Municipal Building
1200 Mountain Avenue

December 30, 2003

A special public meeting of the Mayor and Council was held at the above place on the above date commencing at 7:00 p.m.

Mayor	Ronald S. Dobies
Council President	Bruce Sadowski
	Louis Curcio (absent)
	Michael Hompesch (absent)
	Josephine Liana
	Garrett Mulcahy
	Laura Thomasey
Attorney:	Peter Hendricks
Administrator:	Joseph Manning

Mayor Dobies opened the meeting with the Sunshine Law Statement saying the meeting had been advertised in the Special Meeting Notice of December 24, 2003.

The Borough Clerk read Ordinance No. 1593-03 by title for adoption stating that it had been published in the newspaper, posted on the bulletin board and made available for the public.

ORDINANCE NO. 1593-03

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

Mayor Dobies opened the Public Hearing on Ordinance 1593-03.

Mayor Dobies addressed the Council with the following response to Ordinance 1593-03 which is being considered for final adoption by the Council this evening and requested that his statement be made part of the minutes.

I am disappointed that my Republican colleagues have decided to politicize appointments historically granted to the Mayor of Middlesex.

I am even more disappointed that our Council President Bruce Sadowski made this his final act even though these appointments have remained the Mayors responsibility through both Democratic and Republican controlled Councils.

It is apparent by the actions to be taken tonight that the recent election did not go as you have planned otherwise you could have taken this action anytime during the year since you had control the entire year. I find it ironical with all the important matters facing us you had to call a special meeting just to take action on this amendment to an existing ordinance. It is quite evident what and where your priorities are and they will become evident to all of our residents.

This is probably the first case in the history of Middlesex where the Mayor has no role in the appointments even by recommendation with Council concurrence.

Prior to your individual vote this evening, I ask you to consider the necessity of this action. I nominated all the citizens and professionals you recommended during the years you were in control and in the past I made my appointments without knowing the political party affiliation of the resident in many in instances. I realize it will be extremely difficult to vote against this amendment, but your action will determine the independence you all talk about. In our form of government, the Mayor has little responsibilities other than the day-to-day activities so I must resist this type of change, not for only me, but also for future mayors.

Council President Bruce Sadowski stated that he was bothered that the Mayor made comments that this was political and made it a political issue. Council President Sadowski researched several borough forms of government and found several where the Borough Council made those appointments to the Zoning Board. It is a perfect example of checks and balances where the Mayor being able to appointment the Planning Board and the Borough Council appoints the Zoning Board. As to the timing of this, this was not something known all along. Councilman Mike Hompesch learned this information while attending a class in December for Public Officials. It is not, according to state statute, that the Mayor makes the appointment to the zoning board but is designated by the ordinance and that the Governing Body can make those appointments.

There being no further comments, the Mayor closed the public portion on Ordinance 1593-03.

Councilman President Sadowski moved for adoption seconded by Councilman Mulcahy and carried by the following roll call votes: Ayes: Members Thomasey, Liana, Mulcahy and Sadowski. Nos.: None. Abstain: None.

Discussion ensued regarding the Swim Pool and whether we want to keep it under the Swim Pool or put it under recreation. There were issues throughout the year with secretary taking two weeks off during the opening of the swim season and problems in the beginning of the year where people paid and were told they didn't have memberships. Most people think that the Swim Pool is under Recreation. Councilwoman Thomasey called a few other towns and spoke with Bound Brook who has there pool under recreation. Council will look further into what the advantage and disadvantages of moving the pool under the Recreation Dept. Mayor did note that Bound Brook is not a commission. The Governing Body would also have to research whether or not this is a private pool. The pool is separately run and there is no money that comes in or out of the Borough. It is possible if they ever went into default it could become a municipal pool. The Governing Body will have the attorney review this matter.

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

Seeing no public participation, Mayor Dobies closed the public portion of the meeting.

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