

May 4, 2015

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on May 4, 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, Kenneth Baudendistel, Kevin Bachorik, Kenneth Bayer, Jason Cilento and Joseph Petracca

On the motion of Mr. Bachorik and seconded by Mr. Cilento it was moved to accept the minutes of April 20, 2015.

Yes: Bachorik, Bayer, Cilento, Petracca  
Abstain: Baudendistel

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

**ORDINANCE 2015-03**

**BOROUGH OF DUNELLEN**

**The following DUNELLEN SALARY ORDINANCE is being Introduced for first reading on May 4, 2015. It will be presented for Public Hearing and Adoption on May 18, 2015, at 7:30 p.m. in the Dunellen Borough Municipal Building, 355 North Avenue, Dunellen, New Jersey. 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.**

**The following are base salaries, without longevity or benefits:**

| <u>Step</u> | <u>Minimum</u> | <u>Maximum</u> |
|-------------|----------------|----------------|
| 11          | \$100,000.00   | \$135,000.00   |
| 10          | \$70,000.00    | \$99,999.00    |
| 9           | \$60,000.00    | \$69,999.00    |
| 8           | \$45,000.00    | \$59,999.00    |
| 7           | \$35,000.00    | \$53,000.00    |
| 6           | \$30,000.00    | \$44,999.00    |
| 5           | \$20,000.00    | \$35,000.00    |
| 4           | \$15,000.00    | \$25,000.00    |
| 3           | \$8,000.00     | \$19,999.00    |
| 2           | \$2,000.00     | \$12,000.00    |
| 1           | \$1,000.00     | \$4,999.00     |

**Full-Time Positions**

**Step**

|                                   |    |
|-----------------------------------|----|
| Chief of Police                   | 11 |
| Administrator/Clerk               | 10 |
| Court Administrator               | 8  |
| Finance/Payroll Clerk             | 7  |
| Recreation Director               | 6  |
| Deputy Clerk/Registrar            | 5  |
| Registrar                         | 5  |
| Clerk's Office Admin. Assistant   | 5  |
| Deputy Court Administrator        | 5  |
| Violations Clerk, Municipal Court | 5  |

**Part-Time Salary Positions**

|  |   |
|--|---|
| Municipal Attorney                             | 7 |
| Construction Code Official                     | 6 |
| Municipal Judge                                | 5 |
| Chief Financial Officer                        | 5 |
| Public Works Superintendent                    | 3 |
| Tax Collector                                  | 3 |
| Tax Assessor                                   | 3 |
| Municipal Prosecutor                           | 3 |
| Property Maintenance/Code Enf.                 | 3 |
| Sewer Inspector                                | 3 |
| Public Defender                                | 2 |
| Office of Emergency Management                 | 2 |
| Sub Code Official (Electrical, Fire, Plumbing) | 2 |
| Sign Ordinance Enforcement Officer             | 1 |

**Part Time – Hourly**

|                                     | <b><u>Minimum</u></b> | <b><u>Maximum</u></b> |
|-------------------------------------|-----------------------|-----------------------|
| Sewer Inspector - Additional Hourly | \$30.00               | \$48.00               |
| Substitute Deputy Clerk (Court)     | \$25.00               | \$35.00               |
| Interpreter                         | \$20.00               | \$25.00               |
| Acting Recreation Director          | \$20.00               | \$25.00               |
| Planning Board Secretary            | \$12.00               | \$20.00               |
| Tax Clerk                           | \$12.00               | \$18.00               |
| Head School Crossing Guard          | \$12.00               | \$16.00               |
| Police Administrative Assistant     | \$12.00               | \$18.00               |
| Violations Clerk (Court)            | \$10.00               | \$15.00               |
| Laborer                             | \$10.00               | \$14.00               |
| Senior Citizen Van Driver           | \$10.00               | \$14.00               |
| School Crossing Guard               | \$10.00               | \$14.00               |
| Janitor                             | \$9.00                | \$13.00               |
| Clerk's Administrative Assistant    | \$9.00                | \$14.00               |

