Municipal Building
1200 Mountain Avenue

July 27, 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
	Giancarlo Colitti
	Jerry D'Angelo
	Josephine Liana
	Garrett Mulcahy
	Laura Thomasey
Attorney:	Peter 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 introduced the following Ordinance

ORDINANCE NO. 1615-04

AN ORDINANCE FIXING AND DETERMINING THE SALARIES AND COMPENSATION OF THE WHITE COLLAR ADMINISTRATIVE PERSONNEL OF THE BOROUGH OF MIDDLESEX FOR THE YEARS 2004, 2005 & 2006

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

The salary and rate of compensation of each of the officers and employees of the Borough of Middlesex shall be and the same is hereby fixed respectively as:

	2004	2005	2006
GRADE A			
Violations Clerk	$29,275	$30,700	$31,775
Recreation Secretary	$26,752	$28,088	$29,072
Sr. Citizen Driver	$27,216	$28,169	$29,155
Custodian	$25,523	$26,816	$27,754
GRADE A-1			
Police Records Clerk	$31,739	$32,850	$34,000
GRADE B			
Finance Clerk	$33,671	$34,849	$36,069
Deputy Court Admin.	$33,757	$34,938	$36,161
Court Bilingual Stipend.	$0	$1,000	$ 1,035
Technical Assistant	$38,622	$39,974	$41,373
Certified Senior Technical Assistant	$32,088	$33,211	$34,374
Dispatchers	$0	$33,000	$34,155
GRADE C			
Administrative Assistant	$44,925	$46,498	$48,125
Court Administrator	$42,580	$44,070	$45,613

A $400.00 lump sum salary adjustment for the years 2004 and 2005 is included in the above salaries for the Violations Clerk, Recreation Secretary and Custodian.

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

The Mayor and Council shall have the sole discretion in determining who shall be placed on Minimum, Maximum and on interim steps of the salary range and their determination shall be final and conclusive on all employees.

SECTION 4

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance be and the same are hereby repealed.

SECTION 5

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

INTRODUCED: July 27, 2004

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

The Borough Clerk introduced the following Ordinance:

ORDINANCE NO. 1616-04

AN ORDINANCE FIXING AND DETERMINING THE SALARY RANGE OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF MIDDLESEX

	Salary Range	
TITLE	**Base**	**To**
Swim Pool Manager (In Season)	$7,000.00	$17,000.00
Swim Coach (In Season)	$500	$1,600.00
Hourly Employees	**Per Hour**	**Per Hour**
Swim Pool Manager (Off Season)	$35.00	$45.00
Swim Coach (Off Season)	$9.00	$ 10.00
Life Guard	$7.00	$10.00
Front Desk Clerk	$6.25	$10.00
Snack Bar Attendant	$6.25	$10.00
Uniform Fire Code Inspector (Part Time)	$10.00	$20.00
Playground Coordinator (Seasonal)	$12.00	$15.00
Playground Site Supervisor (Seasonal)	$9.00	$12.00
Playground Counselor (Seasonal)	$6.00	$8.50
Police Matrons	$12.00	$16.00

SECTION 2

Rates of Compensation established above shall serve as a guide in employment and subsequent changes in rate 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.

INTRODUCED: July 27, 2004

Councilman Hompesch moved for introduction seconded by Councilman D'Angelo and carried by the following roll call votes: Ayes: Members Colitti, D'Angelo, Hompesch, Liana, Mulcahy, and Thomasey 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 #193-04

The Tax Collector is hereby authorized to transfer monies from the Current Fund into Accutrack Premium Tax Sale collected at the June 8, 2004 tax sale for premiums on specified properties in the amount of $25,400.

3/24	American Tax Funding	$2,200.00
79/23	American Tax Funding	$9,500.00
284/40	Phoenix Funding	$7,100.00
318/7	DVI	$1,600.00
336/4	Crusader Servicing Corp	$5,000.00

The check should be made payable to: Borough of Middlesex.

Councilman D'Angelo made a motion to remove from the table Resolution #188-04 seconded by Councilman Colitti and approved by the following roll call vote: Ayes: Colitti, D'Angelo, Hompesch, Liana, Mulcahy, Thomasey. Nos: None. Abstain: None

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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 #188-04

RESOLUTION PROTECTING THE LANDFILL SITE PROPERTY AND PROVIDING THAT THIS AREA BE USED ONLY FOR RECREATION USES AND PROHIBITING THIS AREA TO BE USED FOR COMMERCIAL AND/OR RESIDENTIAL USES

WHEREAS, the former Middlesex Borough Landfill Site Area has been the focus of much discussion over the past several years and many different concepts have been advanced for this proposed site; and

WHEREAS, this former landfill site is one of the last pristine, undeveloped areas in the Borough and is in need of protection so that it is not developed as a residential and or commercial area; and

WHEREAS, there is a great need in the Borough for additional playing fields for soccer, softball, baseball, and other similar sporting activities since the existing playing fields in the Borough are over-utilized and in need of periodic revitalization; and

WHEREAS, recommendations have been made in the past to the Governing Body and to the Middlesex Board of Education that the Borough's playing fields be allowed to recuperate from their constant utilization and that each field be left unused for at least one year out of every five years and this recommendation has not been implemented because of the demand for usage of these playing fields; and

WHEREAS, the present number of playing fields available for use by the general public is not sufficient to meet the current demands and there is and has been a need for several additional playing fields in the Borough; and

WHEREAS, the former landfill site located behind the Borough Hall and the Presbyterian Church is the perfect location for additional playing fields because ample parking could be provided for participants and for the general public in an area which would not adversely impact on neighboring property owners, and

WHEREAS, many neighboring municipalities are spending large amounts of money to acquire vacant land and the Borough already owns this vacant land and we wish to protect this land to insure that it is not used for commercial and or residential purposes; and

WHEREAS, preserving and protecting open public space preserves the quality of life not only for today but for our children tomorrow and this goal is and should be one of our prime objectives; and

WHEREAS, the Borough's Master Plan for this property has and still does recommend that this property be reserved and not developed for residential and or commercial purposes; and

WHEREAS, previous Governing Bodies and Planning Boards of the Borough had the foresight to protect this former landfill site from unbridled development and tried to insure by adopting and approving the present Master Plan and Zoning Ordinance that this area would not be developed for residential and or commercial uses; and

WHEREAS, there has been and is now the threat that this property may be developed for commercial and or residential uses, which would be counter to the recommendations of the Master Plan and which would also be counter to the expressed wishes of the majority of the residents of this Borough.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Middlesex as follows:

1. This Governing Body hereby determines that the former landfill site be protected from the profligate usage as residential and or commercial property and that the site be reserved for and used only for recreational uses.

2. This Resolution shall take effect immediately.

Councilman Hompesch made a motion to postpone Resolution #188-04 to April 12, 2005 seconded by Councilwoman Liana and carried by the following roll call votes: Ayes: Members Colitti, Hompesch, Liana, Mulcahy and Thomasey. Nos.: D'Angelo. Abstain: None.

The Borough Clerk read the following resolution:

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

Resolution #211-04

BOROUGH OF MIDDLESEX
MIDDLESEX COUNTY, NEW JERSEY

RESOLUTION TO AMEND BUDGET

WHEREAS, the local municipal budget for the year 2004 was approved on the 10th day of February, 2004; and

WHEREAS, the public hearing on said budget has been held as advertised; and

WHEREAS, it is desired to amend said approved budget.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Middlesex, County of Middlesex, that the following amendments to the approved budget for the year 2004 be made:

		Ayes	Nays	Abstained
Recorded Vote	(	Colitti	(	(
(Insert last names)	(	D'Angelo	(	(
	(	Hompesch		
	(	Liana		Absent
	(	Mulcahy		(
	(	Thomasey		(

	From	To

Current Fund - Anticipated Revenues:

General Revenues

3. Miscellaneous Revenues

Section B: State Aid Without Offsetting Appropriations:

Extraordinary Aid	-	225,000.00
Energy Receipts Tax	1,085,619.05	1,090,160.00
Supplemental Energy Receipts Tax	-	38,020.00
Homeland Security Assistance Aid	-	70,000.00
Total Miscellaneous Revenues - Section B	2,332,108.05	2,669,669.00

Section F: Special Items of Revenue Anticipated with Prior Written Consent of the Director of Local Government Services - Public and Private Revenues Offset with Appropriations:

Older Americans Grant	-	3,500.00
Clean Communities	-	12,092.69
Body Armor Grant	-	7,184.02
Municipal Stormwater Regulation Program	-	10,207.00
Total Miscellaneous Revenues - Section F	44,888.20	77,871.91

Section G: Special Items of Revenue Anticipated with Prior Written Consent of the Director of Local Government Services - Other Special Items:

Reserve for Insurance Refund - Landfill	13,746.06	133,000.00
Total Miscellaneous Revenues - Section G	187,262.91	306,516.85
Total Miscellaneous Revenues	3,638,132.16	4,127,930.76
5. Subtotal General Revenues	4,988,132.16	# 5,477,930.76

6. Amount to be Raised by Taxes:

(a) Local Tax for Municipal Purposes Including

Reserve for Uncollected Taxes	7,990,568.91	7,305,834.02
7. TOTAL GENERAL REVENUES	$ 12,978,701.07	$ 12,783,764.78

	From	To
Current Fund - Appropriations		
8. General Appropriations		
(A) Operations within "CAPS"		
Legal Services and Costs		
Other Expenses		

	23,000.00	18,000.00
Engineering Services & Costs		
Other Expenses	70,000.00	60,000.00
Temporary Disability Insurance	-	17,500.00
Long Term Disability Insurance	-	10,500.00
Police		
Salaries and Wages	2,645,262.00	2,610,262.00
Fire		
Other Expenses	85,000.00	88,000.00
Road Repairs and Maintenance		
Salaries and Wages		
Other Expenses	67,150.00	79,150.00
Recycling		
Other Expenses	500.00	16,500.00
Celebration of Public Events		
Other Expenses	18,000.00	20,000.00
Parks and Playgrounds		
Other Expenses	17,080.00	21,080.00
Gas - Natural	25,000.00	35,000.00
Fuel Oil (Diesel Fuel)	35,000.00	47,000.00
Gasoline	55,000.00	75,000.00
Salary Adjustment		
Salaries and Wages	-	5,550.00
Total Operations (Item 8A) within "CAPS"	7,058,060.00	7,120,610.00
Total Operations Including Contingent within "CAPS"	7,070,060.00	7,132,610.00
Detail:		
Salaries and Wages	5,225,089.00	5,190,089.00
Other Expenses	1,844,971.00	1,942,521.00
(H-1) Total General Appropriations for Municipal Purposes within "CAPS"	7,317,060.00	7,379,610.00
8. General Appropriations		
(A) Operations Excluded from "CAPS"		
Temporary Disability Insurance	17,500.00	-
Long Term Disability Insurance	10,500.00	-
Midd. Cty. Util. Auth. - Sewage Treatment Costs	1,131,586.00	858,916.00
Total Other Operations - Excluded from "CAPS"		

	3,538,529.00	3,237,859.00
Public and Private Programs Offset by Revenues:		
Older Americans Grant	-	3,500.00
Clean Communities	-	12,092.69
Body Armor Grant	-	7,184.02
Municipal Stormwater Regulation Program	-	10,207.00
Total Public and Private Programs Offset by Revenues	75,042.20	108,025.91
Total Operations-Excluded from "CAPS"	3,739,153.20	3,471,466.91
Detail:		
Other Expenses	3,567,094.20	3,299,407.91
(D) Municipal Debt Service Excluded from "CAPS"		
Payment of Bond Anticipation Notes	-	10,200.00
Total Municipal Debt Service Excluded from "CAPS"	1,279,983.05	1,290,183.05
(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	5,052,641.07	4,795,154.78
(O) Total General Appropriations- Excluded from "CAPS"	5,052,641.07	4,795,154.78
(L) Subtotal General Appropriations (Items (H-1) and (O))	12,369,701.07	12,174,764.78
9. TOTAL GENERAL APPROPRIATIONS	$ 12,978,701.07	$ 12,783,764.78

BE IT FURTHER RESOLVED, that two (2) certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services for certification of the year 2004 local municipal budget so amended.

