

December 4, 2017

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on December 4, 2017.

Mayor Robert J. Seader called the meeting to order at 7:00 p.m. and Cub Scout Pack 26 led the Pledge of Allegiance.

Municipal Clerk William Robins read the Sunshine Statement and called the Roll.

Present: Robert Seader, Kenneth Baudendistel, Kevin Bachorik, Kenneth Bayer, Jason Cilento and Joseph Petracca

Absent: Jeremy Lowder

On the motion of Mr. Bachorik and seconded by Mr. Bayer it was moved to accept the Minutes of November 20, 2017.

Yes: Baudendistel, Bachorik, Bayer and Cilento

Abstain: Petracca, due to his absence at that meeting

**Proclamation Supporting the
*Drive Sober or Get Pulled Over 2017 Year End Holiday
Crackdown***

WHEREAS, impaired drivers on our nation's roads killed 10,497 people in 2016;
and

WHEREAS, 20% of motor vehicle fatalities in New Jersey are alcohol-related;
and

WHEREAS, an enforcement crackdown is planned to combat impaired driving;
and

WHEREAS, the season at the end of the year is traditionally a time of social gatherings which often include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic safety, has asked law enforcement agencies throughout the state to participate in the *Drive Sober or Get Pulled Over Year End Holiday Crackdown*; and

WHEREAS, the project will involve increased impaired driving enforcement from December 8, 2017 through January 1, 2018; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways/

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Dunellen declares its support for the *Drive Sober or Get Pulled Over 2017 Year End Holiday Crackdown* from December 8, 2017 through January 1, 2018 and pledges to increase awareness of the dangers of drinking and driving.

At this point, Mayor Seader welcomed Cub Scout Pack 26, Webolos Den 13, who were attending the Council Meeting as a requirement of their Troop. He stated that Boy Scouts and Cub Scouts are very important parts of our community and our nation and he invited them to ask any questions they might have during the public portion of the meeting.

On the motion of Mr. Petracca and seconded by Mr. Cilento it was moved to accept the following:

12-04-2017: #1

BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF DUNELLEN, NEW JERSEY, THAT:

The bills, as per the attached list, are hereby authorized for payment.

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

On the motion of Mr. Baudendistel and seconded by Mr. Bachorik it was moved to accept the following:

12-04-2017: #2

BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF DUNELLEN, NEW JERSEY, THAT:

Be it resolved by the governing body of the Borough of Dunellen, New Jersey, that:

The Treasurer is hereby authorized to issue the following checks to Windels Marx Lane & Mittendorf, LLP., from the Interim Cost Agreement Escrow Account for work done toward redevelopment:

<u>Windels Marx File Number</u>	<u>Bill Number</u>	<u>Amount</u>
0305764-0000001	69646	\$4,867.26
	Total	<hr/> \$4,867.26

Mayor Seader informed members of the audience who may not have been here before that these bills for Redevelopment are being paid entirely by the Redeveloper and do not cost the Borough

anything. They are being paid to our professional experts who make sure that the project is done correctly.

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

On the motion of Mr. Cilento and seconded by Mr. Baudendistel it was moved to accept the following:

12-04-2017: #3

BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF DUNELLEN, NEW JERSEY, THAT:

Whereas, application was made in accordance with the State Regulations for a license to be issued, and

Whereas, after proper investigation it was deemed that all requirements of the State Regulations have been met.

Now therefore be it resolved that the Governing Body authorize the issuance of a fifty-fifty Raffle license to The Center School, Somerset; and furthermore

The Governing Body authorizes the issuance of a merchandise Raffle license to the Center School, Somerset.

Further be it resolved that this license will be issued pending final approval by New Jersey State Legalized Games of Chance Commission.

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

On the motion of Mr. Bachorik and seconded by Mr. Cilento it was moved to accept the following:

12-04-2017: #4

BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF DUNELLEN, NEW JERSEY, THAT:

The Mayor and Borough Council of the Borough of Dunellen hereby appoint Shawn Green as a Junior Firefighter in the Dunellen Fire Department, effective 4 December 2017.