**Part-Time - Monthly/Meeting**

|                                    |               |               |
|------------------------------------|---------------|---------------|
| Planning Board Recording Secretary | \$275/meeting | \$300/meeting |
|------------------------------------|---------------|---------------|

**Elected Officials**

|                   |                  |
|-------------------|------------------|
| Mayor             | \$5,000 annually |
| Council President | \$2,800 annually |
| Council Member    | \$2,500 annually |

Yes: Baudendistel, 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:

**05-04-2015: #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: Baudendistel, Bachorik, Bayer, Cilento and Petracca

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

**05-04-2015: #2**

**Resolution Supporting the *Click It or Ticket* Mobilization of May 18 – 31, 2015**

**WHEREAS**, there were 556 motor vehicle fatalities in New Jersey in 2014; and

**WHEREAS**, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

**WHEREAS**, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

**WHEREAS**, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

**WHEREAS**, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 18 – May 31, 2015 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education; and

**WHEREAS**, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 88% to 90%; and

**WHEREAS**, a further increase in seat belt usage in New Jersey will save lives on our roadways;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Borough of Dunellen declares its support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 18 – 31, 2015 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

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

**05-04-2015: #3**

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

2015 Summer hours for employees of the Municipal Clerk’s Office, Tax Office, and Municipal Court will be as follows, for the term May 22, 2015 to September 4, 2015:

Monday through Thursday – 8:30 a.m. to 4:30 p.m., with a one hour lunch break

Friday – 8:30 a.m. to 1:00 p.m.

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:

**05-04-2015: #4**

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

Whereas, there exists a need to paint portions of the exterior of the Dunellen Municipal Building; and

Whereas, quotes were solicited from local firms; and

Whereas, a quote was received from the following firm:

Thomas Tammaro Painting Co., Dunellen,NJ -- \$2,800.00

The funds for this contract have been certified by the Chief Financial Officer. The funds will be taken from Account # 024-1020-254.

Now, therefore, be it resolved, by the Mayor and Council of the Borough of Dunellen, that painting of the Municipal Building be done by Thomas Tammaro Painting Co., for an amount not to exceed \$2,800.00.

Mr. Baudendistel noted that we made solicitations to four vendors and received only one response.

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

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

**05-04-2015: #5**

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

The voluntary resignation of Thomas Cote as a Councilman for the Borough of Dunellen, effective April 21, 2015, is acknowledged.

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

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

**05-18-2015: #6**

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

The Mayor and Municipal Clerk are hereby authorized to execute a consumer electronics recycling Interlocal Agreement between the Borough of Dunellen and the County of Middlesex. Said term of the agreement is for three years, extending from January 1, 2014 to December 31, 2016.

Mr. Safar commented that the County was unable to find a replacement vendor for the e-cycle (electronics) contract. Cost to the borough to contract with companies independently are proving not cost effective. Some devices may be brought to places such as Best Buy (tv's up to 32") and Office Max and Office Depot are accepting some items. County has advised that printers and fax machines may be disposed of in the garbage.

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

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

**05-04-2015: #7**

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

The following FAX Machines and Printer are to be leased through GE Capital for a combined price of \$144.00 per month:

Clerk's Office, Account #024-1018-205 (\$37.33 per month) (FAX Machine)  
Police Department, Account #024-1110-205 (\$69.33 per month) (Printer)  
Construction Office, Account #024-1610-205 (\$37.34 per month) (FAX Machine)

With a total amount of \$1,728.00 per year.  
This initial contract is for the period May 1, 2015 through December 31, 2015.

