

MUNICIPAL BUILDING
Middlesex, NJ 08846
January 1, 2009

The 2009 Reorganization Meeting of the Mayor and Council was held at the above place on the above date at 12:00 p.m.

The following members responded to roll call of the 2008 Mayor and Council:

Mayor	Gerald D'Angelo (absent)
Council President	Robert Gorr
Council Members	Ken DeVuyst
	Robert Edwards
	Sean Kaplan
	Robert Schueler
	Michael Venuto (absent)

Council President Gorr welcomed everyone to the 2009 Reorganization Meeting and made the following comments:

The Governing Body wishes everyone a happy and healthy New Year.

We also want to take this time to thank all of the people of Middlesex and the volunteer committees, along with the Police Department and all employees in the Borough who contribute their time to the Borough in making our Borough a great place to live.

Also, we would like to extend to all the volunteer organizations such as the Fire Department, Rescue Squad and the Office of Emergency Management for their dedication and countless hours of their personal time to provide safety to us all in the Borough.

Thank you to Councilman Ken DeVuyst and Councilman Sean Kaplan for your tenure in office of your time and dedication and your support of your families for putting your time in the Borough of Councilman, along with all of the rest of the 2008 Councilman and to Mayor D'Angelo and all of your families support for your hard work and dedication and time commitments it takes to operate the Borough.

We are looking forward to working with our new 2009 Council members Michael Class and Debra DeVuyst.

Thank you.

Council President Gorr thanked Councilman DeVuyst for all of his service as a Councilperson and invited him to speak before the newly elected officials were sworn in for 2009.

Comments by Councilman DeVuyst

Acting Mayor Gorr, members of the Borough Council, distinguished guests, friends and residents of Middlesex Borough. I would like to take this opportunity to thank you for the

confidence you showed in me to represent you on the Borough Council for the past three years. I want to express my appreciation for the services rendered by all of our employees and citizen volunteers who, every day, work to make this town a desirable place to live. Additionally, I would like to thank my family for their unwavering support during my service as Councilman.

Being a member of the Borough council gave me the opportunity to experience local government first hand and allowed me to try to make changes for the better in our borough. Upon being elected, I made decisions that I thought would be most beneficial to the town. My thoughts, comments and decisions were very often in opposition to the majority opinion. But it was my intention, from the very moment I was selected as a candidate, to represent the residents of Middlesex Borough to the best of my ability and to watch out for them, their safety, their well-being and their wallets. My decisions were made how I saw fit, given the facts presented to me.

Throughout the past three years I heard the constant drumbeat “this is the way we’ve always done it”. This well established policy is unacceptable to me and should be unacceptable to every resident of this town.

Citizens need to become engaged in government processes to effect change and prevent waste. What became most glaringly obvious to me meeting after meeting was that there was little concern, on the part of our residents, for the behavior of our local government, except immediately after a tax increase was passed, at which time it was too late to voice a concern about the direction the Council was taking the Borough.

What is the most important for every taxpayer to remember is that when government is in session, your hard earned tax dollars are at risk of being wasted- or being used for a productive reason. It is the constant vigilance of both the Borough’s residents and the council that assures the taxpayers’ funds are wisely used. The question that should always be asked, when considering a new project, purchase or position is how this will benefit the taxpayer. Projects shouldn’t just be considered because they look good on paper—projects should be selected for functionality and benefit to the Borough and its residents as a whole. Not all grants are good. Many grants require matching funds and every dollar of grant money comes from some taxpayer’s pocket somewhere—there is no such thing as free money.

Over the course of the past six months, this Council has begun to make a concerted effort to move in a new direction that will be more beneficial to our Borough. The continuous drumbeat of “this is the way we’ve always done it” is giving way to “how can we do things better and more efficiently”. Resistance to change still exists, but the continued, dedicated effort in a new direction will overcome past inadequacies.

I think the 2009 council, with its four past and two new members, are capable of moving Middlesex Borough ahead in a more positive manner and in a more prosperous direction. The new council will need the public’s help. It is time for the residents of Middlesex Borough to brush apathy aside and to become engaged in whatever manner of their choosing to assist in moving Middlesex Borough forward. Party affiliation has no place in this effort—we can move ahead together or we can languish in the mire that has been “past practice” within our Borough. I know you can all make a positive contribution to progress in our town. Stand up, get moving and make Middlesex Borough just not a good place to live, but a GREAT place to live, work and raise a family.

Thank you all very, very much.

