

Municipal Building
1200 Mountain Avenue

April 13, 2004

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	Michael Hompesch (absent)
	Giancarlo Colitti
	Jerry D'Angelo
	Josephine Liana
	Garrett Mulcahy
	Laura Thomasey (absent)

Attorney:	George Hendricks
Administrator:	Joseph Manning

Mayor Dobies opened the meeting with the Sunshine Law Statement saying the meeting had been advertised in the Public Meeting Notice of January 6, 2004.

The Borough Clerk read the following resolution:

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

Resolution #111-04

TEMPORARY CAPITAL BUDGET RESOLUTION

WHEREAS, the local capital budget has not been adopted for the year 2004; and

WHEREAS, it is desired to file a temporary capital budget for the year 2004 prior to adoption of the capital budget.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Middlesex, County of Middlesex, that the temporary capital budget be amended for the resurfacing of South Avenue, including all work and materials necessary therefore and incidental thereto for the estimated total cost of \$456,000, with the amount of \$220,000 debt authorized.

Councilman Mulcahy moved for adoption seconded by Councilman D'Angelo and carried by the following roll call votes: Ayes: Members Colitti, D'Angelo, Liana, and Mulcahy. Nos.: None. Abstain: None.

The Borough Clerk read Ordinance No. 1609-04 for introduction.

ORDINANCE NO. 1609-04

**BOND ORDINANCE PROVIDING FOR THE RESURFACING OF SOUTH AVENUE IN
AND BY THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW
JERSEY APPROPRIATING \$456,000 THEREFOR AND AUTHORIZING THE
ISSUANCE OF \$220,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART
OF THE COST THEREOF**

Councilman Mulcahy moved for introduction of Ordinance No. 1609-04 seconded by Councilman Colitti and carried by the following roll call vote: Ayes: Members Colitti, D'Angelo, Liana, and Mulcahy. Nos.: None. Abstain: None.

The Borough Clerk read Ordinance No. 1610-04 for introduction.

ORDINANCE NO. 1610-04

**BOND ORDINANCE AMENDING BOND ORDINANCE NUMBERED 1564-02 OF THE
BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY
FINALLY ADOPTED AUGUST 13, 2002 IN ORDER TO AMEND THE SECTION 20
COSTS**

Councilman Mulcahy moved for introduction of Ordinance No. 1610-04 seconded by Councilman Colitti and carried by the following roll call vote: Ayes: Members Colitti, D'Angelo, Liana, and Mulcahy. Nos.: None. Abstain: None.

The Borough Clerk read Ordinance No. 1612-04 for introduction.

ORDINANCE NO. 1612-04

**AN ORDINANCE TO AMEND ORDINANCE NO. 1608-04 ENTITLED "AN
ORDINANCE ESTABLISHING AN ECONOMIC DEVELOPMENT COMMITTEE"**

Councilman Mulcahy moved for introduction of Ordinance No. 1612-04 seconded by Councilman Colitti and carried by the following roll call vote: Ayes: Members Colitti, D'Angelo, Liana, and Mulcahy. 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 2004(H)

WHEREAS, the Mayor and Council of the Borough of Middlesex has reviewed the Consent Agenda consisting of various proposed resolutions; and

WHEREAS, the Mayor and Council of the Borough of Middlesex is not desirous of removing any resolutions from 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 #112-04 - Resolution #130-04

Councilman Mulcahy moved for adoption seconded by Councilman D'Angelo and carried by the following roll call votes: Ayes: Members Colitti, D'Angelo, Liana, and Mulcahy. 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 #112-04

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 #
86/6	Jeffrey S Buccellato 39 Ridge Rd Green Brook, NJ 08812	\$231.24	60066

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 #113-04

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 #
147/3	Willard Dunham Const Co 305 Kimball St Woodbridge, NJ 07095	\$ 69.50	60082

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 #114-04

**AUTHORIZING THE BOROUGH CLERK TO ISSUE 2 RAFFLE LICENSES TO OUR
LADY OF MT. VIRGIN CHURCH FOR THEIR ANNUAL CARNIVAL (RA569 &
RA570)**

The application for two raffle licenses filed by Our Lady of Mt. Virgin Church for their annual carnival, which have been approved by the Police Chief be accepted and the Borough Clerk is hereby authorized to issue the licenses upon receipt of the fee as set by the State (RA 569 & RA 570).

The Borough Clerk read the following resolution:

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

Resolution #115-04

**AUTHORIZING THE BOROUGH CLERK TO ISSUE A RAFFLE LICENSE AND A
BINGO LICENSE TO OUR LADY OF MT. VIRGIN CHURCH (RA571 & BA572)**

The application for a raffle license and a bingo license 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 receipt of the fee as set by the State (RA 571 & BA 572).

The Borough Clerk read the following resolution:

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

Resolution #116-04

**AUTHORIZING THE BOROUGH CLERK TO ISSUE A 50/50 RAFFLE LICENSE TO
STAR SATIRE PARENTS ORGANIZATION (RA573)**

The application for a raffle license filed by Star Satire Parents Organization, which has been approved by the Police Chief be accepted and the Borough Clerk is hereby authorized to issue the license upon receipt of the fee as set by the State (RA 573).

The Borough Clerk read the following resolution:

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

Resolution #117-04

WHEREAS, Middlesex Borough has been notified that they have been awarded a Local Library Grant in the amount of \$24,876; and

WHEREAS, the purpose of this grant is to provide funds for upgrades to the telephone system and for computer work stations, projection equipment, shelving, and an ADA compliant automatic door; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, that the Governing Body does hereby accept the grant of \$24,876 for upgrades to the

telephone system and for computer work stations, projection equipment, shelving, and an ADA compliant automatic door; and

BE IT FURTHER RESOLVED, that the Mayor of Middlesex be and hereby is authorized to execute a Grant Agreement with the New Jersey Department of Community Affairs on behalf of the Borough of Middlesex, and upon execution of said Agreement, the Borough of Middlesex does accept the Terms and Conditions specified in the Agreement in connection with this grant.

The Borough Clerk read the following resolution:

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

Resolution #118-04

Authorizing the Mayor and Chief Financial Officer to execute the Middlesex County Office on Aging 2004 Targeting Assurance Plan for the Middlesex Borough Assisted Transportation & Information & Assistance effective January 1, 2004 - December 31, 2004.

The Borough Clerk read the following resolution:

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

Resolution #119-04

The Treasurer is hereby authorized to transfer funds from Police Forfeiture Trust to the Municipal Law Enforcement Trust Account in the amount of \$535.00. The money seized during case #03013611 was adjudicated on January 15, 2004.

The Borough Clerk read the following resolution:

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

Resolution #120-04

The Tax Collector is hereby authorized to amend the 2002 Sanitary Sewer Use Charges on Block 290, Lot 1, 200 Blackford Avenue from \$5,076.10 to \$4,730.77 upon review and recommendation of the Borough Engineer.

The Borough Clerk read the following resolution:

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

Resolution #121-04

The treasurer is hereby authorized to issue a check in the amount of \$7,723.74 to redeem tax sale certificate 2002-1637, made payable to:

Wachovia as Cust for Phoenix
123 South Broad St-PA1328
Philadelphia, PA 19109

The Certificate covered property located at 633 Drake Ave, Block 309, Lot 13.

The Borough Clerk read the following resolution:

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

Resolution #122-04

The Treasurer is hereby authorized to refund tax sale premium in the amount of \$2,500.00 on Tax Sale Certificate 2002-1637, Block 309, Lot 13, made payable to:

Wachovia as Cust for Phoenix
123 South Broad St-PA1328
Philadelphia, PA 19109

The Borough Clerk read the following resolution:

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

Resolution #123-04

The Tax Collector is hereby authorized to issue a refund based on Tax Court of New Jersey judgments in the total amount of \$5,856.44 based on the following breakdown:

<u>BLOCK/LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>	<u>YEAR</u>
86/6.01/C001B	Sherman Potter et al 495 Union Avenue	\$ 599.76	2001
		\$ 846.24	2002
		\$1,198.80	2003
86/6.01/C001C	Sherman Potter et al 495 Union Avenue	\$ 775.88	2001
		\$1,037.16	2002
		\$1,398.60	2003

The check is to be made payable to:

Daniel G. Keough, Trustee
783 Springfield Avenue
Summit, NJ 07901-2332

The Borough Clerk read the following resolution:

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

Resolution #124-04

The Tax Collector is hereby authorized to credit 2004 taxes based on Tax Court of New Jersey judgments in the total amount of \$2,383.68 according to the following breakdown:

<u>BLOCK/LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>	<u>YEAR</u>
86/6.01/C001A	Anna P. Columbus 495 Union Avenue	\$ 995.88	2002
		\$1,387.80	2003

The Borough Clerk read the following resolution:

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

Resolution #125-04

The Tax Collector is hereby authorized to credit 2004 taxes based on Tax Court of New Jersey judgments in the total amount of \$2,383.68 according to the following breakdown:

<u>BLOCK/LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>	<u>YEAR</u>
86/6.01/C001F	Sharon L Roma, CPA 495 Union Avenue	\$ 995.88	2002
		\$1,387.80	2003

The Borough Clerk read the following resolution:

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

Resolution #126-04

The Tax Collector is hereby authorized to credit 2004 taxes based on Tax Court of New Jersey judgments in the total amount of \$1,543.92 according to the following breakdown:

<u>BLOCK/LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>	<u>YEAR</u>
86/6.01/C002C	Alan B. Douglas 495 Union Avenue	\$242.76	2001
		\$469.56	2002
		\$831.60	2003

The Borough Clerk read the following resolution:

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

Resolution #127-04

Hiring Maryann V. Doesburgh, 437 Fairview Avenue, Middlesex, New Jersey as a Police Matron at \$12.00 per hour. Ms. Doesburgh's background investigation is complete and she has met all of the requirements for the position.

The Borough Clerk read the following resolution:

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

Resolution #128-04

WHEREAS, Sadat Associates, Inc., the environmental consultants appointed to provide the site remedial investigation for the Middlesex Municipal Landfill has made a presentation to the Mayor and Council regarding the Draft Remedial Investigation Report Addendum/Remedial Action Workplan ("RIR Addendum/RAW"); and

WHEREAS, the Mayor and Council wish to pursue all of the above remediation options proposed by Sadat Associates, Inc. in regard to the Former Middlesex Municipal Landfill.

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 hereby approve the Draft Remedial Investigation Report Addendum/Remedial Action Workplan ("RIR Addendum/RAW")
2. The Mayor and Council hereby authorize Sadat Associates, Inc. to finalize the RIR Addendum/RAW and submit it to the New Jersey Department of Environmental Protection for its review and approval.
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 #129-04

Authorizing Kupper Associates to go out to bid for the reconstruction of Harris Avenue and Mountain Avenue in the Borough of Middlesex.

The Borough Clerk read the following resolution:

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

Resolution #130-04

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 #131-04

The Mayor and Council hereby approve opening Victor Crowell Memorial Park on April 25, 2004 at the request of Cub Scout Pack 45 for a Fishing Derby to be held on that date.

The Borough Clerk declared April 30, 2004 as “Arbor Day”

PROCLAMATION

WHEREAS, in 1949 the legislature set aside the last Friday of April as Arbor Day to promote the planting of trees and to encourage the protection of our forests from fires and pests that destroy the beauty and usefulness of our woodlands; and

WHEREAS, half of New Jersey’s total land area is forested or tree covered; and

WHEREAS, trees play an important role in the ecosystem in which we live, and trees reduce the erosion of our precious topsoil caused by wind and water, clean the air we breathe and the water we drink, produce oxygen, provide habitat for birds and wildlife and reduce heating and cooling costs by moderating temperature; and

WHEREAS, trees are renewable resource giving us paper for fine literature, wood for homes, fuel for fires, and countless other wood products; and

WHEREAS, trees provide increased property value, enhanced economic viability, and pleasing aesthetic qualities along streets and properties in municipalities; and

WHEREAS, trees planted in yards and farms, in school yards and parks, and along streets and highways create an enduring heritage for generations that follow; and

WHEREAS, this is the fifty second anniversary of the State Arbor Day Celebration in New Jersey.

NOW, THEREFORE, I, RONALD S. DOBIES, Mayor of the Borough of Middlesex, do hereby proclaim April 30, 2004 as

ARBOR DAY

In the community of Middlesex, and urge all citizens to support efforts to protect our trees and woodlands to support our Borough’s Urban Forestry Program; and

FURTHER, I urge all citizens to plant trees to gladden hearts and promote the well being of present and future generations.

The Borough Clerk declared April 21, 2004 as Volunteer Recognition Day in the Borough of Middlesex.

PROCLAMATION

WHEREAS, volunteering has become as essential part of American life; and

WHEREAS, it is the primary way to bring people together, to reconnect society and help solve serious social problems; and

WHEREAS, through volunteer service, people can strength and improve the quality of life within their communities, and help themselves and other to live happier, healthier and more productive lives; and

WHEREAS, individual volunteering is beneficial because it helps build self-esteem, passes on social values and instill the responsibility of volunteering as a personal commitment by giving back to the community through service; and

WHEREAS, *National Volunteer Week* is celebrated throughout our nation the week of April 18-24, 2004.

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 salute the men and women and young people whose selfless efforts is exemplary to the civic dedication that is the mainstay of the American way of life and the foundation upon which our community will succeed and progress.

IN WITNESS WHEREOF, I hereby proclaim April 21, 2004 Volunteer Recognition Day in the Borough of Middlesex and hereunto set my hand and the seal of the Borough of Middlesex to be affixed this 21st day of April, 2004.

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

Chet Sadowski, Cedar Ave. complained about an absentee landlord who raked leaves and left them piled up which caused them to blow on his property. He had 80-90 bags of leaves to take to recycling.

Bruce Sadowski, 109 Lee Drive urged the Governing Body not to think small when making an addendum to the Middlesex County Open Space and Recreation Grant Supplemental Request for the soccer fields. He urged the Governing Body to make a list and prioritize and make improvements to all parks.

Mr. Sadowski also spoke about the Smart Future Grant that the Borough has received and would like the Governing Body to have a vision, hire a planner, and gather input from the community on what should be done with the landfill.

Angelo Porta, Runyon Ave. visited the Middlesex Borough website and noticed that it hasn't been updated in years. Administrator reported that the website is being refurbished and will be live in a few weeks.

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

Councilman Colitti moved the acceptance of Joe Dudley as an active member of the Middlesex Fire Department and Beechwood Heights Fire Co. #2 effective March 15, 2004 seconded by Councilwoman Liana and carried by a unanimous vote.

Councilman Colitti moved the acceptance of the resignation of Rick Monus from the Middlesex Fire Department and Lincoln Hose Co. #1 seconded by Councilman Mulcahy and carried by a unanimous vote.

Councilwoman Liana moved the approval of the February 24, 2004 and March 23, 2004 Agenda Meeting Minutes and the March 9 2004 Public Meeting Minutes seconded by Councilman Mulcahy and carried by a unanimous vote.

Councilman Mulcahy moved the approval of the March, 2004 Municipal Court Report seconded by Councilman D'Angelo and carried by a unanimous vote.

Councilman Mulcahy moved the approval of the March, 2004 Police Department Report seconded by Councilman D'Angelo and carried by a unanimous vote.

Mayor Dobies moved the approval of Bernadette Colanduoni and a designee as a representative to the Middlesex County Public Health Partnership seconded by Councilman D'Angelo and carried by a unanimous vote.

There being no further business to discuss, the meeting was adjourned by Councilman Mulcahy and seconded by Councilwoman Liana and carried by unanimous vote of Council.

Respectfully submitted,

Kathleen Anello, Borough Clerk

