

September 8, 2015

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on September 8, 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. Baudendistel it was moved to accept the minutes of August 3, 2015.

Yes: Baudendistel, Cilento, Bachorik, Bayer, Cilento

At this point, Mayor Seader appointed Kenneth Harris to the Dunellen Library Board of Trustees.

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

ORDINANCE #2015-08

BOROUGH OF DUNELLEN

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, is being 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 8, 2015. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Council Chambers, in the Borough on September 21, 2015 at 7:30 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 will be available at no cost and during regular business hours at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF DUNELLEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$160,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$152,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Purposes:

Purpose	Appropriation & Estimated Cost	Estimated Maximum Amount of Bonds & Notes	Period of Usefulness
<p>a) <u>Municipal Department</u> Wiring of municipal building, including all work and materials necessary therefor and incidental thereto.</p>	\$7,620	\$7,200	10 years
<p>b) <u>Library</u> Sidewalk improvements, including all work and materials necessary therefor and incidental thereto.</p>	\$6,858	\$6,500	10 years
<p>c) <u>Department of Public Works</u></p> <p>1) The acquisition of a truck, including all related costs and expenditures incidental thereto.</p> <p>2) The acquisition of a sand spreader, including all related costs and expenditures incidental thereto.</p> <p>d) <u>Police Department</u></p> <p>1) The acquisition of a sport utility vehicle, including all related costs and expenditures incidental thereto.</p> <p>2) The acquisition of a radio and a dictaphone, including all related costs and expenditures incidental thereto.</p>	\$51,695	\$49,200	5 years
\$9,973	\$9,400	15 years	
\$38,565	\$36,700	5 years	
\$31,138	\$29,600	10 years	
<p>e) <u>Recreation Department/Department of Public Works</u> The installation of fences</p>			

around recreation and DPW sheds at Columbia Park, including all work and materials necessary therefor and incidental thereto.	\$3,266	\$3,100	15 years
f) Finance Department The acquisition of account payable computer software, including all related costs and expenditures incidental thereto.	<u>\$10,885</u>	<u>\$10,300</u>	5 years
TOTAL:	<u>\$160,000</u>	<u>\$152,000</u>	

Appropriation: \$160,000

Bonds/Notes Authorized: \$152,000

Grant Appropriated: N/A

Section 20 Costs: \$25,000

Useful Life: 7.24 years

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

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

Ordinance 2015-07

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, is being presented for Public Hearing and Adoption at a meeting of the governing body of the Borough of Dunellen, in the County of Middlesex, State of New Jersey, on September 8, 2015. It was first Introduced at a meeting of the governing body held at the Borough Council Chambers, in the Borough on August 3, 2015 at 7:30 o'clock p.m. During the week prior to and up to and including the date of this Public Hearing and Adoption 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 PROVIDING FOR THE ACQUISITION OF A FIRE PUMPER IN AND BY THE BOROUGH OF DUNELLEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$575,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$547,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Purpose: The acquisition of a fire pumper, including all related costs and expenditures necessary therefor and incidental thereto.

Appropriation: \$575,000

Bonds/Notes Authorized: \$547,000

Grant Appropriated: N/A

Section 20 Costs: \$40,000

Useful Life: 10 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: Baudendistel, Bachorik, Bayer, Cilento and Petracca

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

09-08-2015: #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

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

09-08-2015: #2

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

Whereas, a request was made by Lynne Guthreau to hold a block party on Saturday, September 26, 2016, on Lehigh Street between High Street and South Madison Avenue, from 1:00 PM to 10:00 p.m.

Now therefore be it resolved that permission is hereby granted to Lynn Guthreau to hold a block party, and

Be it further resolved that by virtue of this resolution, the Police Department will be notified of the street closing and the Public Works Department will supply the necessary road barricades.

Lynn Guthreau
32 Lehigh Street
Dunellen, NJ 08812

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

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

09-08-2015: #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 Raffle License to the Veterans of Foreign Wars Post #5479.

Further be it resolved that these licenses 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. Petracca and seconded by Mr. Cilento it was moved to accept the following:

09-08-2015: #4

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: Baudendistel, Bachorik, Bayer, Cilento and Petracca

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

09-08-2015: #5

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 Knights of Columbus Home Association #2544.

Further be it resolved that these licenses 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. Petracca and seconded by Mr. Baudendistel it was moved to accept the following:

09-08-2015: #6

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

The Mayor and Council of the Borough of Dunellen are hereby authorized to enter into an Interlocal Services Agreement with the Middlesex County Improvement Authority for the recycling of yard waste such as grass clippings and branches, per the attached Agreement. This Agreement will be in effect from September 1, 2015 through July 31, 2017.

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

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

09-08-2015: #7

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

Permission is granted to Heidi Heleniak and volunteers to hang ribbons on North Avenue street lights from September 1 through September 30 to call attention to Ovarian Cancer and its silent symptoms.

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

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

09-08-2015: #8

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

Whereas, the Governing Body is desirous to administer the construction phase of the Dunellen Avenue Improvements project, Phase II, that is being funded through a grant provided by the New Jersey Department of Transportation; and

Whereas, the Local Public Contracts Law (NJSA 40A:11-1 et seq) requires that the resolution authorizing the award of the contract for Professional Services without competitive bidding must be publicly advertised.

Now therefore be it resolved by the Governing Body of the Borough of Dunellen as follows:

1. The cost of said services is not to exceed \$36,921.00
2. The Mayor and Municipal Clerk are hereby authorized to execute an agreement with CME Associates, 3141 Bordentown Road, Parlin, New Jersey 08859
3. This contract is awarded without competitive bidding as a Professional Service under the provisions of the Local Public Contract Law because the services rendered are professional services of a recognized profession whose practice is regulated by law.
The funds are to be taken from Account #026-6345-600.

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:

09-08-2015: #9

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

The Dunellen Unit No. 119 American Legion Auxiliary is hereby granted permission to run a penny drive (canning) fund raiser on Saturday, November 14, 2015, Sunday, November 26, 2015, May 7, 2016, and May 8, 2016 (with rain dates of May 14 and 15, 2016), on the corners of North Avenue and Washington Avenue, North Avenue and Madison Avenue, and Grove Street and Prospect Avenue, and outside business establishments (with retailers' permission) in downtown Dunellen, for the purpose of raising funds for the organization's supported charities.

The Dunellen Unit No. 119 American Legion Auxiliary has been notified that they must also apply to the New Jersey Department of Transportation for a permit to fund raise on state roads, and to the County of Middlesex for a permit to fund raise on county roads, and that this Dunellen Borough Council approval is granted subject to the final approval of the NJDOT and the Middlesex County Department of Transportation.

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

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

09-08-2015: #10

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

Whereas, applications for renewal of liquor licenses for the year 2014-2015 have been submitted, and

Whereas, no objections to said renewals have been filed, and

Whereas, the proper fees have been paid by all applicants.

Now therefore be it resolved that the following be granted renewals of their licenses for the year beginning July 1, 2014 and expiring June 30, 2015:

N Avenue Liquors [North Tavern] -- 1203-32-006-003

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

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

09-08-2015: #11

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

Whereas, applications for renewal of liquor licenses for the year 2015-2016 have been submitted, and

Whereas, no objections to said renewals have been filed, and

Whereas, the proper fees have been paid by all applicants.

Now therefore be it resolved that the following be granted renewals of their licenses for the year beginning July 1, 2015 and expiring June 30, 2016:

American Legion Post 119 -- 1203-31-013-001
Knights of Columbus Home Association of Dunellen NJ, Inc. -- 1203-31-016-001
Tri Boro Memorial Post #5479 Veterans of Foreign Wars of US -- 1203-31-018-001
N Avenue Liquors [North Tavern] -- 1203-32-006-003
Country Rose, LLC [Maggie Murray's] -- 1203-32-008-003
Mar Kar, Inc., [Avellino's] -- 1203-33-004-008
JJR Restaurant LLC [Dunellen Hotel] -- 1203-33-007-004
One and Dunn LLC [Roxy and Duke's] -- 1203-33-011-007
Pamela Zupko Executrix of the Estate of Richard Zupko [Zupko's] -- 1203-33-012-004
Dunellen Liquors Inc -- 1203-44-001-006

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:

09-08-2015: #12

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

Christopher Howard is hired as a Temporary Employee, of the Dunellen Department of Public Works, for up to 29 hours per week, at a salary of \$12.00 per hour, beginning August 31, 2015. This is a position without benefits according to Dunellen Code Chapter 50-3.

