

January 9, 2017

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on January 9, 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, Kevin Bachorik, Kenneth Bayer, Jason Cilento and Joseph Petracca

Absent: Jeremy Lowder, absent for Roll Call. He arrived at 7:21 pm

On the motion of Mr. Bachorik and seconded by Mr. Cilento it was moved to accept the Minutes of December 19, 2016:

Yes: Baudendistel, Bachorik, Cilento and Petracca
Abstain: Bayer, due to absence at that meeting.

On the motion of Mr. Cilento and seconded by Mr. Petracca it was moved to accept the Minutes of January 1, 2017:

Yes: Baudendistel, Bachorik, Cilento and Petracca
Abstain: Bayer, due to his absence at that meeting.

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

01-09-2017: #1

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:

Wells Fargo -- \$95.00 per month, for a 60 month lease term; and

Whereas Wells Fargo has a New Jersey Business Registration 42-1074725 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, 2017 to January 31, 2018.

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

Funds for this certification are from Account #6-01-20-145-000-205.

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:

01-09-2017: #2

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

The resignation of Joseph Ahrens as the Dunellen Sign Code Officer is accepted, effective January 4, 2017.

Mr. Baudendistel noted that as Mr. Ahrens had not provided him with any reports for the past two months, he is not sure where the enforcement was left off. Mr. Baudendistel is seeking a replacement Sign Code Enforcement Officer.

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

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

01-09-2017: #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, by Resolution 01-11-2016: #3, this contract was extended through December 31, 2016; and

WHEREAS, it is advisable and necessary to extend that time period until December 31, 2017, with the cost of this service for 11 laptop computers being \$38.01 each month, and for a term from January 1, 2017 to December 31, 2017, for an amount not to exceed \$5,017.32 plus \$100.00 over usage for a total of \$5,117.32 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, 2017 at an amount not to exceed \$5,117.32.

This appropriation is to be charged to Account #6-01-25-240-000-202

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

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

01-09-2017: #4

Resolution of the Borough of Dunellen

RESOLUTION AUTHORIZING THE BOROUGH OF DUNELLEN PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO ESTABLISH A NON-CONDEMNATION REDEVELOPMENT AREA FOR PROPERTY LOCATED AT 105 SOUTH WASHINGTON AVENUE

WHEREAS, N.J.S.A. 40A:12A-6, authorizes the governing body of a municipality, by Resolution, to have its Planning Board conduct a preliminary investigation to determine whether any area of the municipality is a redevelopment area; and

WHEREAS, N.J.S.A. 40A:12A-4(b)(2) authorizes the planning board of a municipality to prepare a redevelopment plan for a proposed redevelopment area; and

WHEREAS, the Borough Council of the Borough of Dunellen (“Dunellen”) consider it to be in the best interest of the Borough to have the Borough’s Planning Board (“Planning Board”) conduct such

an investigation regarding Block 83, Lot 1 on the official Tax Maps of the Borough having an address of 105 South Washington Avenue (the "Property"); and

WHEREAS, a redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, except the use of eminent domain (hereinafter referred to as a "Non-Condensation Redevelopment Area"); and

WHEREAS, the present use of the aforementioned area by reason of obsolescence and/or general deterioration and/or design and obsolete layout may be detrimental to the safety and welfare of the community thereby requiring redevelopment to better serve the Borough;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Dunellen, that:

1. The Planning Board is hereby directed to conduct a preliminary investigation to determine whether the aforementioned Property qualifies as a Non-Condensation Redevelopment Area according to the criterion in N.J.S.A. 40A:12A-1 et seq.;

2. The Planning Board is hereby directed to prepare a report of its findings and once completed, the Planning Board is directed to transmit the report to the Borough Council of the Borough of Dunellen for their review and approval in accordance with the provisions.

This block and lot are owned by Dunellen Associates. Probably through oversight, when the redevelopment zone was created in 2003, this parcel was left out. This resolution is part of the process of bringing this parcel into the redevelopment zone.

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:

01-09-2017: #5

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 2017 to:

Ambitrans, LLC.
634 Bound Brook Road
Dunellen, NJ

All fees and requirements of said license have been met.

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:

01-09-2017: #6

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

Approval is granted to the Dunellen Defender Fire Company #1 to hold its annual street fair on Sunday, June 18, 2017.

Council members considered that Father's day may cause some vendors and residents from attending.

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:

01-09-2017: #7

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 Madison 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— Madison Avenue Roadway Improvements — 00200 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, Bachorik, Bayer, Cilento and Petracca

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

01-09-2017: #8

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

In conformance with public laws of the State of New Jersey, 1996, c.95, sect. 14, Thomas Lanza, Jr., attorney at law of the State of New Jersey, is hereby appointed alternate Municipal Prosecutor under the supervision of the Attorney General or County Prosecutor who may represent the State, County or Municipality in any matter within the jurisdiction of the Central Municipal Court or any other Municipal Court.

Further be it resolved that health benefit coverage will not be made available as part of the compensation package for the position of Municipal Prosecutor, and

Further be it resolved that the term of this appointment is from January 1, 2017 until December 31, 2017, and

Further be it resolved that the 2017 salary will be \$8,515.00.

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:

01-09-2017: #9

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

In conformance with public laws of the State of New Jersey, 1996, c.95, sect. 14, Miles Winder III, attorney at law of the State of New Jersey, is hereby appointed alternate Municipal Prosecutor under the supervision of the Attorney General or County Prosecutor who may represent the State, County or Municipality in any matter within the jurisdiction of the Central Municipal Court or any other Municipal Court.

Further be it resolved that health benefit coverage will not be made available as part of the compensation package for the position of Municipal Prosecutor, and

Further be it resolved that the term of this appointment is from January 1, 2017 until December 31, 2017, and

Further be it resolved that the 2017 salary will be \$8,515.00.

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

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

01-09-2017: #10

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

The following establishment be issued an Amusement Games License by the Municipal Clerk as they have met the requirements and paid the proper fee:

N Avenue Liquors

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

REPORTS:

Mr. Petracca: Construction fees in 2016 were \$97,986.00.

Mr. Baudendistel: 1) asked what Council's thoughts were on the slogan. Mr. Robins will email them to members. We do not need a slogan.

Mr. Bayer: no report.

Mr. Bachorik: no report.

Mr. Cilento: 1) Senior Party had over 60 attendees and Dunellen Skylight Theatre performed and Karl Geiger played the piano; 2) Recreation Commission is talking about a senior event the first Friday of each month, something like a pizza party for Super Bowl.

Mayor Seader: 1) noted that the Senior Party was well attended; 2) he asked Mr. Bayer about the acoustic tile project for the Senior Center. He has some quotes that he will share with Council; 3) he inquired about the high water bills for McCoy Park. Mr. Robins is getting copies of the bills from NJ American Water.

PUBLIC PORTION

No one from the public spoke.

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

01-09-2017: #11

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

The Dunellen Borough Council Meeting of January 9, 2017 is adjourned.

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca
