

April 6, 2015

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on April 6, 2015.

Council President Kenneth Baudendistel called the meeting to order at 7:30 p.m. and he led the Pledge of Allegiance.

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

Present: Kenneth Baudendistel, Kevin Bachorik, Kenneth Bayer and Jason Cilento

Absent: Robert J. Seader, Thomas Cote and Joseph Petracca

On the motion of Mr. Bachorik and seconded by Mr. Cilento it was moved to accept the minutes of March 16, 2015.

Yes: Baudendistel, Bachorik, Bayer and Cilento

At this point, Mr. Baudendistel read into the record the Mayor's appointments to the Redevelopment Committee:

Robert J. Seader, Kenneth Baudendistel and Kenneth Bayer

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

04-06-2015: #1

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

Marcin Nierodzik is hereby appointed as a probationary police officer in the Dunellen Police Department at an annual salary of \$41,143.00, effective starting date of 6 April 2015.

Chief Nelson introduced Mr. Nierodzik.

Yes: Bachorik, Baudendistel, Bayer and Cilento

Municipal Clerk William Robins administered the Oath of Allegiance to Mr. Nierodzik.

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

04-06-2015: #2

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

Nicholas Pepe is hereby appointed as a probationary police officer in the Dunellen Police Department at an annual salary of \$41,143.00, effective starting date of 6 April 2015.

Chief Nelson introduced Mr. Pepe.

Yes: Bachorik, Baudendistel, Bayer and Cilento

Municipal Clerk William Robins administered the Oath of Allegiance to Mr. Pepe.

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

ORDINANCE 2015-02

BOROUGH OF DUNELLEN

The following ordinance was Introduced for first reading on March 16, 2015, and a second reading and public hearing is now being held at 7:30 p.m. in the Dunellen Borough Municipal Building, 355 North Avenue, Dunellen, New Jersey, this 20th day of April, 2015. Copies of this Ordinance have been posted on the public bulletin board prior to the date for second reading and final passage and copies of this Ordinance have been available at the Office of the Borough Clerk for any interested members of the public.

BE IT ORDAINED, by the Borough Council of the Borough of Dunellen, in the County of Middlesex, and State of New Jersey as follows:

CALENDAR YEAR 2015

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to .5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Dunellen in the County of Middlesex finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$102,547.90 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council of the Borough of Dunellen hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Dunellen, in the County of Middlesex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Borough of Dunellen shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$179,458.83, and that the CY 2015 municipal budget for the Borough of Dunellen be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Council members had some questions for the Chief Financial Officer who was not present.

On the motion of Mr. Bachorik and seconded by Mr. Cilento it was moved to Table this motion and to continue the public hearing portion until a subsequent meeting wherein the Council will consider the adoption of this ordinance.

Yes: Bachorik, Baudendistel, Bayer and Cilento

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

04-06-2015: #3

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: Bachorik, Baudendistel, Bayer and Cilento

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

04-06-2015: #4

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	89898	\$1,522.84
	Total	<u>\$1,522.84</u>

Yes: Bachorik, Baudendistel, Bayer and Cilento

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

04-06-2015: #5

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 Jason D. Merrill as a Probationary Firefighter, in the Dunellen Fire Department, said probation period to be one year, effective 6 April 2015.

Yes: Bachorik, Baudendistel, Bayer and Cilento

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

04-06-2015: #6

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 an Instant Raffle License to the Veterans of Foreign Wars Post #5479.

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

Yes: Bachorik, Baudendistel, Bayer and Cilento

REPORTS:

Mr. Bayer: no report

Mr. Bachorik: no report

Mr. Cilento: 1) softball registration up 20%; 2) discussion by Recreation Commission on field usage fee schedule; 3) Summer Camp to begin June 24th.

Mr. Baudendistel: 1) Shade Tree Commission, Arbor Day Celebration, will plant five cherry trees across from St. John's.

PUBLIC PORTION:

Barbara McGuane, 258 South Washington Avenue, invited the Council to attend opening day ceremonies for the Little League on Saturday, April 11, 2015. She reported on the current status of the program and problems in keeping the park clean of trash.

No one from the public spoke.

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

04-06-2015: #7

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

The Dunellen Borough Council Meeting of April 6, 2015 is adjourned.

Yes: Bachorik, Baudendistel, Bayer and Cilento