

Municipal Building
1200 Mountain Avenue

January 22, 2008

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
	Bob Edwards
	Sean Kaplan (Absent)
	Bob Schueler
	Michael Venuto

Attorney:	Edward Johnson
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Mayor D'Angelo opened the meeting with the Sunshine Law Statement saying the meeting had been advertised in the Public Meeting Notice of December 28, 2007.

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 Ordinance No. 1730-08 by title for introduction.

ORDINANCE NO. 1730-08

AN ORDINANCE AMENDING ORDINANCE #709 OF THE CODE OF THE BOROUGH OF MIDDLESEX IN ORDER TO CONTROL THE CONSUMPTION AND POSSESSION OF ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY

Councilman Venuto moved for introduction seconded by Councilman Schueler and carried by the following roll call votes: Ayes: Members DeVuyst, Edwards, Gorr, 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:

Consent Agenda 2007(C)

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 #30-08 – Resolution #43-08

Councilman Venuto moved for adoption seconded by Councilman Schueler and carried by the following roll call votes: Ayes: Members DeVuyst, Edwards, Gorr, Kaplan, 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 #30-08

The Tax Collector is hereby authorized to cancel 2006 Sanitary Sewer Use Charges on the following properties. This is based upon a recommendation by the Sewer Bill Review Committee:

BLOCK/LOT	NAME & ADDRESS	AMOUNT
91/21	Frank Suchak 911 Dorn Avenue	\$ 445.14
114/9	Dennis Smyth 133 Grant Avenue	\$ 445.91
179/1	Café Havana (Pizza Center) 580 Union Avenue	\$1,404.37
199/45.A	Patricia Hoffer 400 Lorraine Avenue	\$ 444.26
213/3	Diana Hammad 1250 Bound Brook Rd	\$ 467.38
352/3	Lor-Pril Realty 140 Baekeland Avenue	\$ 210.41

The Borough Clerk read the following resolution:

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

Resolution #31-08

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FROM SIGNATURE INFORMATION SOLUTIONS FOR THE BOROUGH OF MIDDLESEX TO PROVIDE A WEEKLY DATA TRANSMISSION OF BOROUGH TAX RECORDS

WHEREAS, the Borough of Middlesex has received a proposal from Signature Information Solutions, a tax search firm, requesting a data transmission once a week from the Borough tax office for tax records; and

WHEREAS, said request relates to information that is open to the public and would be available upon request; and

WHEREAS, Signature Information Solutions has proposed to pay the Borough \$600.00 up front in one single payment for one year's worth of electronic data; and

WHEREAS, the aforesaid proposal has been reviewed and is being recommended by the Municipal Tax Collector that the Borough accept the proposal;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex that the request received from Signature Information Solutions for the Borough to provide a data transmission once a week from the tax office in return for \$600.00 per year be and hereby is accepted.

The Borough Clerk read the following resolution:

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

Resolution #32-08

Hiring Linda Blath of 357 Cotswold Place, Franklin Township as the Planning/Zoning Clerk for the Borough of Middlesex for 15 hours per week at \$15.00 per hour effective January 16, 2008, pending a satisfactory background check.

The Borough Clerk read the following resolution:

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

Resolution #33-08

RESOLUTION APPOINTING MICHAEL VENUTO AS REPRESENTATIVE TO THE HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE FOR 2008

WHEREAS, it is necessary for the Borough of Middlesex to appoint a representative to the Middlesex County Housing & Community Development for the year 2008; and

WHEREAS, the Borough of Middlesex is authorized to have a representative appointed to this Committee, one to be appointed by the Mayor and one to be appointed by the Governing Body; and

WHEREAS, the Mayor has appointed Charles Corcoran as his appointed representative to the Housing and Community Development Committee for 2008.