Council President Gorr thanked Councilman Kaplan for all of his service as a Councilperson and invited him to speak before the newly elected officials were sworn in for 2009.

Comments by Councilman Kaplan

Thank you Council President Gorr. Happy New Year to you of all. I Would like to take this time to thank everyone for the most rewarding opportunity of a lifetime. It was my pleasure to have served the people of Middlesex as councilman for the last 3 years. At times we didn't see eye to eye, but there was a happy median at the close of each session. If there is one piece of advice I can give to the new council people, it would be to listen and respect each other's opinion. You might not agree, but they earned the right, the same as you did. We are all equals and are here for the betterment of Middlesex Boro. If it is important to a resident, it should be important to you. With that said, I would like to thank the Democratic party for their support. They are an amazing group of people who work hard for their candidates even after they are elected. To Ron Dimura, a personal thank you. You stood behind me as a friend, not just a chairperson. Thank you again. To the 2008 council members, I am going to miss the opportunity working with you all. Despite everything that transpired and thrown our way, we were able to prevail. Continue your hard work, it didn't go unnoticed in the things that were accomplished, just unappreciated to others. To all the employees of Middlesex Boro, you work hard in all aspects to make Middlesex a great place to live. Thank you. I would like to congratulate Debbie DeVuyst and Michael Class and look forward to working with you in the future. Now a special thanks for my family who supported me during all my nights away. Thank you Colleen, Sarah and Brad. If it wasn't for your support, I wouldn't have been able to give the time and attention that was needed to be a councilman.

Have a happy and healthy New Years.

Attorney Ed Johnson was administered the Oath of Office by Borough Clerk Kathleen Anello.

Councilman Michael Class was administered the Oath of Office by Attorney Ed Johnson.

Councilwoman Debra DeVuyst was administered the Oath of Office by Attorney Ed Johnson.

The following responded to roll call of the 2009 Mayor and Council:

Mayor	Gerald D'Angelo
Council Members	Michael Class
	Debra DeVuyst
	Robert Edwards
	Robert Gorr
	Robert Schueler
	Michael Venuto

Comments by Councilman Class

Good afternoon everyone. I would like to start by saying thank you to the many people who have helped me get here today. First and foremost to my better half Kasi Palazzo for her love, support, and acceptance of my commitment to run for the office. My family, Mike Hompesch & Family, Bill Moore, Debbie DeVuyst & family, and the entire Republican Party for unwavering support, advice and financial contributions to our campaign. To all of the local businesses who gave to our ad book fund raiser, I would like to thank all of my friends for putting up signs, making donations, and campaigning on my behalf. Most importantly, I would like to thank all of the Middlesex Borough residents who came out to vote for me. It is a great honor for me to be chosen to represent our community. I have based my run for election on creating a mutual desire for a positive change in touch economic times.

During this campaign I had made several promises to our resident's one of them being the stabilization of taxes. I truly feel this subject needs to be the number one priority of this council. As we tread deeper into a difficult economic recession, rising inflation, and growing unemployment this government will have to provide budget cuts in order to bolster our community's financial stability. It would be the great injustice to raise taxes in a time where our community is already feeling the pressure of one of the worst economic climates in over a decade. This government will have to make do with less.

Another commitment to the residents is to minimize the amount of lawsuits between the borough and its employees. In my opinion this borough needs to implement training programs which support a strong employee policy and effective unlawful discrimination and harassment policies. Our employee handbooks should explain in detail all aspects of policy enforcement and disciplinary actions to be taken in the event of a violation. And finally, making sure any events that take place are properly documented so the borough can adequately defend itself from frivolous lawsuits in the court of law.

As a member of this council I vow to support great ideas whether or not they are republican or democrat in origin. I promise to work hard for the good of the people and security of this town's economic future. And finally, above all, I vow to put the people of this community first.

Thank you.

Comments by Councilwoman DeVuyst

I would like to welcome everyone here today and wish everyone and their families a Health Happy New Year!

Campaigning for and winning this past election was truly an experience that I will certainly remember forever and for that I wish to thank all who put their trust in me. I believe the outcome of the election truly reflects that our residents have spoken and want our town to go in a different direction.

As I go about my day to day activities since the election, residents have approached me, explaining their life stories and circumstances. A recurrent theme during these conversations is the impact of the current economy upon working families and retirees. I realize more and more everyday that in these tough economic times, myself and the new council must interact in a positive manner, keep open minds, have a clear visio and

make our local government work better. We must clearly determine what is essential, nor what is merely desired, to bring our Borough government back under control with a fiscally conservative, sound budget, and the implementation of strong management policy and procedures.