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with the provisions of N.J.S.A. 40A: 4-9, be published in the Courier in the issue of August 6, 2004, and that said publication contain notice of public hearing on said amendment to be held at the Municipal Building on August 10, 2004, at 8:00 o'clock p.m.

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the governing body on the 27th day of July, 2004.

The Borough Clerk read the following resolution:

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

Consent Agenda 2004(M)

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 #193-04
Resolution #212-04 - Resolution #224-04

Councilman Hompesch moved for adoption seconded by Councilman D'Angelo and carried by the following roll call votes: Ayes: Members Colitti, D'Angelo, Hompesch, Liana, Mulcahy, and Thomasey 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 #212-04

The treasurer is hereby authorized to issue a check in the amount of $4671.44 to redeem tax sale certificate 2004-1655 and a check in the amount of $7,100.00 to redeem a premium, made payable to:

Wachovia as Cust for Phoenix
123 South Broad St-PA1328P
Philadelphia, PA 19109

The Certificate covered property located at 714 Drake Ave, Block 284, Lot 40.

The Borough Clerk read the following resolution:

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

Resolution #213-04

AUTHORIZING THE BOROUGH OF MIDDLESEX TO ISSUE A RAFFLE LICENSE TO B.P.O.E. #2301 MIDDLESEX ELKS LODGE (RA-575)

The application for a Raffle License filed by B.P.O.E. #2301 Middlesex Elks Lodge, which has been approved by the Police Department and the Borough Clerk is hereby authorized to issue the licenses upon receipt of the fee as set by the State (RA-575).

The Borough Clerk read the following resolution:

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

Resolution #214-04

The treasurer is hereby authorized to issue a check in the amount of $33,060.32 to redeem tax sale certificate 2004-1654, made payable to:

Wachovia-Coll Agt/Sass Muni IV
123 South Broad St-PA1328S
Philadelphia, PA 19109

The Certificate covered property located at 900-904 Lincoln Blvd, Block 249, Lot 5.

The Borough Clerk read the following resolution:

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

Resolution #215-04

Upon recommendation of the Borough Auditor, the four listed properties should be cancelled from Curb & Gutter Assessment #1403-97. These properties are Borough of Middlesex properties and we cannot bill ourselves.

BLOCK/LOT	**ADDRESS**	**AMOUNT**
295/60	Lincoln Blvd	$242.19
296/41	Voorhees Avenue	$995.17
338/14	Drake Avenue	$839.30
338/16	Cedar Avenue	$824.90

The Borough Clerk read the following resolution:

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

Resolution #216-04

WHEREAS, in order to utilize the Borough of Middlesex Recreation Center as a shelter in the event of an emergency the Borough is required to execute a Statement of Agreement for the use of Facility as a Mass Care Shelter with the American Red Cross of Greater Somerset County.

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 is hereby authorized to execute the Statement of Agreement for the Use of Facility as a Mass Care Shelter in order to utilize the Middlesex Recreation Center as a shelter in the event of an emergency.

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 #217-04

OPPOSE STATE PLAN TO CONSTRUCT A SHORT-LINE FREIGHT TRACT ON THE LEHIGH VALLEY LINE FROM EDISON TO BOUND BROOK

WHEREAS, the Port Authority of New York and New Jersey has proposed the increase of its capacity for container shipments from 2.3 million to 8.8 million per year by reactivating defunct train tracks and constructing new ones; and

WHEREAS, to accomplish this, the New Jersey Department of Transportation (NJDOT) has proposed the construction of a new 10.5 mile “short-line” railroad tract on the Lehigh Valley Line from the Township of Edison to Bound Brook; and

WHEREAS, in addition to the new line, the NJDOT is proposing to use an existing “short-line” from Linden to Summit; and

WHEREAS, the new, proposed short-line would run through the municipalities of Edison, South Plainfield, Piscataway, Middlesex and Woodbridge and would cross major roadways in said municipalities at street level at dozens of grand crossings; and

WHEREAS, said additional train traffic will cause increased vehicular gridlock and traffic problems, as well as increasing pollution; and

WHEREAS, said short-line would have a deleterious impact on the quality of life of thousands of Middlesex County residents; and

WHEREAS, this Council wishes to go on record as opposing the construction of said short-line freight tract;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that this Council does hereby oppose the construction of the proposed "short-line" freight tract on the Lehigh Valley Line from Edison to Bound Brook;

BE IT FURTHER RESOLVED that this Board does further urge Governor McGreevey to withhold any state funding for said project;

BE IT FURTHER RESOLVED that the Borough Clerk shall forward certified copies of this resolution to Governor James E. McGreevey, New Jersey Department of Transportation Commissioner Jack Lettiere, the Senators and Assemblypersons representing Middlesex County, the Municipal Clerks of Edison, South Plainfield, Piscataway, and Woodbridge and the Clerk of the Somerset County Board of chosen Freeholders.

