

June 1, 2015

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on June 1, 2015.

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

On the motion of Mr. Bachorik and seconded by Mr. Cilento it was moved to accept the minutes of May 18, 2015.

Yes: Bachorik, Bayer, Cilento, Petracca

At this point, Mayor Seader appointed Nancy DeMarco to the Dunellen Public Library Board of Trustees.

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

**06-01-2015: #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: Bachorik, Bayer, Cilento and Petracca

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

**06-01-2015: #2**

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

Blacher Canvas, Dunellen, NJ, is awarded a contract to replace two awnings at the Dunellen Municipal Building, a cost of \$2,145.00.

Yes: Bachorik, Bayer, Cilento and Petracca

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

**06-01-2015: #3**

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

Permission is granted to the Dunellen Education Foundation to hold their 2015 5-kilometer run in the area around the Dunellen High School and Lincoln Middle School on Saturday, September 26, 2015. The Foundation will make all appropriate arrangements with the Dunellen Police Department and the Dunellen Department of Public Works regarding street closings and safety issues.

Furthermore, the Foundation is granted permission to place a sign in Washington Park advertising this event from Friday, September 12th to Sunday, September 27, 2015.

Yes: Bachorik, Bayer, Cilento and Petracca

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

**06-01-2015: #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 50/50 raffle license to St. John the Evangelist Church, and

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

Yes: Bachorik, Bayer, Cilento and Petracca

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

**06-01-2015: #5**

Dunellen Resolution 05-18-2015: #19 is amended to correct a clerical error:

**CY 2015 Annual Salaries, including Longevity  
Longevity percent in ( )**

**Department****Name****Full-time and Part-time Salary**

2015

Administration	Robins, William (2)	\$ 96,953.00
	Samantha Galvez	\$ 30,600.00
Council	Seader, Robert	\$ 5,000.00
	Baudendistel, Kenneth	\$ 2,800.00
	Bachorik, Kevin	\$ 2,500.00
	Bayer, Kenneth	\$ 2,500.00
	Cilento, Jason	\$ 2,500.00
	Petracca, Joseph	\$ 2,500.00
Chief of Police	Jeffrey Nelson (6)	\$ 132,083.00
Tax Collection	Murray, Raymond	\$ 17,687.00
Finance	Olsen, Scott	\$ 28,398.00
	Weaver, Debra (2)	\$ 48,478.00
Tax Assessor	Gianchiglia, Richard	\$ 14,999.00
Building Department	Luthman, Scott	\$ 42,138.00
	Van DeMark, Dennis	\$ 8,749.00
	Rossi, Michael	\$ 8,749.00
	Deene, George	\$ 14,700.00
Dept. of Public Works	Schaefer, Jerry	\$ 14,999.00
Recreation	Miller, Alex	\$ 40,800.00
Attorney	Bruder, John	\$ 49,995.00
Court	Crisafulli, Terry	\$ 56,015.00
	Dennis Fackelman	\$ 25,650.00
	Colletti, Lauren	\$ 30,600.00
Prosecutor	Lanza, Thomas	\$ 8,348.00
	Garelick, Paul	\$ 8,348.00
Public Defender		
Office of Emerg. Man.	Jeanne Wessel	\$ 4,000.00

**Part-time Hourly**Rates are per hour,  
unless listed

Planning Board	Mackey, Donna	Per meeting	\$ 275.00
Planning Board	Mackey, Donna	hourly	\$ 19.24
Secretary			
Head Crossing Guard	Kriney, Barbara		\$ 15.30
Tax Office Clerk	Snyder, Donna		\$ 12.48
Crossing Guards	Fuenzalida, Elisea		
	Pangborn, Gloria		\$ 14.07

	Poltorak, Robert	\$	12.63
	DeVico, Frank	\$	12.20
	Lousten, Dorothy	\$	12.20
	Smith, Victoria	\$	12.63
	Soriano, Joseph	\$	12.63
	Testori, Lawrence	\$	14.07
	New Hires	\$	11.50
Substitute Crossing	Cantanzaro, Mary Ann	\$	14.07
Guards	Charin, Elizabeth	\$	10.20
	Chinchilla, Horacio	\$	10.20
	Cook, Roberta	\$	10.20
	Eggbert, Martha	\$	10.20
	Fleming, Linda	\$	10.20
	New Hires	\$	10.00
Interpreters	Pagan, Lylian	\$	24.04
Police Admin. Assist.	Ritchey, Deborah	\$	15.38
Building Maintenance	Sandra Vallejo	\$	10.40
Bus Driver	Picone, Ronald	\$	13.19
Alternate Public Defender	Spengler, Robert	per session	\$238.00

Yes: Bachorik, Bayer, Cilento and Petracca

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

**06-01-2015: #6**

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

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and  
 WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Dunellen in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year CY 2015 in the sum of \$12,149.88 which is now available from the Clean Communities 2015 Grant in the amount of \$12,149.88.

BE IT FURTHER RESOLVED, that the like sum of \$12,149.88 is hereby appropriated under the caption Clean Communities 2015 Grant.

BE IT FURTHER RESOLVED that the above is the result of funds from the Clean Communities 2015 Grant in the amount of \$12,149.88.

Yes: Bachorik, Bayer, Cilento and Petracca

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

**06-01-2015: #7**

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

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Dunellen in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year CY 2015 in the sum of \$39,427.00 which is now available from the County of Middlesex, Public Housing Agency, Housing and Community Development in the amount of \$39,427.00.

BE IT FURTHER RESOLVED, that the like sum of \$39,427.00 is hereby appropriated under the caption Community Development Block Grant.

BE IT FURTHER RESOLVED that the above is the result of funds from the County of Middlesex, Public Housing Agency, Housing and Community Development in the amount of \$39,427.00.

Yes: Bachorik, Bayer, Cilento and Petracca

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

**06-01-2015: #8**

**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 TWR as Cust for Ebury Fund 1NJ LLC  
P O Box 37695  
Baltimore, MD 21297-3695

TSC	Block	Lot	Qual	Owner/Address	Principal	Interest	Premium	Total
14-15	26	15		Mann, Victoria 410 Madison Ave	1,025.69	24.24	1,300.00	2,349.93
14-50	64	17		Rodriguez, Jamie 239 Gertrude Terr	1,025.69	25.87	1,300.00	2,351.56
14-70	77	12		Gonzalez, Leonel 1898 W 4th St	1,025.69	24.24	1,200.00	2,249.93
<b>Total</b>								<b>6,951.42</b>

Yes: Bachorik, Bayer, Cilento and Petracca

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

**06-01-2015: #9**

**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 Harrington, David

TSC	Block	Lot	Owner/Address	Principal	Interest	Premium	Total
14-65	75	1.04	Puckett, Cristina 315 Oak Pkwy	661.51	17.79	1,300.00	<b>1,979.30</b>

Yes: Bachorik, Bayer, Cilento and Petracca

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

**06-01-2015: #10**

**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 US Bank Cust for PC5 Sterling National  
50 S 16<sup>th</sup> St., Ste 2050

Philadelphia, PA 19102

TSC	Block	Lot	Qual	Owner/Address	Principal	Interest	Premium	Total
14-08	10	27		Martins, Antonia/Sandra 675 Bound Brook Rd #9	1,025.46	26.10	1,300.00	2,351.56
14-41	49	36.02	C009	Dilello-Lima, Santa 675 Bound Brook Rd #9	1,025.46	24.46	1,300.00	2,349.92
14-44	60	16		Mantilla, c/o Safeguard 384 Prospect Ave	1,025.46	26.10	1,300.00	2,351.56
14-45	60	49		Nicastro, Robert & K 311 Fairview Ave	1,025.46	24.46	1,300.00	2,349.92
14-57	70	4		Sabik, R & Gawron, W 150 New Market Rd	1,025.46	24.46	1,300.00	2,349.92
14-61	73	9		Ramirez, Nelly 259 Whittier Ave	1,025.46	24.46	1,300.00	2,349.92
14-64	74	22		Franco, Jhonny 238 S Washington Ave	1,025.46	24.46	1,300.00	2,349.92
<b>Total</b>								<b>16,452.72</b>

Yes: Bachorik, Bayer, Cilento and Petracca

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

**06-01-2015: #11**

**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

TSC	Block	Lot	Owner/Address	Principal	Interest	Premium	Total
14-02	3	15	Citimortgage 212 Jackson Ave	1,185.38	28.42	1,400.00	2,613.80
14-12	21	23.01	Nash, James & Maureen 314 Third St	1,185.38	28.42	1,700.00	2,913.80
14-18	33	18	Tritz-Okia 440 North Ave	1,185.38	26.64	1,800.00	3,012.02
14-38	48	6.01	Damiani, Richard & H 725 Front St	1,025.58	24.35	1,500.00	2,549.93
<b>Total</b>							<b>11,089.55</b>

Yes: Bachorik, Bayer, Cilento and Petracca

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

**06-01-2015: #12**

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

The Treasurer is hereby authorized to refund the following duplicate tax payment:

Payable to     Elfein, Bruce  
                  508 Madison Avenue  
                  Dunellen, NJ 08812

Amount:       \$1,482.49

Period:        2015 Q2 Taxes

Yes: Bachorik, Bayer, Cilento and Petracca

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

**06-01-2015: #13**

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

Whereas, a request was made by Jason Cilento to hold a block party on Saturday, July 25, 2015, on the 700 block of Walnut Street, from 12:00 pm until 6:00 pm.

