

January 11, 2016

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on January 11, 2016.

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: Mayor Robert J. Seader, Kevin Bachorik, Kenneth Bayer, Jason Cilento, Jeremy Lowder and Joseph Petracca

Absent: Kenneth Baudendistel

Mayor Seader appointed Robert Berg to the Dunellen Shade Tree Commission.

On the motion of Mr. Petracca and seconded by Mr. Cilento it was moved to accept the minutes of the Council Meeting on December 21, 2015.

Yes: Bayer, Cilento and Petracca

Abstain: Bachorik and Lowder

On the motion of Mr. Bachorik and seconded by Mr. Petracca it was moved to accept the minutes of the Council Meeting on January 1, 2016.

Yes: Bachorik, Cilento, Lowder and Petracca

Abstain: Bayer

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

ORDINANCE 2016-01

BOROUGH OF DUNELLEN

The following Amendment to Section 4.1, Description of the Redevelopment Area of Dunellen's Redevelopment Plan is being Introduced for first reading on January 11, 2016. It will be presented for Public Hearing and Adoption on February 1, 2016 at 7:00 p.m. in the Dunellen Borough Municipal Building, 355 North Avenue, Dunellen, New Jersey, or at an appropriate time thereafter subject to Dunellen Planning Board review. Notice will be given in advance of the date for the Public Hearing and Adoption. Copies of this ordinance will be posted on the Municipal Bulletin Board, and will be available at the Office of the Borough Clerk for any interested members of the public.

This ordinance amends the Dunellen Downtown Redevelopment Plan, Phase One, that was adopted in February 2003 and revised on July 12, 2004, with further Amendments in June 2011, August 2013, and November 2014.

Section 4.1, Description of the Redevelopment Area:

As a result of the Planning Board reexamining the original redevelopment plan, it was decided that a phased timing approach would better suit the needs of the Borough by focusing first on redevelopment of the Dunellen Downtown Center. One or more subsequent phases may be considered to address the remaining areas identified in the determination of need study. This Redevelopment Plan is applicable to the following properties located in the Borough of Dunellen, County of Middlesex, State of New Jersey identified as the Dunellen Downtown Redevelopment Area, Phase I, consisting of Blocks and Lots as depicted on the Official Tax Map of the Borough of Dunellen, and as shown on the attached “Redevelopment Area Map” that has been determined by the Dunellen Planning Board and the Dunellen Borough Council as “an area in need of redevelopment.”

Area	Block Number	Lot Number
Site #1 South side of North avenue between Prospect Avenue, South Washington Avenue, and NJ Transit property	69	1, 1.01, 2, 2.01, and 3
Site #2 South Washington Avenue, New Market Road, Prospect Avenue, and NJ Transit property	70	13 and 13.01
Site #3 South Washington Avenue between NJ Transit property and Columbia Street (Art Color Property)	85	1

This Redevelopment Plan also considers the following properties located in the Borough of Dunellen, County of Middlesex, State of New Jersey as future areas to be redeveloped consistent with the initial Dunellen Redevelopment Area.

Remainder Parcels – Redevelopment Area – See Map #2

Area	Block Number	Lot Number
North Avenue between Jackson	1	14, 15.01, 15.02, 16, 17, 18, 19, 20,