At different council meetings I have heard Democratic council's Goals and Objectives; I thought it would be nice to share a few of mine:

- Modernize our Borough Accounting System to ensure better management of the Borough's funds.
- Kick starting the rehabilitation project for Lincoln Boulevard with a more comprehensive plan to attract businesses that will become catalysts for truly viable rehabilitated properties.
- Improve Communication with Residents, Employees, Council and Mayor
- Shared Services, not necessarily noticeable to our residents, such as purchasing power through the County, written inter local agreements not only for goods, but reimbursement of costs for our borough workers that work in other towns.
- Study and Partner with our Board of Education on services or things that are duplicated, but cost money.
- Introduce an Ordinance, not a resolution, to ensure our engineers, consultants, attorneys and accountants are hired fairly, based upon their abilities and their cost, not because they wheeled, dealt or donated to any political party. This must be stricter than the state law, but one that has been tried and tests in other towns and counties.
- Energy Audit through Municipal Energy Audit Program to find energy savings and green initiatives.
- Work to create a new Senior Center and improve senior services.
- Create self-supporting Cultural and Arts summer program for our youth and let it lead to "Arts in the Part" funded through private foundations and grants in hopes to eventually form a cultural art commission.

These are just a few!

I look forward to us seating a new Mayor as soon as possible and I am confident we can work in a bipartisan manner to get our Borough moving in the right direction.

In closing, I would like to say thank you to everyone who helped with the campaign. I would like to extend a very special thank you, more than I can adequately express, to Mike Hompesh and Bill Moore who put in many hours and days to revitalize our party, always with a smile and always with the best interests of the Borough foremost in their minds.

Last, but not least, I want to thank my family: Ken, Kidda, Gregg and also Tina, my daughter, who could not be here today, for their encouragement, support and patient attention to the hours of idle chatter about the campaign. I love you all!

I look forward to working with the residents, volunteers, borough employees, the council and our new Mayor.

Once again, I thank all who put their trust and confidence in me.

Thank you very much!

Councilman Edwards offered the name of Councilman Schueler for Council President, seconded by Councilman Gorr and carried by the following roll call vote: Ayes: Class, Edwards, Gorr, and Schueler. Nos: DeVuyst. Abstain: None.

Council President Schueler welcomed all the new council members and extended a hand of cooperation. This upcoming year will be full of challenges, and we will need to work together to accomplish things to make Middlesex better. To paraphrase the late David Crabiel "We need to make Middlesex Borough the greatest borough in the land".

The Borough Clerk read the following names for the 2009 Fire Officials:

2009 Fire Officials

Chief	Andy Castaldo, Jr.
First Asst. Chief	James Rinker
Second Asst. Chief	Kevin Mott
Safety Officer	Alan Kriney
Special Officer	Mark Colacci

Company No. 1 – Lincoln Hose

Captain	Brian Mattox
Lieutenant	Scott Shepherd
Engineer 1	
Asst. Engineer	Colin McKeown
Engineer 25	Tom Kurtz

Approved Drivers Truck 21: Bob Soper, Jeff DeMassari, John Hein, Brian Mattox, Mark Rutledge, Shawn Young, Colin McKeown, Scott Shepherd.

Company No. 2 – Beechwood Heights

Captain	Vince Vacca
Lieutenant	Darren Lubetkin
Engineer 2	Andy Klein
Asst. Engineer	Randy Rudnick

Approved Drivers Truck 22: Ken Pukas, Jr., Vic Capolunghi, John Craig, Jr., Randy Rudnick, Andy Klein, Robert Schneider, Kevin Crynock, Vince Vacca, Richard Malt, Darren Lubetkin, Dan DeSignore, Eric Chomen.

Company No. 3 – Pierce

Captain	George Schroeder
Lieutenant	Phil Embrescia
Engineer 3	Chad Heulitt
Asst. Engineer	Dave Thul

Approved Drivers Truck 23: Jack Costa, Bill Smith, Bill Winkleman, Dave Bird, George Schroeder, Chad Heullitt, Colleen Dooley, James Rinker, Dave Thul, Phil Embrescia.

Company No. 4 - Parker

Captain	Ed Winters, Jr.
Lieutenant	Richard Reedy, Jr.
Engineer 4	John Pazar
Asst. Engineer	Robert Poltarak

Approved Drivers Truck 24: Robert Poltarak, Ed Winters, Jr., Andy Castaldo, Sr. Andy Castaldo, Jr., Ryan Zittel, Jake Kyrczenko, Ed Winters, Sr., Kevin Mott, Robert Pollara, Jr., John Pazar, Mike Class, Richard Reedy, Jr.