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

On the motion of Mr. Bachorik and seconded by Mr. Baudendistel it was moved to accept the following:

12-04-2017: #5

**BOROUGH OF DUNELLEN
COUNTY OF MIDDLESEX
STATE OF NEW JERSEY**

**RESOLUTION OF THE BOROUGH OF DUNELLEN TO APPROVE THE AWARD OF
A CONTRACT FOR PROFESSIONAL PROPERTY
REVALUATION SERVICES FOR THE 2019 TAX YEAR TO APPRAISAL SYSTEMS,
INC.**

WHEREAS, the Mayor and Council of the Borough of Dunellen (“Borough”) are desirous of entering into a contract for Professional Property Revaluation services in connection with the 2019 Tax Year and, specifically, in connection with the Revaluation Ordered by the Director of the Division of Taxation (“Director”) (and on notice to the Borough and the Middlesex County Board of Taxation (“Board”)) by Order initially entered on April 4, 2017, and extended to the 2019 Tax Year by Order entered on August 14, 2017 (together, the “Order”); and

WHEREAS, in connection therewith, a Request for Proposals (“RFP”) was prepared, and advertised in the Courier News and on the Borough’s website on September 13, 2017, to solicit and procure such services pursuant to the provisions of the Order, and applicable procurement law; and

WHEREAS, proposals and responses to the RFP were received on Tuesday, October 24, 2017, at the Borough’s Administrative Offices. Proposals were timely received from the following three (3) companies: Appraisal Systems (“Appraisal”); Professional Property Appraisals (“Professional Property”); and Realty Appraisals (“Realty”); and

WHEREAS, the Borough established the following five (5) criteria for review of the proposals for an eventual contract award, with a potential maximum of twenty (20) points available to each responder with respect to each criteria category. Responders were notified of the foregoing in advance of the proposal opening:

No. 1 - The name and qualifications of the individual(s) who will perform the services (up to twenty (20) points).

No. 2 - Experience and reputation in the particular field of endeavor (up to twenty (20) points).

No. 3 - Ability to perform the required services in a timely manner so as to ensure a complete Revaluation of all property within the Borough in time for the 2019 Tax Year (including familiarity with the subject matter, attendance at meetings, etc.) (up to twenty (20) points).

No. 4 - Competitiveness of Cost Proposal for the Project (up to twenty (20) points).

No. 5 - Other factors, if determined to be in the best interests of the Borough (up to twenty (20) points); and

WHEREAS, based on these criteria, each of the proposals received the following aggregate ratings by the Borough Review Committee:

Criteria	Appraisal	Professional Property	Realty
Names/Qualifications (Up to 20)	19	18	17.67
Experience/Reputation (Up to 20)	18	18.3	19
Ability to Perform (Up to 20)	18	18.3	18.3
Cost Proposal (Up to 20)	19.3	16.3	14
Other Factors (Up to 20)	18.3	17.67	17.3
TOTAL	92.6	88.57	86.27

; and

WHEREAS, an Evaluation Report was prepared by the Borough Review Committee in connection with the RFP and applicable procurement law, by which the three (3) responders were evaluated, ranked and analyzed in accordance with the above mentioned criteria, and the requirements of the RFP; and

WHEREAS, a true copy of that Evaluation Report is attached to this Resolution, and was made available to the general public in advance of this award, all in accordance with applicable law; and

WHEREAS, the Evaluation Report, consistent with the review of the Borough Review Committee, has recommended that an award for professional revaluation services for the 2019 Tax Year be made to Appraisal Systems, Inc., all for the reasons expressed in the Evaluation Report, which are incorporated herein by reference; and

WHEREAS, for the forgoing reasons and those expressed within the Evaluation Report, the Borough is hereby desirous of awarding a contract for professional revaluation services to Appraisal Systems, Inc. for the 2019 Tax Year.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Dunellen, in the County of Middlesex and in the State of New Jersey, hereby approve the award of a Contract for Professional Property Revaluation services for the 2019 Tax Year to Appraisal Systems, Inc., all as aforesaid and as set forth in the attached Evaluation Report (same being incorporated herein by reference), and hereby authorizes and directs the Mayor and any other Borough personnel as necessary to sign, executed and enter into a contract for such services with Appraisal Systems, Inc., all in such form as may be approved by legal counsel, but

which shall substantively reflect the form of agreement provided with and contained within the RFP as advertised; and

BE IT FURTHER RESOLVED, that the amount of this contract will not exceed \$138,525.00; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately, and, in accordance with the Order, notice of this award and of the contract with Appraisal Systems, Inc., shall be promptly transmitted to the Director and the Board in accordance with the terms and directives of the Order.

NOTE: for a copy of the Evaluation Report, attached to this Resolution, go to:

http://www.dunellen-nj.gov/municipal_news/revaluation/documents.php#.WjUhZ_14ffg

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

On the motion of Mr. Baudendistel and seconded by Mr. Bayer it was moved to accept the following:

12-04-2017: #6

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Borough Council of the Borough of Dunellen, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Middlesex;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Dunellen, County of Middlesex, State of New Jersey, hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Dunellen Municipal Alliance grant for fiscal year 2019 in the amount of:

DEDR	\$8275.00
Cash Match	\$2068.75
In-Kind	\$6206.25

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

On the motion of Mr. Baudendistel and seconded by Mr. Bayer it was moved to accept the following:

12-04-2017: #7

BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF DUNELLEN, NEW JERSEY, THAT:

WHEREAS, Sewer Utility fees for Block 32 Lot 3 were in arrears; and

WHEREAS, the property owner has been disputing the sewer utility fee from 2013, the year in which the property was purchased; and

WHEREAS, the property owner has recently paid all outstanding sewer utility fees except interest which they were told would not be accrued to the delinquencies.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND MUNICIPAL COUNCIL OF THE BOROUGH OF DUNELLEN:

That the proper borough officers be and they are hereby authorized and directed to cancel outstanding sewer interest of \$777.12

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

On the motion of Mr. Baudendistel and seconded by Mr. Bachorik it was moved to accept the following:

12-04-2017: #8

BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF DUNELLEN, NEW JERSEY, THAT:

The Treasurer is hereby authorized to issue the following proceeds for tax sale redemption(s):

Payable to FWDSL & Associates, LP
17 West Cliff Street
Somerville, NJ 08876

TSC	Block	Lot	Qual	Owner/Address	Principal	Interest	Premium	Total
16-07	21	23.01		Nash, James & McCabe, Maureen 314 Third St.	1,182.82	48.91	1,200.00	2,431.73

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

On the motion of Mr. Baudendistel and seconded by Mr. Bachorik it was moved to accept the following:

12-04-2017: #9

BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF DUNELLEN, NEW JERSEY, THAT:

Be it resolved by the governing body of the Borough of Dunellen, New Jersey, that:

The Treasurer is hereby authorized to refund the following tax overpayment(s):

Block	26	Lot	26	Address	412 First St.
Assessed to	Macmath, Donald			Amount	\$1,125.72
Block	57.01	Lot	15	Address	706 Center St.
Assessed to	Zurkowski, Kamil & Pedras			Amount	\$653.44
Block	72	Lot	24	Address	340 Penfield Place
Assessed to	Tarantino, Michael			Amount	\$1,870.54
Block	81	Lot	15.01	Address	125 Kline Place
Assessed to	Grannis, David			Amount	\$1,880.62

Total Refund \$5,530.32

Payable to Corelogic Tax Service
 1 Corelogic Dr.
 Westlake TX 76262

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

On the motion of Mr. Bachorik and seconded by Mr. Bayer it was moved to accept the following:

12-04-2017: #10

BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF DUNELLEN, NEW JERSEY, THAT:

WHEREAS, it has been determined by information obtained from the Tax Assessor's office that the following sewer units are to be cancelled due to merged property.

NOW, THEREFORE: BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF DUNELLEN;

That the proper municipal officers be and they are hereby authorized and directed to cancel 2017 sewer units.

Block	Lot	Name	Amount
83	6.01	Kotkowski, Z&E, Adamczyk, A &J 236-238 Columbia St No Refund Required	\$350.00

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

On the motion of Mr. Baudendistel and seconded by Mr. Petracca it was moved to accept the following:

12-04-2017: #11

BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF DUNELLEN, NEW JERSEY, THAT:

Whereas, there appears to be a surplus in the following CY 2017 Operating Accounts over and above the demands to be necessary, and

Whereas, N.J.S.A. 40A:4-58 provides for the transfer of unexpended balances in those appropriations having an excess over the amount required to those deemed to be insufficient.

Now, therefore be it resolved that the following “Transfer of Appropriations” be made:

Account	Title	S&W	Other Expenses
20-100-004	Telephone		2,000.00
20-140-000	Information Technology		3,000.00
21-180-000	Planning Board		1,000.00
25-240-000	Police	6,500.00	
26-290-001	Leaf Bag Expense		2,000.00
31-460-000	Gasoline		6,750.00
43-490-000	Municipal Court		1,000.00
	Subtotal	6,500.00	15,750.00

From

	Total	<u>22,250.00</u>

Whereas, there appears to be insufficient funds in the following CY 2017 Operating Accounts over and above the demands to be necessary; viz:

To:

Account	Title	S&W	Other Expenses
20-100-000	Administration	150.00	150.00
20-110-000	Mayor & Council		550.00
20-120-000	Borough Clerk	200.00	
20-130-000	Financial Administration		4,500.00
20-155-000	Legal Services	100.00	
22-195-000	Construction Code Official		300.00
25-240-000	Police		2,500.00
25-240-001	Police – Overtime	8,500.00	
25-252-000	Emergency Management	100.00	
26-290-002	Tree Maintenance		4,000.00
27-330-000	Board of Health	1,000.00	
43-490-000	Municipal Court	200.00	
	Subtotal	10,250.00	12,000.00
	Total		<u>22,250.00</u>

