

November 7, 2016

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on November 7, 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: Robert Seader, Kenneth Baudendistel, Kevin Bachorik, Kenneth Bayer, Jason Cilento and Joseph Petracca

Absent: Jeremy Lowder

On the motion of Mr. Bachorik and seconded by Mr. Baudendistel it was moved to accept the Minutes of October 17, 2016:

Yes: Baudendistel, Bachorik and Petracca

Abstain: Bayer and Cilento, both stating that they had been absent at that meeting

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

11-07-2016: #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: Baudendistel, Bachorik, Bayer, Cilento and Petracca

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

11-07-2016: #2

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 Raffle License to the Dunellen-Green Brook Rotary Club.

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

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:

11-07-2016: #3

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 Bingo License to the Green Brook PTO.

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

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:

11-07-2016: #4

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 CUST - EBURY FUND 1NJ
P O BOX 37695
BALTIMORE MD 21297-3695

TSC	Block	Lot	Owner/Address	Principal	Interest	Premium	Total
15-04	8	17	Uta Real Estate LLC 404 N Washington Ave	947.51	38.57	1,300.00	2,286.08

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:

11-07-2016: #5

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 16th St., Ste 2050
Philadelphia, PA 19102

TSC	Block	Lot	Qual	Owner/Address	Principal	Interest	Premium	Total
14-66	75	10		Orellana, Rene O & Juan 265 New Market Road	17,910.81	3,129.93	1,300.00	22,340.74

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

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

11-07-2016: #6

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

Municibid and GovDeals are approved to serve as agents for the online auctioning of surplus Borough of Dunellen vehicles, equipment, and other materials. Both companies are on a list sanctioned by the New Jersey Division of Local Government Services.

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

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

11-07-2016: #7

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

Gail Woerner is hired as a part time Clerk in the Dunellen Tax Collector's Office, effective October 27, 2016, at an hourly salary of \$12.50. This is a position without benefits.

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:

11-07-2016: #8

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

Dylan Zebro, an at-will Temporary Employee in the Dunellen Department of Public Works, is terminated for cause, as of November 1, 2016.

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:

11-07-2016: #9

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

Lucy Singura is hired as an Assistant in the Dunellen Tax Assessor Office, at a rate of \$25.00 per hour, not to exceed in total \$712.50. This award is to come out of Account # 601-20-150-00-101.

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:

11-07-2016: #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 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	39826	\$2,350.15
	Total	<u>\$2,350.15</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:

11-07-2016: #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 checks to NW Financial Group, LLC., from the Interim Cost Agreement Escrow Account for work done toward redevelopment:

<u>NW Financial Group Invoice Number</u>	<u>Invoice Date</u>	<u>Amount</u>
22642	September 30, 2016	\$3,393.75
	Total	<u>\$3,393.75</u>

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:

11-07-2016: #12

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 checks to CME Associates, from the Interim Cost Agreement Escrow Account for work done toward redevelopment:

<u>CME Associates</u>	<u>Invoice Date</u>	<u>Amount</u>
0180514	September 30, 2015	\$801.50
0191647	June 17, 2016	\$193.50
0192396	June 30, 2016	\$243.75
0193227	July 20, 2016	<u>\$459.00</u>
		\$1,697.75
	Total	\$1,697.75

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:

11-07-2016: #13

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

Whereas, there appears to be a surplus in the following CY 2016 Operating Accounts over and above the demands to be necessary, and

Whereas, N.J.S.A. 40A:4-58 provides for the transfer of unexpended balances in those appropriations having an excess over the amount required to those deemed to be insufficient.

Now, therefore be it resolved that the following “Transfer of Appropriations” be made:

From

Account	Title	S&W	Other Expenses
024-1025	Group Insurance		14,000.00
024-1021	Electric & Gas		4,700.00
	Subtotal		18,700.00
	Total		<u>18,700.00</u>

Whereas, there appears to be insufficient funds in the following CY 2016 Operating Accounts over and above the demands to be necessary; viz:

To:

Account	Title	S&W	Other Expenses
024-1027	Mayor & Council		700.00
024-1015	Assessment of Taxes	6,000.00	
024-1212	Tree Maintenance		3,000.00
024-2316	Intergovernment/Recycling		9,000.00
	Subtotal	6,000.00	12,700.00
	Total		<u>18,700.00</u>

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:

11-07-2016: #14

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 the Interlocal Service Agreement between the Borough of Dunellen and the County of Middlesex for the renewal of the Paint Collection Program. This is a three-year term commencing on January 1, 2017, and expiring on December 31, 2019.

