

February 2, 2015

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on February 2, 2015.

Mayor Robert J. Seader 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, Kenneth Baudendistel, Kenneth Bachorik, Jason Cilento, and Joseph Petracca

Absent: Kenneth Bayer and Thomas Cote

On the motion of Mr. Baudendistel and seconded by Mr. Bachorik it was moved to accept the minutes of January 5, 2015.

Yes: Baudendistel, Petracca, Cilento and Bachorik

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

ORDINANCE 2015-01

BOROUGH OF DUNELLEN

The following ordinance is being introduced for first reading at a meeting of the Governing Body of the Borough of Dunellen, in the County of Middlesex, State of New Jersey, on February 2, 2015. It will be further considered for final passage, after public hearing thereon, at a meeting of said governing body being held in Municipal Building, 355 North Avenue, Dunellen, New Jersey, in said County, on February 17, 2015 at 7:30 p.m. During the week prior to and up to and including the date of such meeting copies of the full ordinance have been available at no cost and during regular business hours, at the Clerk's office for the members of the general public who have requested the same.

AN ORDINANCE AMENDING IN PART THE PARKING METER ORDINANCE AND AMENDMENTS THERETO OF THE BOROUGH OF DUNELLEN, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

The language of Ordinance #07-01 will be amended as follows:

WHEREAS, Section II Schedule "A" of said ordinance set forth certain rates for parking lots and/or parking areas located as Skinner Plaza and also between Washington Avenue and North Avenue behind the building currently designated as the "Towne Pharmacy" and being further described as set forth below in Schedules "A," "B," and "C";

BE IT ORDAINED, by the Borough Council of the Borough of Dunellen, County of Middlesex, and State of New Jersey, that said Section Schedule “A” of Ordinance 2012-15, Adopted on November 19, 2012, which amended Ordinance #07-01, Adopted on February 5, 2007, which itself amended Ordinance 05-11, Adopted on August 8, 2005, shall be amended as follows:

SCHEDULE “A”

Name of Street	Side	Time Limits	Rate	Location
Skinner Plaza/New Market Road	South	See Below	\$45.00 per month/per resident/\$55 per month for non-residents	From Skinner Plaza to New Market Road in Accordance with Schedule “B” attached hereto
Washington Avenue/North Avenue	East	See Below	\$45.00 per month/per resident/\$55.00 per month for non-residents	From Washington Avenue (East) intersecting with North Ave. (South) adjacent to Towne Pharmacy bldg. In accordance with Schedule “C” attached

- A. Hours of operation for all lots are Monday through Friday, 6:00 a.m. to 6:00 p.m. **PARKING IS FREE IN THE LOTS ON SATURDAY AND SUNDAY.**
- B. Pay stations parking stalls in said designated parking areas are available at the rate of \$5.00 per day.

All other parts of the above-described Ordinances 2012-15, 05-11 and 07-01 shall remain as originally adopted.

Yes: Baudendistel, Petracca, Cilento and Bachorik

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

02-02-2015: #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, Petracca, Cilento and Bachorik

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

02-02-2015: #2

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

The Municipal Clerk is hereby authorized to issue a food handler's license to:

Deli Appetit
745 Bound Brook Road
Dunellen, NJ 08812

Yes: Baudendistel, Petracca, Cilento and Bachorik

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

02-02-2015: #3

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

Whereas, there exists a need to purchase a new street sweeper for the Department of Public Works; and

Whereas, a quote was received from:

Northeast Sweepers, Belleville, NJ -- \$195,000.00

The funds for this contract have been certified by the Chief Financial Officer. The funds will be taken from Account # 026-6355-610.

Now, therefore, be it resolved, by the Mayor and Council of the Borough of Dunellen, that a street sweeper be purchased from Northeast Sweepers for an amount not to exceed \$195,000.00.

Yes: Baudendistel, Petracca, Cilento and Bachorik

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

02-02-2015: #4

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 Calendar Raffle License to St. John the Evangelist Church.

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

Yes: Baudendistel, Petracca, Cilento and Bachorik

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

02-02-2015: #5

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

Kenneth Baudendistel and Roger Dornbierer are appointed as Dunellen Borough Council liaisons to the Middlesex County Housing & Community Development Agency.

