Borough of Middlesex

Mayor and Council Regular Meeting

~ Agenda ~

1200 Mountain Ave
Middlesex, NJ

Gretchen McCarthy
www.middlesexboro-nj.gov

Tuesday, August 13, 2019 **7:00 PM** **Municipal Building**

1. **MAYOR'S STATEMENT:** Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of an annual meeting notice to the Star Ledger, Courier News and Home News, and posted at Borough Hall.
2. **SALUTE TO FLAG**
3. **ROLL CALL**

Attendee Name	Present	Absent	Late	Arrived
Mayor Ron DiMura	☐	☐	☐	
Council President John Madden	☐	☐	☐	
Council Member Douglas Rex	☐	☐	☐	
Council Member Jason Carr	☐	☐	☐	
Council Member Dan Parenti	☐	☐	☐	
Council Member Kevin Dotey	☐	☐	☐	
Council Member Jack Mikolajczyk	☐	☐	☐	
Administrator Marcia Karrow	☐	☐	☐	
Borough Attorney Christopher Corsini	☐	☐	☐	

4. **PRESENTATIONS**
5. **APPOINTMENTS**
6. **PROCLAMATIONS**

    1. CHARCOT-MARIE-TOOTH AWARENESS MONTH - SEPTEMBER, 2019

7. **ORDINANCE(S) FOR INTRODUCTION**

    1. **Ordinance 1972-19** AN ORDINANCE AUTHORIZING THE DONATION OF A PERPETUAL FLOOD PROTECTION LEVEE EASEMENT AND ROAD ACCESS EASEMENT TO THE U.S. ARMY CORPS OF ENGINEERS ACROSS CLAY AVENUE BETWEEN BLOCK 254, LOT 2 AND BLOCK 259, LOT 4 AND LINCOLN BOULEVARD BETWEEN BLOCK 259, LOTS 4 & 6 AND BLOCK 260, LOTS 2.01 & 3 IN ORDER TO CONSTRUCT A FLOOD WALL AND LEVEE SYSTEM IN CONNECTION WITH THE GREEN BROOK FLOOD RISK MANAGEMENT PROJECT

2. **Ordinance 1973-19** AN ORDINANCE AMENDING CHAPTER 407 (VEHICLES AND TRAFFIC), ARTICLE III (STOP INTERSECTIONS), SECTION 407-6 (STOP INTERSECTIONS; SIGNS) OF THE MUNICIPAL CODE OF THE BOROUGH OF MIDDLESEX SO AS TO PERMIT DESIGNATE CERTAIN INTERSECTIONS ALONG WASHINGTON AVENUE AS STOP INTERSECTIONS

3. **Ordinance 1974-19** AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, ADOPTING A REDEVELOPMENT PLAN FOR AN AREA IN NEED REDEVELOPMENT CONSISTING OF BLOCK 353, LOTS 1.01 & 1.02 IN ACCORDANCE WITH N.J.S.A. 40A:12A-1, ET SEQ.

8. ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION

1. **Ordinance 1960-19** AN ORDINANCE CREATING A NEW CHAPTER 265 IN THE BOROUGH CODE OF THE BOROUGH OF MIDDLESEX ENTITLED "LIMOUSINES" TO ESTABLISH A PROCEDURE FOR REGISTRATION OF SAME THE COLLECTION OF FEES FOR SAID REGISTRATION

2. **Ordinance 1968-19** BOND ORDINANCE REAPPROPRIATING $344,816.68 IN EXCESS BOND PROCEEDS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO FINANCE THE COST OF A NEW HVAC UNIT FOR THE PUBLIC LIBRARY AND THE PREPARATION AND EXECUTION OF A COMPLETE PROGRAM OF REVALUATION OF REAL PROPERTY, AUTHORIZED IN AND BY THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

3. **Ordinance 1969-19** AN ORDINANCE AUTHORIZING THE SALE OF A PROPERTY CONSISTING OF 0.067 ACRES KNOWN AS A PORTION OF LOT 1.02 IN BLOCK 222 ON THE MIDDLESEX BOROUGH TAX MAP AND LOCATED IN THE REAR PORTION OF THE MIDDLESEX BOROUGH POLICE DEPARTMENT HEADQUARTERS PROPERTY PURSUANT TO N.J.S.A. 40A:12-13(b)(5)

4. **Ordinance 1970-19** AN ORDINANCE AMENDING CHAPTER 332 OF THE BOROUGH CODE OF THE BOROUGH OF MIDDLESEX ENTITLED “SEWERS” TO PERMIT THE ASSESSMENT OF INTEREST FOR LATE PAYMENTS

5. **Ordinance 1971-19** AN ORDINANCE AMENDING CHAPTER 224 IN THE BOROUGH CODE OF THE BOROUGH OF MIDDLESEX ENTITLED “FLOOD DAMAGE PREVENTION” TO CORRESPOND WITH ORDINANCE GUIDELINES AS PROPAGATED BY THE BUREAU OF FLOOD CONTROL OF NEW JERSEY’S DEPARTMENT OF ENVIRONMENTAL PROTECTION (NJDEP)