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:

11-07-2016: #15

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 the three year Interlocal Services Agreement between the Borough of Dunellen and Middlesex County for CFC Recovery Reimbursement Program. This agreement commences on January 1, 2017 and expires on December 31, 2019.

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:

11-07-2012: #16

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

Whereas, in accordance with provisions of NJSA 40A:11 any expenditure of public funds in excess of \$17,500 requires the advertisement for proposals for delivery of said services or goods, and

Whereas, a need has been determined for improvements to Madison Avenue; and

Whereas, the following bids, incorporating Contract A + Contract B less Deletion item 1, were solicited and opened on Friday, July 8, 2016:

Reivax Contracting Corporation 356 Thomas Street, Newark, NJ 07114	\$456,672.00
Stilo Excavation, Inc. 2907 South Clinton Avenue, South Plainfield, NJ 07080	\$479,361.22
Mark Paving Co., Inc. 77 Cutters Dock Road, Woodbridge, NJ	\$498,960.86
Topline Construction Corporation 22 Fifth Street, Somerville, NJ 08876	\$501,193.64
Kyle Conti Construction 749 Clawson Avenue, Hillsborough, NJ 08844	\$516,984.18
Jads Construction Company PO Box 513, South River, NJ 08882	\$549,274.85
Black Rock Enterprises, LLC 1316 Englishtown Road, Old Bridge, NJ 08857	\$607,594.02

Whereas, it is the recommendation of the Borough Engineer that the bid of Reivax Contracting Corporation be accepted and a contract be awarded, and

Whereas, funds for said contract have been certified as available from the Chief Financial Officer. This award is subject to New Jersey Department of Transportation approval.

Now therefore be it resolved that the Mayor and Municipal Clerk are hereby authorized to execute the necessary agreement with Reivax Contracting Corporation for improvements to Madison Avenue at a cost not to exceed \$456,672.00.

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:

11-07-2016: #17

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 check to the Law Offices of John E. Bruder, from the Interim Cost Agreement Escrow Account for work done toward redevelopment:

<u>John E. Bruder</u>	<u>Bill Number</u>	<u>Amount</u>
September 2015	RD-09-15	\$1,480.00
	Total	<u>\$1,480.00</u>

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

REPORTS:

Mr. Petracca: no report.

Mr. Baudendistel: 1) general discussion on “Welcome to Dunellen” signs: cost, replacement after a time period to be determined, frequency of replacement, location, method of sponsorship. Mr. Bruder cited from the Concessions Law that governs this issue—we can charge cost plus a little more for replacement. Council consensus was to ask \$1,000 per sign sponsorship; 2) asked Mr. Robins about letters to fire building owners on North Avenue. This letter was sent last week; 3) discussed with Council issues involving development of Skinner Plaza. There are some threshold problems: temporary home for library and for permit parkers. Mr. Baudendistel was encouraged to pursue discussions with potential developers—this project might not be workable, but something else in Dunellen might arise; 4) Mr. Olsen will provide some numbers in response to PBA contract requests.

Mr. Bayer: Mr. Robins met with the DPW on their contract; 2) asked about the process for after the Culvert project is completed. Mr. Petracca explained that after completion, FEMA would be requested to do another study taking into account the lower water levels and to create a new flood map.

Mr. Bachorik: no report.

Mr. Cilento: 1) soccer is coming to an end with 144 participants; 2) October 30th, 114 children participated in the Halloween Parade; 3) December 19, Seniors have a trip to Hunterdon Playhouse. Mayor Seader recommended that next year the parade travel Route 28, not Front Street.

Mayor Seader: 1) Holiday Tree Lighting on December 4th at 6:00 pm; 2) Veteran’s Day Ceremony on November 11th; 3) PARSA rates will be slightly less next year and PARSA is buying new nozzles for the sewer jet truck; 4) asked about Asplundh, public service tree cutting company. Ron reported they are going about town cutting branches that might impinge upon the primary wires in an effort to avoid another Hurricane Sandy situation wherein trees took down power lines.

Mr. Baudendistel reported that there is a beetle that affects ash trees and in a few years most will be destroyed.

PUBLIC PORTION

No one from the public spoke.

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

11-07-2016: #18

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

The Dunellen Borough Council Meeting of November 7, 2016 is adjourned.

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca
