

Municipal Building
1200 Mountain Avenue

October 23, 2007

A regular meeting of the Mayor and Council was held at the above place on the above date commencing at 8:00 p.m.

Mayor	Gerald D'Angelo
Council President:	Robert Gorr
	Ken DeVuyst
	Sean Kaplan
	Stefanie Quast
	Bob Schueler
	Michael Venuto

Attorney:	Edward Johnson
Administrator:	Ron Dobies

Mayor D'Angelo opened the meeting with the Sunshine Law Statement saying the meeting had been advertised in the Public Meeting Notice of January 2, 2007.

Mayor D'Angelo wished everyone in California well with all the fires going on, because as he was watching the news this evening he said that he could not imagine if a fire swept down from the Watchung Mountains into the valley down here.

Mayor D'Angelo resumed the discussion that was taking place at the Agenda Meeting.

Borough Administrator Ron Dobies stated that he would waive the right to a public meeting tonite, and he had no objection if the Council would want to do a resolution or a vote, and indicated that whatever the Council wanted to do would be fine with him. Borough Administrator Ron Dobies said he is waiving any right, but is requesting a public meeting when it comes down to a vote. Mayor D'Angelo polled the council about their suggestions or recommendations.

Councilman Schueler stated that this is only about the position itself. While you have a situation where you are looking to be fiscally responsible and budgetary responsible you do have a duty to look at it and consider all potential avenues of saving money. We will be trying to remove everything personal from it, and he felt that they have to consider this recommendation and discuss it further.

Councilman Venuto indicated that the Borough has a tough year coming, and unless we are going to get a windfall of money we are going to have to see cuts someplace. If this is the first, and he felt that he was sure that there will be more, they are going to have to consider it.

Councilwoman Quast indicated that she is always concerned about taxes and any other budgetary reasons. She felt that it is a hard decision and it is something that the Council is going to have to

give some thought to. She stated that because they had gotten this recommendation tonight, she felt that it will take time to mull this over and think about it, and she might consider it.

Councilman Kaplan stated that he knows that these decisions are not easy, but it is unfortunate that cuts that have to be made and where they have to be made, and recommendations have to be put forward. He feels that the Council has to look at this recommendation and appreciates the 60 days that they have.

Council President Gorr stated that because of budgetary reason, he would like to consider the Mayor's recommendation and also other options. He would like to have time to think about that and then get back.

Councilman DeVuyst stated that he was in favor of further discussion on this matter that was proposed by the mayor.

Mayor D'Angelo asked for a consensus, and the Borough Attorney agreed that we do not need a vote. The Mayor asked for a consensus to notify the present Business Administrator that we do not intend to fund the position of business administrator for the new calendar and fiscal year 2008. Council agreed.

Mayor D'Angelo suggested that the council might like to eliminate the Mayor from discussion at this point and form a committee of Council members and come forth at a later meeting to discuss. Council agreed.

Mayor D'Angelo appointed Council President Gorr to head the committee regarding the elimination of the position of business administrator for the year 2008.

The Borough Clerk read Ordinance No. 1725-07 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1725-07

**BOND ORDINANCE AMENDING SECTION 3 AND SECTION 3(D) OF BOND
ORDINANCE #1582-03 OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF
MIDDLESEX, NEW JERSEY FINALLY ADOPTED MAY 27, 2003, IN ORDER TO
AMEND THE DESCRIPTION OF THE PROJECT AND THE AVERAGE PERIOD OF
USEFULNESS**

Mayor D'Angelo opened the public hearing on Ordinance No. 1725-07. Seeing that there was no public participation, Mayor D'Angelo closed the public hearing on Ordinance No. 1725-07.

Councilman Schueler moved for adoption seconded by Councilwoman Quast and carried by the following roll call votes: Ayes: Members DeVuyst, Gorr, Kaplan, Quast, Schueler and Venuto. Nos.: None. Abstain: None.

The Borough Clerk read Ordinance No. 1726-07 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1726-07

ORDINANCE RE-APPROPRIATING \$80,000 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR THE ACQUISITION OF A GARBAGE TRUCK IN AND BY THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

Mayor D'Angelo opened the public hearing on Ordinance No. 1726-07. Seeing that there was no public participation, Mayor D'Angelo closed the public hearing on Ordinance No. 1726-07.

Councilman Schueler moved for adoption seconded by Councilwoman Quast and carried by the following roll call votes: Ayes: Members DeVuyst, Gorr, Kaplan, Quast, Schueler and Venuto. Nos.: None. Abstain: None.

Mayor D'Angelo opened the public portion of the meeting for discussion regarding any of the resolutions on the public consent agenda.

Seeing that there were no public comments, Mayor D'Angelo closed the public portion of the meeting on the consent agenda.

The Borough Clerk read the following resolution:

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

Consent Agenda 2007(S)

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 #268-07 – Resolution #274-07

Councilwoman Quast moved for adoption seconded by Councilman Venuto and carried by the following roll call votes: Ayes: Members DeVuyst, Gorr, Kaplan, Quast, Schueler and Venuto. 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 #268-07

The Tax Collector is hereby authorized to refund 2007 property taxes on the following properties. These properties were split causing a decrease in the assessment resulting in an overpayment of taxes.

BLOCK/LOT	NAME & ADDRESS	AMOUNT
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173/2/C0001	Aequor Homes Inc Harris Avenue Mail check to: 33 Wood Ave South, 5 th Flr Iselin, NJ 08830	\$ 18.28
264/8	Buccellato, Jeffrey S 202 Runyon Ave Mail check to: 39 Ridge Rd Green Brook, NJ 08812	\$ 389.20
331/13.01	Barclay, Keith 470 Harris Ave Mail check to: 494 Harris Ave Middlesex, NJ 08846	\$1,362.78

The Borough Clerk read the following resolution:

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

Resolution #269-07

The Governing Body hereby approves transferring the 2007 Community Development Block Grant funds for the Senior Center Improvements in the amount of \$13,400 to be used instead for Passive Park (Recreational Improvements) for the Butterfly Garden located behind the Middlesex Library in the HUD target area.

The Borough Clerk read the following resolution:

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

Resolution #270-07

The Tax Collector is hereby authorized to refund an overpayment of 2007 property taxes on Block 274, Lot 1, 223 Sherman Avenue in the amount of \$1,175.99 due to an assessment error. The 4th quarter 2007 is to be cancelled in the amount of \$4,250.23. Also, reduce 2008 taxes to the following amounts: 1st quarter - \$1,530.95 and 2nd quarter - \$1,530.95. The check should be made payable to and mailed to:

First American Real Estate Tax Service
Attn: Tax Refunds
1 First American Way
Mail Code: DFW 1-3
Westlake, TX 76262

The Borough Clerk read the following resolution:

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

Resolution #271-07

BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, New Jersey that the disbursing officers be and are hereby authorized to refund escrow monies to close the following escrow accounts:

BLOCK/LOT	NAME	AMOUNT	ACCOUNT #
348/1	Joseph Martinelli 150 Lincoln Blvd	\$353.00	7760142356
348/1	Joseph Martinelli 150 Lincoln Blvd	\$ 79.25	7760142377

Check to be mailed to: c/o Physique LLC
2 Devonshire Ln
Mendham, NJ 07945

including interest to date of refund.

The Borough Clerk read the following resolution:

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

Resolution #272-07

The Governing Body hereby approves the revised Purchasing Manual effective immediately.

The Borough Clerk read the following resolution:

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

Resolution #273-07

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 #274-07

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting; and

WHEREAS, the Governing Body of the Borough of Middlesex has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public; and

WHEREAS, the regular meeting of this Governing Body will reconvene.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Middlesex will go into closed session for the following reason as outlined in N.J.S.A. 10:4-12:

- (1) White Collar Negotiation
- (2) NIS
- (3) Construction Office
- (4) Tax Assessor
- (5) Recycling Coordinator

Mayor D'Angelo opened the public portion of the meeting for comments or questions.

Frank Oliver, President of the Rescue Squad questioned the status of the traffic situation on Vogel Place. He recommended that they consider reversing the traffic flow pattern. Mayor D'Angelo indicated that this would be a problem with the 1400 cars that cut through Vogel and Anne and that it would only reverse the present problem. Mayor D'Angelo stated that because we are approaching the Department of Transportation to look at a proposal regarding the traffic signal on Warrenville Road, it will take at least 6 – 12 months for the state to look at this situation.

Rich Sturtevant, Captain of the Rescue Squad, 46 Washington Avenue stated that he heard from numerous people that the Mayor and Council are interviewing Somerset Medical Center to use as their rescue squad. Mayor D'Angelo indicated that this was news to the governing body about this rumor, and that there is no question how the squad operates and about the job that they do.

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

Councilman Schueler moved the approval of the October 2, 2007 Agenda Meeting Minutes and the October 9, 2007 Regular and Agenda Meeting Minutes seconded by Councilman Venuto and carried by a unanimous vote of Council.

Councilman Kaplan moved the approval of the September, 2007 Treasurer's Report seconded by Councilman Venuto and carried by a unanimous vote of Council.

Councilman Kaplan moved the approval of the September, 2007 Court Report seconded by Councilman Venuto and carried by a unanimous vote of Council.

Councilman DeVuyst moved to accept the resignation of Phil Embrescia from the Lincoln Hose Company, #1 and the Middlesex Fire Department seconded by Councilman Venuto and carried by a unanimous vote of Council.

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

Respectfully submitted,

Kathleen Anello, RMC
Borough Clerk