Now therefore be it resolved that permission is hereby granted to the above resident to hold his block party, and

Be it further resolved that by virtue of this resolution, the Police Department will be notified of the street closing and the Public Works Department will supply the necessary road barricades.

Jason Cilento  
733 Walnut Street

Yes: Bachorik, Bayer and Petracca

Abstain: Cilento

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At this point, Gail Woerner made a presentation on behalf of the Dunellen Skylight Theatre Productions.

DSTP produces Plays in the Park in the Summer. Gail reports that the electrical system in Washington Park, including the Gazebo, is old and in need of both repair and upgrade. DSTP has a licensed electrician to do the work and other helpers and she is asking the Council for approval to do the work and money, estimated at \$500.00, to pay for the repairs/upgrades. Some of the work would include additional receptacles, underground wiring to receptacles, and a new panel at the Gazebo. John Bruder asked that the borough be named as additional insured on a rider. Gail also asked if a section of the Gazebo be “removable” in order to enhance stage craft. This modification would not affect the structure’s integrity or the aesthetics of the Gazebo. Council gave unanimous approval for the work and expense.

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**REPORTS:**

Mr. Petracca: no report.

Mr. Bayer: no report.

Mr. Bachorik: noted that the spotlights at the Gazebo were on during the day. Ron Safar will check on this.

Mr. Cilento: 1) Patriot Stadium trip on June 9<sup>th</sup>; 2) Recreation Commission is working on the scholarships for the DHS students; 3) Recreation Commission is working on a 55 and over program – fishing, golfing; 4) the Dunellen Downtown Management Organization’s marketing brochure has now been published and they plan on giving them to real estate companies and other venues.

Mayor Seader: 1) noted that Ron Safar is having some difficulty scheduling his Recycling Coordinator classes and we might want to do an Interlocal Agreement with another town to use their coordinator; 2) Memorial Day Parade was a huge success and he thanked all volunteers and agencies who helped and participated; 3) house at 226 Whittier Avenue is now down.

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**PUBLIC PORTION:**

No one from the public spoke.

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**COUNCIL DISCUSSION**

1) Draft Ordinance 2015-04, Amended Animal Ordinance

Mr. Robins noted that 1) all animals currently owned but prohibited under the amended ordinance would be “grandfathered”; 2) the conclusion of Council Discussion at the last meeting was that there would be a total of five (5) dogs and/or cats; 3) regarding chickens, there is a concern about noise, odor, and rodents and vermin being attracted to the feed spread on the ground.

Mayor Seader pointed out that the Council was trying to find a happy medium on the number of animals and kinds of animals or public health and safety and so as to avoid being a nuisance to the neighbors, as some residents have been in the past with animal rescue facilities at their homes.

Larissa Wilse, Third Street, Karen Martinez, Second Street, Liz Velez, High Street, collectively spoke on behalf of keeping chickens. They all have chickens, all fewer than six chickens, there were no complaints about noise or odor and the way they are housed in a particular kind of coup, there is no risk of vermin. They recommended web sites so Council could see examples of coups whose specifications could be built into the ordinance and Larissa invited Mr. Robins to examine her chicken coup set up. They all agreed that limiting the number of animals, including chickens, was good. She stated that no one wants cats and vermin coming onto her property, leaving their droppings. Mr. Robins will arrange such a site visit and report back to the Council.

2) Draft Ordinance 2015-05, Flea Markets, Garage Sales and Yard sales

Mr. Robins presented a draft of an amended Flea Market ordinance. It tightens the language of the original ordinance and now includes a limit of three per year. He noted that many residents do not obtain a permit and hold yard sales almost every week end, which affects the quality of life of the neighborhood. Council raised the point of who would enforce the ordinance? Under the amended ordinance, either the Code Enforcer or the Dunellen Police would be empowered to enforce. The Clerk's Office would be responsible for tracking the number of permits issued per resident per year and of creating a permit that is to be prominently displayed, per the ordinance.

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

**06-01-2015: #14**

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

The Dunellen Borough Council Meeting of June 1, 2015 is adjourned.

Yes: Bachorik, Bayer, Cilento and Petracca