Approved Drivers Truck 25: Bob Soper, Jeff DeMassari, John Hein, Brian Mattox, Mark Rutledge, Shawn Young, Scott Shepherd, Colin McKeown, Chris Burke, Ed Winters, Jr., Tom Kurtz, Vince Vacca, Rich Reedy, Jr.

The Borough Clerk read the following names for Police Matrons and Crossing Guards

2009

POLICE MATRONS

Jayne Campbell	Margaret Eloie
Nancy Gulla	Mary Eloie
Cynthia Chomen	Constance Johnson
Maryann Doesburg	Martha Ziegler
Genoveva Castaneda	

SCHOOL CROSSING GUARDS

Isobel Mckeown	Patricia Slaktowicz
Patricia Farhy	Carol Schenck
Marie Aboosamara	Dorothy Sullivan
Diana Hood	Laurina Tolomeo
Constance Johnson	Marjorie Santana
Howard Killian	Madeline Havet

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

MAYOR'S APPOINTMENTS FOR 2009 THAT REQUIRE NO CONFIRMATION

PLANNING BOARD

Class IV		
David Briggs	4-year	12/31/12

Class II Roger Sanchez	4-year	12/31/12
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Class I
Albert Lowande – Term of Mayor

Class III Robert Edwards	1-year	12/31/09
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Robert Sherr (1 st Alt.)	2-year	12/31/10
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SHADE TREE COMMISSION

Dave Oliver	5-year	12/31/13
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RECREATION COMMISSION

John Kayser	5-year	12/31/13
Sherley Penrose	5-year	12/31/13

TECHNOLOGY COMMITTEE

Vic Capolunghi	1-year	12/31/09
Bruce Hydo	1-year	12/31/09
Edward Castagna	1-year	12/31/09

BEAUTIFICATION COMMITTEE

Geraldine Bognar	1-year	12/31/09
Sherley Penrose	1-year	12/31/09
Tony Sasso	1-year	12/31/09
Monique Sasso	1-year	12/31/09
Pam Teitelbaum	1-year	12/31/09
Lynda Armer	1-year	12/31/09
Julia Rosato	1-year	12/31/09
Joseph DeScenza	1-year	12/31/09
Emily DeScenza	1-year	12/31/09
John Yaniero	1-year	12/31/09

TRAFFIC SAFETY COMMITTEE

Carol Taylor	1-year	12/31/09
Robert Frisch	1-year	12/31/09
Chief Benson	1-year	12/31/09
Sean Kaplan	1-year	12/31/09
Michelle Previte	1-year	12/31/09

LINCOLN BOULEVARD STEERING COMMITTEE

Matt Adams	1-year	12/31/09
Vic Capolunghi	1-year	12/31/09

Mike Schneider	1-year	12/31/09
Courtenay Mercier	1-year	12/31/09

WATER QUALITY

Kevin Sumner	1-year	12/31/09
Nancy Lanner	1-year	12/31/09

CLEAN AIR

Kevin Sumner	1-year	12/31/09
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ENERGY

Nancy Lanner	1-year	12/31/09
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FUSRAP ADVISORY COMMITTEE

Mary Lou Viswat Environmental/Citizen Group	1-year	12/31/09
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Nancy Lanner Municipal Government Rep.	1-year	12/31/09
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MAYOR'S APPOINTMENTS FOR 2009 THAT REQUIRE CONFIRMATION

BOARD OF HEALTH

Amelia Sherr	4-year	12/31/12
Dr. Cohen	4-year	12/31/12

Alternates Lori Bowers	2-year	12/31/10
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SWIM POOL COMMISSION

Lee Poandl Bud Crede – Term of Mayor Mark Kranz - Term of Mayor	5-year	12/31/13
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HOUSING & COMMUNITY DEVELOPMENT ADVISORY COMMITTEE

Vic Capolunghi	3-year	12/31/11
Subbash Dani	3-year	12/31/11
Mike Venuto (Mayor's Representative)	1-year	12/31/09

LIBRARY BOARD

Cathy Ferris	5-year	12/31/13
Marion Oliver	5-year	12/31/13

BOROUGH PHYSICIAN

Dr. Zafir Shaheen	1-year	12/31/09
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LEGAL NEWSPAPERS