Avenue and Jefferson Avenue		21, 22, 23
Between North Avenue and Front Street between North Washington Avenue and Jackson Avenue	2	10, 11, 11.01, 12, 13, 14, 15, 16, 17, 18, 19, 20
Between North Avenue and Front Street between Lincoln Avenue, North Washington Avenue	32	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 14.01, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 24.01, 25, 26, 27, 28
North Avenue between Madison Avenue and Lincoln Avenue	33	14, 14.01, 15, 16, 17, 18, 19, 20, 21, 22, 23
Bound Brook Road from Sanford Avenue to Madison Avenue	34	10.01, 22, 23, 24, 24.01, 25, 26, 27.01, 27.02, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 38.01, 38.02
Bound Brook Road from Sanford Avenue to Middlesex border	48	16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28
Bound Brook Road from Middlesex border to Pulaski Street	49	25, 26, 27.01, 28, 29, 30, 31, 32, 33, 34, 35, 37, 38, 39.01, 39.02, 40, 41, 43, 44
Bound Brook Road between Pulaski Street and Madison Avenue and bordered on NJ Transit	50	1, 2, 3, 4, 5, 6
Rail Right of Way	51	1, 2, & 3 – NJ Transit property
Bordered by Bound Brook Road, Madison Avenue and North Avenue	65	1
North Avenue between Madison Avenue and Prospect Street	66	1, 2, 3, 4, 5, 6.01, 7, 8, 9, 10.01, 10.02, 11, 12, 13, 14, 15.01, 15.02, 16, 17, 17.01, 18, 19, 20
Southeast corner of North Avenue and North Washington Avenue to NJ Transit property, and northeast to the Plainfield City border	86	1, 2, 3, 4, 4.02, 4.03, and 5

Mayor Seader stated that a certain property, Block 34, Lot 38.02, had been left out of the redevelopment zone. This amendment corrects that.

Yes: Bachorik, Bayer, Cilento, Lowder and Petracca

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

01-11-2016: #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: Bachorik, Bayer, Cilento, Lowder and Petracca

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

01-11-2016: #2

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

Lauren Darr is hired as an Administrative Assistant in the Office of the Municipal Clerk at an annual salary of \$31,000, plus benefits per the Dunellen Borough Personnel manual. This hire is effective January 4, 2016.

Yes: Bachorik, Bayer, Cilento, Lowder and Petracca

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

01-11-2016: #3

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, by Resolution 02-02-2015: #12, this contract was extended through December 31, 2015; and

WHEREAS, it is advisable and necessary to extend that time period until December 31, 2016, with the cost of this service for 10 laptop computers being \$36.0 each month, and for a term from

January 1, 2016 to December 31, 2016, for an amount not to exceed \$4,320.00 plus \$100.00 over usage for a total of \$4,420.00 per year.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Dunellen, that the agreement entered in to by Resolution 09-12-2005: #14 be extended to December 31, 2016 at an amount not to exceed \$4,420.00.

This appropriation is to be charged to Account #024-1110-202.

Yes: Bachorik, Bayer, Cilento, Lowder and Petracca

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

01-11-2016: #4

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

The following FAX Machines are to be leased through GE Capital for a combined price of \$112.00 per month:

- Clerk's Office, Account #024-1018-205 (\$37.33 per month)
- Police Department, Account #024-1110-205 (\$37.33 per month)
- Construction Office, Account #024-1610-205 (\$37.34 per month)

With a total amount of \$1,344.00 per year.

For the period January 1, 2016 through December 31, 2016.

A continuation of the contract is subject to the availability of funds in future fiscal years.

Yes: Bachorik, Bayer, Cilento, Lowder and Petracca

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

01-11-2016: #5

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

Whereas, by Resolution 03-05-2007: #9, Pitney Bowes Company was awarded a four-year lease contract for a postage meter machine to be used in the Municipal Clerk's Office; and

Whereas, by Resolution 01-10-2011: #10 this resolution was extended to the 2011 calendar year; and

Whereas, by Resolution 01-09-2012: #9 this resolution was extended to the 2012 calendar year; and

Whereas, by Resolution 01-07-2013: #9 this resolution was extended to the 2013 calendar year; and

Whereas, by Resolution 02-03-2014: #11 this resolution was extended to the 2014 calendar year; and

Whereas, by Resolution 01-05-2015: #5 this resolution was extended to the 2015 calendar year; and

WHEREAS, the cost of the contract is \$53.00 per month; and

WHEREAS, funds are certified for each year of the contract; and

WHEREAS, the next term of the contract is from 1 January 2016 until 31 December 2016.

The Chief Financial Officer will certify \$636.00 for this contract.

