

Municipal Building  
1200 Mountain Avenue

January 27, 2009

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  
Council President:

John Fuhrmann  
Bob Schueler  
Michael Class  
Debra DeVuyst  
Bob Edwards  
Bob Gorr  
Michael Venuto

Attorney: Edward Johnson

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

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

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The Borough Clerk read the following resolution:

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

**Consent Agenda 2009(B)**

**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 #35-09 – Resolution #41-09

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

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The Borough Clerk read the following resolution:

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

**Resolution #35-09**

**WHEREAS**, the State of New Jersey, Division of Local Government Services, requires an annual resolution by Municipalities, that raise school taxes on a school year basis, and have a deferred portion of that levy at the beginning and end of a calendar year, and

**WHEREAS**, in a Municipality whose deferred school taxes increase from year to year, that Municipality is to set forth the reasons and facts for the increases; and

**WHEREAS**, the Deferred School Taxes, for the Borough of Middlesex Board of Education has increased from January 1, 2008 to December 31, 2008 by \$183,350.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Middlesex, County of Middlesex and State of New Jersey, that the reasons for this increase is the levy for the school year July 1, 2008 to June 30, 2009 has increased by \$454,809.00 from the previous school year levy, and

**BE IT FURTHER RESOLVED** that the increase in the deferred school tax amount from January 1, 2009 to December 31, 2009 is beneficial to the financial position of the Borough for 2008; and

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded to the Director of the Division of Local Government Services, the Borough's Chief Finance Officer and the Borough Auditor.

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The Borough Clerk read the following resolution:

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

**Resolution #36-09**

The application for renewal of Junkyard Licenses for the year 2009 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.

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The Borough Clerk read the following resolution:

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

**Resolution #37-09**

**WHEREAS**, the NJDEP is requesting that the Borough execute a copy of the Temporary Discharge Approval Application for allowing groundwater to be pumped into the sanitary sewer at the Neighborhood Garage Site located at 12131 Bound Brook Road and be submitted to the Middlesex County Utilities Authority (MCUA); and

**WHEREAS**, the NJDEP is seeking MCUA's approval to discharge the treated water generated by these activities to the MCUA treatment plant via the Borough of Middlesex' wastewater collection system; and

**WHEREAS**, the NJDEP is required to have the Borough's approval on a yearly basis for the temporary discharge approval, and a renewal application shall be submitted to the MCUA prior to the expiration date set forth in the Temporary Discharge Approval Application.

**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. At the request of the NJDEP, Middlesex Borough hereby approves the execution of the Middlesex County Utilities Authority Temporary Discharge Approval Application for the groundwater generated from the remediation activities at the Neighborhood Garage Site.
2. This resolution shall take effect immediately.

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The Borough Clerk read the following resolution:

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

**Resolution #38-09**

**WHEREAS**, the New Jersey League of Municipalities ("League") passed a resolution, at its 2008 annual conference, to seek to reduce the minimum funding level for New Jersey municipal public libraries from 1/3 mil to 1/6 mil of equalized assessed valuation and has forwarded that resolution to the Legislature (2008-03 Resolution Recommending Amendment Regarding Tax Levies for Free Public Libraries); and

**WHEREAS**, municipal public libraries have been established at the direction of its citizens through a binding referendum which specified the minimum funding level at 1/3 of a mil; and

**WHEREAS**, public libraries are vital community centers providing essential services to the residents of their municipalities, even more so during these difficult economic times; and

**WHEREAS**, the current funding formula for municipal libraries has endured for over 100 years providing a stable source of tax support for municipal library services; and

**WHEREAS**, the resolution proposed by the League would critically weaken the foundation of library services in New Jersey by drastically reducing the minimum funding level that would directly impact library services; and

**WHEREAS**, the fiscal hardships facing many residents and businesses require access to key information resources available in New Jersey's free public libraries, such as access to computers for educational or business needs, or to find jobs and other opportunities; and increases the use of the other services of the public library, such as

borrowing books and other media or attending programs for children and the entire family; and

**WHEREAS**, the Board of the Middlesex Free Public Library protested League Resolution 2008-03 by adopting Resolution 2009-01 in an open public meeting of the Board of Trustees on January 12, 2009.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL** of the Borough of Middlesex that the governing body hereby protests the action of the League in adopting Resolution 2008-03 and forwards this resolution to the League, to the state Senator and the Assemblypersons representing the district in which the Middlesex Library is located.

