and Council were present for Elk's Youth Week and conducted the meeting for their counterpart as Mayor and Council.

The Borough Clerk read Ordinance No. 1580-03 for introduction.

ORDINANCE NO. 1580-03

**AN ORDINANCE TO AMEND ORDINANCE ENTITLED POLICE DEPARTMENT
ORDINANCE 1268
ARTICLE I**

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

Article 1, Section 3 is Amended as Follows:

There is hereby created in and for the Borough of Middlesex a Police Department, which shall consist of a Chief of Police with the positions of Captain, Lieutenant, Sergeant and Corporal. (N.J.S.A. 40A:14-118.)

Article 1, Section 9, Paragraph "I" is Amended as Follows:

He or she has a minimum of a high school diploma and a minimum of 60 college credits from an accredited college or university.

Article 1, Section 15, Paragraph "D" shall now read as follows:

Any reference to "patrolman" shall be deleted and the word "police officer" inserted.

Article 1 add Section 42C, Random Drug Testing:

This department shall conduct random drug testing of police officers in accordance with the Drug Testing Policy of the Attorney General of New Jersey.

Mr. Sadowski moved for introduction seconded by Mr. Hompesch and carried by the following roll call vote: Ayes: Members Curcio, Hompesch, Liana and Sadowski. Nos.: None. Abstain: None.

The Borough Clerk read Ordinance No. 1578-03 by title only saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1578-03

**AN ORDINANCE FIXING AND DETERMINING THE SALARIES AND COMPENSATION
OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF MIDDLESEX
FOR THE YEAR 2003**

TITLE	2003 SALARY	
Administrative Assistant (Confidential Employee) (Part-Time)	\$10.00- \$15.00	(Per Hour)
Rent Review Board Secretary (Part-Time)	\$10.00	(Per Hour)

SECTION 2

Rates of Compensation established above shall serve as a guide in employment and subsequent changes in rates of employees hired after passage of this ordinance.

SECTION 3

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance be and the same are hereby repealed.

SECTION 4

This Ordinance shall take effect upon its final passage, approval and publication according to law.

Mayor Dobies opened the Public Hearing on Ordinance No. 1578-03. Seeing that there was no public participation, Mayor Dobies closed the hearing on Ordinance 1578-03.

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

The Borough Clerk read Ordinance No. 1579-03 by title only saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1579-03

**AN ORDINANCE AUTHORIZING THE PURCHASE OF PLAYGROUND EQUIPMENT
FOR WATCHUNG ELEMENTARY SCHOOL AND THE CONTRACTING FOR THE
CODIFICATION OF THE BOROUGH ORDINANCES, APPROPRIATING \$25,600
FROM THE CAPITAL IMPROVEMENT FUND**

WHEREAS, in the public interest, it is necessary and essential that the municipality at this time proceed with purchase of the equipment and services as indicated below:

Watchung School:

Purchase of Playground Equipment
\$8,000

Administration:

Contract for Codification of Borough Ordinances
\$17,600

NOW THEREFORE BE IT ORDAINED by the Borough Council of the Borough of Middlesex, as follows:

Section 1

That the total amount required for the purchase of playground equipment for the Watchung School and the contracting for the codification of Borough Ordinances, namely \$25,600, be and the same is hereby appropriated from the Capital Improvement Fund of the Borough of Middlesex.

Section 2

That the Borough Council may complete the purchase hereinabove authorized by appropriate resolution.

Section 3

That this ordinance shall take effect after the first publication after final adoption.

Mayor Dobies opened the Public Hearing on Ordinance No. 1579-03.

John Sweeney, Dorn Avenue questioned why the Mayor and Council bonded for the Watchung School Playground, rather than the Board of Education. He also questioned if during school hours, he would be able to use the playground with his grandchildren.

Mayor Dobies indicated that in the past we have done a lot for the school system, and in this case the Watchung School PTO had already raised 50% of the money needed. Mr. Sweeney would be entitled to use this playground with his grandchildren at any time.

Attorney George Hendricks stated that this money could be donated to the Board of Education as the funds for the playground are for public use.

Seeing that there was no further public participation, Mayor Dobies closed the hearing on Ordinance 1579-03.

Mr. Sadowski moved for adoption seconded by Mr. Curcio and carried by the following roll call vote: Ayes: Members Curcio, Hompesch, Liana 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(G)

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 #87-03 - Resolution #98-03

Mr. Sadowski moved for adoption seconded by Mr. Hompesch and carried by the following roll call vote: Ayes: Members Curcio, Hompesch, Liana, 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 #87-03

“A RESOLUTION TO PROVIDE FOR A TEMPORARY BUDGET FOR PAYMENT OF CLAIMS UNTIL THE ADOPTION OF THE 2003 BUDGET”

A Temporary Budget in the amount of \$2,487,561 to provide for the payment of claims and salaries between the first day of January, 2003 and the adoption of the 2003 budget be set up as follows:

GENERAL GOVERNMENT OPERATIONS:

Administrative & Executive	
Salary & Wage	22,240
Other Expense	6,000
Mayor & Council	
Salary & Wage	3,012
Other Expense	2,000
Municipal Clerk	
Salary & Wage	20,000
Other Expense	1,000
Rescue Squad Rental	1,500
Printing & Advertising	4,000
Postage – All Departments	3,000

Election	0
Assessment of Taxes	
Salary & Wage	9,000
Other Expense	1,000
Maintenance of Tax Map	0
Collection of Taxes	
Salary & Wage	11,000
Other Expense	500
Financial Administration	
Salary & Wage	20,000
Other Expense	500
Legal Services & Costs	
Salary & Wage	10,000
Other Expense	9,000
Engineering Services & Costs	13,750
Public Bldgs & Grounds	
Salary & Wage	6,300
Other Expense	7,500
Planning Board	
Other Expense	4,500
Board of Adjustment	
Other Expense	3,000
Shade Tree Commission	
Salary & Wage	500
Other Expense	7,000
Rent Control Board	
Salary & Wage	0
Other Expense	0
Maintenance of Communications	1,000
Housing & Community Development Advisory Committee	
Salary & Wage	30
Other Expense	30
Environmental Advisory	
Salary & Wage	0
Other Expenses	0

Accident & Safety	
Other Expenses	0
Insurance	
Group Insurance Plan	384,000
Workman's Compensation	15,000
Surety Bonds	0
Temporary Disability	4,000
Long Term Disability	3,000
Other Insurance Premiums	50,000
PUBLIC SAFETY:	
Fire Department	
Other Expenses	21,000
Police Department	
Salary & Wage	630,000
Other Expense	10,000
Juvenile Conference Committee	
Salary & Wage	450
Other Expense	0
Uniform Fire Safety	
Salary & Wage	0
Other Expense	0
Emergency Management	
Salary & Wage	0
Other Expense	2,300
Road Repair & Maintenance	
Salary & Wage	173,000
Other Expense	10,000
Sewer System	
Salary & Wage	28,000
Other Expense	5,000
Solid Waste Management	
Salary & Wage	51,000
Other Expense	0
Recycling Program	
Salary & Wage	0
Other Expense	0
Garbage & Trash Removal	
Salary & Wage	98,000
Other Expense	0

Sanitary Landfill	75,000
Prosecutor's Office	
Salary & Wage	0
Other Expense	6,000
Board Of Health	
Salary & Wage	500
Other Expense	25,000
RECREATION & EDUCATION	
Parks & Playgrounds	
Salary & Wage	57,000
Other Expense	3,000
Board of Recreation Commissioners	
Salary & Wage	22,500
Other Expense	15,000
Field Development	
Salary & Wage	0
Other Expense	0
Senior Citizen Bus Transportation	
Salary & Wage	0
Other Expense	0
Senior Coordinator	
Salary & Wage	0
Other Expense	0
Senior Assisted Transportation	
Salary & Wage	5,000
Other Expense	0
Uniform Construction Code	
Salary & Wage	46,000
Other Expense	2,500
Utilities – All Departments	
Gasoline	10,000
Fuel Oil	7,500
Electricity	24,000
Telephone	10,000
Natural Gas	10,000
Street Lighting	33,000
Fire Hydrants	46,000
Water	3,750

Public Celebration	
Other Expenses	0
Curbside Recycling	
Other Expenses	16,000
Contingent	0

STATUTORY EXPENDITURES CONTRIBUTION TO:

PERS	125
Social Security	59,000
PFRS	0
Pension – Firemen’s Widow (N.J.S.A. 43:12-28.1)	0
New Jersey Unemployment Insurance	0
Municipal Court	
Salary & Wage	45,000
Other Expense	20,000
Maintenance of Free Public Library	95,000
Middlesex County Utility Authority	200,000
Piscataway Sewage Authority	0
Middlesex County Drug Alliance	4,574
Clean Grant	0
TOTAL	2,493,561

26.25% the 2002 General Appropriation in the 2002 Budget = \$3,118,495.

Cost Registered Bonds

Capital Improvement	
Bond Anticipation Note	0
Bond Anticipation Interest	0
Municipal Debt Service	
Bond Principal	0
Bond Interest	0

DEDICATED SWIMMING POOL UTILITY BUDGET

Swim Pool Utility	
Salary & Wage	25,000
Other Expense	20,000

TOTAL 45,000

26.25% of the 2002 Swimming Pool Utility appropriation = \$84,525

The Borough Clerk read the following resolution:

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

Resolution #88-03

**AUTHORIZING THE BOROUGH CLERK TO ISSUE TWO RAFFLE LICENSES TO
THE MIDDLESEX FIRE DEPARTMENT**

The applications for two Raffle Licenses filed by the Middlesex Fire Department, which have been approved by the Police Chief be accepted and the Borough Clerk is hereby authorized to issue the licenses upon the receipt of the fee as set by the State (RA 558 & RA 562). The Governing Body hereby agrees to waive the Borough fee for the filing of these Raffle Licenses.

The Borough Clerk read the following resolution:

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

Resolution #89-03

**AUTHORIZING THE BOROUGH CLERK TO ISSUE THREE RAFFLE LICENSES TO
OUR LADY OF MT. VIRGIN CHURCH**

The application for 3 Raffle Licenses filed by Our Lady of Mt. Virgin Church, which have been approved by the Police Chief be accepted and the Borough Clerk is hereby authorized to issue the licenses upon the receipt of the fee as set by the State (RA 559, RA 560 & RA 561).

The Borough Clerk read the following resolution:

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

Resolution #90-03

WHEREAS, the residents of Dorn Avenue, between Beechwood Avenue and Hazelwood Avenue wish to conduct a block party on June 28, 2003 with a rain date of June 29, 2003; and

WHEREAS, all the designated officials have been 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 the residents of Dorn Avenue, between Beechwood Avenue and Hazelwood Avenue permission to conduct a block party on June 28, 2003, with a rain date of June 29, 2003.
 2. This resolution shall take effect immediately.
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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 #91-03

The treasurer is hereby authorized to issue a check in the amount of \$12,523.85 to redeem tax sale certificate 2000-1620, made payable to:

NTAC
C/O Key Services
Attn: Lockbox Services
17 Corporate Wood Blvd
Albany, NY 12211

The Certificate covered property located at 818 Voorhees Ave, Block 279, Lot 42.

The Borough Clerk read the following resolution:

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

Resolution #92-03

The Tax Collector is authorized to refund an overpayment of 2nd quarter 2003 property taxes on Block 150, Lot 70, 639 Ashland Rd in the amount of \$1,158.42. The finance company incorrectly paid. The check should be made payable to:

Express Financial Services, Inc.
1415 Route 70 East, Suite 106
Cherry Hill, NJ 08034

The Borough Clerk read the following resolution:

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

Resolution #93-03

The Treasurer is hereby authorized to refund tax sale premium in the amount of \$1,200.00 on Tax Sale Certificate 2000-1620, Block 279, Lot 42, made payable to:

NTAC
C/O Key Services
Attn: Lockbox Services
17 Corporate Wood Blvd
Albany, NY 12211

The Borough Clerk read the following resolution:

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

Resolution #94-03

WHEREAS, the Borough of Middlesex annually enters into an Alliance Agreement with Middlesex County; and

WHEREAS, the County desires to provide the sum of \$15,284 in the State funds, to be paid to the Borough of Middlesex including \$13,684 to be used for related municipal alliance related activities.

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 Borough Clerk are hereby authorized to execute the 2003 Municipal Alliance Agreement with the County of Middlesex in the amount of \$15,284.
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 #95-03

WHEREAS, President Bush announced on the evening of March 19, 2003 that he had order the coalition attack on Iraq to begin with what the Pentagon called a "Decapitation Attack" in the Operation Iraqi Freedom; and

WHEREAS, over 250,000 United States troops are now deployed in Iraq from the Air force, Army, Marines, Navy, and Special Operation Forces; and

WHEREAS, these young brave men and women are fighting for the cause of freedom.

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 along with the residents of the Borough of Middlesex hereby support the brave men and women serving in the United States Armed Forces in Operation Iraqi Freedom.

The Borough Clerk read the following resolution:

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

Resolution #96-03

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 following resolution:

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

Resolution #97-03

AUTHORIZING THE SUBMISSION OF TEA-21 FUNDING APPLICATION

WHEREAS, the Transportation Equity Act for the 21st Century (TEA-21) provides funds to the New Jersey Department of Transportation for a variety of “Transportation Enhancements”; and

WHEREAS, the Borough of Middlesex desires to seek funds from the TEA-21 Program for facilities for pedestrians and bicycles in the vicinity of Victor Crowell Park; and

WHEREAS, the Borough of Middlesex will be responsible for the maintenance of the facilities for pedestrians and bicycles in the vicinity of Victor Crowell Park.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, County of Middlesex and State of New Jersey, that the application is hereby made to the Commissioner of Transportation for aid under the Transportation Equity Act (TEA-21) for the facilities for pedestrians and bicycles in the vicinity of Victor Crowell Park.

BE IT FURTHER RESOLVED THAT:

1. Any aid received as a result of this application will only be used for eligible costs for a project comprised of the improvements as stated in each application; and
2. That if the applications are approved and accepted by the New Jersey Department of Transportation, the sponsor agrees to the agreement as stated in each application and provides the required long-term maintenance of the proposed improvements; and
3. The Mayor and the Clerk are hereby authorized to execute and attest to this resolution, application and agreement.

The Borough Clerk read the following resolution:

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

Resolution #98-03

WHEREAS, Kupper Associates has submitted a proposal in January, 2003 for the Victor Crowell Park Dam; and

WHEREAS, the Mayor and Council has agreed that Kupper Associates shall do the engineering services for the Victor Crowell Dam Project.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that Kupper Associates is hereby authorized to do the engineering services for the Victor Crowell Dam Project in an amount not to exceed \$12,500.

NOW FURTHER BE IT RESOLVED that the Chief Financial Officer hereby certifies that funds are available in Acct. 04-1474-00-1474-55.

The Borough Clerk declared March, 2003 Red Cross Month:

PROCLAMATION

WHEREAS, the American Red Cross is one of the largest and oldest social services organizations in America; and

WHEREAS, volunteer and financial contributions are needed now more than ever before to protect the needs of our citizens; and

WHEREAS, volunteers make it possible for the Red Cross to collect and provide blood to the ill and injured, provide emergency assistance to disaster victims, and to respond to the emergency needs of armed forces personnel and their families and dependents; and

WHEREAS, Red Cross volunteers conduct thousands of courses in health and safety; and

WHEREAS, for 115 years the American Red Cross has been an essential ingredient of American life, helping us to learn, to help, to prosper.

NOW THEREFORE, I, Ronald S. Dobies, Mayor of the Borough of Middlesex proclaim March, 2003 as **RED CROSS MONTH** in the Borough of Middlesex and I urge all residents of Middlesex Borough to donate their time and resources to support Red Cross activities.

The Borough Clerk declared March 24 – March 28, 2003 Elk's Youth Week

PROCLAMATION

WHEREAS, the Benevolent and Protective Order of Elks has designated the period beginning on Wednesday, March 24, 2003 – March 28, 2003 as Elks Youth Week to honor America's Junior Citizens for their accomplishments, and to give fitting recognition to their services to Community, State and Nation; and

WHEREAS, Middlesex Elks 2301 will sponsor an observance during that week in tribute to the Junior Citizens of this Community; and

WHEREAS, no event could be more deserving of our support and participation than one dedicated to these young people who represent the nation's greatest resource, and who in the years ahead will assume the responsibility for the advancement of our free society; and

WHEREAS, our Youth need the guidance, inspiration and encouragement which we alone can give in order to help develop those qualities of character essential for future leadership; and go forth to serve America; and

WHEREAS, to achieve this worthy objective we should demonstrate our partnership with Youth, our understanding of their hopes and aspirations and a sincere willingness to help prepare them in every way for the responsibilities and opportunities of citizenship.

NOW THEREFORE, I Ronald S. Dobies, Mayor of the Borough of Middlesex do hereby proclaim the week of March 24, 2003 as Youth Elk's Week and urge all departments of government, civic, fraternal and patriotic groups and our citizens generally, to participate wholeheartedly in its observance.

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

Chet Sadowski, Cedar Avenue requested that Resolution #95-03 be amended to include all the military troops, including those in Afghanistan.

John Sweeney, Dorn Avenue requested that the Council and the public observe a moment of silence for the loss of former Councilman Bill Medler, who was also a former patrolman.

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

Councilman Curcio moved the approval of the March 11, 2003 Public & Agenda Meeting Minutes and the March 4, 2003 Agenda Meeting Minutes seconded by Council President Sadowski and carried by a unanimous vote.

Councilman Sadowski moved the approval of the Construction Report for February, 2003 seconded by Mr. Curcio and carried by a unanimous vote.

Mayor Dobies moved the approval of Barbara Ferris to the Board of Health seconded by Mr. Sadowski and carried by a unanimous vote.

Mayor Dobies requested a moment of silence at this time in observance of the death of former Councilman William Medler who also was a 25 year member of the Middlesex Police Department.

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

Respectfully submitted,

Kathleen Anello, Borough Clerk