Councilman Mulcahy moved to remove Resolution #217-04 from the consent agenda and table for further discussion, seconded by Councilwoman Liana and carried by the following roll call vote: Ayes: Members Colitti, D'Angelo, Hompesch, Liana, Mulcahy, and Thomasey. Nos: None Abstain: None

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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 #218-04

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN AGREEMENTS TO BE EXECUTED BY THE BOROUGH OF MIDDLESEX AND EACH OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL PURSUANT TO THE 2004 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM

WHEREAS, the Borough of Middlesex (the "Borough") in the County of Middlesex, New Jersey, has determined that there exists a need within the Borough to construct and renovate the Project (the "Project"), as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Borough and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Borough and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the 2004 New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Borough has determined to finance the construction and renovation of the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Borough to authorize, execute, attest and deliver the Borough's General Improvement Bonds to the Trust in an aggregate principal amount not to exceed $940,000 (the "Trust Loan Bond") and general Improvement Bonds to the State in an aggregate principal amount not to exceed $860,000 (the "Fund Loan Bond", and together with the Trust Loan Bonds, the "Bonds"), pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements; and

WHEREAS, the Trust and the State have expressed their desire to close in escrow the making of the Loans, the issuance of the Bonds and the execution and delivery of the Loan Agreements, all pursuant to the terms of an Escrow Agreement (the "Escrow Agreement") to be entered into by and among the Trust, the State, the Borough and the escrow agent naming therein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough as follows:

Section 1. The Trust Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Borough by either the Mayor or the Chief Finacial Officer in substantially the forms attached hereto as Exhibits A, B and C, respectively, with such changes as the Mayor or the Chief Financial Officer (each an "Authorized Officer"), in their respective sole discretion, after consultation with counsel and any advisors to the Borough (collectively, the "Borough Consultants") and after further consultation with the Trust, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", and together with the Borough Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Borough Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Borough as determined hereunder and to affix the corporate seal of the Borough to such Financing Documents.

Section 2. The Authorized Officers of the Borough are hereby further severally authorized to (i) execute and deliver, and the Borough Clerk is hereby further authorized to attest to such execution and affix the corporate seal of the Borough to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Borough Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other documents by the party authorized hereunder to execute such certificate or other document and (ii) perform such other actions as the Authorized Officers deemed necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 3. This resolution shall take effect immediately.

Section 4. Upon the adoption hereof, the Borough Clerk shall forward certified copies of this resolution to McManimon & Scotland, L.L.C., bond counsel to the Borough and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

The Borough Clerk read the following resolution:

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

Resolution #219-04

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING $1,800,000 GENERAL IMPROVEMENT BONDS OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY PURSUANT TO THE 2004 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM

WHEREAS, the Borough of Middlesex (the "Borough"), in the County of Middlesex, New Jersey has determined that there exists a need within the Borough to construct and renovate the Project (the "Project"), as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Borough and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Borough and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the 2004 New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Borough has determined to finance the construction and renovation of the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Borough to authorize, execute, attest and deliver the Borough's General Improvement Bonds to the Trust in an aggregate principal amount not to exceed $940,000 (the "Trust Loan Bond") and General

Improvement Bonds to the State in an aggregate principal amount not to exceed $860,000 (the "Fund Loan Bond", and together with the Trust Loan Bond, the "Bonds"), pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements; and

WHEREAS, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law allows for the sale of the Trust Loan Bond and the Fund Loan Bond to the Trust and the State respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the Trust Loan Bond to the Trust, without any public offering, all under the terms and conditions set forth herein; and

WHEREAS, in connection with the issuance of the Bonds to the Program, the governing body of the Borough wishes to authorize the execution of certain certificates and opinions as may be required by the Program or Bond Counsel to the Borough (collectively, the "Escrowed Documents") by the Mayor, Chief Financial Officer, Borough Clerk, Counsel to the Borough, Project Engineer or Appraiser and/or Bond Counsel to the Borough, (collectively, the "Borough Representatives") on or before the date when the Borough is scheduled to close the loans in escrow with the program (the "Escrow Closing Date"), such documents to be delivered to Bond Counsel and held by Bond Counsel until such time as the Borough authorizes release of the same.

NOW THEREFORE, BE IT RESOLVED by a 2/3 vote of the full membership of the governing body of the Borough as follows:

Section 1. In accordance with N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Borough hereby sells and awards its (a) Trust Loan Bond in an aggregate principal amount not to exceed $940,000 to the Trust in accordance with the provisions hereof and (b) Fund Loan Bond in an aggregate principal amount not to exceed $860,000 to the State in accordance with the provisions hereof. The Bonds have been referred to and described in a bond ordinance of the borough, which bond ordinance is entitled "Bond Ordinance Amending Bond Ordinance Numbered 1590-03 of the Borough of Middlesex, in the County of Middlesex, Finally Adopted November 25, 2003 in its Entirety to Provide for an Appropriation of $1,800,000 for Improvements to the Sanitary Sewer System", finally adopted by the Borough at a meeting duly called and held on July 13, 2004, at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Borough (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the Trust and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the Trust Loan Bond and the Fund Loan Bond:

(a) The aggregate principal amount of the Trust Loan Bond and the Fund Loan Bond to be issued;
(b) The maturity and annual principal installments of the Bonds, which maturity shall not exceed 20 years;
(c) The date of the Bonds;
(d) The interest rates of the Bonds
(e) The purchase price for the Bonds; and
(f) The terms and conditions under which the Bonds shall be subject to redemption prior to their stated maturities.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Bonds by the parties authorized under Section 4(c) hereof.

Section 4. The Borough hereby determines that certain terms of the Bonds shall be as follows:

(a) The Trust Loan Bond shall be issued in a single denomination and shall be numbered GI-1. The Fund Loan Bond shall be issued in a single denomination and shall be numbered GI-2.

(b) The Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and

(c) The Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Borough Clerk.

Section 5. The Trust Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the Trust Loan Agreement and the Fund Loan Agreement, respectively.

Section 6. The law firm of McManimon & Scotland, L.L.C. is hereby authorized to arrange for the printing of the Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust and the State for the program, to arrange for the same. Te Borough auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the bonds. The Borough Representatives are authorized to execute any certificates necessary or desirable in connection with the financial and other information, including execution of the Escrowed Documents. Bond Counsel is hereby authorized to accept and hold the Escrowed Documents on or before the Escrow Closing Date and to release the same upon the direction of the Borough.