Renewal of this contract is subject to the availability of funds in subsequent fiscal years.

The Account against which this appropriation is to be charged is # 024-1033-299.

Yes: Bachorik, Bayer, Cilento, Lowder and Petracca

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

01-11-2016: #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, 2016 to January 31, 2017.

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: Bachorik, Bayer, Cilento, Lowder and Petracca

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

01-11-2016: #7

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

WHEREAS, a need has been determined for the extraction and analysis of cores regarding the Madison Avenue Roadway Improvement Project, Phase II; and

Whereas, a quote has been received from:

Key-Tech, Keyport, NJ	\$1,746.00
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FURTHERMORE, the quote submission has been reviewed by the municipal engineers, CME Associates, and it is their recommendation that the contract be awarded to Key-Tech.

And whereas this award of contract is for an amount below the current quotation threshold (\$2,625.00).

The funds for this contract have been certified by the Chief Financial Officer, from the Dunellen Avenue Account # 026-6360-600.

Now, therefore, be it resolved, by the Mayor and Council of the Borough of Dunellen, that extraction and analysis of cores regarding the improvements to Madison Avenue Roadway Improvement Project, Phase II, be awarded to Key-Tech, for an amount not to exceed \$1,746.00.

Yes: Bachorik, Bayer, Cilento, Lowder and Petracca

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

01-11-2016: #8

Whereas, the Dunellen Downtown Redevelopment Plan, Phase One, was adopted in February 2003 and revised on July 12, 2004, with further Amendments in June 2011, August 2013 and November 2014; and

Whereas, on January 11, 2016, the Dunellen Borough Council introduced for first reading Ordinance 2016-01, an Amendment to Section 4.1, Description of the Redevelopment Area of Dunellen’s Redevelopment Plan; and

Whereas, the entirety of this amendment reads:

Section 4.1, Description of the Redevelopment Area:

As a result of the Planning Board reexamining the original redevelopment plan, it was decided that a phased timing approach would better suit the needs of the Borough by focusing first on redevelopment of the Dunellen Downtown Center. One or more subsequent phases may be considered to address the remaining areas identified in the determination of need study. This Redevelopment Plan is applicable to the following properties located in the Borough of Dunellen, County of Middlesex, State of New Jersey identified as the Dunellen Downtown Redevelopment Area, Phase I, consisting of Blocks and Lots as depicted on the Official Tax Map of the Borough of Dunellen, and as shown on the attached “Redevelopment Area Map” that has been determined by the Dunellen Planning Board and the Dunellen Borough Council as “an area in need of redevelopment.”

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Site #3 South Washington Avenue between NJ Transit property and Columbia Street (Art Color Property)	85	1

This Redevelopment Plan also considers the following properties located in the Borough of Dunellen, County of Middlesex, State of New Jersey as future areas to be redeveloped consistent with the initial Dunellen Redevelopment Area.

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	Number	
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Bound Brook Road from Middlesex border to Pulaski Street	49	25, 26, 27.01, 28, 29, 30, 31, 32, 33, 34, 35, 37, 38, 39.01, 39.02, 40, 41, 43, 44
Bound Brook Road between Pulaski Street and Madison Avenue and bordered on NJ Transit	50	1, 2, 3, 4, 5, 6
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Southeast corner of North Avenue and North Washington Avenue to NJ Transit property, and northeast to the Plainfield City border	86	1, 2, 3, 4, 4.02, 4.03, and 5

Now, Therefore, Be it Resolved, by the Mayor and Council of the Borough of Dunellen, that Ordinance 2016-01 be forwarded to the Dunellen Planning Board for review and a report containing its recommendation regarding the proposed amended ordinance.

Yes: Bachorik, Bayer, Cilento, Lowder and Petracca

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

01-11-2016: #9

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

WHEREAS, by Resolution 12-21-2015: #5, Tow Operator's Licenses were approved for various towing companies, subject to each company's provision of the necessary documents, submissions, and insurance requirements set forth in Dunellen Borough Code Section 268-1, *et. seq.* Companies with Application deficiencies will be notified and have until January 8, 2016, to resubmit their Applications to the Dunellen Municipal Clerk's Office. All Applications and resubmitted Applications are subject to final review and approval by the Dunellen Municipal Attorney; and

WHEREAS, the following companies submitted applications in compliance with the towing ordinance and are hereby granted Tow Operator's Licenses for the 2016 Calendar Year:

West 7th Corporation, T/A as Piscataway Auto and Truck Repair, Piscataway
Majestic Towing and Transport, Inc., South Plainfield
J&L Auto Center, South Plainfield
SHT Corp, T/A as Somerset Hills Towing, Bridgewater
R & D Towing, Middlesex
Mike's Towing & Recovery, Bridgewater
JVD Towing Service, LLC, South Plainfield
M&W Towing Service, LLC., Plainfield

The term of this award is from January 1, 2016 until December 31, 2016.

Yes: Bachorik, Bayer, Cilento, Lowder and Petracca

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

01-11-2016: #10

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

A contract is awarded to Wireless Communications and Electronics of West Berlin, NJ, to supply a laptop computer and attendant equipment for the Dunellen Police Department, at a cost not to exceed \$3,201.12. This contract is pursuant to NJ State Contract # 89980. Funds for this contract will be taken from Account # 026-6380-610.

Yes: Bachorik, Bayer, Cilento, Lowder and Petracca

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

01-11-2016: #11

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

A contract is awarded to L3 Mobile-Vision, Inc., of Boonton, NJ, to supply a camera, model Flashback3 Syst, for the Dunellen Police Department, at a cost not to exceed \$4,625.00. This contract is pursuant to NJ State Contract # A81311. Funds for this contract will be taken from Account # 026-6380-611.

Yes: Bachorik, Bayer, Cilento, Lowder and Petracca

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

01-11-2016: #12

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

The Municipal Clerk is hereby authorized to issue a Limousine License for CY 2016 to:

Ambitrans, LLC.
634 Bound Brook Road
Dunellen, NJ

All fees and requirements of said license have been met.

Yes: Bachorik, Bayer, Cilento, Lowder and Petracca

REPORTS:

Mr. Petracca: Construction Office will take in over \$100,000 in 2015.

Mr. Bayer: no report.

Mr. Safar: new Mason Truck came in today and the salt spreader will come in Friday.

Mr. Bachorik: Will be meeting with the board of Dunellen Skylight Theatre.

Mr. Cilento: 1) Recreation Basketball started; 2) 64th Annual March of Dimes will take place at the end of January; 3) commended Officer Joe Dudley for his action regarding a recent automobile accident.

Mr. Lowder: no report.

Mayor Seader: 1) Fire Department had its installation dinner and it went very well; 2) asked if the Fire Truck was on schedule.

Chief Nelson: Police have issued 20 gun permits since January 1st.

Mr. Olsen: is meeting with the Auditors regarding Annual Financial Statement and 2016 Budget.

Mr. Bruder: will be meeting with other municipal attorneys regarding the affordable housing lawsuit. He also has a settlement conference with Judge Wolfson and the Fair Share Housing Center next week.

Mayor Seader introduced to the Council the topic of amending the Sign Ordinance, based upon some suggestions from Mr. Baudendistel. Council members expressed concern about overly restrictive regulations that might inhibit struggling businesses. Mr. Cilento noted that we must be fair to all and there were occasions in which enforcement was difficult.

Mr. Petracca was concerned with signs that are not maintained and are unattractive. Mr. Bruder advised that we see what works and what does not work, and revise accordingly: [to paraphrase] a case by case approach.

PUBLIC PORTION:

No one from the public spoke.

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

01-11-2016: #13

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

The Dunellen Borough Council Meeting of January 11, 2016 is adjourned.

Yes: Bachorik, Bayer, Cilento, Lowder and Petracca