

Municipal Building
1200 Mountain Avenue

December 16, 2003

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)
Council President	Bruce Sadowski
	Louis Curcio
	Michael Hompesch (absent)
	Josephine Liana
	Garrett Mulcahy
	Laura Thomasey (absent)

Attorney:	Peter Hendricks
Administrator:	Joseph Manning

Council President Sadowski opened the meeting with the Sunshine Law Statement saying the meeting had been advertised in the Public Meeting Notice of January 7, 2003.

The Borough Clerk read Ordinance No. 1593-03 by title for introduction.

ORDINANCE NO. 1593-03

**AN ORDINANCE TO AMEND ORDINANCE 36-11
ZONING BOARD OF ADJUSTMENT**

Councilman Curcio moved for introduction seconded by Councilman Mulcahy and carried by the following roll call votes: Ayes: Members Curcio, Liana, Mulcahy and Sadowski. 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 2003(Y)

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 desirous of removing Resolution #340-03 and Resolution #342-03 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 #324-03 - Resolution #339-03

Resolution #341-03
Resolution #343-03 – Resolution #344-03

Councilman Curcio moved for adoption seconded by Councilman Mulcahy and carried by the following roll call votes: Ayes: Members Curcio, Liana, Mulcahy and Sadowski. 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 #324-03

The Governing Body hereby approves and accepts the Corrective Action Plan on the 2002 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 #325-03

**A RESOLUTION AUTHORIZING REIMBURSEMENT OF MEDICARE PREMIUMS
FOR CERTAIN ELIGIBLE PENSIONERS UNDER CHAPTER III, PUBLIC LAW 1973,
N.J. HEALTH BENEFITS PLANS**

WHEREAS, Chapter III of Public Laws 1973, which provided for reimbursement of Medicare premiums of certain eligible pensioners was adopted by the Mayor and Council by resolution on April 9, 1974; and

WHEREAS, certain retired employees of the Borough have applied for reimbursement.

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 checks, charged against Insurance (1) Group Insurance for Employees for \$324.00 from the period July through December, 2003, as follows:

Robert H. Agans
16 Marlborough Avenue
Middlesex, NJ 08846

Archie J. Blood, Jr.
54 Lincoln Avenue
Barnegat, NJ 08005

Anthony DiBartolomio
4714 Southern Trail
Myrtle Beach, SC 29579

Angeline DiBartolomio
4714 Southern Trail
Myrtle Beach, SC 29579

Andrew Simpf
424 Main Street
Middlesex, NJ 08846

Frank Palazzi
1130 Boxwood Drive, Apt. 204
Del Ray Beach, FL 33445

Hellal Hanania
448 Runyon Avenue

Margaret Hanania
448 Runyon Avenue

Middlesex, NJ 08846

Charlie Nash
213 Melrose Avenue
Middlesex, NJ 08846

Fred Worowski
557 Lorraine Avenue
Middlesex, NJ 08846

Edward J. King
Nine Wilson Way
Ringo, NJ 08551

Edward W. Meyer
18 Hickory Court
Middlesex, NJ 08846

Ruth Yambor
201 Jefferson Avenue
Greenbrook, NJ 08812

Alice Granda
3206 Cherry Road
Kunkeltown, PA 18058

Olga Pirone
24 Fisher Avenue
Middlesex, NJ 08846

Middlesex, NJ 08846

Diane Nash
213 Melrose Avenue
Middlesex, NJ 08846

Rose Worowski
557 Lorraine Avenue
Middlesex, NJ 08846

Aldina F. King
Nine Wilson Way
Ringo, NJ 08551

John Giuliano
339 Second Street
Middlesex, NJ 08846

Francis Yambor
201 Jefferson Avenue
Greenbrook, NJ 08812

Fred A. Granda
3206 Cherry Road
Kunkeltown, PA 18058

The Borough Clerk read the following resolution:

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

Resolution #334-03

The Tax Collector is hereby authorized to cancel 2002 Sanitary Sewer Use Charges on Block 222, Lot 1.01, 100 Watchung Avenue in the amount of \$1,445.89 upon recommendation of the appeals panel. This property is tax exempt and pays only "in lieu of" partial tax payments.

The Borough Clerk read the following resolution:

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

Resolution #335-03

The disbursing officers be and are hereby authorized to draw checks, payable to the following, to refund 2003 taxes for qualified Veteran deductions:

BLOCK & LOT	NAME & ADDRESS	AMOUNT
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70.B/4	Dorothy Pinter 28 Wilson St	\$250.00
70.A/12	Joseph R Forgash 8 Lauri Ln	\$250.00
70.B/7	Robert C Barber 34 Wilson St	\$250.00
174/43.A	Paul Wolfe 124 Cook Ave	\$250.00
209/31	Joseph Giardina 17 Birchwood Ct	\$250.00

The Borough Clerk read the following resolution:

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

Resolution #336-03

The disbursing officers be and are hereby authorized to draw checks, payable to the following, to refund 2003 taxes for qualified Senior Citizens and Permanently Disabled deductions:

BLOCK & LOT	NAME & ADDRESS	AMOUNT
2/1.A	Margaret E Hill 21 Rolling Rd	\$250.00
62/16	Dennis Hionis 28 Dogwood Dr	\$250.00
245/12	Frank Kopcienski 203 S Lincoln Ave	\$250.00

The Borough Clerk read the following resolution:

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

Resolution #337-03

The Tax Collector is hereby authorized to refund overpayments of 4th quarter 2003 property taxes on the following:

Block/Lot	Name & Address	Amount
293/3.03	Calv, Charles H & Van-Thu 120 Wagner St	\$1,296.86

The Borough Clerk read the following resolution:

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

Resolution #338-03

**AUTHORIZING CHANGE ORDER GC-11 IN CONNECTION WITH THE MIDDLESEX
PUBLIC LIBRARY EXPANSION**

WHEREAS, Tri-Form Construction, Inc. is the contractor for the Middlesex Public Library Extension and Renovation; and

WHEREAS, Change Order #11 consists of the following items:

- Add Grease Trap to Kitchen as per Plumbing Official's request
- Extend Sprinkler Test Line as per Fire Official's request
- Repair Damaged Pole due to automobile accident
- New Exit signs and Emergency Lights as per the Fire Official's request
- Change Kitchen Fire Strobe to a Horn/Strobe Combination as per the Fire Official's request
- Change Wiring for exhaust fans as per the Fire Official's request; and

WHEREAS, the net total of all items in this change order is \$5,740.56.

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:	\$1,144,775.00
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Contract Sum Prior to Change Order #11	\$1,292,035.53
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Change Order #11	\$5,740.56
General Contract Allowance Remaining	\$ -0-
Contract Sum Increased by this Change Order	\$5,740.56

New Contract Sum:	\$1,297,776.09
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BE IT FURTHER RESOLVED, by the Borough of Middlesex, County of Middlesex, State of New Jersey that the Mayor is hereby authorized to execute the above change order.

NOW FURTHER BE IT RESOLVED that the Chief Financial Officer hereby certifies that the funds are available in Account #04-1551-00-1551-62.

The Borough Clerk read the following resolution:

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

Resolution #339-03

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

WHEREAS, Chief Benson has recommended Patrolman Rizzo 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 Patrolman Rizzo be and is hereby advanced in grade to Patrolman Class "D" effective January 14, 2004 at an annual salary of \$55,059.00.

The Borough Clerk read the following resolution:

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

Resolution #341-03

WHEREAS, the Swim Pool Commission has requested that the Swim Pool secretary, Colleen Hendrzak receive an increase in salary for the year 2003; and

WHEREAS, the Assessor has requested that the Deputy Assessor, Richard Gianchiglia receive an increase in salary of \$1,000 for the year 2003.

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. Ms. Hendrzak, secretary to the Swim Pool Commission, is hereby increased to \$6,106.00 annually effective January 1, 2003.
2. Richard Gianchiglia, Deputy Assessor, is hereby increased in pay to \$11,899.00 annually effective January 1, 2003.
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 #343-03

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 #344-03

WHEREAS, an application has been filed for a person to person transfer of Plenary Retail Distribution License No. 1211-44-005-001, hereto issued to Jan Liquors for premises located at 708 Union Avenue, Middlesex, New Jersey 08846; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated hereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex and State of New Jersey that the Governing Body does hereby approve the transfer of the aforesaid Plenary Retail Distribution License 1211-44-005-001 to Rijko, Inc. and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all of its terms and conditions, is hereby transferred to Rikjo, Inc. effective December 17, 2003".

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

Frank Ryan, 303 Maple Avenue expressed his opposition to having Willow Drive opened for the ice skating season, because the residents would park on the grass and create ruts. He also indicated that the opening of this road could also create a problem when the construction of the dam begins.

Seeing that there was further comments or questions, Council President Sadowski closed the public portion of the meeting.

Councilman Curcio moved the approval of the December 9, 2003 Public Meeting Minutes seconded by Council President Sadowski and carried by a unanimous vote of Council.

Councilman Mulcahy moved the approval of the November, 2003 Municipal Court Report seconded by Councilwoman Liana and carried by a unanimous vote of Council.

Councilman Mulcahy moved the approval of the November, 2003 Police Report seconded by Councilwoman Liana and carried by a unanimous vote of Council.

Councilman Sadowski moved the approval of the Middlesex Community Pool End of Season Report for 2003 seconded by Councilman Curcio and carried by a unanimous vote of Council.

Councilman Sadowski moved the approval of the November, 2003 Treasurer's Report seconded by Councilman Curcio and carried by a unanimous vote of Council.

Council President Sadowski moved the approval of the June, July, August, September & October Construction Report seconded by Councilman Curcio and carried by a unanimous vote of Council.

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

Respectfully submitted,

Kathleen Anello, RMC
Borough Clerk

