

Municipal Building
1200 Mountain Avenue

August 24, 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 (absent – vacation)
Council President	Michael Hompesch
	Giancarlo Colitti (absent)
	Jerry D’Angelo (absent - vacation)
	Josephine Liana
	Garrett Mulcahy
	Laura Thomasey

Attorney:	George Hendricks
Administrator:	Joseph Manning (absent – vacation)

Council President Hompesch 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:

Consent Agenda 2004(O)

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 #243-04 – Resolution #252-04
Resolution #254-04 – Resolution #255-04

Councilman Mulcahy moved for adoption seconded by Councilwoman Liana and carried by the following roll call votes: Ayes: Members 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 #243-04

The treasurer is hereby authorized to issue a check in the amount of \$11,115.05 to redeem tax sale certificate 2003-1644 and a check in the amount of \$2,100 to redeem the tax sale premium, made payable to:

American Tax Funding, LLC
P.O. Box 862658
Orlando, FL 32886-2658

The Certificate covered property located at 125 Prospect Pl, Block 127, Lot 31.

The Borough Clerk read the following resolution:

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

Resolution #244-04

The Tax Collector is hereby authorized to refund overpayments of 3rd quarter 2004 property taxes on the following properties:

BLOCK/LOT	NAME & ADDRESS	AMOUNT
156/14.A	Battista, Justus & Lauralee Ann 119 Fairview Ave	\$ 82.41
173/27.A	Hueyopa, Gilbert 146 Giles Ave	\$1,422.87
189/27	Grigal, Frank D & Melissa C 332 Howard Ave	\$1,111.85
223/24	Centanni, Lisa 609 Edgeworth St	\$ 37.95
248/12	Miles, Robert 922 Voorhees Ave	\$ 769.28
	Check to be made payable to:	John R. DeCicco, Jr. Attorney Trust Account P.O. Box 345 Bound Brook, NJ 08805
284/54	Korom, Rachel & Ernie 744 Drake Ave	\$1,048.75

The Borough Clerk read the following resolution:

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

Resolution #245-04

The Tax Collector is hereby authorized to refund monies received from the State of New Jersey Homestead Rebate program on the following properties. At the time of report, these properties were delinquent but are now paid current.

BLOCK/LOT	NAME & ADDRESS	AMOUNT
143/11.A	Adams, John & Margaret 554 Ashland Rd	\$ 250.61
74/3	Buratti, Vincent & Rachel 1010 Beechwood Ave	\$ 94.67
284/40	Frederickson Jr, Howard & Geraldine 714 Drake Ave	\$1,200.00
70.G/1	Sanders, Jean K 10 Venice Ave	\$ 253.11

The Borough Clerk read the following resolution:

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

Resolution #246-04

Leonard Vidal be and is hereby advanced to DPW Laborer in the Department of Public Works effective September 3, 2004 at an hourly rate of \$24.79 per hour.

The Borough Clerk read the following resolution:

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

Resolution #247-04

Appointing Genoveva Castaneda, 711 Pershing Avenue, Middlesex, New Jersey as a Police Matron at \$12.00 per hours, effective immediately, as 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 #248-04

WHEREAS, the Uniform Construction Code allows a municipality to appoint an acting Building Subcode Official/Building Inspector at any time the absence of such official would impede orderly administration of the Uniform Construction Code and other duties mandated by the municipality; and

WHEREAS, acting appointments shall be accomplished by any mechanism acceptable to the municipality; providing, however, that a written record shall be kept; and

WHEREAS, acting appointments may not be made for longer than 60 days; nor may they be extended or renewed beyond 60 days unless specific authority to do so is granted in writing by the Department; and

WHEREAS, acting appointments shall not constitute the statutory four-year term for Construction and Subcode Officials or any portion thereof; and

WHEREAS, the Borough of Middlesex's Construction Code Official resigned from that position effective August 28, 2004.

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

- (1) That William W. Murphy shall be appointed as acting Building Subcode Official/Building Inspector for the orderly administration of the Uniform Construction Code and other duties as mandated by the Borough of Middlesex; and
- (2) That Mr. Murphy's acting appointment will be effective 12:01 a.m. August 28, 2004 and end no later than 11:59 p.m. October 25, 2004; and
- (3) That said acting Building Subcode Official/Building Inspector's appointment shall not be extended or renewed beyond 60 days.
- (4) That Mr. Murphy's hours of work shall be Tuesdays and Thursdays from 4:00 P.M. to 6:00 P.M. and shall be paid a salary of \$200.00 per week for the 60 day acting appointment.

The Borough Clerk read the following resolution:

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

Resolution #249-04

Authorizing the Mayor and Borough Clerk to execute the Amendment to the contract between the County of Middlesex and the Borough of Middlesex which increases the total contract which is funded with Older American Act Funds from \$6,000 to \$9,500.

The Borough Clerk read the following resolution:

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

Resolution #250-04

Authorizing the Borough Engineer to advertise for bids for the Sanitary Sewer Rehabilitation Project Phase 1 – Raritan Avenue.

The Borough Clerk read the following resolution:

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

Resolution #251-04

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 #
86.H/3B & 3C	Robert Ferris 565 Union Avenue	\$5,873.37	00139

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 #252-04

**RESOLUTION RETAINING GEORGE PSAK AS THE MUNICIPAL COURT JUDGE IN
THE BOROUGH OF MIDDLESEX**

WHEREAS, NJSA 2B:12-4 provides that a municipality must appoint a municipal court judge for a three year term; and

WHEREAS, the term of the present municipal court judge will expire on August 28, 2004; and

WHEREAS, the governing body wishes to retain the services of George Psak as the municipal magistrate for the Borough of Middlesex for three year term commencing as of August 28, 2004; and

WHEREAS, the local public contract law NJSA 40A:11-1 et seq., requires that the resolution authorizing the award of the contract for professional services without competitive bids must be publicly advertised.

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

1. The Borough of Middlesex hereby retains the services of George Psak, as a municipal Judge for the Borough of Middlesex.
2. This contract is made without competitive bidding as a “professional service” under the provisions of the local public contract law, because of the qualitative nature of the position.
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 #254-04

WHEREAS, bids were received on August 5, 2004 for the Community Pool Filter Renovation; and

WHEREAS, the Swim Pool Commission has reviewed the bids and based upon the recommendation of the Pool Manager, Jim Grimm and the Project Consultant Bill Weigel, has recommended awarding this bid to the lowest bidder, CFM Construction, 2293 Springfield Avenue, Vauxhall, New Jersey in the amount of \$81,800.00, as they have met all of the requirements of the specifications.

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

1. At the recommendation of the Pool Manager, Jim Grimm and the Project Consultant Bill Weigel, the Mayor and Council hereby award the bid for the Community Pool Filter Renovation to CFM Construction, 2293 Springfield Avenue, Vauxhall, New Jersey in the amount of \$81,800.00.
2. This resolution shall take effect immediately.

NOW FURTHER BE IT RESOLVED, that the Chief Financial Officer hereby certifies that funds are available in Account No. 06-1614-00-1614-60.

The Borough Clerk read the following resolution:

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

Resolution #255-04

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.

Council President Hompesch opened the public portion of the meeting for comments or questions.

Frank Ryan, 303 Maple Street questioned what the role is of the Victor Crowell Committee? He is also concerned about keeping the committee informed about the engineering situation at the Green Bridge and what their role is and where it ends. Council President Hompesch stated that he feels that the role should be advisory, and suggested that this matter be discussed further at an agenda meeting with the entire council present. Council President Hompesch did indicate that the Committee can be updated on what the status of the project is by looking at reports that have been provided by the engineer and also by attending an Agenda Meeting.

Frank Ryan also questioned when the starting date for the Memorial Plaza would be and if the contractor had responded to the punch list for the Victor Crowell Park dam, because if not done

soon the seeding wouldn't have enough time to take and over the winter the soil will erode back down the river. Councilman Mulcahy would contact the borough engineer tomorrow to discuss and Council President Hompesch, in agreement with Mr. Ryan's concerns, will be speaking with the Borough Administrator on Monday.

Seeing that there was no further public participation, Council President Hompesch closed the public portion of the meeting.

Councilman Mulcahy moved the approval of the July, 2004 Police Department Report seconded by Councilwoman Liana and carried by a unanimous vote.

Councilwoman Thomasey moved the approval of the July 27, 2004 and August 10, 2004 Public and Agenda Meeting Minutes and the August 3, 2004 Agenda Meeting Minutes seconded by Councilman Mulcahy 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, RMC
Borough Clerk

