

February 6, 2017

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on February 6, 2017.

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

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

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

Absent: Kevin Bachorik

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On the motion of Mr. Petracca and seconded by Mr. Cilento it was moved to accept the Minutes of January 23, 2017:

Yes: Bayer, Cilento, Lowder and Petracca

Abstain: Baudendistel, due to absence at that meeting.

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At this point, Municipal Clerk William Robins read into the record a Proclamation celebrating Arbor Day:

# Arbor Day Proclamation

*Whereas,* In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

*Whereas,* the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

*Whereas,* Arbor Day is now observed throughout the nation and the world, and

*Whereas,* trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

*Whereas,* trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

*Whereas,* trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

*Whereas,* trees, wherever they are planted, are a source of joy and spiritual renewal,

NOW, THEREFORE, I Robert Seader Mayor of the City of  
Doniphan, do hereby proclaim  
MAY 6, 2016 as

## Arbor Day

in the City of Doniphan, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

*Further,* I urge all citizens to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

*Dated* this \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_

Mayor \_\_\_\_\_

## Community Development Block Grant

At this point, Municipal Clerk Robins gave some background to the Council and public on the CDBG. He presented the following information summary:

### COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION 2017

The Community Development Block Grant program is an important funding tool for implementing community plans. Municipalities can regularly apply for funding for qualifying activities and projects.

The Community Development Block Grant (CDBG) program is federally funded through the United States Department of Housing and Urban Development (HUD). The program awards grants in order to carry out a wide range of community development activities directed toward revitalizing neighborhoods, economic development, and providing improved community facilities and services. The CDBG program is an important tool in helping local governments tackle the most serious challenges facing their communities.

CDBG funds are to be used for activities that benefit low- and moderate-income persons, carry out activities which aid in the prevention or elimination of slums and blight, or address existing conditions that pose a serious and immediate threat to the welfare of the community where other financial resources are not available to meet these needs.

CDBG funds may be used for activities that include, but are not limited to:

- **Acquisition of Real Property**
- **Relocation and Demolition**
- **Rehabilitation of Residential and Non-Residential Structures**
- **Construction of Public Facilities and Improvements, such as Water and Sewer Facilities, Streets, Neighborhood Centers, and the Conversion of Schools for Eligible Purposes**
- **Public Services (within certain limits)**
- **Restore Historic sites**
- **Improve housing for low-income and disabled persons**

It has been determined that the Northwest quadrant of Dunellen is the locus to receive the bulk of CDBG funds. That area is west of Madison Avenue, from North Avenue to Green Brook.

In 2016, we applied for and received funds for these activities (as noted):

Code Enforcement	\$8,000.00
Senior Citizen Coordinator	\$6,000.00
Senior Citizen Van Driver	\$11,000.00
Tree Planting	\$3,000.00
Park and Open Space Repair and Landscaping	<u>\$8,518.00</u>
	\$36,518.00.

Dunellen's grant amount for 2017 will be \$36,518.00.

We are considering applying for funds for these activities:

Code Enforcement	\$8,000.00
Senior Citizen Coordinator	\$6,000.00
Senior Citizen Van Driver	\$11,000.00
Tree Planting	\$3,000.00
Park and Open Space Repair and Landscaping	<u>\$8,518.00</u>
	\$36,518.00.

The purpose of the public hearing is to elicit suggestions for CDBG 2017 allocations from community and civic groups.

At this point, Mayor Seader opened the meeting for public comment on the 2017 CDBG Application. No one from the public spoke. This portion was closed.