Courier-News	1-year	12/31/09
Star Ledger	1-year	12/31/09
Home News Tribune	1-year	12/31/09

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

APPOINTMENTS BY COUNCIL NOT REQUIRING MAYOR CONFIRMATION

BOARD OF ADJUSTMENT

Stephanie Rossi	4-year	12/31/12
Michael Conahan	4-year	12/31/12
Roger Sanchez	4-year	12/31/12
Philip Lopa	1-year	12/31/09

Alternate Anthony Mendel (1 st)	2-year	12/31/10
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Councilman Gorr moved for adoption, seconded by Councilman Edwards and carried by the following roll call vote. Ayes: Class, DeVuyst, Edwards, Gorr, and Schueler. Nos: None. Abstain: None.

Councilwoman DeVuyst made a motion to appoint the professionals for a three month term, rather than a yearly appointment, seconded by Councilman Class. This motion was denied by the following roll call vote. Ayes: Class, DeVuyst. Nos: Edwards, Gorr and Schueler. Abstain: None.

Councilwoman DeVuyst made a motion to remove Resolutions #1-09, #6-09 and #7-09 from the resolutions for the professionals seconded by Councilman Class and carried by the following roll call vote. Ayes: Class, DeVuyst, Edwards, Gorr and Schueler. Nos: None. Abstain: None.

The Borough Clerk read the following resolution.

RESOLUTION #1-09

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR LEGAL SERVICES AS BOROUGH ATTORNEY TO EDWARD J. JOHNSON, JR., P.A.

WHEREAS, the Governing Body of the Borough of Middlesex wishes to appoint Edward J. Johnson, Esq., whose office is located at 1 Greenbrook Road, Middlesex, NJ 08846

as the Attorney for the Borough of Middlesex for the period from January 1, 2009 to December 31, 2009;

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

1. Edward J. Johnson, Esq., having his office located at 1 Greenbrook Road, of Middlesex New Jersey is hereby appointed as the Attorney for the Borough of Middlesex for the period from January 1, 2009 through December 31, 2009 at a salary set forth in the Agreement. Said base salary shall not include services rendered by the Borough Attorney in connection with litigation involving the Borough of Middlesex, nor shall it include labor negotiations, foreclosure actions, which may have to be instituted with respect to in rem tax foreclosures, appearances before administrative agencies. The Borough Attorney must first obtain approval from the Governing Body before incurring any expenses in connection with litigation or other items, which are not included in the base salary. The base salary shall also not include services rendered in connection with revising the Borough Code. The Borough Attorney shall be compensated at an hourly rate of \$175.00 per hour for any work done by the Borough Attorney on items which are not covered under the base salary or Section 1 of the Agreement. The salary shall be set forth by governing body in the 2009 Salary Resolution.
2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

Councilman Schueler moved for adoption, seconded by Councilman Edwards and carried by the following roll call vote. Ayes: Class, DeVuyst, Edwards, Gorr, 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 #6-09

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR LEGAL SERVICES AS BOROUGH PROSECUTOR TO JEREMY SOLOMON, ESQ.

WHEREAS, the Governing Body of the Borough of Middlesex wishes to appoint Jeremy Solomon of the firm Bob Smith Associates, 216-B1 Stelton Rd., Piscataway, NJ as the Borough Prosecutor for the Borough of Middlesex for the period from January 1, 2009 to December 31, 2009; and

WHEREAS, Bob Smith will be considered a substitute for Jeremy Solomon when Mr. Solomon is not available.

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

1. Jeremy Solomon of the firm Bob Smith Associates whose office is located at 216-B1 Stelton Rd., Piscataway, New Jersey is hereby appointed as the Municipal Prosecutor for the Borough of Middlesex and substituting for Mr. Solomon when he is not available will be Bob Smith for the period from January 1, 2009 through December 31, 2009 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk's Office.
2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

Council President Schueler moved for adoption, seconded by Councilman Edwards and carried by the following roll call vote. Ayes: Class, DeVuyst, Edwards, Gorr, 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 #7-09

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR LEGAL SERVICES AS LABOR ATTORNEY TO EDWARD J. JOHNSON, JR., P.A.