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The Borough Clerk read the following resolution:

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

**Resolution #39-09**

Authorizing the Mayor and Borough Clerk to execute the Interlocal Agreement for the purchase of the 1993 Ford F-250XL Pickup Truck from the County of Middlesex.

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he Borough Clerk read the following resolution:

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

**Resolution #40-09**

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.

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The Borough Clerk read the following resolution:

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

**Resolution #41-09**

**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.

Negotiations

- DPW
- Police

Personnel

- Disability – Unused Vacation
- Construction Office

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The Borough Clerk proclaimed the week of February 1 – 8, 2009 as Scouting Anniversary Week in the Borough of Middlesex.

**PROCLAMATION**

**WHEREAS**, the success of Scouting for Cub Scouts, Boy Scouts, Explorers, and Venturing depends on our community organizations; and

**WHEREAS**, there are 505 churches and synagogues, schools and parent-teacher associates, service and fraternal clubs, and other community organizations that have been chartered in our area by the Boy Scouts of America to use the Scouting program; and

**WHEREAS**, the volunteer leaders selected by these chartered organizations are performing an outstanding service for 18,871 boys and young men and women; and

**WHEREAS**, the Patriots' Path Council of the Boy Scouts of America and its corps of dedicated volunteer leaders are providing necessary support to the leaders in the 6,236 Cub Scout Packs, Boy Scout Troops, Explorer Posts, and Venture Crews.

**NOW THEREFORE BE IT RESOLVED** that I, John Fuhrmann, Mayor of the Borough of Middlesex proclaim the week of February 1, 2009 – February 8, 2009, as Scouting Anniversary Week and urge our citizens to join in expressing appreciation to the community organizations and their volunteer Scouting leaders for bringing this values-based program to our young people.

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Mayor Fuhrmann opened the public portion of the meeting.

Dave Oliver, 216 Ashland Road indicated that at last week's meeting Councilman Venuto expressed that our town seems to be getting "rusty" and Mr. Oliver is concerned that it seems that people do not take great pride in their property. Mr. Oliver now walks around town and he is appalled by some of the residential and business properties in the Borough. He realizes that we cannot go after residential properties, however he would like to see if we can have community service workers that work at the Recycle Center on Saturday's and have them clean up some of the public areas. There are two houses on Lincoln Boulevard across from the shopping center, and apparently these properties have not been raked or cleaned for some time. Also, there is a lot by the Gulf Station at the corner of Raritan Avenue which is cluttered with leaves and garbage. He questioned if there is a possibility that the community service workers could be able to clean up the

public areas and Mr. Oliver volunteered his service to supervise these individuals if they could be used to clean up these areas. He requested that Mayor Fuhrmann look into using these community service workers. The Borough Attorney indicated that there would be no problem using these workers on public property, but we would be required to have supervision. Mayor Fuhrmann will check to see if Mr. Oliver could supervise these workers.

Tony Cole, Vice President of the Board of Education reminded the Council that the Board of Education is working on the budget and requested that the Mayor and Council attend the Board of Education meetings for their input regarding this budget.

Jeff D'Ambrosia, 317 First Street, stated that he monitored the discussion on the bucket truck and was concerned that the council should examine the cost factor involved. He feels that if you own the vehicle you own the responsibility, insurance and maintenance, and if you rented the vehicle you would not have any of these costs. He also wants to know how many times we use the vehicle and if we would get full value if it is shared with another town.

Mayor Fuhrmann indicated that Mr. Ambrosia's comments will be discussed when we follow up on this matter at the next meeting.

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

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Mayor Fuhrmann moved the approval of the January 13, 2009 Public & Agenda Meeting Minutes seconded by Councilman Schueler and carried by a unanimous vote of the Council.

Council President Schueler moved the approval of Richard Tarbous, Timmothy Chojnowski and Martin Striefler as members of the Fire Department seconded by Councilman Venuto and carried by a unanimous vote of Council.

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

Respectfully submitted,

Kathleen Anello, RMC  
Borough Clerk