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 does hereby appoint Michael Venuto as its representative to the Middlesex County Housing & Community Development Committee.
2. The Borough Clerk is hereby authorized and directed to send a letter to the Housing & Community Development Committee advising the Committee of names, addresses and telephone numbers of the two people who will be serving as representatives for the Borough of Middlesex to the Housing & Community Development Committee for 2008.
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 #34-08

The Governing Body hereby rescinds Chapter 23 – Policy Against Harassment in the Middlesex Borough Personnel Policy and replaces it with the revised Policy Prohibiting Harassment in the Workplace, which has been updated by the Labor Attorney.

The Borough Clerk read the following resolution:

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

Resolution #35-08

WHEREAS, Monmouth Construction, LLC was awarded the contract for the New Police Headquarters Building on October 17, 2006 in the amount of \$3,638,000.00; and

WHEREAS, Change Order #1, Change Order #2 and Change Order #3 are outlined in Resolution #140-07, which reflects a \$59,986 decrease in the total amount of the Contract and which brings the new contract sum to a totals of \$3,578,014.00; and

WHEREAS, Change Order #4 consists of an increase of \$3,122.10 for the Sanyo Ductless Split System Units and a credit of \$3,840.00 for stone, which brings the new contract sum for this project to \$3,577,296.10; and

WHEREAS, Change Order #5 consists of an increase of \$801.00 for additional work required to provide a compressed air line to the Evidence Processing Room and which brings the new contract sum to a total of \$3,578,097.10; and

WHEREAS, Change Order #6 consists of an increase of \$10,454.00 for additional conduits inside the new building as required for the building telephone, data and technology and which brings the new contract sum to a total of \$3,588,551.10; and

WHEREAS, Change Order #7 consists of an increase of \$725.00 for revised hose bibs in the cell area requested by the Department of Corrections and which brings the new contract sum to a total of \$3,589,276.10; and

WHEREAS, Change Order #8 consists of an increase of \$115,587 for the conduits from the New Police Building to the existing Borough Hall via Mountain Avenue and which brings the new contract sum to a total of \$3,704,863.10; and

WHEREAS, Change Order #9 consists of an increase of \$34,372.00 for additional work required on the secondary power conduits as required by PSE&G and which brings the new contract sum to a total of \$3,739,235.10; and

WHEREAS, Change Order #10 consists of an increase of \$29,802.00 for Fire Alarm Upgrades and which brings the new contract sum to a total of 3,769,037.10; and

WHEREAS, Change Order #11 consists of a credit of \$2,799.00 for the elimination of the entrance swing arm gate for the Middlesex Police Department, which brings the new contract sum to a total of \$3,766,238.10, and

WHEREAS, Change Order #12 consists of an increase of \$7,682.00 for fencing and which bring the new contract sum to a total of \$3,773,920.10; and

WHEREAS, Change Order #13 consists of an increase of \$120,033.00 for telephone equipment for the Police Building and Borough Hall and which brings the new contract sum to a total of \$3,893,953.10; and

WHEREAS, Change Order #14 has been eliminated; and

WHEREAS, Change Order #15 consists of an increase of \$3,792.00 for the CCTV Rack for the Security System Equipment for the Police Building and which brings the new contract sum to a total of \$3,897,745.10; and

WHEREAS, Change Order #16 consists of an increase of \$840.00 for the hard duct air outlets and which brings the new contract sum to a total of \$3,898,585.10; and

WHEREAS, Change Order #17 consists of an increase of \$7,130.00 for the hardware changes for the security which brings the new contract sum to a total of \$3,905,715.10; and

WHEREAS, Change Order #18 consists of an increase of \$4,944.00 for the door modifications which brings the new contract sum to a total of \$3,910,659.10.

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 orders are hereby approved.

Original Contract Sum:	\$3,638,000.00
Change Order #1	\$ 3,014.00
Change Order #2	\$ 0
Change Order #3	\$ (63,000.00)
Change Order #4	\$ (717.90)

Change Order #5	\$ 801.00
Change Order #6	\$ 10,454.00
Change Order #7	\$ 725.00
Change Order #8	\$ 115,587.00
Change Order #9	\$ 34,372.00
Change Order #10	\$ 29,802.00
Change Order #11	\$ (2,799.00)
Change Order #12	\$ 7,682.00
Change Order #13	\$ 120,033.00
Change Order #14	n/a
Change Order #15	\$ 3,792.00
Change Order #16	\$ 840.00
Change Order #17	7,130.00
Change Order #18	\$ 4,944.00

NEW CONTRACT SUM: \$3,910,659.10

NOW FURTHER BE IT RESOLVED, that the Chief Financial Officer hereby certifies that funds are available in Account No. 04-1686-00-1686-60.

The Borough Clerk read the following resolution:

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

Resolution #36-08

WHEREAS, Northeast Roof Maintenance, Inc. was awarded the contract for the Middlesex Borough Roof on July 24, 2007 in the amount of \$137,222.00; and

WHEREAS, Change Order#1 consists of a reduction of \$5,566.00 for the contingencies and an increase of \$5,720.00 for the replacement of five upper roof drains on the Borough Roof. (Total increase of \$154.00)

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. Change Order #1 itemized above, which consists of an increase in the amount of \$154.00 for the replacement of five upper roof drains on the Borough Roof is hereby approved.
2. The total contract sum for this project is now \$137,376.00.
3. This resolution shall take effect immediately.

NOW FURTHER BE IT RESOLVED that the Chief Financial Officer hereby certifies that funds in the amount of \$5,566 are available in Account No. 04-1687-00-1687-89.

The Borough Clerk read the following resolution:

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

Resolution #37-08

The application for renewal of Towing Licenses for the year 2008 for D&J Auto Body, Dick Hart's Auto Body, Lincoln Auto Body, Tierno's Auto Body and Car Trek, Inc. have been approved by the Police Department and the Borough Clerk is hereby authorized to issue the license in consideration of the fees which have been paid.

The Borough Clerk read the following resolution:

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

Resolution #38-08

The application for renewal of Junkyard Licenses for the year 2008 filed by Importico Salvage Corp., Absolute Auto-truck Salvage and Falgi, Inc. has been approved by the Police Department, Fire Official and Board of Health be accepted and the Borough Clerk is hereby authorized to issue the license in consideration of the fees which have been paid.

The Borough Clerk read the following resolution:

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

Resolution #39-08

At the recommendation of the Recreation Commission hiring Tara Rutkowski, 551 Longwood Ave., Bound Brook, New Jersey as the Recreation Commission Secretary at an annual salary of \$1,068 effective January 1, 2008.

The Borough Clerk read the following resolution:

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

Resolution #40-08

At the recommendation of the Police Chief, hiring Marie Aboosamara, 340 Hazelwood Avenue, Middlesex, NJ as a school crossing guard at a salary of \$13.00 per hour effective immediately, as she has met all the qualifications for this position.

The Borough Clerk read the following resolution:

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

Resolution #41-08

At the recommendation of the Police Chief, hiring Juana Dobkowski residing at 10A Middlesex Village Apartments, Middlesex, NJ, as a school crossing guard at a salary of \$13.00 per hour effective immediately, as she has met all the qualifications for this position.

The Borough Clerk read the following resolution:

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

Resolution #42-08

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 #43-08

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) Recycling Coordinator
- (2) Personnel - Litigation

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

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

Councilman Schueler moved the approval of the December, 2007 Police Department Monthly Report seconded by Councilman Venuto and carried by a unanimous vote of Council.

Councilman Schueler moved the approval of the December, 2007 Municipal Court Report seconded by Councilman Venuto and carried by a unanimous vote of Council.

Mayor D'Angelo appointed Audrey Donato as his representative to the Library Board of Trustees.

Mayor D'Angelo mentioned that he received a letter from the owner of 150 Lincoln Boulevard LLC who is a potential developer for the Chem Ray Property in the Gateway area of Lincoln Boulevard. The Mayor was given illustrations which he forwarded to Council of their concept plan for 4 buildings of residential one and two bedroom condominium units that they would like to build on this property. This matter will be discussed further at the February 12, 2008 Agenda Meeting and the developer will be invited in to discuss.

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

Respectfully submitted,

Kathleen Anello, RMC
Borough Clerk