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

Reports:

Mr. Petracca: no report

Mr. Baudendistel: 1) asked Mr. Robins if he had sent the Clothing Bin ordinances to the eight properties? Yes, and Mr. Robins will give a copy to Code Enforcer George Deene; 2) on Saturday, the Dunellen Downtown Management Organization put 14 trees in barrels on street corners. They are designed differently so it is hoped they will not tip over. Also, they are cut trees, not intended to be planted later; 3) the Dunellen Shade Tree Commission planted 18 trees this year; 4) he is meeting with Scott Luthman regarding the Sign Ordinance and a few businesses which appear to be in violation; 5) the Police Committee met again and the parties are getting closer to finalizing an agreement; 6) thanked the Girl Scouts for decorating the tree for the Tree Lighting Ceremony on December 3rd.

Mr. Bayer: no report

Mr. Bachorik: no report

Mr. Cilento: 1) there was a large crowd at the Tree Lighting Ceremony—thanked Alex and Recreation Department, the mayor, Rotary Club for the hot chocolate, Skylight Theatre for singing, Fire Department; 2) Holiday House decorating contest on December 17th; 3) Santa

Around Town on December 24th starting at 9:30 am; 4) met with the mayor and Alex on the proposed Playground Committee—five member committee reporting to Alex and the Recreation Commission, members appointed by the mayor; 5) some concerns from residents about kids playing after dark at Morecraft Park. Alex will meet with the DPW about getting a sign posted regarding no entrance after dusk; 6) *Dunellen Report* copy by December 15; 7) he was contacted by a resident regarding a family of deer that crosses South Madison avenue near the Fire House. He inquired about placing a deer crossing sign there. Council general opinion was that it was not necessary to put up another sign.

Mayor Seader: 1) an insurance settlement was reached on the two fire damaged properties on Bound Brook Road, so some progress may be anticipated here; 2) received a nice compliment from a Railroad Avenue resident regarding work widening the street and clearing and shoring up the embankment.

PRESENTATION BY THE DUNELLEN PARKING AUTHORITY

Chairman James Du Hamel began by noting that at the last meeting “there was some concern about the quality of the job we do.” Mr. Robins responded that, as he had related on the telephone to him last week, the Council had discussed the merits of extending the 2-hour limitation throughout the entire town and there was absolutely no criticism of the way the Parking Authority was doing its job. Mr. Du Hamel introduced the PA staff: Sandy, Charlotte and Dave, and their jobs and routines were explained to the Council. The Council appreciated the fine work done by the PA. Sandy noted that the PA had heard that the Council had commented on poor performance. Mr. Bruder (and others on the Council) responded that this was not so, and that the only topic was the necessity of extending the 2-hour limitation throughout town. Charlotte spoke, describing her use of the hand-held machine, checking residents so that tickets are not given to Dunellen people, and how the number of tickets she writes has been greatly reduced though her diligent efforts the past three years in enforcing the ordinance. She related how she has observed drivers avoiding the 2-hour streets and parking their cars on non 2-hour street, for example avoiding Prospect but now parking on Fairview. She has issued blue passes to teachers around First and Dunellen Avenue. Mr. Baudendistel noted that if we expanded to the whole town, we would need additional signs. Dave Locke responded that if the whole town was included, then we would then only need signs at the entrances to town, so fewer signs rather than more. Dave also reported that commuters were parking on Kline Place.

COUNCIL DISCUSSION

Citizen of the Year: Heidi Heleniak was selected as the recipient of the 2017 Citizen of the Year. Petra Heleniak was selected as the recipient of the 2017 Lifetime Achievement Award.

PUBLIC PORTION

Tom Davis, 420 Jackson Avenue, thanked the Recreation Commission and the Council for all they have done for the Seniors, especially the acoustic tiles and the new PA system. He also noted that the acoustics in the Council Chambers were also not perfect.

A Cub Scout (first name not heard) Guthrie, thanked the Council for having NJ Transit work on the Railroad Avenue and embankment.

Mark Stein, 247 Maple Avenue, a Cub Scout, asked how we could spread the word regarding Drive Sober or Get Pulled Over? Response: town Bulletin Board, Nixle, and an electronic message sign on the roads, and possibly a banner.

Mark also asked what the tickets cost for the Center School Raffle. Mr. Robins replied that they would be \$1.00 tickets, sold at the door.

On the motion of Mr. Baudendistel and seconded by Mr. Cilento it was moved to accept the following:

12-04-2017: #12

BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF DUNELLEN, NEW JERSEY, THAT:

The Dunellen Borough Council Meeting of December 4, 2017 is adjourned.

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca
