

March 2, 2015

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on March 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: Mayor Robert J. Seader, Kevin Bachorik, Kenneth Bayer, Jason Cilento, Thomas Cote, Joseph Petracca

[Mr. Cote arrived at 7:33 pm.]

Absent: Kenneth Baudendistel

On the motion of Mr. Bachorik and seconded by Mr. Bayer it was moved to accept the minutes of February 17, 2015.

Yes: Cilento, Bachorik, Petracca

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### **Community Development Block Grant**

At this point, Mayor Seader and Mr. Robins gave some background to the Council and public on the CDBG. They presented the following information summary:

#### COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION 2015

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 2014, 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 2015 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 2015 allocations from community and civic groups.

At this point, Mayor Seader opened the meeting for public comment on the 2015 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. Bachorik it was moved to accept the following:

**03-02-2015: #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: Bachorik, Bayer, Cilento, Cote and Petracca

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

**03-02-2015: #2**

The following resolution is amended to correct a typographical error:

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

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR AUDITING SERVICES**

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

WHEREAS, the Borough of Dunellen has a need to acquire the services of a Registered Municipal Accountant to conduct an audit of the Borough of Dunellen and the Dunellen Sewer Utility for CY 2015 ending December 31, 2015, as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A- 20.5*; and,

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, the firm of Hodulik and Morrison has submitted a proposal indicating they will provide the services; and

WHEREAS, the amount of the services is not to exceed \$39,200; and

WHEREAS, the firm of Hodulik and Morrison has completed and submitted a Business Entity Disclosure Certification which certifies that Hodulik and Morrison has not made any reportable contributions to a political or candidate committee in the Borough of Dunellen in the previous one year, and that the contract will prohibit Hodulik and Morrison from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer of the Borough of Dunellen has certified as to the availability of funds.

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Dunellen authorizes the Mayor and Borough Administrator to enter into a contract with the firm of Hodulik and Morrison as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

A copy of this resolution shall be published in the Courier News or other paper of record as required by law within ten days of its passage.

Yes: Bachorik, Bayer, Cilento and Petracca

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

**03-02-2015: #3**

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

Whereas, there exists a need to purchase a garbage truck for the Department of Public Works, with trade-in of our current truck; and

Whereas, a quote was received from:

Atlantic Sales & Salvage, Inc., East Brunswick, NJ -- \$25,000.00  
(includes the trade-in of our current truck)

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 garbage truck be purchased from Atlantic Sales & Salvage, Inc., for an amount not to exceed \$25,000.00.

Scott Olsen, CFO, noted that the proper phrase in the resolution is: "Whereas, bids were received" as a duly advertised bid process was utilized.

Yes: Bachorik, Bayer, Cilento and Petracca

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

**03-02-2015: #4**

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

Whereas, the Borough of Dunellen has conducted a bid opening in connection with its construction project known as Dunellen Avenue Road Improvement Project, Phase II; and

Whereas, the Borough received bids on January 9, 2015 and the bids received exceed the appropriation and are deemed unreasonable as to price, and

Whereas, it is the opinion of the Borough Engineer, CME Associates, that the bids received be rejected.

Now therefore be it resolved by the Governing Body of the Borough of Dunellen that all bids received for the project known as Dunellen Avenue Road Improvement Project, Phase II are hereby rejected, and

Further be it resolved that the Municipal Clerk is hereby authorized to re-advertise for RFP's for Dunellen Avenue Road Improvement Project, Phase II.

Yes: Bachorik, Bayer, Cilento, Cote and Petracca

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

**03-02-2015: #5**

**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 2015 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	<u>\$8,518.00</u>
	\$36,518.00.

Yes: Bachorik, Bayer, Cilento, Cote and Petracca

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

**03-02-2015: #6**

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

Whereas, emergent conditions have arisen with respect to either funds being needed for salaries and wages and/or payments being due to various vendors, and

Whereas, adequate provisions were not made in the 2015 Temporary Budget, and N.J.S.A. 40A:4-20 provides for creation of emergency temporary appropriations, and

Whereas, the total emergency temporary appropriations adopted in the year 2015 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951 as amended) including this resolution total \$348,100.00,

NOW, THEREFORE BE IT RESOLVED by the governing body of the Borough of Dunellen (not less than two-thirds of all the members thereof affirmingly concurring):

Then, in accordance with N.J.S.A. 40A:4-20:

1. The emergency temporary appropriations listed below will be provided for in the 2015 budget under the titles shown and for the amounts given be and the same are hereby made as follows:

Department	Account	S&W	O/E
Administration and Executive	1010	\$5,500.00	\$500.00
Telephone	1012		5,000.00
Financial Administration	1014	5,700.00	
Assessment of Taxes	1015	1,200.00	1,000.00
Collection of Taxes	1016	2,800.00	3,000.00
Legal Services	1017	3,700.00	
Borough Clerk	1018	5,500.00	
Buildings & Grounds	1020	1,000.00	7,500.00
Electric & Gas	1021		20,000.00
Group Insurance	1025		50,000.00
Mayor & Council	1027		1,200.00
Gasoline	1028		10,000.00
Postage	1033		2,000.00
Information Technology	1035		1,500.00
Police	1111	115,000.00	10,000.00
Dispatching Services	1113		10,000.00
Road Repairs	1210	35,000.00	10,000.00
Green Brook Flood Control Commission	1314		500.00
Recreation	1510		2,000.00
Construction Code	1610	6,200.00	
Municipal Court	1850	9,000.00	
Free Public Library	1852	13,000.00	
Municipal Prosecutor	1856	2,000.00	
Intergovernment/Middlesex Health Services	2317		8,300.00



To:			
	Subtotal	6,650.00	13,000.00
Yes:	Total	<u>19,650.00</u>	

Bachorik, Bayer, Cilento, Cote and Petracca

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

**03-02-2015: #8**

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

Lien	14-53	14-05
Block	66	8
Lot	8	22

Address	391 North Avenue	220 First Street
Assessed to	Bower, Frederick	Kimble, Ken R & Cheryl Ann

Principal	\$854.86	\$854.86
Interest	14.66	15.84
Premium	<u>1,300.00</u>	<u>1,400.00</u>
Total	\$2,169.52	\$2,270.70

Yes: Bachorik, Bayer, Cilento, Cote and Petracca

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

**03-02-2015: #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 US Bank Cust for PC5 Sterling National  
50 S 16<sup>th</sup> St., Ste 2050  
Philadelphia, PA 19102

Lien	14-33	14-04	14-59
Block	44	5	72
Lot	6	18	5
Address	823 Second Street	116 Dunellen Ave	325 Orange St
Assessed to	Appleton, Paul & Deborah	Hansen, Osceola & Patricia	Baker, Richard & Colleen
Principal	\$854.86	811.86	\$854.86
Interest	14.66	11.36	17.33
Premium	1,300.00	1,300.00	1,300.00
Total	<u>\$2,169.52</u>	<u>\$2,123.22</u>	<u>\$2,172.19</u>

Yes: Bachorik, Bayer, Cilento, Cote and Petracca

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

**03-02-2015: #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 proceeds for tax sale redemption(s):

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

Lien	14-14	14-74	14-09
Block	23	81	12
Lot	13	22.02	9
Address	349 Third Street	139 Kline Place	602 N Washington Ave
Assessed to	Dale, Richard & Sharon	Mason, Robert & Camille	Pettersen, Erik & Desario, Lucille
Principal	\$854.86	\$854.86	\$984.54

Interest	14.66	15.76	20.16
Premium	<u>1,400.00</u>	<u>1,400.00</u>	<u>1,700.00</u>
Total	\$2,269.52	\$2,270.62	\$2,704.70

Yes: Bachorik, Bayer, Cilento, Cote and Petracca

**REPORTS:**

Mr. Petracca: no report

Mr. Bayer: no report

Mr. Bachorik: no report

Mr. Cilento: 1) cleared up some confusion on the proposed batting cages in Columbia Park.

Alex Miller will bring a drawing to the Council; 2) costs of the T-Ball field in Moorecraft Park are being gathered; 3) he asked Scott Olsen to attend the next meeting of the Recreation Commission to help them with the budget; 4) Taste of Dunellen is this Sunday, Elks in Middlesex; 5) Robert Scricco, 603 North Washington Avenue, has some concerns with speed on that road and asked if we could get a speed limit sign just off the Green Brook bridge, a permanent digital speed sign, and a lit-up crossing sign near St. John's the Evangelist Church. Mayor Seader noted that it is a County Road and we would need to work with them. Mr. Scricco remarked upon the difficult of crossing North Washington after Church on Sunday. Mayor Seader noted that the police are encouraged to have a car there, scheduling permitting, 8:30 and 10:30 am. He asked Lt. Smith who referred the answer to the Chief.

Mr. Cote: no report

Mayor Seader: 1) Chief of Police in Bound Brook sent a letter expressing his thanks regarding an incident on January 5<sup>th</sup> when the Dunellen Rescue Squad was passing an accident. They got out of their rig and assisted on the scene and brought the person to RWJ in New Brunswick; 2) received a resident letter inquiring about clearing the snow on the sidewalk in front of the Rescue Squad Building on North Avenue. The DPW does not clear the snow. Mr. Robins was instructed to reach out to the Squad.

Ron Safar: asked about adding hours to one of his staff to assist in snow shoveling. It was pointed out that there is a 29 hour limit, and that it is not possible to be both on the borough payroll and to receive a 1099.

Mr. Cote: reported that the Rescue Squad is trying to get a mortgage or loan on their property for \$125,000 to purchase a new rig.

John Bruder: reported on legal work he has been doing regarding the 500 Mountainview Terrace property. In regard to the environmental cleanup, they have asked the borough to sign off on a deed notice, a very technical document that he is recommending we have CME Associates review also. Mr. Bruder is looking for Council concurrence that he, Mr. Bruder, can have the mayor and municipal clerk sign the deed notice if and when CME Associates indicates their approval. This deed notice deals with how the property will be cleaned up and how there will be institutional controls on the property. Council gave unanimous concurrence of all members in attendance.

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**PUBLIC PORTION:**

No one from the public spoke.

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

**03-02-2015: #11**

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

Whereas, the Open Public Meetings Act (NJSA 10:4-6) permits the closing of meetings to the public under certain circumstances; and

Whereas, there exists such a circumstance; and

Whereas, the Governing Body wishes to enter into Executive Session for the purpose of discussing matters concerning pending litigation or contract negotiation; and

Whereas, minutes of the Executive Session will be kept and will be released when the matters under discussion during the Executive Session are no longer confidential.

Therefore, be it resolved, that the Borough Council will enter in to Executive Session.

Yes: Bachorik, Bayer, Cilento, Cote and Petracca

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

**03-02-2015: #12**

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

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

Yes: Bachorik, Bayer, Cilento, Cote and Petracca