

Municipal Building
1200 Mountain Avenue

April 22, 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
	Garrett Mulcahy

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 7, 2003.

The Borough Clerk read the following resolution:

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

Resolution #122-03

TEMPORARY CAPITAL BUDGET RESOLUTION

WHEREAS, the local capital budget has not been adopted for the year 2003; and

WHEREAS, it is desired to file a temporary capital budget for the year 2003 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 introduced capital budget section of the Borough’s capital budget be amended for various capital projects in the amount of \$1,265,000.

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

The Borough Clerk read Ordinance No. 1581-03 for introduction.

ORDINANCE NO. 1581-03

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY APPROPRIATING THE AGGREGATE AMOUNT OF \$1,265,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,201,750 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Mr. Mulchay moved for introduction seconded by Mr. Sadowski and carried by the following roll call votes: Ayes: Members Fowler, Hompesch, Liana, 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(I)

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 #111-03 - Resolution #121-03

Mr. Mulchay moved for adoption seconded by Mr. Sadowski and carried by the following roll call votes: Ayes: Members Fowler, Hompesch, Liana, 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 #111-03

Authorizing the Treasurer to establish a Change Fund in the amount of \$50.00 for the Borough Clerk’s Office.

The Borough Clerk read the following resolution:

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

Resolution #112-03

Bellmawr Truck was awarded the contract for a Reconditioned Sanitation Truck L9000 Ford and that truck has been received. Bellmawr Truck has requested that the bid guarantee be returned. The Treasurer is hereby authorized to refund the bid guarantee which was submitted in the form of a certified check in the amount of \$6,500.00 payable to the following:

Bellmawr Truck Repair Company, Inc.
781 Creek Road
Bellmawr, NJ 08031

The Borough Clerk read the following resolution:

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

Resolution #113-03

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

Estimated Tax Bills

Other Expenses	\$3,200.00
----------------	------------

The Borough Clerk read the following resolution:

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

Resolution #114-03

The Borough of Middlesex is hereby authorized to enter into an agreement with the Piscataway Township Cooperative Pricing Council for the purchase of leaf bags and such other items as two or more participating contracting units in the system agree can be purchased on a cooperative basis. This agreement is for a five-year period expiring June 28, 2008.

The Borough Clerk read the following resolution:

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

Resolution #115-03

**RESOLUTION URGING GOVERNOR MCGREEVEY AND THE STATE
LEGISLATURE TO RESTORE PUBLIC HEALTH PRIORITY FUNDING IN THE
PROPOSED FY 2004 STATE BUDGET**

WHEREAS, Public Health Priority Funds are used by local and county health departments to provide a variety of public health services, including, but not limited to, immunizations, health screenings, health promotion and health education activities, and public health infrastructure building for New Jersey residents; and

WHEREAS, Governor McGreevey's Fiscal Year 2004 budget proposes the elimination of Public Health Priority Funds; and

WHEREAS, the same prevailing economic conditions will prevent counties and municipalities from replacing Public Health Priority Funds with local tax dollars resulting in the elimination of valuable public health services provided by these funds at the same time that county and municipal public health agencies will be facing both increased demand for services as well as the challenge of improving bioterrorism preparedness.

NOW, THEREFORE, BE IT RESOLVED by the Middle-Brook Regional Health Commission, that the New Jersey State Legislature and Governor James E. McGreevey are hereby urged to restore Public Health Priority Funds to the New Jersey Fiscal Year 2004 budget.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to Governor James McGreevey, Senators and Assemblypersons representing the municipalities served by the Middle-Brook Regional Health Commission, and all municipalities served by the Middle-Brook Regional Health Commission.

The Borough Clerk read the following resolution:

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

Resolution #116-03

**RESOLUTION REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION
OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY
RIDER FOR ACCUMULATED ABSENCES, PURSUANT TO N.J.A.C. 5:30-15**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

WHEREAS, N.J.A.C. 5:30-15 permits municipalities to receive amounts for costs incurred for Accumulated Absences; and

WHEREAS, N.J.A.C. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Middlesex, County of Middlesex, State of New Jersey as follows:

1. The governing body hereby requests permission of the Director of the Division of Local Government Services to pay expenditures for Accumulated Absences created in accordance with the provisions of N.J.A.C. 5:30-15 as per N.J.S.A. 40A:4-39; and
2. The municipal clerk of the Borough of Middlesex is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

The Borough Clerk read the following resolution:

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

Resolution #117-03

WHEREAS, the Fire Official has requested a redesign of the underground water service for the sprinkler system for the Middlesex Library Expansion, so that the connection is located at the street; and

WHEREAS, Cornerstone Architectural Group LLC has advised us that the cost of this additional work is \$600.

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 redesign of the underground water service for the sprinkler system for the Middlesex Library Expansion in the amount of \$600.00
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 #118-03

WHEREAS, the unprovoked attack on the United States carried out by international terrorists on September 11, 2001 against targets in New York City, Washington, D.C. and Arlington, Virginia, resulted in the deaths of thousands of innocent people, injury to countless others and the destruction of innumerable lives; and

WHEREAS, among the victims of this depraved act were civilian and government workers, military personnel, airline passengers and crew members, police officers, firefighters and paramedics, many of whom reside in this State; and

WHEREAS, the remains of many victims of the World Trade Center attacks were never located; and

WHEREAS, the ash from the World Trade Center site, which contains the remains of victims of September 11, 2001, has been held at Fresh Kills Landfill in Staten Island, NY; and

WHEREAS, it is fitting and proper for the State to honor the victims of September 11, 2001 by returning their ashes to the site of a memorial at the World Trade Center in their honor; and

WHEREAS, A-2753 and S-1924 require the Port Authority of New York and New Jersey to honor the victims of the World Trade Center by covering the ashes of their remains, placing them in containers and transporting them to the World Trade Center site to be used in a memorial built in their honor; and

WHEREAS, A-2753 and S-1924 shall take effect upon enactment into law by the State of New York by legislation having an identical effect with this legislation.

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Middlesex, County of Middlesex, State of New Jersey does hereby go on record supporting and endorsing the passage of bills A-2594 and S-1236 by the New Jersey State Legislature and enactment into law of identical effect with this legislation.

FURTHER BE IT RESOLVED, that this Resolution be forwarded to Assemblyman Jerry Green, Assemblywoman Linda Stender and Senator Joseph Suliga, the Speaker of the New York State General Assembly and the President of the New York State Senate.

The Borough Clerk read the following resolution:

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

Resolution #119-03

Authorizing Kupper Associates to go out to bid for the Shepherd Avenue Project for which Municipal Aid was granted for the Fiscal Year 2003.

The Borough Clerk read the following resolution:

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

Resolution #120-03

Authorizing Kupper Associates to go out to bid for the Improvements to the Bound Brook Pump Station.

The Borough Clerk read the following resolution:

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

Resolution #121-03

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 declared April 25, 2003 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 third 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 25, 2003 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 May, 2003 as National Older Americans Month

PROCLAMATION

WHEREAS, May, 2003 has been designated National Older Americans Month; and

WHEREAS, the Administration on Aging has designated "What We Do Makes a Difference" as the theme for Older Americans Month; and

WHEREAS, Middlesex Borough recognizes the value and contributions of our older citizens.

NOW THEREFORE, I, RONALD S. DOBIES, Mayor of the Borough of Middlesex, hereby proclaim May, 2003 to be Older Americans Month and urge citizens of this community to honor and celebrate this special event.

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

Glen Grau, Fisher Avenue spoke on behalf of Ed Johnson regarding the discrepancy in the amount requested in the DOT Transportation Grant Application when presented to the Mayor for signature and the amount discussed with the business association.

Mayor Dobies indicated that the council did not see the original document, but when presented to him for signature he noticed a discrepancy and the council agreed to have the administrator change the amount requested.

Barbara Benson questioned the timing on the submission of the grant application and indicated that the Business Association President tendered her response immediately to Mr. Manning.

Frank Ryan, 303 Maple Street spoke in regard to Mr. Johnson's article discussing the bike path construction. He felt that from 1999 to 2003 there was never a question of a bike way, and to date there have been 5 meetings with Schorr DePalma and no one has criticized the bike path.

Council President Sadowski mentioned that we are pursuing the bike way because there was grant money for this project. The park must get done and we are able to get some grant money at a certain cost.

Mayor Dobies indicated that it is the council's decision to move ahead. The Mayor would like the lake to be completely opened up to the public. He is concerned that the police, fire and OEM must be informed of the council's intention to close a portion of Oak Drive, the endorsement of the residents of that area to close a portion of Oak Drive and ADA compliance at the lake.

Frank Ryan stated that the lake needs to get done so that we will be proud of it. The dog feces at both Mountainview Park and Victor Crowell Park need to be monitored by the Police Department.

Glen Grau suggested the DPW go through the park and clean the dog and geese feces off the asphalt path at the lake. He also suggested that because there is no construction being done at the lake at this time, it should be opened to the public.

Councilwoman Liana will speak with Kevin Sumner and include the clean up of dog feces at the parks in the next newsletter.

Pat Martin, 37 Louis Avenue questioned why the park was still closed and why tons of money needs to be spent on it.

Gerald D'Angelo, 158 Mulberry Lane questioned the proposed bond ordinance and if the \$206,000 total anticipated expenses would be broken down at the public hearing. The Borough Administrator will make this information available to Mr. D'Angelo.

Barbara Benson indicated that the Mayor and Council should look at all opinions and encourage people to speak their minds.

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

Mr. Sadowski moved the approval of the April 1, 2003 and the April 8, 2003 Agenda Meeting Minutes seconded by Mulcahy and carried by a unanimous vote of Council.

Mr. Sadowski moved the approval of the March, 2003 Treasurer's Report seconded by Mr. Mulcahy and carried by a unanimous vote of Council.

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

Respectfully submitted,

Kathleen Anello, RMC
Borough Clerk