WHEREAS, the Governing Body of the Borough of Middlesex wishes to appoint Edward J. Johnson, Esq., whose office is located at 1 Greenbrook Road, Middlesex, NJ 08846 as the Labor Attorney for the Borough of Middlesex for the period from January 1, 2009 to December 31, 2009;

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

1. Edward J. Johnson, Esq., having his office located at 1 Greenbrook Road, of Middlesex New Jersey is hereby appointed as the Labor Attorney for the Borough of Middlesex for the period from January 1, 2009 through December 31, 2009 at a salary set forth in the Agreement, a copy of which is available in the Borough Clerk's Office.
2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

Councilman President Schueler moved for adoption, seconded by Councilman Gorr and carried by the following roll call vote. Ayes: Class, DeVuyst, Gorr, Edwards 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 #2-09

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR LEGAL SERVICES AS SPECIAL ENVIRONMENTAL COUNSEL TO GOLDSHORE, CASH & KALAC, P.C. FOR THE YEAR 2009

WHEREAS, the Governing Body of the Borough of Middlesex wishes to appoint Lewis Goldshore, Esq. of the firm Goldshore, Cash & Kalac whose office is located at 1350 Brunswick Pike, Ste. 150, Lawrenceville, NJ 08648 as the firm to represent the Borough in connection with certain law suits instituted against the Borough pertaining to environmental issues.

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

1. The Borough of Middlesex hereby retains the services of Lewis Goldshore, Esq. of the firm Goldshore, Cash & Kalac as the firm to represent the Borough in connection with various environmental matters, which may arise during the course of the year as designated by the Governing Body and to continue representing the Borough in connection with litigation matters which are presently pending for the period from January 1, 2009 through December 31, 2009 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk's Office.
2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

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

The Borough Clerk read the following resolution:

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

RESOLUTION #3-09

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR ENGINEERING SERVICES AS BOROUGH ENGINEER TO ROBERT R. KEADY, JR. OF T & M ASSOCIATES

WHEREAS, the Governing Body of the Borough of Middlesex wishes to appoint Robert R. Keady, Jr. of the firm T&M Associates as the Engineers for the Borough of Middlesex for the period from January 1, 2009 to December 31, 2009.

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

1. Robert R. Keady, Jr. of the firm T&M Associates whose office is located at Eleven Tindall Road, Middletown, NJ is hereby appointed as the Engineer for the Borough of Middlesex for the period from January 1, 2009 through December 31, 2009 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk's Office.

2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

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

The Borough Clerk read the following resolution:

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

RESOLUTION #4-09

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR AUDITING SERVICES AS BOROUGH AUDITOR TO HODULIK & MORRISON PA, CPA/RMA

WHEREAS, the Governing Body of the Borough of Middlesex wishes to appoint the firm of Hodulik & Morrison, PA whose office is located at 1102 Raritan Avenue, Highland Park, New Jersey 08904 as the Auditors for the Borough of Middlesex for the period from January 1, 2009 to December 31, 2009.

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

1. Hodulik & Morrison, PA whose office is located at 1102 Raritan Avenue, Highland Park, New Jersey 08904, is hereby appointed as the Auditors for the Borough of Middlesex for the period from January 1, 2009 through December 31, 2009 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk's Office.
2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

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

The Borough Clerk read the following resolution:

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

RESOLUTION #5-09

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR "BOND COUNSEL" SERVICES AS BOROUGH "BOND COUNSEL" TO EDWARD J. MCMANIMON OF THE FIRM OF MCMANIMON & SCOTLAND, LLC.

WHEREAS, the Governing Body of the Borough of Middlesex wished to retain the services of Edward J. McManimon, III of the firm McManimon & Scotland, LLC for the Borough of Middlesex for the year 2009; and

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

1. Edward J. McManimon, III of the firm McManimon & Scotland, LLC is hereby appointed as "Bond Counsel" for the Borough of Middlesex for the period from January 1, 2009 through December 31, 2009 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk's Office.

2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

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

The Borough Clerk read the following resolution:

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

RESOLUTION #8-09

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR SERVICES AS BOROUGH "LICENSED SEWAGE COLLECTION SYSTEM OPERATOR" TO JEROME F. SHEEHAN OF THE FIRM OF JFS SERVICES LLC

WHEREAS, the Governing Body of the Borough of Middlesex wish to retain the services of Jerome F. Sheehan of the firm JFS Services LLC as Licensed Sewage Collection System Operator for the Borough of Middlesex as the for the year 2009; and

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

1. Jerome F. Sheehan of the firm JFS Services LLC is hereby appointed as "Licensed Sewage Collection System Operator" for the Borough of Middlesex for the period from January 1, 2009 through December 31, 2009 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk's Office.