9. ADOPTION OF MINUTES

1. Approval of the July 16, 2019 Regular & Executive Meeting Minutes

10. MAYOR'S REPORT

11. REPORTS - STANDING COMMITTEES

1. Finance/Taxation/Real Estate/Insurance/Public Utilities
2. Fire/OEM/Rescue Squad
    1. Approval of the Board of Fire Officer's Report
    2. Approval of the June, 2019 Fire Chief's Report
3. Recreation/Recreation Fields/Swim Pool/Community Celebrations
    1. Approval of the July, 2019 Recreation Director's Report
    2. Approval of the August, 2019 Recreation Director's Report
    3. Approval of the June, 2019 Recreation Trust Summary
    4. Approval of the July, 2019 Recreation Trust Summary
4. Public Works/Buildings & Grounds/Recycling
5. Police/Legal/Code Enforcement & Zoning/Shade Tree/Construction/Municipal Court
    1. Approval of the June, 2019 Police Report
6. Administration/Department of Senior Services/Legislation/Licensing

12. ADMINISTRATOR'S REPORT

13. PRIVILEGE OF THE FLOOR

During the conduct of the meeting, unless a Public Hearing is held or the Regular Order of Business is waived, the audience does not participate. A Public Portion is held at the end of the meeting. Individuals commenting from the audience will be provided an opportunity to address the Council but will not be permitted to speak again until everyone has had an opportunity to speak. If a group is represented by an attorney, the attorney will be given an opportunity to speak on behalf of all of the members of the group. The Council, pursuant to the Open Public Meeting Act, will not publicly discuss personnel matters and may choose not to respond to comments made by members of the public during this portion of the meeting; however, the Council will give all comments appropriate consideration and will refer all individual complaints to the Mayor or appropriate Borough representative for resolution.

14. NEW BUSINESS/CONSENT AGENDA/RESOLUTIONS: Matters listed within the Consent Agenda have been referred to members of the Borough Council for reading and study, are considered to be routine and will be enacted by one motion of the Council. If separate discussion is desired, the item may be removed from the Consent Agenda by Council action. The Resolutions listed below were submitted to the Borough Council for review and will be adopted by one motion.

1. **Resolution 210-2019** Approving Payment Schedule to the Middlesex County Utilities Authority

2. **Resolution 211-2019** Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the 2020 Road Improvements - Harris Avenue, Sherman Avenue, Chestnut Street, Hazelwood Avenue Project

3. **Resolution 212-2019** The Tax Collector is Authorized to Refund Redemption Funds in the Amount of $790.56 for Block 200, Lot 5

4. **Resolution 214-2019** Approval of Proposal of Owen, Little & Associates for Design, Bid, Inspection, and Construction Administrative Services for the 2019 NJDOT Municipal Aid Program Grant for Road Improvements to Harris Avenue, Ashland Road, and Fischer Avenue in the Amount of $53,452.20

5. **Resolution 215-2019** Increasing the Salaries of Crossing Guards from $14.25 per hour to $14.75 per hour upon the Recommendation of the Chief of Police

6. **Resolution 216-2019** Approval to Advance Patrolman George Pilseky to Patrolman Class "A"

7. **Resolution 217-2019** Approval to Advance Patrolman Colin DeVincenzo to Patrolman Class "D"

8. **Resolution 218-2019** Approval to Advance Patrolman Paul Cerreto to Patrolman Class "E"

9. **Resolution 219-2019** Approval to Advance Patrolman Robert Dangler to Patrolman Class "E"

10. **Resolution 213-2019** The Tax Collector is authorized to Cancel Taxes on Various Properties Purchased by the Army Corps of Engineers

15. NON-CONSENT AGENDA/RESOLUTIONS: Matters listed within the Non-Consent Agenda will be individually addressed and acted upon accordingly. Council reserves the right to refer an item to Committee for further review and discussion. The Resolutions listed below were submitted to the Borough Council for review and will be adopted individually by motion.

1. **Resolution 220-2019** Pay All Claims

2. **Resolution 221-2019** Executive Session

3. **Resolution 222-2019** Authorizing Execution of a Developer's Agreement Between the Borough of Middlesex and 99 Lincoln Boulevard, LLC for a Convenience Store and Gas Station at Block 126, Lot 7.01.

16. AGENDA WORKSHOP ITEM

1. Market Ave parking issues

2. Resident's request to amend noise ordinance

17. PRIVILEGE OF THE FLOOR ON AGENDA WORKSHOP ITEMS

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18. EXECUTIVE SESSION

1. Middlesex Borough v. City of Plainfield (DPW site tax appeal)
2. Newchester Litigation (Landlord-Tenant Ordinance)
3. Mountainview Park Scoreboard - (Potential Litigation)
4. 150 Lincoln Blvd. - (Potential Litigation)

19. ADJOURNMENT

1. The next Regular Meeting will be September 10, 2019