

Municipal Building
1200 Mountain Avenue

November 9, 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 (vacation)
	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 Ordinance No. 1625-04 for introduction.

ORDINANCE NO. 1625-04

**BOND ORDINANCE AMENDING BOND ORDINANCES
NUMBERED 1532-01, 1562-02 AND 1582-03 OF THE
BOROUGH OF MIDDLESEX, IN THE COUNTY OF
MIDDLESEX, NEW JERSEY FINALLY ADOPTED
SEPTEMBER 18, 2001, JUNE 11, 2002 AND MAY 27, 2003 IN
ORDER TO AMEND THE DESCRIPTION OF THE PROJECT
TO PROVIDE FOR THE HAZMAT WASHING FACILITY TO
BE LOCATED AT THE LINCOLN HOSE FIRE COMPANY #1**

Councilman D'Angelo moved for introduction seconded by Councilwoman Liana and carried by the following roll call votes: Ayes: Members D'Angelo, 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(T)

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 #310-04 – Resolution #320-04

Councilman Mulcahy moved for adoption seconded by Councilman D'Angelo and carried by the following roll call votes: Ayes: Members D'Angelo, 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 #310-04

The Governing Body of the Borough of Middlesex hereby requests from the Director of Local Government Services, approval to insert into the 2004 Municipal Budget, revenues and appropriations, in the amount of \$500.00 from Marisol, Inc. for a donation received, to used by the Office of Emergency Management

The Borough Clerk read the following resolution:

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

Resolution #311-04

The Tax Collector is hereby authorized to cancel 4th quarter 2004 added assessment property taxes in the amount of \$119.62, 1st & 2nd quarter 2005 added assessment property taxes in the amount of \$55.30 on Block 166, Lot 25, 317 Decatur Avenue. This is based on a Middlesex County Board of Taxation judgment.

The Borough Clerk read the following resolution:

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

Resolution #312-04

WHEREAS, Cinelli Equities LLC received Building Permit No. 20040690 on 10/28/04 to build a new single-family dwelling at 40 Dayton Avenue; and

WHEREAS, Cinelli Equities LLC submitted check #1042 dated 10/28/04, payable to the Borough of Middlesex in the amount of \$2124.00 in payment of said Building Permit; and

WHEREAS, the Construction Department calculated the fee incorrectly; and

WHEREAS, the correct fee for said building permit is \$983.00.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex that the disbursing officers be and they are hereby authorized to draw a check in the amount of \$1,141.00 in favor of Cinelli Equities LLC, 101 Billian Street, Bridgewater, NJ 08807, for refund of fee for Building Permit #20040690.

The Borough Clerk read the following resolution:

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

Resolution #313-04

The Tax Collector is hereby authorized to cancel 2002 Sanitary Sewer Use Charges in the amount of \$19,954.76 and 2003 Sanitary Sewer Use Charges in the amount of \$23,533.57 on Block 344, Lot 3, 344 Cedar Avenue, Spray-Tek. The Piscataway Township Sewer Utility bills this property directly.

The Borough Clerk read the following resolution:

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

Resolution #314-04

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>
150/108.A	Crane, Minard 49 George Ave	\$832.12

Check to be made payable to: First American
1201 Elm St, Suite 400
Renaissance Tower, 3rd Floor
Dallas, TX 75270

The Borough Clerk read the following resolution:

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

Resolution #315-04

WHEREAS, the Mayor and Council adopted Ordinance No. 1618-04 on October 12, 2004 deeming that Block 94, Lots 1 & 2 were not needed for public use; and

WHEREAS, the Mayor and Council therefore conducted an auction of Block 94, Lots 1 & 2 on the Middlesex Borough Tax Map with the contiguous property owners at the October 26, 2004 Public Meeting; and

WHEREAS, Jeffrey Buccellato, was the only bidder for this property in the amount of \$31,400; and

WHEREAS, Jeffrey Buccellato has supplied the borough with a deposit in the amount of \$3,200 for this property.

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 award the sale of Block 94, Lots 1 & 2 on the Middlesex Borough Tax Map to Jeffrey Buccellato for the sum of \$31,400.
- 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 #316-04

Resolution – Budget transfers for the Budget Year 2004:

ACCOUNT NAME:		TO:	FROM:
Board of Adjustment			
Garbage	Other Expenses	\$ 2,500.00	
	Salary & Wages	\$ 9,000.00	
Sewers	Salary & Wages	\$ 6,000.00	
Roads	Other Expenses	\$ 5,000.00	
Parks	Other Expenses	\$ 2,000.00	
Group Health Insurances			
	Other Expenses		\$19,500.00
Parks	Salary & Wages		\$ 5,000.00
Mayor & Council			
Administration	Other Expense	\$ 1,200	
	Other Expenses		\$ 1,200

The Borough Clerk read the following resolution:

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

Resolution #317-04

WHEREAS, Mr. Julius Perry, the property owner of Block 277, Lot 36 & 37 has requested to donate his property to the Borough of Middlesex in exchange for forgiving any and all unpaid taxes; and

WHEREAS, the Borough Tax Assessor has prepared a “Restricted Appraisal Report” dated October 24, 2004 which reflects the market value for the subject property to be \$12,500.

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

1. The Governing Body hereby agrees to accept the donation of Block 277, Lot 36 & 37 with a market value of \$12,500 based upon the “Restricted Appraisal Report” dated October 24, 2004 from the Borough Tax Assessor from Mr. Julius Perry for \$1.00 and any and all unpaid property taxes.
2. This resolution shall take effective immediately.

The Borough Clerk read the following resolution:

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

Resolution #318-04

WHEREAS, bids were received at the Borough of Middlesex on September 16, 2004 for the Sanitary Sewer Improvements Phase 1 – Raritan Avenue Trunk Sewer Rehabilitation; and

WHEREAS, En-Tech Corp. has submitted the lowest bid in the amount of \$158,149.00 and has met all of the requirements of the specifications; and

WHEREAS, Kupper Associates has recommended that this contract be awarded to En-Tech Corp. contingent upon receipt of the “approval to award” from the NJDEP/NJEIFP.

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 award the bid for the Sanitary Sewer Improvements Phase 1 – Raritan Avenue Trunk Sewer Rehabilitation to En-Tech Corp. in the amount of \$158,149.00, contingent upon receipt of the “Approval of Award” from the NJDEP/NJEIFP.
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. 04-1611-00-1611-60.

The Borough Clerk read the following resolution:

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

Resolution #319-04

The Tax Collector is hereby authorized to refund 4th quarter, 2004 property taxes on Block 122, Lot 15, 412 “A” Street in the amount of \$748.71.

The Borough Clerk read the following resolution:

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

Resolution #320-04

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, Hooker Avenue stated that the neighbor across the street has his pool disassembled and it is just laying in his yard and he would like someone to address the leaves that are in his neighbor's yard. The catch basin in front of his property is already full of leaves.

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

Councilwoman Thomasey moved the approval of the October 12, 2004 and October 26, 2004 Public Meeting Minutes and Agenda Meeting Minutes seconded by Councilman Mulcahy and carried by a unanimous vote.

Councilwoman Thomasey moved the approval of the September and October, 2004 Administration Report seconded by Councilman Mulcahy and carried by a unanimous vote.

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

Councilman Mulcahy moved the approval of the October, 2004 Court Report seconded by Councilman D'Angelo and carried by a unanimous vote.

Councilman D'Angelo suggested that Councilman Colitti be included in the meeting with Chief Reedy regarding the Fire Department Carnival.

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

