

October 4, 2016

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on October 4, 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 Bayer, Jason Cilento, Jeremy Lowder and Joseph Petracca

Absent: Kevin Bachorik and Kenneth Baudendistel

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

Yes: Bayer, Cilento, Lowder and Petracca

At this point, Mayor Seader appointed Noreen Dunn to the Dunellen Arts and Culture Commission. She was recommended by Mr. Cilento.

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

10-04-2016: #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: Bayer, Cilento, Lowder and Petracca

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

10-04-2016: #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 Bingo License to the Dunellen Defender Fire Company No. 1.

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

Yes: Bayer, Cilento and Petracca

Abstain: Lowder, stating that he is a member of the Fire Department and Fire Company.

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

10-04-2016: #3

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

Dunellen Mayor Robert J. Seader is authorized to sign a Site Remedial Action Permit Application (SRAP) for 500 Mountainview Terrace, Dunellen, NJ, to be submitted to the New Jersey Department of Environmental Protection, subject to the approval of the borough attorney and the borough engineer.

Yes: Bayer, Cilento, Lowder and Petracca

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

10-04-2016: #4

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

Robert J. Seader, Mayor of the Borough of Dunellen, is authorized to sign a Memorandum of Understanding between the Borough and the Middlesex County Prosecutor's Office for the use of specialized investigative law enforcement equipment for the period January 1, 2017 through and including December 31, 2017.

Yes: Bayer, Cilento, Lowder and Petracca

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

10-04-2015: #5

**Resolution Requesting Approval of Items of Revenue and Appropriation
NJS 40A:4-87
(With matching funds for grants.)**

WHEREAS, NJS 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, the Director may also approve the insertion of an appropriation for the equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the 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 CY Budget for 2016 in the sum of \$8,275.00, which is now available as a revenue from Municipal Alliance for the Prevention of Alcoholism and Drug Abuse. Pursuant to the provision of the statute, and drug abuse.

BE IT FURTHER RESOLVED that the like sum of \$8,275 is hereby appropriated under the caption Municipal Alliance; and

BE IT FURTHER RESOLVED that the sum of \$2,068.75 representing the amount required for the municipality's share of the aforementioned undertaking or improvement appears in the Budget of the year 2016 under the caption Matching Funds and is hereby appropriated under the caption of Municipal Alliance- Local and

Yes: Bayer, Cilento, Lowder and Petracca

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

10-04-2016: #6

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 \$412.50. This award is to come out of Account # 601-20-150-00-101.

Yes: Bayer, Cilento, Lowder and Petracca

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

10-04-2016: #7

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

Whereas, the Local Public Contracts Law of the State of New Jersey (NJSA 40A:11-1 et seq.) establishes standards and procedures for the awards of contracts and the purchase of goods and services which are to be paid with public funds; and

Whereas, it has been determined a need exists to excavate a sinkhole at the intersection of Gertrude Terrace and Grove Street in order to determine the cause of the underground collapse prior to further action that may be necessary based upon what is revealed by the excavation; and

Whereas, NJSA 40A:11-6.1 requires, where practicable, the solicitation of quotations for purchases estimated to be in excess of \$2,625 or more but less than \$17,500, and

Whereas, quotes were received from:

B&W Construction of South River	\$6,500.00
Fischer Contracting, Inc., of Scotch Plains, NJ	\$7,095.00

Now therefore be it resolved that B&W Construction is hereby authorized to undertake the excavation of the sink hole at Gertrude Terrace and Grove Street at a cost not to exceed \$6,500.00.

Yes: Bayer, Cilento, Lowder and Petracca

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

10-04-2016: #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 checks to McManimom, Scotland & Baumann from the Interim Cost Agreement Escrow Account for work done toward redevelopment:

<u>McManimom Scotland Baumann</u>	<u>Bill Number</u>	<u>Amount</u>
00019526-00004	139938	\$2,558.50
00019526-00004	141454	\$107.50
	Total	<u>\$2,666.00</u>

Yes: Bayer, Cilento, Lowder and Petracca

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

10-04-2016: #10

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

The Mayor and Municipal Clerk are authorized to sign an Agreement with Middlesex County regarding an Open Space grant for improvements to Columbia Park, Dunellen.

Yes: Bayer, Cilento, Lowder and Petracca

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

10-04-2016: #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 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	37661	\$3,102.00
	Total	<u>\$3,102.00</u>

Yes: Bayer, Cilento, Lowder and Petracca

REPORTS:

Mr. Petracca: no report.

Mr. Bayer: no report.

Mr. Cilento: 1) 67th Annual Halloween Parade on October 30th; 2) Baseball committee is meeting with Little League and coming to an agreement.

Mr. Lowder: still working on the fence idea around the municipal parking lot. He has some ideas that are aesthetically pleasing.

Mayor Seader: 1) Pat Kime will be the Halloween Grand Marshal; 2) Walk Your child to School this morning was very successful and he thanked the Police Department and the Fire Department—over 400 kids; 3) Asked Mr. Robins about the FEMA reimbursement project for Hurricane Sandy. Mr. Robins has been meeting with OEM Coordinator Jeanne Wessel and the

paperwork is being submitted; 4) Asked about a request by the Police Department regarding a Pawn Shop ordinance. Mr. Bruder has been working on that project; 5) discussed the South Avenue Railroad Culvert Project. We must begin work in 2017; 6) asked about the sewer utility fees, the Deputy Municipal Court Administrator position, the Tax Collector clerk position, and acoustics in the Senior Center; 7) asked about CDBG funds for the Senior Center Acoustics. Mr. Robins contacted the County and funds can be used for that. Council discussed doing half so see its effectiveness; 8) Asked about the revaluation process. Mr. Robins reported that he meets regularly with Tax Assessor R. Gianchiglia and he attends the monthly meetings with the Division of Taxation. CME is preparing new maps and have most of the first draft set completed. Mr. Gianchiglia and Lucy Singura are reviewing them, comparing them to the data in the files; 9) met with CME on Saturday to review roads. Many are in poor condition. He noted that the State used to be more generous in their road repair grants, but that has greatly diminished recently. And the dollars don't go as far anymore, so jobs do not cover as much road. Adding to the cost is a requirement for updated and new handicap ramps. CME is talking about doing an "overlay," curb to curb, but not a more extensive complete road replacement.

Finally, he noted the passing of former Mayor Larry Anzovino. Larry served Dunellen very well and he will be missed.

Chief Jon Scott informed the Council that the Fire Department Open House will be on October 14th. Flags will be lowered until the funeral.

PUBLIC PORTION

No one from the public spoke.

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

10-04-2016: #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 pertaining to a borough employee; and

Whereas, a "Rice Notice" was served upon the employee who on September 30, 2016 waived his right to Public Discussion; 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: Bayer, Cilento, Lowder and Petracca

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

10-04-2016: #13

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

The continued employment of Thomas Herkert, Jr., as an Operator Class F, Probationary Employee, in the Dunellen Department of Public Works, at a salary per the current contract, effective August 29, 2016, is hereby authorized, in compliance with applicable borough ordinances regarding new employees and per the current Department of Public Works contract.

Yes: Bayer, Cilento, Lowder and Petracca

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

10-04-2016: #14

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

The Dunellen Borough Council Meeting of October 4, 2016 is adjourned.

Yes: Bayer, Cilento, Lowder and Petracca