2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

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

The Borough Clerk read the following resolution:

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

RESOLUTION #9-09

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR SERVICES AS
BOROUGH "REDEVELOPMENT ATTORNEY" TO EDWARD J.
MCMANIMON OF THE FIRM OF MCMANIMON & SCOTLAND, LLC.**

WHEREAS, the Governing Body of the Borough of Middlesex wished to retain the services of Edward J. McManimon, III of the firm McManimon & Scotland, LLC as Redevelopment Attorney for the Borough of Middlesex as the for the year 2009; and

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

1. Edward J. McManimon, III of the firm McManimon & Scotland, LLC is hereby appointed as "Redevelopment Attorney" for the Borough of Middlesex for the period from January 1, 2009 through December 31, 2009 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk's Office.

2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

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

The Borough Clerk read the following resolution:

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

RESOLUTION #10-09

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR SERVICES AS
BOROUGH "ENVIRONMENTAL ENGINEER" TO JOSEPH WILEY OF THE FIRM OF
SATAT ASSOCIATES, INC.**

WHEREAS, the Governing Body of the Borough of Middlesex wish to retain the services of Joseph Wiley of the firm Sadat Associates, Inc. as Environmental Engineer for the Borough of Middlesex for the year 2009; and

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

1. Joseph Wiley of the firm Sadat Associates, Inc. is hereby appointed as "Environmental Engineer" for the Borough of Middlesex for the period from January 1, 2009 through December 31, 2009 at a fee set forth in their Agreement, a copy of which is available in the Borough Clerk's Office.

2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

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

Councilwoman DeVuyst made a motion to remove Resolution #26-09 from the Consent Agenda seconded by Councilman Class and carried by the following roll call vote: Ayes: Class, DeVuyst, Edwards, Gorr, and Schueler. Nos: None. Abstain: None.

The Borough Clerk read the following resolutions:

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

CONSENT AGENDA 2009(A)

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 desirous of removing Resolution #26-09 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.

Resolutions #11-09 - #25-09
Resolution #27-09

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

The Borough Clerk read the following resolution:

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

RESOLUTION #11-09

The Disbursing Officers be and they are hereby authorized to issue a check in favor of the Library Board of Trustees to be applied to their 2009 Operating Budget in the amount of \$13,910 presenting State Library Aid.

The Borough Clerk read the following resolution:

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

RESOLUTION #12-09

The Disbursing Officers be and they are hereby authorized to pay, on a monthly basis, premium for Borough employees' insurance coverage as it is due.

The Clerk read the following resolution:

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

RESOLUTION #13-09

The Disbursing Officers be and are hereby authorized to draw a check in the amount of \$100.00 for reimbursement of the Clerk's petty cash fund and \$100.00 for the Police Department, and \$100.00 for the Recreation Department.

The Borough Clerk read the following resolution:

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

RESOLUTION #14-09

The By-Laws as have been previously adopted are to remain in full force to govern the 2009 Governing Body or until further action is taken.

The Borough Clerk read the following resolution:

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

RESOLUTION #15-09

In compliance with the "Open Public Meeting Law" P.L. 1975 C231, the following schedule is set for the meetings of Mayor and Council for the year 2009:

- | | |
|--------------------|--------------------|
| January 13, 27 | July 14, 28 |
| February 3, 10, 24 | August 11, 25 |
| March 3, 10, 24 | September 1, 8, 22 |
| April 7, 14, 28 | October 6, 13, 27 |
| May 5, 12, 26 | November 10, 24 |
| June 9, 23 | December 1, 8, 22 |

Agenda meetings commence at 7:00 p.m. on the first, second, and fourth Tuesday of the month in concurrence with the above dates.

Public meetings commence at 8:00 p.m. on the second and fourth Tuesday of the month in concurrence with the above dates.

The Borough Clerk read the following resolution:

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

RESOLUTION #16-09

Be it resolved, by the Mayor and Council of the Borough of Middlesex, New Jersey that the following are designated as legal depositories:

- State of New Jersey Cash Management Fund
- Commerce Bank
- Wachovia
- Depository Trust

The Borough Clerk read the following resolution:

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

RESOLUTION #17-09

The treasurer be and is hereby authorized to draw checks, as needed, to New Jersey Sales Tax for taxes collected through the snack bar at Middlesex Community Pool.

The Borough Clerk read the following resolution:

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

RESOLUTION #18-09

WHEREAS, the Treasurer is required to invest and reinvest borough funds.

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. The Borough Treasurer is hereby authorized to invest and re-invest borough funds.
2. This resolution shall take effect for the year 2009.

The Borough Clerk read the following resolution:

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

RESOLUTION #19-09

Tonya Hubosky be and is hereby appointed Official Tax Search Officer for the Borough of Middlesex for the year 2009.

The Borough Clerk read the following resolution:

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

RESOLUTION #20-09

Kathleen Anello be and is hereby appointed Official Assessment Search Officer for the Borough of Middlesex for the year 2009.

The Borough Clerk read the following resolution:

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

RESOLUTION #21-09

WHEREAS, the New Jersey Department of the Treasury requires that every municipality designate a Public Agency Compliance Officer (PACO) each year.

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

1. Andrea Corcoran hereby is appointed PACO Officer for the Borough of Middlesex for the year 2009.
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 #22-09

WHEREAS, there are numerous business within Middlesex Borough that provide materials and services that are needed and contracted for by various boards, commissions, committees, and departments of the Borough of Middlesex; and

WHEREAS, the Governing Body of Middlesex Borough believes that they should fully support the business and professional community, located in Middlesex Borough, that supply quality materials and services to the residents of Middlesex Borough; and

WHEREAS, these businesses and professionals, located in Middlesex Borough, pay taxes, create jobs, and significantly contribute to and enhance the quality of life for the Middlesex Borough residents.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of Middlesex that it restate and endorse the established "Buy Local Policy", and

That all departments, boards, commissions and committees be directed, whenever economically feasible and consistent with existing laws and our Borough financial policies, to purchase materials and services from business and professionals located in Middlesex Borough; and

BE IT FURTHER RESOLVED that the Governing Body of Middlesex Borough directs the Borough Clerk to send a copy of this resolution to all individuals responsible for making or approving Borough purchases or retaining services, including department heads and chairpersons of the various boards, commissions and committees.

The Borough Clerk read the following resolution:

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

RESOLUTION #23-09

WHEREAS, the Governing Body adopted a Personnel Policy on February 27, 2001; and

WHEREAS, the Governing Body wishes to adopt this Personnel Policy on a yearly basis.

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

1. The Personnel Policy of the Borough of Middlesex is effective from January 1, 2009 to December 31, 2009.
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 #24-09

A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO COLLECT INTEREST ON DELINQUENT TAXES

"Delinquency means the sum of all taxes and municipal charges due on a given parcel of property covering any number of quarters or years"

In the event the quarterly payment of taxes or assessments are not paid on the date on which they become delinquent, but are paid within ten days on the date on which they become delinquent, the Tax Collector be and is hereby authorized to collect interest on all such delinquent payments; and

In the event that quarterly payment of taxes or assessments are not paid within ten days of the date on which they become delinquent, and the total amount of said delinquency is less than \$1,500.00, the Tax Collector be and is hereby authorized to collect 8% interest per annum from the date said payments first become delinquent up to \$1,500.00 of the delinquency and 18% interest on all such delinquent payments over \$1,500.00.

Pursuant to N.J.S.A. 54:4-67, which is the New Jersey statute defining a tax delinquency, the Governing Body of the Borough of Middlesex does hereby fix a penalty to be charged to a taxpayer with a delinquency in excess of \$10,000 who fails to pay the delinquency prior to the end of the calendar year 2007 and the penalty so fixed shall be six (6%) of the amount of the yearly delinquency.

The Borough Clerk read the following resolution:

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

RESOLUTION #25-09

The Disbursing Officers be and they are hereby authorized to pay on a prorated basis monies due to the Library Board of Trustees as was set up in the 2008 Budget until the 2009 Budget is adopted.

The Borough Clerk read the following resolution:

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

RESOLUTION #27-09

WHEREAS, Jack G. Costa was appointed on January 7, 2003 and December 13, 2005 to serve as Municipal OEM Coordinator for the Borough of Middlesex for three year terms; and

WHEREAS, the Mayor and Council wish to reappoint Mr. Costa for an additional three year term.

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. The Mayor and Council of the Borough of Middlesex hereby reappoint Mr. Jack G. Costa for a three year term effective January 1, 2009 as the Municipal OEM Coordinator for the Borough of Middlesex.
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 #26-09

The Governing Body hereby abolishes the dual position of Buildings & Grounds/Code Enforcer retroactive to December 31, 2008 due to severe budget restrictions imposed upon by the Governing Body as a result of the current economic crisis.

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

The meeting was adjourned by Councilman Gorr, seconded by Councilman Edwards and carried by a unanimous vote of Council.

Respectfully yours,

Kathleen Anello
Registered Municipal Clerk