

September 19, 2016

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on September 19, 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, Kevin Bachorik, Jason Cilento, Jeremy Lowder and Joseph Petracca

Absent: Kenneth Baudendistel and Kenneth Bayer

On the motion of Mr. Petracca and seconded by Mr. Cilento it was moved to accept the Minutes of September 6, 2016:

Yes: Cilento, Lowder and Petracca

Abstain: Bachorik. He stated that he had been absent from that Council Meeting.

PROCLAMATION

BOROUGH OF DUNELLEN

WHEREAS, violence against women, children, and men continues to become more prevalent as a social problem in our society; and

WHEREAS, the crime of domestic violence violates an individual's privacy, dignity, security, and humanity, due to systematic use of physical, emotional, sexual, psychological and economic control and/or abuse, with the impact of this crime being wide-ranging; and

WHEREAS, Women Aware, Inc. agency along with the Middlesex/Dunellen Domestic Violence Response Team has offered unparalleled services to women, children and men who have been victimized by domestic violence;

Now, Therefore, Be It Resolved, that in recognition of the important work being done by Women Aware, Inc. & the Middlesex/Dunellen Domestic Violence Response Team, I, Robert Seader, Mayor of Dunellen Borough, do hereby proclaim the month of October 2016 as DOMESTIC VIOLENCE AWARENESS MONTH and urge all citizens to actively participate in the scheduled activities and programs sponsored by Women Aware, Inc., and to work toward the elimination of personal and institutional violence against women, children, and men.

Given Under My Hand and the Seal of The Borough Of Dunellen, New Jersey, This 19th Day of September, 2016

Robert Seader, Mayor

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

ORDINANCE 2016-14

AN ORDINANCE IMPOSING OWNER RESPONSIBILITY FOR CLEANUP AND REMOVAL OF GARBAGE, BRUSH, WEEDS, DEAD AND DYING TREES

The following ordinance was Introduced for first reading on September 6, 2016. A second reading and public hearing is now being held at 7:00 p.m. in the Dunellen Borough Municipal Building, 355 North Avenue, Dunellen, New Jersey on the 19th day of September, 2016. Copies of this Ordinance have been posted on the public bulletin board prior to the date for second reading and final passage and copies of this Ordinance have been available at the Office of the Borough Clerk for any interested members of the public.

Statement of Purpose

The intent of this Ordinance is to mandate an owner's responsibility for the cleanup of property including the removal of dead and dying trees and to impose a lien on that owner's property if the required cleanup is not undertaken requiring the work to either be done by Borough employees or outside contractors.

BE IT ORDAINED by the Mayor and Council of the Borough of Dunellen, in the County of Middlesex and the State of New Jersey, as follows:

Section I: Owner Responsibility

The owner of any lands within the Borough shall, upon receiving notice from the Borough Code Enforcement Officer, cause all overgrown grass and shrubbery to be cut, brush, weeds, dead and dying trees, stumps, roots, obnoxious growth, filth, garbage, trash and debris, where the same impede the health, safety, or welfare of the public, be removed from said lands within ten (10) days after service of the notice to remove same as provided herein.

Section II: Work Done by Borough -- Charged to the Property

A. In case the owner shall not, within ten (10) days of the date of this service of such notice, mowed overgrown grass, trimmed shrubbery, removed from such lands all brush, weeds, dead and dying trees, roots, obnoxious growth, filth, garbage, trash and debris as mentioned in said notice, the Supervisor of the Department of Public Works may cause or arrange for the required work to be done; however, he is not bound to do so. If the Supervisor has cause or arranges for such work to be done, it shall be performed at a cost to the owner of such lands.

B. In case the work is done by the Borough or at the Borough's expense by an outside contractor, the cost of same shall be paid out of monies appropriated in the annual tax levy for the repair and maintenance of streets and roads in the same manner as other work done by the Department of Public Works. The cost of such work when completed shall be certified to the governing body by the Supervisor of the Department of Public Works and the governing body shall examine the certificate and if found correct shall cause the cost as shown thereon to be charged against said lands and the amount so charged shall forthwith become a lien upon such lands and shall be added to and become part of the tax next to be assessed and levied upon such lands and shall bear interest at the same rate as taxes and shall be collected and enforced by the same officers and by the same manner as taxes.

Section III: Effective Date

This ordinance shall take effect following final passage and publication in accordance with law.

Section IV: Repealer

All ordinances or parts of Ordinances which are inconsistent with this Ordinance shall be repealed as to their inconsistencies only.

At this point, Mayor Seader opened the meeting for public comment on the ordinance. No one from the public spoke. This portion was closed.

Yes: Bachorik, Cilento, Lowder and Petracca

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

ORDINANCE 2016-15
BOROUGH OF DUNELLEN

The following ordinance was Introduced for first reading on September 6, 2016. A second reading and public hearing is now be held at 7:00 p.m. in the Dunellen Borough Municipal Building, 355 North Avenue, Dunellen, New Jersey on the 19th day of September, 2016. Copies of this Ordinance have been posted on the public bulletin board prior to the date for second reading and final passage and copies of this Ordinance have been available at the Office of the Borough Clerk for any interested members of the public.

ORDINANCE 2011-07, an Ordinance Establishing That A Business Entity Which Makes Political Contributions To Municipal Candidates And Municipal And County Political Parties In Excess Of Certain Thresholds Shall Be Limited In Its Ability To Receive Public Contracts From The Borough of Dunellen in The County of Middlesex, is amended to read as follows:

SECTION 1 – PROHIBITION ON AWARDING PUBLIC CONTRACTS TO CERTAIN CONTRIBUTORS.

