

Municipal Building
1200 Mountain Avenue

November 10, 2009

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

Mayor	John Fuhrmann
Council President:	Bob Schueler
	Michael Class
	Debra DeVuyst
	Bob Edwards (absent)
	Bob Gorr
	Michael Venuto (absent)

Attorney: Edward Johnson (absent)

Mayor Fuhrmann stated that at the direction of the electorate he would be stepping down as Mayor this evening. He stated that he wanted to thank the council that gave him the opportunity to serve by unanimous vote in January the mayoral position that he is vacating now. He stated that he appreciated working with them and wishes them all the best.

As Mayor, you see the whole playing field, and he stated that the employees, all 82 plus or minus, are a group of dedicated people, and he has come to admire all the work that they do for this community. He thanked his wife Sheila for her support and tolerance, as he stated that this job does affect your home life, and she has been most supportive and tolerant.

Mayor Fuhrmann also congratulated Mayor Elect Bob Sherr, Councilman Elect Paff and First and wish them all the best as they confront the issue of municipal government here in Middlesex Borough.

Judge Psak swore in Mayor Elect Robert Sherr.

Mayor Sherr stated that he would like to recognize Mayor Zuccarelli, former Mayor Dobies, Superintendent Jim Baker, Chief Jim Benson, former Councilman Hompesch former Councilman Coyle, former Councilwoman Platten and Mayor John Fuhrmann for his time and service to the borough in a difficult time. He has brought stability and the borough will always be in debt for that service.

I want to express my sincere appreciation to the residents of the Borough of Middlesex for the confidence that you have placed in Jeffrey First, Michael Paff and myself in electing us to serve our community. During the course of the campaign we had the opportunity to meet with many of you to discuss issues important to Middlesex. We will continue to listen to your concerns and needs and address them appropriately.

We realize that together working with all the members of the Council; we have a very rough road ahead of us. We will be addressing a very difficult budget year in 2010.

It will not be easy, and very difficult decisions will have to be made in order to get the Borough's finances back to controllable levels. We assure you that we will do everything in our ability to meet these obligations.

In working with the Council, I will reach out to the community for greater involvement in soliciting input over the budget process by creating a Non-Partisan Taxpayers Committee to review the budget and suggest possible ideas to address our needs.

I will also work with the Council in establishing a Committee to conduct an Economic Summit with borough business owners, commercial property owners, professional associations, and interested residents in creating an environment to encourage the growth of our business and commercial properties. As a part of this process we must take the time to update and implement a revised Master Plan for the Borough. This will ensure that development is appropriate and follows structured guidelines.

We have to continue working on the Revitalization Plan for Lincoln Boulevard in attracting new development and growth that is in the best interest for the Borough.

I will continue to work with the Council and Borough Administration to review all existing ordinances and regulations to review their effectiveness, and assure that the associated fee structures are appropriate and up to date.

Lastly, I will call upon the community for volunteers to join our many Boards and Committees to help us continue to shape the future of the Borough. If you have an interest in the Planning Board, Zoning Board, Library Board, Recreation Commission, Board of Health, Environmental Commission, or one of the many other Boards within our Borough, please reach out to me.

I also want to take this opportunity to publically thank Michael Hompesch – Chairman of the Middlesex Borough Republican Organization and the entire campaign committee. Your hard work and tireless efforts in bringing our campaign to the residents of Middlesex borough will always be appreciated and remembered.

I want to thank my wife (Amelia), my daughters (Jennifer and Allison), my son (Rob) and my son-in law (Corey) for their love and continuing support.

I also want to commend Mayor Fuhrmann, Sean Kaplan and Betty Platten for a hard fought professional campaign. There is a lot to be said for individuals who take the time and effort to step up and offer their service to the community to make Middlesex a better place to live. I would hope that their efforts would inspire others to offer their time to be involved with our community.

In conclusion, I look forward to working closely with Council President Schueler, Councilman Venuto, Councilman Edwards, Councilman Gorr, Councilman Class and Councilwoman DeVuyst in addressing the many issues facing us through the end of 2009. In 2010 with the seating of Councilman Elect First and Councilman Elect Paff together with the others members of the Council we will continue to rise to the challenges of the New Year in striving to make Middlesex the best it can be.

Robert M. Sherr
Mayor
Borough of Middlesex

Councilwoman DeVuyst stated that I would like to take this opportunity to thank Mayor John Fuhrmann for his service to the Borough of Middlesex during a period of unexpected transition. John Fuhrmann came forward to serve the residents of Middlesex Borough once again, after having served selflessly several times before as both Mayor and Councilman. He did not hesitate to make decisions or to voice opinions that may have been politically unpopular. His guidance during the past several months has served the Borough well, and it is a credit to his character that he chose to come forth and assist this body during a time of need.

Please join me in an expression of our thanks for a job well done by Mayor John Fuhrmann with whom it was an honor to serve.

The Borough Clerk took the roll call:

Mayor	Robert Sherr
Council President	Bob Schueler
	Michael Class
	Debra DeVuyst
	Bob Edwards (absent)
	Bob Gorr
	Michael Venuto (absent)

Attorney: Edward Johnson (absent - ill)

Mayor Sherr opened the meeting with the Sunshine Law Statement saying the meeting had been advertised in the Public Meeting Notice of December 31, 2008.

Mayor Sherr read Ordinance No. 1754-09 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1754-09

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$788,200 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$490,790 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

Councilman Class made a motion to table this ordinance until a future date seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Members Class, DeVuyst and Schueler Nos.: Gorr. Abstain: None.

Mayor Sherr 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 Sherr closed the public portion of the meeting on the consent agenda.

Mayor Sherr read the following resolution:

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

Consent Agenda 2009(R)

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 are not desirous of removing any resolutions from this 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 #227-09 – Resolution #234-09

Councilman Gorr made a motion for adoption, seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Members Class, DeVuyst, Gorr, and Schueler. Nos.: None. Abstain: None.

Mayor Sherr read the following resolution:

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

Resolution #227-09

The Tax Collector is hereby authorized to cancel taxes for 4th quarter 2009 in the amount of \$3,415.90 and taxes for 1st/2nd quarter 2010 in the amount of \$6,657.29 on Block 102, Lot 22, 204 Lucia Street. This block and lot does not exist. It was combined with Block 102, Lot 21.

Mayor Sherr read the following resolution:

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

Resolution #228-09

The Tax Collector is hereby authorized to cancel 4th quarter 2009 property taxes in the amount of \$2,948.03 and 1st/2nd quarter 2010 property taxes in the amount of \$5,742.26 on Block 293, Lot 3.03. The homeowner has been certified as 100% totally disabled during wartime service by the Department of Veteran Affairs.

Mayor Sherr read the following resolution:

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

Resolution #229-09

The Tax Collector is hereby authorized to refund an overpayment of 2009 property taxes in the amount of \$2,670.33 and to cancel 4th quarter 2009 taxes in the amount of \$1,030.27 on block 338, lot 22.01, 214 Farragut Avenue. This property was split from block 338, lot 22 into two separate properties. The check should be payable to:

Middlesex Properties Group LLC
114 Crest Dr
Bernardsville, NJ 07924

Mayor Sherr read the following resolution:

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

Resolution #230-09

The Tax Collector is hereby authorized to refund an overpayment of 2009 property taxes in the amount of \$7,160.50 and to cancel 4th quarter 2009 taxes in the amount of \$80,614.50 on block 353, lot 1.01, River Road. This property was split from block 353, lot 1 into two separate properties. The check should be made payable to:

The Dow Chemical Company
Attn: Tax Department
2030 Dow Center
Midland, MI 48674

Mayor Sherr read the following resolution:

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

Resolution #231-09

The Tax Collector is hereby authorized to credit 2009 taxes based on Middlesex County Board of Taxation judgments on the following property:

<u>BLOCK/LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
112/7	Buccellato, Jeffrey 313 Beechwood Ave	\$4,943.14

Mayor Sherr read the following resolution:

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

Resolution #232-09

Resolution – Budget transfers for the current budget of 2009:

ACCOUNT NAME:	TO:	FROM:
Assessment of Taxes S/W		\$ 2,000.00
Gasoline O/E		\$15,000.00
Assessment of Taxes O/E	\$ 2,000.00	
Utilities – Water	\$15,000.00	

Mayor Sherr read the following resolution:

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

Resolution #233-09

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.

EXECUTIVE SESSION

Personnel

- DPW Employee Complaint
- Police Retirement
- Administrative Salaries

Mayor Sherr read the following resolution:

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

Resolution #234-09

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.

Mayor Sherr opened the public portion of the meeting.

Mayor Zuccarielli congratulated Mayor Sherr and Councilman Paff and First who he stated will face some awesome responsibilities. He stated that he grants Mayor Sherr strength and wisdom and good health to discharge his responsibilities in the best way possible.

John Ellery congratulated Mayor Sherr on his appointment. He stated that because the resident on Chestnut Street was paid by the borough for all the sewer work that was done in the street, he questioned if he should hire counsel to go after the borough for the work that he paid for in the street with his sewer issue at 704 Voorhees Avenue. Mayor Sherr will look into this matter and let him know where this matter stands.

Frank Ryan, 303 Maple Street congratulated Mayor Sherr on his appointment as Mayor of the Borough, and thanked Mayor Fuhrmann for following through on all his concerns and Sheila Fuhrmann for tolerating all his telephone calls.

Mr. Ryan spoke regarding the capital budget and stressed that if this is being kicked around and items being reconsidered, please consider that many residents in the town are losing their jobs and the economy does not look like it is turning around. Mr. Ryan spoke with Councilwoman DeVuyst and Councilman Class this week about following up on code enforcing. He has concern with the junk in the street in the Lincoln Boulevard area between Raritan Avenue and A Street.

Also, Mr. Ryan questioned whether Councilman Edwards is sick because he has not been attending meetings and questioned whether we need someone in that seat. The Borough Clerk indicated that Councilman Edwards is away on business.

Dorothy Staats, 823 Lincoln Boulevard stated that she would like a response from Council to her request to train her dog at Mountain View Park. Ms. Staats was advised that the majority of Council was not in favor of her request and had advised her at a previous meeting of several dog parks in the area.

Seeing that there was no further public participation, Mayor Sherr closed the public portion of the meeting

Councilman Class moved to table the approval of the August 11, 2009 Regular Meeting Minutes, October 20, 2009 Agenda Meeting Minutes and 2009 Closed Session Meeting Minutes seconded by Councilwoman DeVuyst and carried by a unanimous vote of Council.

Councilman Class moved the approval of the September, 2009 Police Department Monthly Report seconded by Councilwoman DeVuyst and carried by a unanimous vote of Council.

There being no further business to discuss, Mayor Sherr recessed the meeting to closed session seconded by Councilman Schueler and carried by unanimous vote of Council.

Mayor Sherr reconvened the Public Meeting, and as there was no further business to discuss, the meeting was adjourned by Councilman Class and seconded by Councilman Schueler and carried by a unanimous vote of Council.

Respectfully submitted,

Kathleen Anello, RMC
Borough Clerk