

Municipal Building
1200 Mountain Avenue

October 12, 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 (absent)
	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 Councilman D’Angelo and carried by the following roll call votes: Ayes: Members Colitti, D’Angelo, Hompesch, Liana, 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 #283-04

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 \$152,000.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, that an amendment for the streetscape improvements on the Route 28 Business corridor 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. 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**

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

The Borough Clerk read Ordinance No. 1623-04 for introduction.

ORDINANCE NO. 1623-04

**BOND ORDINANCE PROVIDING FOR STREETSCAPE
IMPROVEMENTS ON THE ROUTE 28 BUSINESS
CORRIDOR IN AND BY THE BOROUGH OF
MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW
JERSEY, APPROPRIATING \$152,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$144,500 BONDS OR
NOTES OF THE BOROUGH TO FINANCE PART OF THE
COST THEREOF.**

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

The Borough Clerk read Ordinance No. 1624-04 for introduction.

ORDINANCE NO. 1624-04

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

Councilman Colitti moved for introduction seconded by Councilman D’Angelo and carried by the following roll call votes: Ayes: Members Colitti, D’Angelo, Hompesch, Liana, 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**

Mayor Dobies opened the public hearing on Ordinance No. 1617-04. Seeing that there was no public participation, Mayor Dobies closed the hearing on Ordinance No. 1617-04.

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

The Borough Clerk read Ordinance No. 1618-04 by title only saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1618-04

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

Mayor Dobies opened the public hearing on Ordinance No. 1618-04. Seeing that there was no public participation, Mayor Dobies closed the hearing on Ordinance No. 1618-04.

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

The Borough Clerk read Ordinance No. 1619-04 by title only saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1619-04

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

Councilwoman Liana moved to amend Ordinance No. 1619-04 to include Block 229, Lot 23 and 24 seconded by Council President Hompesch and carried by the following roll call votes: Ayes: Members Colitti, D'Angelo, Hompesch, Liana and Thomasey. Nos.: None. Abstain: None.

Mayor Dobies opened the public hearing on Ordinance No. 1619-04. Seeing that there was no public participation, Mayor Dobies closed the hearing on Ordinance No. 1619-04.

Council President Hompesch moved for adoption of Ordinance No. 1619-04 as amended seconded by Councilwoman Liana and carried by the following roll call votes: Ayes: Members Colitti, D'Angelo, Hompesch, Liana and Thomasey. Nos.: None. Abstain: None.

The Borough Clerk read Ordinance No. 1620-04 by title only saying it had been posted on the bulletin board and made available for any person who wanted a copy.

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 to table Ordinance No. 1620-04 for further discussion seconded by Councilman D'Angelo and carried by the following roll call votes: Ayes: Members Colitti, D'Angelo, Hompesch, Liana and Thomasey. Nos.: None. Abstain: None.

The Borough Clerk read Ordinance No. 1622-04 by title only saying it had been posted on the bulletin board and made available for any person who wanted a copy.

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**

Mayor Dobies opened the public hearing on Ordinance No. 1622-04. Seeing that there was no public participation, Mayor Dobies closed the hearing on Ordinance No. 1622-04.

Council President Hompesch moved for adoption seconded by Councilman D'Angelo and carried by the following roll call votes: Ayes: Members Colitti, D'Angelo, Hompesch, Liana 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(R)

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 #284-04 – Resolution #295-04

Council President Hompesch moved for adoption seconded by Councilwoman Thomasey and carried by the following roll call votes: Ayes: Members Colitti, D'Angelo, Hompesch, Liana 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 #284-04

The treasurer is hereby authorized to issue a check in the amount of \$17,497.85 to redeem tax sale certificate 2002-1639 and a check in the amount of \$1,900 to redeem the tax sale premium, made payable to:

Crusader Servicing Corporation
179 Washington Lane
Jenkintown, PA 19046

The Certificate covered property located at 717 Lincoln Blvd, Block 285, Lot 9.

The Borough Clerk read the following resolution:

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

Resolution #285-04

WHEREAS, Police Officer Thomas Griffin is eligible for advancement in grade pursuant to Article XV of the Police Department Ordinance; and

WHEREAS, Chief Benson has recommended Police Officer Thomas Griffin be advanced in grade.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, county of Middlesex, State of New Jersey that Police Officer Thomas Griffin be and is hereby advanced in grade to Patrolman Class "A" effective October 23, 2004 at an annual salary of \$69,313.

The Borough Clerk read the following resolution:

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

Resolution #286-04

The Tax Collector is hereby authorized to cancel 3rd & 4th quarter 2004 property taxes in the amount of \$817.54, 1st & 2nd quarter 2005 property taxes in the amount of \$586.18 on Block 127, Lot 18, 146 Prospect Place. This property was purchased by the U.S. Army Corps of Engineers.

The Borough Clerk read the following resolution:

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

Resolution #287-04

The Tax Collector is hereby authorized to issue a credit in the amount of \$562.17 for 2004 taxes on Block 340, Lot 37.A. This is due to an adjustment made by the Borough of Middlesex Tax Assessor.

This credit will be applied to Block 340, Lot 40 upon discussions with the Borough Auditor. Both properties are owned by Creamer Bros.

The Borough Clerk read the following resolution:

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

Resolution #288-04

The Tax Collector is hereby authorized to refund an overpayment of 2004 property taxes on the following property:

<u>BLOCK/LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
279/42	Wadnik, William S & Dorothy 818 Voorhees Ave	\$145.22

The Borough Clerk read the following resolution:

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

Resolution #289-04

The Tax Collector is hereby authorized to refund and cancel 3rd quarter 2004 taxes in the amount of \$1,502.50 and to cancel 4th quarter 2004 taxes in the amount of \$1,327.50, 1st & 2nd quarter 2005 taxes in the amounts of \$1,382.50 on Block 111, Lot 16. The homeowner has been certified as totally disabled during wartime service by the Department of Veteran Affairs. The check should be made payable to:

Principal Residential Mortgage
711 High St., H-4
Des Moines, IA 50392

The Borough Clerk read the following resolution:

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

Resolution #290-04

The Tax Collector is hereby authorized to refund 2004 taxes based on a Middlesex County Tax Board judgment in the amount of \$218.00 and to amend 1st quarter and 2nd quarter 2005 taxes according to the following

<u>BLOCK/LOT</u>	<u>NAME & ADDRESS</u>	<u>OLD AMOUNT</u>	<u>NEW AMOUNT</u>
125/5/C0002	UMSI Corporate Plaza 125 Lincoln Blvd	\$ 1,244.25	\$ 553.00

Refund check made payable to:

Michael A. Vespasino
Attorney Trust Account

The Borough Clerk read the following resolution:

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

Resolution #291-04

The Tax Collector is hereby authorized to amend 4th quarter 2004 taxes based on Middlesex County Tax Board judgments on the following properties:

<u>BLOCK/LOT AMOUNT</u>	<u>NAME & ADDRESS</u>	<u>OLD AMOUNT</u>	<u>NEW</u>
86/6.01/C001C	SER Management 495 Union Avenue	\$ 371.67	\$ 156.00
86/6.01/C002C	Alan B Douglas 495 Union Avenue	\$ 454.02	\$ 199.64

The Borough Clerk read the following resolution:

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

Resolution #292-04

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

The Borough Clerk read the following resolution:

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

Resolution #293-04

The Tax Collector is hereby authorized to decrease the 4th quarter 2004 taxes on the following properties due to a miscalculation in the estimated tax bill.

<u>BLOCK/LOT</u>	<u>NAME & ADDRESS</u>	<u>OLD AMT</u>	<u>NEW AMT</u>
293/3.01	Sassman, M E & M Bencivenga 738 William St	\$4,198.32	\$1,480.77
293/3.02	Kozak, Christopher S & Mary M 110 Wagner St	\$4,032.31	\$1,082.56
293/3.03	Calv, Charles H & Van Thu 120 Wagner St	\$4,321.48	\$1,353.93
293/3.04	Rodriguez, Ruben & Barbara Sibree 130 Wagner St	\$4,484.81	\$1,767.26

The Borough Clerk read the following resolution:

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

Resolution #294-04

The Governing body hereby approves and accepts the Corrective Action Plan on the 2003 Audit, according to the Local Finance Board Directive 92-15.

The Borough Clerk read the following resolution:

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

Resolution #295-04

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 #296-04

WHEREAS, Mr. John Elichko has completed his statutory four year term as Electrical Subcode Official for the Borough of Middlesex; and

WHEREAS, the Borough of Middlesex desires to reappoint Mr. John Elichko as the Electrical Subcode Official effective August 10, 2004.

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

1. Mr. John Elichko shall be reappointed as the Electrical Subcode Official for the Borough of Middlesex effective August 10, 2004.
2. Mr. Elichko's hours of work shall be Tuesdays and Thursdays from 11:00 A.M. to 2:30 P.M. and shall be paid a salary determined and set by the Mayor and Council.
3. This resolution shall take effect immediately.

Council President Hompesch moved for adoption seconded by Councilwoman Thomasey and carried by the following roll call votes: Ayes: Members Hompesch, Liana, and Thomasey. Nos.: Colitti. Abstain: D'Angelo.

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

Frank Ryan, 303 Maple Street suggested that if they remove the park equipment from the pocket park off of Lincoln Boulevard that they should consider keeping the "stagecoach" equipment before it is destroyed.

Mr. Ryan also discussed the reappointing of the stone work at the memorial located at Victor Crowell Park and indicated there are stones missing on the column and on the wall by the column. Mayor Dobies indicated that we will look at this stonework after it has been power washed. The Mayor also suggested that a letter be sent out to the contractor under his signature expressing the feelings of the governing body regarding this project.

Mr. Ryan asked permission of council to take a soil test at Victor Crowell Park and bring it for testing to Rutgers. Mayor Dobies recommended that the borough should do the sampling and send it over to Rutgers. The Borough Administrator would look into this matter.

Mr. Ryan also mentioned that in regard to the shelter for the bus stop that was discussed in the agenda meeting, the shelter could be moved back if the large shrub in the back of the shelter was removed.

Holly Zulus, 440 Fairview Avenue – mentioned that the summons she was issued regarding the rocks under the boat on her property is still outstanding, but that Acting Construction Official Dan Coppola has followed up on this situation. Ms. Zulus questioned who was in charge of the Community Dispute Resolution Program. Mayor Dobies indicated that the court was in charge of this program and any questions should be directed to Judge Psak.

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 September, 2004 Construction Department Report seconded by Councilwoman Liana and carried by a unanimous vote.

Council President Hompesch moved the approval of the September, 2004 Municipal Court Report seconded by Councilwoman Liana and carried by a unanimous vote.

Councilwoman Thomasey moved the approval of the September 21, 2004 Agenda Meeting Minutes and the September 28, 2004 Public & Agenda Meeting Minutes seconded by Council President Hompesch and carried by a unanimous vote.

Councilwoman Thomasey moved the approval of the June, July & August, 2004 Administration reports seconded by Council President Hompesch and carried by a unanimous vote.

Mayor Dobies moved the appointment of Jim Birdsall and Kenneth Burd to the Environmental Commission seconded by Council President Hompesch and carried by a unanimous vote.

Mayor Dobies moved the appointment of Charles Corcoran to the Rent Review Board as a tenant representative and remove him as a homeowner representative seconded by Council President Hompesch and carried by a unanimous vote.

Councilman D'Angelo suggested that the new signs entering Middlesex should have the quote "Community of Character" and the Blue Jay should be put on the signs leaving Middlesex.

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

Respectfully submitted,

Kathleen Anello, RMC
Borough Clerk