Section 7. The terms of Bonds authorized to be set forth by the Chief Financial Officer in accordance with Section 2 hereof shall be ratified by the affirmative vote of 2/3 of the full membership of the governing body of the Borough.

Section 8. The Mayor and Chief Financial Officer are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Bond and are further authorized to deliver the same to the Trust and the State upon delivery of the Bonds and the receipt of payment therefore in accordance with the Loan Agreements.

Section 9. This resolution shall take effect immediately.

Section 10. Upon the adoption hereof, the Borough Clerk shall forward certified copies of this resolution to McManimon & Scotland, LLC, bond counsel to the Borough, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

The Borough Clerk read the following resolution:

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

Resolution #220-04

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 accounts:

BLOCK/LOT	NAME	AMOUNT	ACCOUNT #
174/39	Larry Neal 128 Cook Ave Middlesex, NJ 08846	$ 500.00	60091
213/3	Retail Development Assoc P O Box 559 Wayne, NJ 07474-0559	$2,990.59	00124
112/1	John Hromoho Merit Developers, Inc 124 Pulaski Road Whitehouse Station, NJ 08889	$1,165.00	00114
361/4	Koba Corporation 60 Baekeland Avenue Middlesex, NJ 08846	$ 978.00	80015

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 #221-04

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF $2,552,000 GENERAL IMPROVEMENT BONDS OF THE BOROUGH OF MIDDLESEX IN THE COUNTY OF MIDDLESEX, NEW JERSEY AND PROVIDING FOR THEIR SALE.

BE IT RESOLVED BY THE COUNCIL OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY AS FOLLOWS:

Section 1. The $2,552,000 General Improvement Bonds of the Borough of Middlesex, New Jersey, referred to and described in the resolution adopted by the Borough pursuant to the Local Bond Law of the State of New Jersey on July 27, 2004 and entitled, "Resolution Providing for the Combination of Certain Issues of General Improvement Bonds of the Borough of Middlesex, in the County of Middlesex, New Jersey into a Single Issue of Bonds Aggregating $2,552,000 in Principal Amount," shall be issued as General Improvement Bonds (the "General Improvement Bonds"). The General Improvement Bonds shall mature in the principal amounts on September 1 as follows:

Year	Principal Amount	Year	Principal Amount
2005	$175,000	2010	$275,000
2006	$185,000	2011	$300,000
2007	$200,000	2012	$300,000
2008	$225,000	2013	$325,000
2009	$250,000	2014	$317,000

The General Improvement Bonds shall be subject to redemption prior to maturity in accordance with the terms of the Notice of Sale authorized herein. The General Improvement Bonds shall be ten in number, with one certificate being issued for each year of maturity, and shall be numbered GI-1 to GI-10 inclusive.

The Bonds will be issued in fully registered form. One certificate shall be issued for the aggregate principal amount of Bonds of each issue maturing in each year. Both principal of and interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York, which will act as securities depository (the "Securities Depository"). The certificates will be on deposit with The Depository Trust Company. The Depository Trust Company will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records recording the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of any multiple of $1,000 (with a minimum purchase of $5,000 required) through book-entries made on the books and the records of The Depository Trust Company and its participants.

The Bonds will bear interest payable semiannually on the first day of March and September in each year until maturity, commencing on March 1, 2005, at a rate or rates per annum, expressed in a multiple of 1/8 or 1/20 of 1% and proposed by the successful bidder in accordance with the Notice of Sale authorized herein. The principal of and the interest on the Bonds will be paid to the Securities Depository by the Borough on the respective maturity dates and due dates and will be credited on the respective maturity dates and due dates to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of each next preceding February 15 and August 15 (the "Record Dates" for the Bonds). The Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under the official seal (or facsimile thereof) affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Borough Clerk. The following matters are hereby determined with respect to the Bonds:

Date of Bonds: September 1, 2004

Interest Payment
Dates: Each March 1 and September 1 until maturity, commencing on March 1, 2005.

Section 3. The Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the Borough to market the Bonds in accordance with the requirements of The Depository Trust Company:

REGISTERED
NUMBER GI-__

REGISTERED
$__________

UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF MIDDLESEX

BOROUGH OF MIDDLESEX

GENERAL IMPROVEMENT BOND

DATED DATE:	MATURITY DATE:	RATE OF INTEREST PER ANNUM:	CUSIP:
9/1/04	9/1/__	_______%	______ ___

BOROUGH OF MIDDLESEX, in the County of Middlesex, New Jersey hereby acknowledges itself indebted and for value received promises to pay to CEDE & CO., as nominee of The Depository Trust Company, which will act as Securities Depository, on the Maturity Date specified above, the principal sum of ___________________________ DOLLARS ($____________), and to pay interest on such sum from the Dated Date of this bond until it matures at the Rate of Interest Per Annum specified above semiannually on the first days of March and September in each year until maturity, commencing on March 1, 2005. Interest on this bond will be paid to the Securities Depository by the Borough of Middlesex and will be credited to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of the February 15 and August 15 next preceding the date of such payments (the "Record Dates" for such payments). Principal of this bond, upon presentation and surrender to the Borough will be paid to the Securities Depository by the Borough and will be credited to the participants of The Depository Trust Company.

This bond is not transferable as to principal or interest except to an authorized nominee of The Depository Trust Company. The Depository Trust Company shall be responsible for maintaining the book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants are responsible for maintaining records regarding the beneficial ownership interests in the bonds on behalf of individual purchasers.

The Bonds maturing prior to September 1, 2013 are not subject to optional redemption prior to maturity. The Bonds maturing on or after September 1, 2013 are subject to redemption on or after September 1, 2012 at 100% of the principal amount (the "Redemption Price"), plus in each case accrued interest to the date fixed for redemption.

Notice of Redemption shall be given by mailing by first class mail in a sealed envelope with postage prepaid to the registered owners of the bonds not less than thirty (30) days, nor more than sixty (60) days prior to the date fixed for redemption. Such mailing shall be to the owners of such bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Borough or a duly appointed Bond Registrar. Any failure of the depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any Notice of Redemption shall not affect the validity of the redemption proceedings. If the Borough determines to redeem a portion of the bonds prior to maturity, the bonds to be redeemed shall be selected by the Borough; the bonds to be redeemed having the same maturity shall be selected by the Securities Depository in accordance with its regulations.

If Notice of Redemption has been given as provided herein, the bonds or the portion thereof called for redemption shall be due and payable on the date fixed for redemption at the Redemption Price, together with accrued interest to the date fixed for redemption. Interest shall cease to accrue on the bonds after the date fixed for redemption and no further interest shall accrue beyond the redemption date. Payment shall be made upon surrender of the bonds redeemed.

This bond is one of an authorized issue of bonds issued pursuant to the Local Bond Law of the State of New Jersey, a resolution of the Borough of Middlesex adopted July 27, 2004 and entitled, "Resolution Providing for the Combination of Certain Issues of General Improvement Bonds of the Borough of Middlesex, in the County of Middlesex, New Jersey into a Single Issue of Bonds Aggregating

$2,552,000 in Principal Amount," and the various bond ordinances referred to therein, each in all respects duly approved and published as required by law (the "Authorization Proceedings").

The full faith and credit of the Borough of Middlesex are hereby irrevocably pledged for the punctual payment of the principal of and the interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the constitution or the statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed and that the issue of bonds of which this is one, together with all other indebtedness of the Borough, is within every debt and other limit prescribed by such constitution or statutes.

IN WITNESS WHEREOF, the BOROUGH OF MIDDLESEX has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual signature of its Borough Clerk, and this bond to be dated the Dated Date as specified above.

Section 4. The Bonds shall be sold on August 31, 2004 by electronic auction in accordance with the Full Notice of Sale authorized in Exhibit A attached hereto. The Borough Clerk is hereby directed to arrange for the publication of the Short Notice of Sale authorized in Exhibit B attached hereto and McManimon & Scotland, L.L.C. is hereby directed to arrange for the publication of the Summary Notice of Sale authorized in Exhibit C in the forms provided herein, such publications to be not less than seven days prior to the date of sale. The Short Notice of Sale shall be published in The Chronicle and the Summary Notice of Sale shall be published in the Bond Buyer, a financial newspaper published and circulating in the Borough of New York, New York. Pursuant to N.J.S.A. 40A:2-34, the Borough Council of the Borough hereby designates the Chief Financial Officer as financial officer to sell and to award the Bonds in accordance with the Full Notice of Sale authorized herein, and such financial officer shall report in writing the results of the sale to this Borough Council as required by law.

Section 5. The Full Notice of Sale shall be substantially in the form attached hereto as Exhibit A with such additions, deletions and omissions as may be necessary for the Borough to market the Bonds in accordance with the requirements of The Depository Trust Company and MuniAuction. The Short Notice of Sale shall be substantially in the form attached hereto as Exhibit B with such additions, deletions and omissions as may be necessary for the Borough to market the Bonds in accordance with the requirements of The Depository Trust Company and MuniAuction. The Summary Notice of Sale shall be substantially in the form attached hereto as Exhibit C with such additions, deletions and omissions as may be necessary for the Borough to market the Bonds in accordance with the requirements of The Depository Trust Company and MuniAuction.

Section 6. The Bonds shall have printed thereon a copy of the written opinion with respect to the Bonds that is to be rendered by the law firm of McManimon & Scotland, L.L.C., complete except for omission of its date.

Section 7. The law firm of McManimon & Scotland, L.L.C. is authorized to arrange for the printing of the Bonds and the printing of the Official Statement. McManimon & Scotland, L.L.C. is also authorized to arrange for the distribution of the Preliminary Official Statement on behalf of the Borough to those financial institutions that customarily submit bids for such Bonds. McManimon & Scotland, L.L.C. is authorized to prepare the Official Statement necessary in connection with the issuance of the Bonds. The Mayor and the Chief Financial Officer are authorized to execute any certificates necessary in connection with the distribution of the Official Statement. Such Official Statement may be distributed in preliminary form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission on behalf of the Borough by the Chief Financial Officer or by the Mayor. Final Official Statements shall be delivered to the purchaser of the Bonds within the earlier of seven business days following the sale of the Bonds or to accompany the purchaser's confirmations that request payment for the Bonds.

Section 8. The Borough hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the Bonds, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Bonds, if necessary.

Section 9. The Chief Financial Officer is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with The Depository Trust Company, New York, New York, as may be necessary in order to provide that the Bonds will be eligible for deposit with The Depository Trust Company and to satisfy any obligation undertaken in connection therewith.

Section 10. In the event that The Depository Trust Company may determine to discontinue providing its service with respect to the Bonds or is removed by the Borough and if no successor Securities Depository is appointed, the Bonds which were previously issued in book-entry form shall be converted to Registered Bonds in denominations of $5,000, or any integral multiple thereof. The beneficial owner under the book-entry system, upon registration of the Bonds held in the beneficial owner's name, will become the registered owner of the Registered Bonds. The Borough shall be obligated to provide for the execution and delivery of the Registered Bonds in certified form.

Section 11. It is hereby determined that the limitations as to the amounts of annual installments set forth in the Local Bond Law will adversely affect the financial position of the Borough. Accordingly, the appropriate officers and representatives of the Borough are authorized to apply on behalf of the Borough to the Local Finance Board for approval of the maturity schedules provided herein for the Bonds pursuant to N.J.S.A. 40A:2-26(e). It is hereby determined that the financial position of the Borough will be best served if the Bonds authorized herein mature in accordance with these schedules for the reason that these maturity schedules will result in level debt service requirements, that the debt service requirements will be more easily provided for by the taxpayers and the rate-payers and that these debt service requirements will help produce stability in the tax rate and/or the sewer rate.

Section 12. Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time (the "Rule"), and provided that the Bonds are not exempt from the Rule and provided that the Bonds are not exempt from the following requirements in accordance with paragraph (d) of the Rule, for so long as the Bonds remain outstanding (unless the Bonds have been wholly defeased), the Borough shall provide for the benefit of the holders of the Bonds and the beneficial owners thereof:

(a) On or prior to 270 days from the end of each fiscal year, beginning with the fiscal year ending December 31, 2004, to each nationally recognized municipal securities information repository ("National Repository") and to the appropriate State information depository ("State Repository"), if any, annual financial information with respect to the Borough consisting of the audited financial statements (or unaudited financial statements if audited financial statements are not then available, which audited financial statements will be delivered when and if available) of the Borough and certain financial information and operating data consisting of (i) Borough and overlapping indebtedness including a schedule of outstanding debt issued by the Borough, (ii) the Borough's most current adopted budget, (iii) property valuation information, and (iv) tax rate, levy and collection data. The audited financial information will be prepared in accordance with modified cash accounting as mandated by State of New Jersey statutory principles in effect from time to time or with generally accepted accounting principles as modified by governmental accounting standards as may be required by New Jersey law;

(b) in a timely manner to each National Repository or to the Municipal Securities Rulemaking Board, and to the State Repository, if any, notice of the following events with respect to the Bonds, if material (herein "Material Events"):

(1) Principal and interest payment delinquencies on the Bonds;

(2) Non-payment related defaults;
(3) Unscheduled draws on debt service reserves reflecting financial difficulties;
(4) Unscheduled draws on credit enhancements reflecting financial difficulties;
(5) Substitution of credit or liquidity providers, or their failure to perform;
(6) Adverse tax opinions or events affecting the tax-exempt status of the security;
(7) Modifications to rights of security holders;
(8) Bond calls;
(9) Defeasances;
(10) Release, substitution, or sale of property securing repayment of the securities; and
(11) Rating changes;

(c) in a timely manner to each National Repository or to the Municipal Securities Rulemaking Board, and to the State Repository, if any, notice of failure of the Borough to provide required annual financial information on or before the date specified in this resolution.

Section 13. If all or any part of the Rule ceases to be in effect for any reason, then the information required to be provided under this resolution, insofar as the provision of the Rule no longer in effect required the provision of such information, shall no longer be required to be provided.

Section 14. The Chief Financial Officer shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of obligations of the Borough prior to their offering. Such officer is hereby authorized to enter into additional written contracts or undertakings to implement the Rule and is further authorized to amend such contracts or undertakings or the undertakings set forth in this resolution, provided such amendment is, in the opinion of nationally recognized bond counsel, in compliance with the Rule.

Section 15. In the event that the Borough fails to comply with the Rule or the written contracts or undertakings specified in this resolution, the Borough shall not be liable for monetary damages, remedy being hereby specifically limited to specific performance of the Rule requirements or the written contracts or undertakings therefor.

Section 16. 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 #222-04

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 #223-04

RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF GENERAL

IMPROVEMENT BONDS OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF

MIDDLESEX, NEW JERSEY INTO A SINGLE ISSUE OF BONDS AGGREGATING $2,552,000

IN PRINCIPAL AMOUNT.

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY AS FOLLOWS:

Section 1. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the Bonds of the Borough of Middlesex, in the County of Middlesex, New Jersey authorized pursuant to the bond ordinances of the Borough heretofore adopted and described in Section 2 hereof shall be combined into a single and combined issue of General Improvement Bonds in the principal amount of $2,552,000.

Section 2. The principal amount of Bonds authorized by each ordinance to be combined into a single issue as above provided, the bond ordinances authorizing the Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

Principal Amount of Bonds	**Number of Ordinance**	**Description of Improvement and Date of Adoption of Ordinance**	**Useful Life**
$46,000	1472-99	Road reconstruction, including drainage, finally adopted June 22, 1999.	5 years
$30,000	1484-99	Road reconstruction, including drainage, finally adopted December 28, 1999.	10 years
$61,000	1528-01	Road reconstruction, including drainage, finally adopted July 10, 2001.	10 years
$54,000	1544-01	Improvement to various buildings and facilities, finally adopted November 20, 2001.	10 years
$105,000	1548-01	Road reconstruction, including drainage, finally adopted December 11, 2001.	10 years
$167,000	1551-02	Renovations, expansion and improvements to the Middlesex Public Library, finally adopted February 19, 2002.	20 years
$232,000	1562-02	Various capital improvements, finally adopted June 11, 2002.	10.88 years
$120,000	1564-02	Bound Brook Road Pump Station improvements, finally adopted August 13, 2002.	40 years
$119,000	1571-02	Construction of a bikeway from Fitzsimmons Park to Mountainview Park over local roadways, finally adopted October 22, 2002.	15 years
$925,000	1582-03	Various capital improvements, finally adopted May 27, 2003.	14.83 years
$26,000	1586-03	Acquisition of equipment for the Police Department, finally adopted August 26, 2003.	5 years
$160,000	1590-03	Preliminary planning for the Sanitary Sewer Improvement Project and videotaping inspection, finally adopted November 25, 2003.	20 years
$54,000	1599-04	Installation of new sidewalks, crosswalks and pedestrian signs at various locations, finally adopted February 10, 2004.	10 years

Principal Amount of Bonds	Number of Ordinance	Description of Improvement and Date of Adoption of Ordinance	Useful Life
$30,000	1600-04	Improvements and/or the development of soccer fields, finally adopted February 10, 2004.	15 years
$423,000	1605-04	Various capital improvements, finally adopted February 24, 2004.	7.9 years

Section 3. The following matters are hereby determined with respect to the combined issue of Bonds:

a. The average period of usefulness, computed on the basis of the respective amounts of Bonds presently authorized to be issued pursuant to each of the bond ordinances and the respective periods or average period of usefulness therein determined, is not less than 14.32 years.

b. The Bonds of the combined issue shall be designated "General Improvement Bonds" and shall mature within the average period of usefulness herein determined.

c. The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and the issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

a.None of the Bonds described in Section 2 hereof has been sold or issued heretofore, and the several bond ordinances described in Section 2 have not been rescinded and now remain in full force and effect as authorizations for the respective amounts of Bonds set opposite the descriptions of the bond ordinances in Section 2.

b. The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and are all purposes for which no deduction may be taken in any annual or supplemental debt statement.