- (c) The monetary thresholds of this Ordinance are: (i) a maximum of \$275.00 per calendar year each for any purpose to any candidate or candidate committee for mayor or governing body, or \$450.00 per calendar year to any joint candidates committee for mayor or governing body, or \$275.00 per calendar year to a political committee or political party committee of the Borough of Dunellen; (ii) \$500.00 maximum per calendar year to a County of Middlesex political committee or political party committee;

and (iii) \$450.00 maximum per calendar year to any PAC. However, for each Business Entity party to a contract for Professional or Extraordinary Unspecified Services as defined in subparagraph (a), or engaged in negotiations for a contract defined in subparagraph (a), when such Business Entity's Contribution is aggregated with all "persons" defined in subparagraph (d) of "Definitions" above, by virtue of their affiliation to that Business Entity party, a maximum of \$2,500.00 to all Borough of Dunellen candidates, candidate committees, joint candidate committees, and holders of public office having ultimate responsibility for the award of a contract, all Borough of Dunellen or County of Middlesex political committees and political party committees as described herein combined, without violating subsection (a) of this section.

At this point, Mayor Seader opened the meeting for public comment on the ordinance. No one from the public spoke. This portion was closed.

Yes: Bachorik, Cilento, Lowder and Petracca

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

Ordinance 2016-16

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced for first reading at a meeting of the governing body of the Borough of Dunellen, in the County of Middlesex, State of New Jersey, on September 6, 2016. It is now being further considered for final passage, after public hearing thereon, at a meeting of the governing body being held at the Dunellen Council Chambers, in the Borough on September 19, 2016 at 7:00 o'clock p.m. During the week prior to and up to and including the date of such meeting, copies of the full bond ordinance have been available at no cost and during regular business hours at the Clerk's office for the members of the general public who have requested the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE AMENDING SECTION 3 OF BOND ORDINANCE #2010-05 AND PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$300,000 FOR SEWER IMPROVEMENTS IN AND BY THE BOROUGH OF DUNELLEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

Purpose: Sewer System improvements, consisting of pipe, infrastructure and system improvements in connection to Pump Station, said improvements to include all costs, equipment and/or improvements necessary therefor or related thereto and further including the funding of an

emergency appropriation for the repair of the sewer break on North Washington Avenue adopted on August 1, 2016, including all work and materials necessary therefor and incidental thereto

Appropriation: \$300,000
Bonds/Notes Authorized: \$285,000
Grants Appropriated: N/A
Section 20 Costs: \$55,000
Useful Life: 40 years

At this point, Mayor Seader opened the meeting for public comment on the ordinance. No one from the public spoke. This portion was closed.

Yes: Bachorik, Cilento, Lowder and Petracca

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

09-19-2016: #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: Bachorik, Cilento, Lowder and Petracca

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

09-19-2016: #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.

Mr. Robins noted that this raffle will be conducted by the Dunellen-Green Brook Rotary Club on behalf of the Maurer House

Committee and all proceeds from the raffle will go to the Committee.

Yes: Bachorik, Cilento, Lowder and Petracca

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

09-19-2016: #3

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

Thomas Herkert, Jr., is temporarily hired 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, subject to the completion and review of a background check .

Yes: Bachorik, Cilento, Lowder and Petracca

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

09-19-2016: #4

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

Payment to Black Rock, LLC., per their submitted Payment Estimate No. 1, for parking lot improvements on Block 86, Lots 3, 4, and 4.03, in the amount of \$173,655.94, is hereby authorized. Work done by Black Rock for Payment Estimate No. 1 has been reviewed by CME Associates.

Yes: Bachorik, Cilento, Lowder and Petracca

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

09-19-2016: #5

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

Payment to CME Associates for work done on parking lot improvements on Block 86, Lots 3, 4, and 4.03, in the amount of \$4,631.74, is hereby authorized.

Yes: Bachorik, Cilento, Lowder and Petracca

REPORTS:

Mr. Petracca: no report.

Mr. Bachorik: no report.

Mr. Cilento: 1) Recreation Soccer began and has 144 enrollees, same as last year; 2) September 9th was a Senior Picnic at the American Legion that was well attended; 3) Sunday October 30th will be the Annual Halloween Parade; 4) HarvestFest is Sunday, October 9th; 5) the Arts and Culture Commission has met four times and are planning a newsletter for events in town.

Mr. Lowder: informed Council that the police have concerns about a fence around the parking lot and he is looking into some funding possibilities

Mayor Seader: 1) we are looking into funding for the acoustic panels for the Senior Center, but reminded Council that we had recently used up most of the surplus from the CDBG for a new Senior Bus, though we found out that such panels are an eligible item under future CDBG grants. 2)

PUBLIC PORTION

No one from the public spoke.

COUNCIL DISCUSSION

Welcome to Dunellen signs:

Mr. Baudendistel was not at the meeting to share his thoughts. Mr. Robins stated that Mr. Baudendistel was looking for advice on size, shape, and content of the new signs. Slogans such as “Small Enough to Know You, Big Enough to Serve You,” “The Railroad Town,” and “The Volunteer Town” were reviewed but none appeared satisfactory for a new generation of signs. It was suggested that a contest be held to come up with a new slogan and Council agreed this would be a good idea.

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

09-19-2016: #6

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

The Dunellen Borough Council Meeting of September 19, 2016 is adjourned.

Yes: Bayer, Cilento, Lowder and Petracca