Yes: Baudendistel, Petracca, Cilento and Bachorik

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

02-02-2015: #6

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

Whereas, there exists a need to lease a photocopier machine for the Tax Collector's Office; and

Whereas, a quote has been received from:

GE Capital -- \$95.00 per month, for a 60 month lease term; and

Whereas GE Capital has a New Jersey State Contract (#A53090 T2075) for the leasing of photocopier machines; and

The funds for this contract have been certified by the Chief Financial Officer, and continuation of the contract is subject to the availability of funds in future fiscal years. The funds are certified from February 1, 2015 to January 31, 2016.

Now, therefore, be it resolved, by the Mayor and Council of the Borough of Dunellen, that a photocopier machine be leased from GE Capital, for an amount not to exceed \$95.00 for 60 months.

Funds for this certification are from Account #024-1016-205.

Yes: Baudendistel, Petracca, Cilento and Bachorik

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

02-02-2015: #7

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 Michael J. Lowder as a Probationary Firefighter, in the Dunellen Fire Department, said probation period to be one year, effective 2 February 2015.

Yes: Baudendistel, Petracca, Cilento and Bachorik

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

02-02-2015: #8

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

To correct a clerical error, Resolution 12-15-2014: #11 is amended as follows:

SCHEDULE OF SCHOOL LEVY PAYMENTS

WHEREAS, it has been agreed to turn over to the Board of Education its total monthly allotment as close to the beginning of the month as is reasonable,

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

That the Borough Treasurer be and he is hereby authorized and directed to draw checks and issue same to the Custodian of School Monies, in accordance with the following schedule:

Levy of \$5,068,005.00 from January 1, 2015 to June 30, 2015

<u>Date</u>	<u>Amount</u>
January 1, 2014	758,983.00
February 1, 2014	1,016,038.00
March 1, 2014	758,982.00
April 1, 2014	758,982.00
May 1, 2014	1,016,038.00
June 1, 2014	<u>758,982.00</u>

Total \$5,068,005.00

Yes: Baudendistel, Petracca, Cilento and Bachorik

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

02-02-2015: #9

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

The American Legion Post #119 is hereby granted permission to run a penny drive (canning) fund raiser on Saturday, May 16, Sunday, May 17, and Sunday, May 24, 2015, on the corners of North Avenue and Washington Avenue and outside business establishments (with retailers' permission) in downtown Dunellen, for the purpose of raising funds for the organization's supported charities.

The American Legion Post #119 has been notified that they must also apply to the New Jersey Department of Transportation for a permit to fund raise on state roads, and that this Dunellen Borough Council approval is granted subject to the final approval of the NJDOT.

Yes: Baudendistel, Petracca, Cilento and Bachorik

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

02-02-2015: #10

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

Audrey Lipinski is hired as a temporary assistant in the Dunellen Municipal Court, assigned to audit various accounts, at a salary of \$25.00 per hour, for Calendar Year 2015, for an amount not to exceed \$1,500.00. This is a position without benefits.

Council members inquired whether it was now time for the Municipal Court Administrator undertake the task of reconciling the court's finances? Mr. Bruder noted that she was trained and qualified to do so, and that most other court administrators undertook this job responsibility. Mr. Robins was instructed to bring the question to Judge Fackelman.

Resolution 02-02-2015: #10 was Tabled, per Council consensus.

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

02-02-2015: #11

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

Elizabeth Charin is hereby hired as a Substitute School Crossing Guard, effective December 19, 2014, at an hourly salary of \$10.00. This is a position without benefits.

Yes: Baudendistel, Petracca, Cilento and Bachorik

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

02-02-2015: #12

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

WHEREAS, by Resolution 09-12-2005: #14, the Mayor and Municipal Clerk were authorized to enter in to an agreement with Verizon for telecommunications regarding the laptop computers in police motor vehicles; and

WHEREAS, the cost of this service for 9 laptop computers is \$50.01 each per month, for a total early amount of \$5,402.00; and

WHEREAS, by Resolution 09-25-2006: #10, this contract was extended through June 30, 2008; and

WHEREAS, by Resolution 11-03-2008: #7, this contract was extended through June 30, 2009; and

WHEREAS, by Resolution 07-06-2009: #9, this contract was extended through June 30, 2010; and

WHEREAS, by Resolution 09-07-2010: #7, this contract was extended through December 31, 2010; and

WHEREAS, by Resolution 01-10-2011: #5, this contract was extended through December 31, 2011; and

WHEREAS, by Resolution 02-06-2012: #7, this contract was extended through December 31, 2012; and

WHEREAS, by Resolution 02-04-2013: #15, this contract was extended through December 31, 2013; and

WHEREAS, by Resolution 02-03-2014: #16, this contract was extended through December 31, 2014; and

WHEREAS, it is advisable and necessary to extend that time period until December 31, 2015, with the cost of this service for 10 laptop computers being \$36.0 each month, and for a term from January 1, 2015 to December 31, 2015, for an amount not to exceed \$4,320.00 plus \$100.00 over usage for a total of \$4,420.00 per year.

02-02-2015: #15

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 proceeds for tax sale redemption(s):

Payable to Potter, Violet
 367 Dogwood Way
 Mountainside, NJ 07092

Lien	14-25	14-11	14-51
Block	34	19	64
Lot	14	19.01	42.00

Address	617 Front Street	318 Fourth Street	718 Walnut Street
Assessed to	Cianfrone, Marc & Carol	Strojek, John & Ruth	Eatman, Atiya & Williams, Caleb

Principal	\$854.86	\$854.86	\$582.57
Interest	11.36	12.30	2.44
Premium	<u>1,500.00</u>	<u>1,400.00</u>	<u>1,385.01</u>
Total	\$2,366.22	\$2,267.16	\$1,970.02

Lien 14-67
 Block 76
 Lot 15

Address 307-309 New Market Rd
 Assessed to Chacon, Jose D

Principal	\$757.07	
Interest	8.58	
Premium	<u>1,300.00</u>	
Total	\$2,065.65	

Yes: Baudendistel, Petracca, Cilento and Bachorik

REPORTS:

Mr. Petracca: no report

Mr. Baudendistel: 1) thanked the DPW for their efforts removing snow during the recent storm;
 2) He asked for clarification on how to bring redevelopment ideas to the redevelopers.

The procedure is for ideas to be brought to Mr. Baudendistel and Mr. Bayer and if they considered the ideas worthy of further discussion, they would bring it to the Council. The Council would then decide if the idea should be forwarded to the redevelopers. The Council could also ask the idea originator to present to the Council for elaboration. Mayor Seader inquired, in a hypothetical, whether it might be a conflict of interest if a Planning Board member presented an idea that was then forwarded to the redeveloper, which does not accept the idea. That Planning Board member will in the future be hearing on a site plan approval. Would that be a conflict? Mr. Baudendistel noted that by the time it comes to the Planning Board, it is past any time for the Planning Board to change the submitted plan (which had already been agreed to by the Council).

Mr. Bachorik: no report

Mr. Cilento: 1) School District wants to put batting cages between walking path and fence in JV field; District would pay the cost. Council was concerned that the area was too narrow and suggested the practice field; residents might also object and it is a heavily used walking track; 2) Natural Green submitted a quote to repair the football field for \$35,000, to be split with the District; Mayor Seader noted that there was some discussion of artificial turf, that might cost up \$1,000,000. There is an ongoing issue of when not to go on the football field, such as when it is muddy and will suffer extraordinary damage; He also noted that he is working with the County on a matching grant for the fields and the tennis court and the Frank T. Bieniek Memorial; 3) Next issue of the Dunellen Report needs copy by March 1st; 4) Taste of Dunellen on March 8th to benefit the Maurer House.

COUNCIL DISCUSSION

Lt. Daniel Smith has an opportunity to attend an FBI training course, next October -- November. Best leadership training to be had. He could take classes in labor law, stress management, leadership. The four sergeants would take over some his responsibilities, as would the Chief, so his absence would not affect the department. This is a prestigious honor for our department. There is no cost to the borough, other than his absence. Council members thought it was a good opportunity for the Lt. and endorsed his attendance.

Sgt. Del Buono reported that he is having Piscataway Auto Repair do some work on the police vehicles and he is concerned at the delay of the work. He discussed with the Council ways to going directly to Piscataway Auto Repair, instead of first going through Ron in the DPW. The Sgt. is also looking to establish a Council liaison to cc: on any issue. Mr. Baudendistel is the appropriate person. Going forward, for ordinary maintenance, the police should go directly to Piscataway Auto. It is the Police Department's responsibility to keep a tight eye on the budget regarding repair expenses.

PUBLIC PORTION

No one from the public spoke.

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

02-02-2015: #16

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

The Dunellen Borough Council Meeting of February 2, 2015 is adjourned.

Yes: Baudendistel, Petracca, Cilento and Bachorik