Section 5. 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 #224-04

WHEREAS, the Borough of Middlesex wishes to honor the victims of 9-11 with a memorial; and

WHEREAS, the Borough of Middlesex received a proposal for a memorial from Blaise Batko, Sculpture that will consist of 1 black granite panel 24”W x 8”D x 8’H, a black granite base 24”W x32”D x 8”H and 4 gray granite benches 48”W x 16”D x 18”H; and

WHEREAS, the black granite Memorial will consist of sandblasted stars and stripes, New York skyline, words of dedication, dedication date and Borough name. Flag will consist of 2 cut out stripes representing the lost Americans of 9-11; and

WHEREAS, these services include the following:

- BBS (a/ka/ Blaise Batko, Sculpture) will provide all of the Memorial design, fabrications and installation, including sandblasting and shipping costs associated with the project. BBS will attend all required public meetings requested by the Borough of Middlesex, as well as perform all the co-ordination of all inscriptions and artwork.

- BBS will provide all weights and calculations needed by the Borough of Middlesex Engineer or their designee for approval of footings and any structural concerns.
- BBS will assist, when available, in the promotion of the Memorial for any fundraising purposes and media events.
- BBS will submit all artwork for approval by the Borough of Middlesex. Once approved, any changes or additions will be at the expense of the Borough of Middlesex.
- BBS will serve as advisor and consult with any private contractors or Borough of Middlesex work crews assigned to the project to ensure the ultimate success of the project and integrity of the design.
- Co-ordinate all activities with the Township Engineer/Landscape Architect assigned to the project; and

WHEREAS, under NJSA 40A:11-5(k) the 9-11 Memorial is considered an Extraordinary Unspecifiable Service due to the clear description of the nature of the work described above.

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 hereby approve the proposal/scope of services provided by Blaise Batko, Sculpture to provide the Borough of Middlesex with a 9-11 Memorial at a cost not to exceed $42,000.00.

NOW FURTHER BE IT RESOLVED that the Chief Financial Officer hereby certifies that funds are available in Account No. 04-1545-001545-60.

The Borough Clerk proclaimed July 31, 2004 as The Fourth Annual Middlesex Borough Hometown Day:

PROCLAMATION

WHEREAS, the Governing body wishes to foster community relations by encouraging residents and taxpayers of the Borough of Middlesex to gather together in the spirit of friendship and enjoy an outing of fellowship and enjoyment; and

WHEREAS, the Governing Body has appointed a committee which has worked diligently in order to provide a special day with various activities planned through out the day; and

WHEREAS, various exhibits and displays will be presented by local non-profit civic, youth, political, and religious groups; and

WHEREAS, various businesses will be providing vending services during the event; and

WHEREAS, the day will conclude with a spectacular fireworks display; and

WHEREAS, the Governing Body is wholeheartedly in support of this program and supports the activities of the Middlesex Borough Hometown Day – 2004 Committee; and

WHEREAS, the residents and taxpayers of the Borough of Middlesex are urged to take part in the event.

I hereby declare July 31, 2004 as

THE FOURTH ANNUAL MIDDLESEX BOROUGH HOMETOWN DAY

With all activities held at Mountainview Park in the Borough of Middlesex between the hours of 4 p.m. till the conclusion of the fireworks.

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

Frank Ryan, 303 Maple St. – stated that he received a letter from our Administrator on June 11, 2004 stating that the silt fencing was used during the construction phase of the project and that after completion of the project hay mulch is used to control runoff until the grass seed establishes itself. Mr. Ryan stated that the silt fence should have been at the bottom of the slope because the banks are washing into the stream and the baskets are starting to show. No grass has grown.

Mayor Dobies requested that the Administrator have a meeting with Scott Luthman and Jerry Schaefer and to have answers by Monday.

John McGuire, Ashland Rd. – stated that he does not understand how a contractor was allowed to work by the stream without silt control. He stated that this is common practice near a body of water. He also stated that he only found 3 inches of top soil when plan calls for six inches.

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

Councilman Colitti moved the resignation of Jason Dudley as Lieutenant of Beechwood Heights Fire Co. #2 and Randy Rudnick as his replacement.

Councilman Colitti reported that OEM Director Jack Costa stated that Homeland Security has provided Middlesex County with numerous items for fire departments to be distributed within the county which would be used in the event of a national or local disaster. These items include 3 decontamination showers and water retaining pools, decon suits, backboards and various other emergency equipment. To provide this equipment quickly and safely during an emergency, the Director recommends that an enclosed trailer 14-16ft. long be purchased and assigned to OEM where all the equipment would be able to be stored and transported by OEM to the scene.

Mayor Dobies requested that the Administrator check with Jack Costa and see if we could use the PARSA buildings.

Councilman Mulcahy moved the approval of the May & June, 2004 Police Report seconded by Council President Hompesch and carried by a unanimous vote of Council.

Councilwoman Liana moved the approval of the June 29, 2004 Special Meeting Minutes and Agenda Minutes and the July 13, 2004 Public and Agenda Meeting Minutes seconded by Councilman Mulcahy and carried by a unanimous vote of Council.

The Clerk congratulated Council President Mike Hompesch for successfully completing the Rutgers "Municipal Elected Officials Certificate Program."

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, RMC
Borough Clerk