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

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:

**05-04-2015: #8**

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

The Municipal Clerk is hereby authorized to issue a mobile food vendor license to the following establishment:

Alice's Crew, Inc.  
713-C East Main Street, Bridgewater, NJ

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:

**05-04-2015: #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:

Dunellen Borough Council Resolution 04-06-2015: #4 is amended as follows:

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 | 89898 | \$767.31        |
|                 | Total | <u>\$767.31</u> |

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

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

**05-04-2015: #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     TWR as Cust for Ebury Fund 1NJ LLC  
                   P O Box 37695  
                   Baltimore, MD 21297-3695

Lien            14-29  
 Block          34  
 Lot             24.01

Address        644 Bound Brook Rd  
 Assessed to   Verrico, Virgilio & Janet

Principal      1,186.74  
 Interest       26.52  
 Premium       1,400.00  
 Total          2,613.26

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:

**05-04-2015: #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 US Bank Cust for PC5 Sterling National  
50 S 16<sup>th</sup> St., Ste 2050  
Philadelphia, PA 19102

Lien 14-23  
Block 34  
Lot 8

Address 529 Front St  
Assessed to Miranda, Edgar

Principal 1,025.46  
Interest 24.46  
Premium 1,300.00  
Total 2,349.92

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

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**REPORTS:**

Mr. Petracca: Construction Department reported \$25,575 in permit fees so we are on target.

Mr. Baudendistel: 1) Car 507 blew an engine and he presented some choices: replace the engine (est., \$6,000) or purchase/lease a new vehicle (\$12,000 per year for three years). It has 70,000 miles. Unknowns: next year's budget, chance of something else going wrong with the vehicle after replacing the engine, wear and tear on other vehicles. Mayor Seader noted that the Budget has already been adopted and he asked where the money would come from? Mr. Olsen noted that it would have to come from Police O/E. Or have an Emergency Appropriation that goes onto the next year's Budget. Mr. Petracca recommended replacing engine out of O/E. Lt. Smith was concerned that monies might run out for safety equipment. Mr. Olsen commented that he would work with the police on ways to work within their budget – monthly progress reports to see where they are. Consensus: capitalize for a new SUV; 2) tickets up this month; 3) NJ Transit had previously approved banners on trestles but now they are re-considering; 4) approval asked for Girl Scouts to plant annuals in Washington Park-granted; 5) Arbor Day Celebration last Friday was well attended and five new trees were planted.

Mr. Bayer: Planning Board approved the subdivision of N. Washington Avenue property (Lore/DeMarco)

Ron Safar: New Sweeper will sweep before Memorial Day; Green Brook will lend us a hot box for potholes and Lou Porchetta will lend us a roller; flags will be hung for Memorial Day donated by the American Legion. Reported that the Football Field needs to be re-seed and the School District MUST stay off it so that the field can be regenerated. They practice field is very usable. Padlocks should be placed on the gates to keep people off. Mr. Bruder recommended that appropriate measures be taken to keep people off. Mr. Safar will take some of the nets down.

Mr. Bachorik: no report

Mr. Cilento: 1) Recreation Commission recommended signs put on tennis courts restricting access; *Dunellen Report* copy due by June 1st;

Mr. Robins: Reported that he is recommending a template approach hosted by Revize: \$3,000 plus \$1,200 annually. He is working on a new URL: [www.dunellen-nj.gov](http://www.dunellen-nj.gov) and appropriate emails for selected officials.

Mayor Seader: 1) is speaking with the Middlesex County administrator about open space grants and street paving grants though he has not heard back from him; 2) asked Mr. Bruder about the Culvert Project; Mr. Bruder responded that we are waiting on them and he will follow up though there are environmental issues; 2) Strip Joint – Mr. Ploskona reported that initial investigation has revealed that there is some contamination and we need to do further investigation to determine the extent and then we have to decide if we want to remediate ourselves or sell as is; 3) Dunellen Avenue phase II is going out for re-bid; 4) received \$237,000 more for Madison Avenue; 5) inquired on the procedure for replacing Mr. Cote: Mr. Robins reported that within 15 days of resignation, the Municipal Committee of that councilman’s party presents three names to the governing body; if no recommendation, then the governing body has another 15 days to appoint someone of the same political party; if this is not done, the seat remains vacant until the next election.

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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. Cilento it was moved to accept the following:

**05-04-2015: #12**

**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: Baudendistel, 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:

**05-04-2015: #13**

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

The Dunellen Borough Council Meeting of May 4, 2015 is adjourned.

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca