

Municipal Building
1200 Mountain Avenue

September 2, 2008

A special 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
	Bob Schueler
	Michael Venuto (absent)
Attorney:	Edward Johnson

Mayor D'Angelo opened the meeting with the Sunshine Law Statement saying the meeting had been advertised in the Special Meeting Notice of August 29, 2008.

Borough Auditor Andy Hodulik attended the meeting and indicated that we would be holding the hearing on the budget amendment which would reduce the amount to be raised by taxes from \$10,315,000 to \$10,197,000 based upon the additional \$100,000 in extraordinary aid, \$17,000 received for the Clean Communities Grant and the reinstatement of \$15,000 from state aid.

Mayor D'Angelo opened the hearing on the budget amendment. Seeing that there was no public participation, Mayor D'Angelo closed the hearing on the budget amendment.

Borough Auditor Hodulik stated that based upon the final review of the budget, the amount to be raised by taxation was still over the 4% levy cap. The borough could have cut the budget line items or find additional levies or request a waiver from the state. The Mayor indicated that we received an additional \$50,000 from a tax lien collected in July and we were able to increase the receipt from delinquent tax anticipated revenues from \$450,000 to \$500,000 and decrease the amount to be raised by the tax levy cap requirements. The amendment increases revenue in delinquent taxes and reduces your amount to be raised by the levy cap requirements. The Auditor indicated that the State approved this action, and a waiver was not required.

Mayor D'Angelo opened the meeting to any comments. Seeing that there was no public participation, Mayor D'Angelo closed the public portion.

The Borough Clerk read the following resolution:

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

Resolution #197-08

**BOROUGH OF MIDDLESEX
MIDDLESEX COUNTY, NEW JERSEY
RESOLUTION TO AMEND BUDGET**

WHEREAS, the local municipal budget for the year 2008 was approved on the 11th day of March, 2008; and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved and previously amended budget, as amended on August 12, 2008..

NOW THEREFORE BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Middlesex, County of Middlesex that the following amendments to the approved budget for the year 2008 be made:

	From	To
Current Fund – Anticipated Revenue		
General Revenues		
5. Receipts from Delinquent Taxes	450,000.00	500,838.00

5. Subtotal General Revenues	6,054,192.08	6,105,030.08
6. Amount to be Raised by Taxes:		
(a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	10,197,806.77	10,146,968.77
7. TOTAL GENERAL REVENUES	<u>\$ 16,369,263.85</u>	<u>\$ 16,369,263.85</u>

BE IT FURTHER RESOLVED, that two (2) certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services for certification of the year 2008 local municipal budget so amended.

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the governing body on the 2nd day of September, 2008.

Council President Gorr moved for adoption seconded by Councilman Schueler and carried by the following roll call votes: Ayes: Members DeVuyst, Edwards, Gorr, Kaplan, and Schueler. 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 #198-08

**BOROUGH OF MIDDLESEX
COUNTY OF MIDDLESEX, NEW JERSEY**

**RESERVE FOR UNCOLLECTED TAXES APPROPRIATION
THREE-YEAR AVERAGE COLLECTION RATE – 2008 MUNICIPAL BUDGET**

WHEREAS, the Reserve for Uncollected Taxes budget appropriation requires a calculation to determine the adequacy of said appropriation; and

WHEREAS, the Borough, for the 2008 municipal budget and as allowed by regulation, has opted to utilize the three-year collection rate average calculation in order to determine the required Reserve for Uncollected Taxes appropriation, which three-year collection rate average is 98.54%, and the collection rate realized in 2007 was 98.35%; and

WHEREAS, the required Reserve for Uncollected Taxes appropriation based upon the actual 2007 collection rate is \$589,358.00, whereas utilizing the three-year collection rate average results in a required appropriation of \$509,000.00, a difference of \$80,358.00; and

WHEREAS, the Borough wishes to utilize the three-year average rate calculation in order to limit any increase in the Reserve for Uncollected Taxes appropriation for the 2008 municipal budget.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Middlesex, Middlesex County, New Jersey that the utilization of the three-year average rate calculation for the 2008 Reserve for Uncollected Taxes appropriation is hereby confirmed and ratified.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

Council President Gorr moved for adoption seconded by Councilman Schueler and carried by the following roll call votes: Ayes: Members DeVuyst, Edwards, Gorr, Kaplan, and Schueler. 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 #203-08

**BOROUGH OF MIDDLESEX
COUNTY OF MIDDLESEX**

RESOLUTION TO ADOPT 2008 MUNICIPAL BUDGET

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Middlesex, County of Middlesex, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

(a) \$10,146,968.77 (Item 2 below) for municipal purposes

Recorded
Vote

	(DeVuyst		(
	(Edwards	(Abstained (
	(Gorr	((
Ayes	(Kaplan	Nays	(
	(Schueler	((
	(Venuto		Absent (
			(

Current

Fund:

SUMMARY OF REVENUES

General Revenues	
Surplus Anticipated	\$ 1,200,000.00
Miscellaneous Revenues Anticipated	4,536,453.75
Receipts from Delinquent Taxes	500,838.00
Amount to be Raised by Taxation for Municipal Purposes (Item 6[a], Sheet 11)	10,146,968.77

Total Revenues	\$ 16,384,260.52
----------------	------------------

SUMMARY OF APPROPRIATIONS

General Appropriations:	
Within "CAPS"	
(a&b) Operations Including Contingent	10,367,919.15
(e) Deferred Charges and Statutory Expenditures - Municipal	308,123.00
Excluded from "CAPS"	
(a) Operations - Total Operations Excluded from "CAPS"	3,571,223.84
(c) Capital Improvements	35,180.00
(d) Municipal Debt Service	1,592,814.53
(e) Deferred Charges - Municipal	-
(m) Reserve for Uncollected Taxes	509,000.00
Total Appropriations	\$ 16,384,260.52

Swimming Pool Utility Fund:

Total Revenues	\$ 367,010.00
----------------	---------------

Total Appropriations	\$ 367,010.00
----------------------	---------------

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 2nd day of September, 2008. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2008 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

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

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

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

The Borough Clerk read the following resolution:

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

Resolution #199-08

WHEREAS, the residents of First Street, between New Street and Market Street wish to conduct a block party on September 6, 2008 between the hours of 2 p.m. and 9 p.m.; and

WHEREAS, all the designated officials have been given approval for this block party.

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

1. The Governing Body hereby grants the residents of First Street between New Street and Market Street permission to conduct a block party on September 6, 2008 between the hours of 2 p.m. and 9 p.m..
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 #200-08

At the request of the Police Chief, hiring the following school crossing guards effective immediately at a salary of \$13.50 per hour. These guards have met all the requirements for the position of school crossing guard:

Marjorie Santana, 111 Hampton Gardens (Full Time)
Madeline Havet, 1187 Mountain Avenue, Apt. 224 (substitute)
Howard Killian, 82A Ramsey Road (substitute)

The Borough Clerk read the following resolution:

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

Resolution #201-08

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 #202-08

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 listed below as outlined in N.J.S.A. 10:4-12 and the minutes will be kept, and once the matter involving the confidentiality of the items no longer require confidentiality, the minutes can be made public.

Personnel

- Constructional Official

Litigation

- Dobies v. Borough of Middlesex
Docket No. MID-L-783-08

Potential Litigation

- Galek v. Borough of Middlesex & Imparato

Negotiations

- Police Department

Mayor D'Angelo opened the public portion of the meeting.

Chet Sadowski, Cedar Avenue, thanked the DPW Superintendent for taking a load of his branches to the Recycling Center, because he wasn't feeling well. Mr. Sadowski also mentioned that on the Cedar Avenue side of Lincoln Boulevard the black top was crumbling near the catch basin. Mayor D'Angelo will look into this matter.

Debbie DeVuyst, 73 Ramsey Road questioned how our engineering firm had helped us obtain 3.5 million dollars in grants. Mayor D'Angelo indicated that he would provide that information for Ms. DeVuyst.

Ms. DeVuyst also questioned if we could correct the plaque at the Police Headquarters to include the name of the former Administrator, Ron Dobies. Mayor D'Angelo indicated that he had no intention of changing the plaque and that the design layout was presented to the Council and laid on the table and had been similar to the layout adopted on the plaque done for the Library. Mayor D'Angelo felt that the council is free to bring this matter up for the agenda if they wanted to put up a new plaque.

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

Council President Gorr thanked Councilman Kaplan for all the work that was put into the fishing Derby in town which was a huge success.

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

Respectfully submitted,

Kathleen Anello, RMC
Borough Clerk