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

**02-06-2017: #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, Bayer, Cilento, Lowder and Petracca

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

**02-06-2017: #2**

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

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Prospect Avenue Roadway Improvements project.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Dunellen formally approve the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA—2017— Prospect Avenue Roadway Improvements — 00468 to the New Jersey Department of Transportation on behalf of the Borough of Dunellen.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the grant on behalf of the Borough of Dunellen and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca

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

**02-06-2017: #3**

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

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the North Avenue Streetscape Enhancements project.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Dunellen formally approve the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as TV—2017—North Avenue Streetscape Enhancement—00025 to the New Jersey Department of Transportation on behalf of the Borough of Dunellen.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the grant on behalf of the Borough of Dunellen and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca

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

**02-06-2017: #4**

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

Approval is granted for the Municipal Clerk to make application for the 2017 Community Development Block Grant, for the projects and amounts as listed below:

Code Enforcement	\$8,000.00
Senior Citizen Coordinator	\$6,000.00
Senior Citizen Van Driver	\$11,000.00
Tree Planting	\$3,000.00

Park and Open Space  
Repair and Landscaping                      \$8,518.00  
\$36,518.00.

Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca

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

**02-06-2017: #5**

**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, Bayer, Cilento, Lowder and Petracca

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

**02-06-2017: #6**

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

The Dunellen-Green Brook Rotary Club is hereby approved to hold a 50/50 Cash Raffle on October 10, 2017, drawing to be held at the Dunellen Theater and Cinema Café.

Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca

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

**02-06-2017: #7**

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

CME Associates is awarded a contract to prepare the New Jersey Department of Environmental Protection Regulation Program Tier A Municipal Stormwater General Permit Renewal and report for 2017, at a cost not to exceed \$3,804.00.

Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca

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

**02-06-2017: #8**

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

Audimute, Beachwood, Ohio, is awarded a contract to provide 21 acoustic tiles for the Dunellen Senior Center, at a cost not to exceed \$1,617.00.

Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca

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

**02-06-2017: #9**

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

The law firm of Apruzzese, McDermott, Mastro & Murphy, is appointed Special Labor Counsel on behalf of the Borough of Dunellen, at a cost not to exceed in total \$5,000.

Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca

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

**02-06-2017: #10**

**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	47843	\$8,119.18

Total

\$8,119.18

Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca

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

**02-06-2017: #11**

**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

TSC	Block	Lot	Qual	Owner/Address	Principal	Interest	Premium	Total
16-36	73	10		Farley, John Scott 253 Whittier Ave	855.60	11.92	1,600.00	2,467.52
16-30	61	47		Soares, Gercino 349 Prospect Ave	985.44	13.79	1,600.00	2,599.23
16-37	75	9		Douglas, Donelle 261 New Market Rd	2,921.52	43.47	9,900.00	12,864.99
				<b>Total</b>				<b>17,931.74</b>

Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca

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

**02-06-2017: #12**

**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     Trystone Capital Assets  
                  P O Box 1030  
                  Brick, NJ 08723

TSC	Block	Lot	Qual	Owner/Address	Principal	Interest	Premium	Total
16-09	29	3		Williams, T & Fields, Z 435 First St	458.40	8.93	1,500.00	1,967.33



Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca

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

**02-06-2017: #13**

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

WHEREAS, Dewberry Engineers Inc. is preparing the final design plans for the County of Middlesex for the replacement of the culvert carrying South Madison Avenue over Bonygutt Brook in the Borough of Dunellen. South Madison Avenue will be closed to vehicular traffic during the culvert replacement and will require a roadway detour. South Madison Avenue will be closed to thru traffic at the intersection with South Avenue and at the intersection with Walnut Street (County Route 678). The detour will direct traffic via South Avenue, Pulaski Street, and Walnut Street. Pedestrian traffic will be maintained on South Madison Avenue at all times during construction.

WHEREAS, the Borough of Dunellen, The Dunellen Fire Department, and the Dunellen Police Department have reviewed the path of the proposed detour.

NOW THEREFORE BE IT RESOLVED, that the Borough of Dunellen has accepted the detour path and proposed signing to be used during construction of the culvert.

Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca

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

**02-06-2017: #14**

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

The Mayor Municipal Clerk are authorized to sign the Loan Agreement between the Borough of Dunellen and the Dunellen Parking Authority regarding parking improvements for Block 86, Lots 3, 4 and 4.03 on the Tax Maps of the Borough.

Mr. Baudendistel asked about the payments. Mr. Olsen responded that minimum payments were built into the Agreement, no matter what the fiscal status of the Parking Authority that year.

Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca

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

**02-06-2017: #15**

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

Frank Petullo, Jr., is hired as a Part-time Employee, of the Dunellen Department of Public Works, for up to 29 hours per week, at a salary of \$12.00 per hour, beginning February 13, 2017. This is a position without benefits according to Dunellen Code Chapter 50-3.

Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca

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

**02-06-2017: #16**

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

The Dunellen American Legion Post 119 is hereby granted permission to run a penny drive (canning) fund raiser on Saturday, May 6, 2017, Sunday, May 7, 2017 and Saturday, May 13, 2017, with a rain date of May 20, 2017; and, Sunday, November 12, 2017, Saturday, November 18, 2017, and Sunday, November 19, 2017, with a rain date of Saturday, November 25, 2017, on the corners of North Avenue and Washington Avenue, North Avenue and Madison Avenue, and Grove Street and Prospect 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 to the County of Middlesex for a permit to fund raise on county roads, and that this Dunellen Borough Council approval is granted subject to the final approval of the NJDOT and the Middlesex County Department of Transportation.

Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca

Reports:

Mr. Petracca: no report.

Mr. Baudendistel: 1) The Strip Joint project will receive another \$75,000 for the next remediation stage; 2) have not yet heard anything from NJ DOT regarding the two decorative lighting grants; 3) still looking for a replacement Sign Enforcer; 4) asked Mr. Bruder what we can do about the fire damaged buildings in our downtown? Mr. Bruder responded that the usual procedure would be either through the Construction Office (Scott Luthman) or Code Enforcer (George Deene); 5) asked the status of the Columbia Park project? Mayor Seader responded that we were working on the South Avenue Culvert Project. The Columbia Park project is on hold; it is a matching grant of 50%; 6) asked about the status of the revaluation project. Mr. Robins responded that the revised tax map has been sent to the NJ Division of Taxation for review and that he and Mr. Gianchiglia are working on an RFP for revaluation companies. Plus, there are monthly meetings with representatives from the Division; 7) Madison Avenue? That contract has been awarded and the next step is a pre-construction meeting; 8) asked about the Off Duty police jobs. Mr. Robins explained that until recently, the utilities and other companies have mostly responsive in paying. However, recently, a number of them have been moths late, causing Lauren to make many phone calls. The borough pays the officers and then waits to be reimbursed. Both a Local Finance Notice and the borough ordinance based on that Notice requires that all companies establish escrow accounts and keep them funded; 9) met with John Gibney on the Welcome to Dunellen signs, the final version

Mr. Bayer: no report.

Mr. Cilento: 1) March of Dimes Tournament competed and raised scholarship funds; 2) baseball and softball to start this Saturday; 3) Dunellen Report copy due for the March edition.

Mr. Lowder: no report.

Mayor Seader: 1) informed the Council that PSE&G will soon be installing new, taller poles, Madison Avenue to Mountainview Terrace to North Washington Avenue to Dunellen Avenue to the Plainfield border. New poles will be dropped next to existing poles, residents notified, trees trimmed as needed. Some existing poles are in need of repair and street lights put on the new poles. Work will be from March to June. Mayor Seader was of the opinion that there might be some resident push-back. Mr. Robins will convey this sentiment to PSE&G; 2) he met with CME regarding road repair. He learned that the cost of asphalt has increased substantially, and that all handicap ramps need to be replaced on every street they do, per new ADA regulations.

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## **PUBLIC PORTION**

Tom Davis thanked Mr. Bayer and Mr. Lowder for their help with the acoustic tiles for the Senior Center.

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

**02-06-2017: #17**

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

The Dunellen Borough Council Meeting of February 6, 2017 is adjourned.

Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca

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