

Municipal Building
1200 Mountain Avenue

September 28, 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 (absent)
	Jerry D’Angelo
	Josephine Liana
	Garrett Mulcahy
	Laura Thomasey

Attorney:	George Hendricks
Administrator:	Joseph Manning

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

The Borough Clerk read the following resolution:

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

Resolution #282-04

CAPITAL BUDGET AMENDMENT

WHEREAS, the governing body has adopted a capital budget for the year 2004 on August 10, 2004; and

WHEREAS, the governing body desires to amend said capital budget by increasing the amount thereof by \$30,000.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, that an amendment for the preliminary planning expenses in connection with a new Police Headquarters and Borough Hall renovations be made to the capital budget section of the Borough’s Capital Budget.

BE IT FURTHER RESOLVED that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

Council President Hompesch moved for adoption seconded by Councilwoman Liana and carried by the following roll call votes: Ayes: Members D’Angelo, Hompesch, Liana, Mulcahy and Thomasey. Nos.: None. Abstain: None.

The Borough Clerk read Ordinance No. 1613-04 by title only saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE #1613-04

**AN ORDINANCE TO ALLOW LEASE OF PUBLIC PROPERTY TO AMERICAN
LEGION JOHN W. LUPU MEMORIAL POST 306**

Mayor Dobies opened the Public Hearing on Ordinance No. 1613-04. Seeing that there was no public participation, Mayor Dobies closed the public hearing on Ordinance No. 1613-04.

Council President Hompesch moved for adoption seconded by Councilwoman Liana and carried by the following roll call votes: Ayes: Members D’Angelo, Hompesch, Liana, Mulcahy and Thomasey. Nos.: None. Abstain: None.

The Borough Clerk read Ordinance No. 1617-04 by title only saying it had been posted on the

bulletin board and made available for any person who wanted a copy.

ORDINANCE #1617-04

**BOND ORDINANCE REVISING THE PREVIOUSLY INTRODUCED BOND
ORDINANCE AND AMENDING BOND ORDINANCE NUMBERED 1474-99 OF THE
BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY
FINALLY ADOPTED JULY 13, 1999 IN ORDER TO AMEND THE SECTION 20 COSTS**

Council. President Hompesch moved to amend the previously introduced ordinance and table the adoption of this ordinance until the October 12, 2004 Public Meeting seconded by Councilman Mulcahy and carried by the following roll call votes: Ayes: Members D'Angelo, Hompesch, Liana, Mulcahy and Thomasey. Nos.: None. Abstain: None.

The Borough Clerk read Ordinance No. 1618-04 for introduction.

ORDINANCE NO. 1618-04

AN ORDINANCE TO SELL BLOCK 94, LOTS 1 & 2, BEECHWOOD AVENUE

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

The Borough Clerk read Ordinance No. 1619-04 for introduction.

ORDINANCE NO. 1619-04

AN ORDINANCE TO SELL BLOCK 14, LOT 40 AND BLOCK 229, LOT 17-19

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

The Borough Clerk read Ordinance No. 1620-04 for introduction.

ORDINANCE NO. 1620-04

**AN ORDINANCE TO AUTHORIZE CRIMINAL HISTORY RECORD BACKGROUND
CHECKS FOR EMPLOYEES AND VOLUNTEERS INVOLVED WITH BOROUGH
PROGRAMS OR SERVICES FOR MINORS**

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

The Borough Clerk read Ordinance No. 1621-04 for introduction.

ORDINANCE NO. 1621-04

**BOND ORDINANCE PROVIDING FOR PRELIMINARY
PLANNING EXPENSES IN CONNECTION WITH A NEW
POLICE HEADQUARTERS AND BOROUGH HALL
RENOVATIONS IN AND BY THE BOROUGH OF
MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW
JERSEY, APPROPRIATING \$30,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$28,500 BONDS OR
NOTES OF THE BOROUGH TO FINANCE PART OF THE
COST THEREOF**

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

The Borough Clerk read Ordinance No. 1622-04 for introduction.

ORDINANCE NO. 1622-04

AN ORDINANCE AMENDING ORDINANCE NO. 1448-98 ESTABLISHING A TWO HOUR PARKING LIMIT ON “E” STREET ON BOTH THE EASTERLY AND WESTERLY SIDE FROM LINCOLN BOULEVARD TO CHESTNUT STREET AND PROVIDING FOR A TWO HOUR PARKING LIMIT ON “E” STREET ON ONLY THE WESTERLY SIDE FROM LINCOLN BOULEVARD TO CHESTNUT STREET

Council President Hompesch moved for introduction seconded by Councilman Mulcahy and carried by the following roll call votes: Ayes: Members 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:

Consent Agenda 2004(Q)

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 #275-04 – Resolution #281-04

Councilman D’Angelo moved for adoption seconded by Councilman Hompesch and carried by the following roll call votes: Ayes: Members 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 #275-04

BOROUGH OF MIDDLESEX

WHEREAS, during 2004, the New Jersey Society of Municipal Engineers is celebrating its 75th Anniversary; and

WHEREAS, Middlesex Borough is pleased to join the New Jersey Society of Municipal Engineers in marking and observing its 75th Anniversary and September 26 to October 2, 2004 as New Jersey Municipal Engineers Week; and

WHEREAS, founded in 1929, the New Jersey Society of Municipal Engineers has continued to fulfill its mission of improving the quality of life of New Jersey communities through municipal engineering; and

WHEREAS, the New Jersey Society of Municipal Engineers encourages high professional standards and the improvement of the professional and social status and welfare of municipal engineers in New Jersey; and

WHEREAS, The New Jersey Society of Municipal Engineers discourages the influence of party politics in the selection or retention of municipal engineers over the efficient and professional administration of the office of the Municipal Engineer; and

WHEREAS, for seventeen years, the New Jersey Society of Municipal Engineers, through the New Jersey Municipal Engineering Institute has administered programs dedicated to the continuing educational needs of professional engineers practicing municipal engineering; and

WHEREAS, in addition, the New Jersey Municipal Engineering Institute has administered the Certified Municipal Engineer program to introduce engineers to both the technical and

administrative areas that are encountered in the practice of municipal engineering, and the N.J.M.E.I. also co-sponsors programs with Rutgers University to assist municipal engineering departments through educational programs; and

WHEREAS, it is altogether proper and fitting for Middlesex Borough to recognize the 75th Anniversary of the New Jersey Society of Municipal Engineers and New Jersey Municipal Engineers Week as significant occasions in this State.

NOW THEREFORE BE IT RESOLVED, by the Borough of Middlesex that Middlesex Borough hereby recognizes the occurrence of the 75th Anniversary of the New Jersey Society of Municipal Engineers and New Jersey Municipal Engineers Week September 26th to October 2, 2004 and extends sincere best wishes and congratulations; and

BE IT FURTHER RESOLVED, that a duly authenticated copy of this resolution, signed by the Municipal Clerk, be transmitted to the New Jersey Society of Municipal Engineers and the Municipal Engineers for Middlesex Borough.

The Borough Clerk read the following resolution:

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

Resolution #276-04

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Middlesex authorize the Administrator to submit a joint application with the Borough of Dunellen for a Statewide Livable Communities Grant for Municipal Capital Improvement Projects from the New Jersey Department of Community Affairs. The purpose of the grant is for the joint purchase of a sewer jet cleaner and the amount requested is \$200,000.

The Borough Clerk read the following resolution:

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

Resolution #277-04

Authorizing the Mayor and Borough Clerk to execute the Lease Agreement for Block 215, Lot 1 (Veteran's Park) between the Borough of Middlesex and American Legion John W. Lupu Memorial Post 306.

The Borough Clerk read the following resolution:

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

Resolution #278-04

**RESOLUTION REAPPOINTING JOSEPH MANNING AS BOROUGH
ADMINISTRATOR FOR THE BOROUGH OF MIDDLESEX**

WHEREAS, the Governing Body wishes to reappoint the services of Joseph Manning as Borough Administrator for the Borough of Middlesex effective January 1, 2005 for a one year term; and

WHEREAS, the Governing Body will determine the salary of Mr. Manning's services in the 2005 Salary Ordinance.

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. Joseph Manning is hereby reappointed as Borough Administrator for the Borough of Middlesex for a one-year term effective January 1, 2005.
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 #279-04

AUTHORIZING CHANGE ORDER #1 IN CONNECTION WITH THE VICTOR CROWELL PARK MEMORIAL PLAZA

WHEREAS, M.J. Hoag Contracting Inc. was awarded a bid for the Victor Crowell Park Memorial Plaza on June 29, 2004 in the amount of \$89,716; and

WHEREAS, Change Order #1 consists of the following items:

Multi-color river rock for the pentagon area	\$ 400.00
Two additional In-Ground Lighting Fixtures	\$6,200.00
Footing for sculpture	\$ 950.00
Additional Concrete Sidewalk	\$ 750.60
TOTAL	\$8,300.60

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 change order is hereby approved.

Original Contract Sum:	\$89,716.00
Change Order #1	\$ 8,300.60
NEW CONTRACT SUM:	\$98,016.60

NOW FURTHER BE IT RESOLVED, that the Chief Financial Officer hereby certifies that the funds are available in 04-1545-00-1545-60.

Joseph F. Manning, CFO

The Borough Clerk read the following resolution:

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

Resolution #280-04

WHEREAS, Kupper Associates has submitted to the Mayor and Council a proposal dated August 2, 2004 to re-bid the Reconstruction of Harris Avenue and Mountain Avenue and to provide professional engineering services for this project in the amount of \$16,800; and

WHEREAS, this proposal includes:

A.	Task 1- Rebid Services	\$ 1,300.00
B.	Task 2-ESDC Services	\$10,000.00
C.	Task 3-Construction Layout	\$ 5,500.00
TOTAL		\$16,800.00

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

1. The Mayor and Council hereby approve Kupper Associates to re-bid the Reconstruction of Harris Avenue and Mountain Avenue and to provide professional engineering services in an amount not to exceed \$16,800.
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. 04-1410-00-1410-52.

The Borough Clerk read the following resolution:

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

Resolution #281-04

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.

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

Chester Sadowski, Cedar Avenue complained that last year he bagged at least 100 leaves and that some of the leaves are coming from his neighbor's rental property. He requested that an ordinance be done to avoid the problem of absent landlords that do not bag their leaves that have fallen in their yards. Mr. Sadowski also complained of wood that was at a resident's property at the curb on Giles Avenue.

Mayor Dobies indicated that the Clean Water Act will be effective next year and by December we will be requiring that leaves are bagged.

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

Councilman D'Angelo moved the approval of the August, 2004 Board of Health Report seconded by Council President Hompesch and carried by a unanimous vote.

Councilman D'Angelo moved the approval of the July & August, 2004 Construction Report seconded by Council President Hompesch and carried by a unanimous vote.

Councilman D'Angelo moved the acceptance of the resignation of Scott Vincent from the Middlesex Fire Department and Beechwood Heights Fire Co. #2 effective September 20, 2004 seconded by Council President Hompesch and carried by a unanimous vote.

Councilwoman Thomasey moved the approval of the August, 2004 Office on Aging Report seconded by Councilman Mulcahy and carried by a unanimous vote.

Councilwoman Thomasey moved the approval of the September 14, 2004 Public & Agenda Meeting Minutes seconded by Councilman Mulcahy and carried by a unanimous vote.

Councilman Mulcahy spoke regarding the Middlesex Borough signs and the design that would be put on these signs. The committee has recommended that the bluejay be put on the "Welcome to Middlesex" signs and that the Lincoln Statue be put on the "Leaving Middlesex" signs.

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