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

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

09-08-2015: #13

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

The Maurer House Foundation is granted permission to use Columbia Park on October 9th and 10th, from 7:00 pm to 11:00 pm, and other times appropriate for set-up, for the annual Haunted Trail fundraiser.

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

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

09-08-2015: #14

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

TSC	Block	Lot	Qual	Owner/Address	Principal	Interest	Premium	Total
14-26	34	19		White, Eric & Kim 647 Front Street	1,025.69	37.06	1,300.00	2,362.75

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

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

09-08-2015: #15

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

TSC	Block	Lot	Owner/Address	Principal	Interest	Premium	Total
14-63	74	4.03	Bollenbach, Patricia 321 Penfield Pl	22,139.59	1,688.74	53,000.00	76,828.33

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

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

09-08-2015: #16

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

The Treasurer is hereby authorized to refund the tax overpayment:

Payable to Sumo Real Estate Holdings
27 Prince Street
Elizabeth, NJ 07207

Amount: \$2,583.94

Period: 2015 Q4 Taxes

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:

09-08-2015: #17

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	Owner/Address	Principal	Interest	Premium	Total
14-44	60	16	Mantilla, c/o Safeguard 384 Prospect Road	1,025.46	26.10	1,300.00	2,351.56
14-48	62	25	Steele, R & Ramos V. 416 Center St	1,025.46	35.77	1,300.00	2,361.23

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:

09-08-2015: #18

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

The Treasurer is hereby authorized to refund the following duplicate tax payment:

Payable to Bailey, Patricia
325 High Street
Dunellen, NJ 08812

Block: 58

Lot: 10

Amount: \$1,977.00

Period: 2015 Q3 Taxes

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:

09-08-2015: #19

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

The Treasurer is hereby authorized to refund the following sewer overpayment:

Payable to Palomino, Irene
518 Center Street
Dunellen, NJ 08812

Block: 61
Lot: 29

Amount: \$1,445.45

Period: 2015 Q3 Taxes

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

REPORTS:

Mr. Petracca: 1) Construction Department in August took in \$13,933.00 so we are on-target for our Budget.

Mr. Baudendistel: 1) reported that there will not be a DEF 5K Run this year; 2) NJ Transit will be doing painting on the bridge on Madison Avenue and will be planning to time it to avoid the school children rush in the morning and afternoons; NJ Transit gave approval to hang the banners on the bridges and he is working with John Gibney on the banners.

Mr. Bayer: no report.

Mr. Safar: street sweeper working well and he will be borrowing a hot box from Green Brook to do some patching.

Mr. Bachorik: no report.

Mr. Cilento: 1) Senior Picnic this Friday; 2) Recreation Soccer begins this Saturday with a good enrollment; Alex Miller is looking into a PA system and using a bus for senior transportation.

Mayor Seader: 1) asked after the Street Fair? Chief Scott replied that they were ready; 2) asked Chief Scott about the fire late last week on North Avenue. Chief Scott reported that about 10 different departments and 50 fire fighter and EMT's from other towns; 3)

Mayor Seader informed the Council that the new OEM Coordinator, Jeanne Wessel, did a fine job assisting the displaced residents of the fire and working with the Red Cross; shared with the Council that there is a deer at the Maurer House. The deer had a plastic object, maybe a child's toy, stuck on a leg. Chief Nelson reported that various state agencies were being called in to help remove the object; 4) informed the Council that now was the time to apply to the County for a grant for capital improvements in Columbia Park, including the tennis courts, football field turf and gazebo.

PUBLIC PORTION:

No one from the public spoke.

Scot Olsen pointed out to the Council that they have all received copies of the 2014 Audit and a certification that they have read it will be on the next Council Agenda

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

09-08-2015: #20

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

The Dunellen Borough Council Meeting of September 8, 2015 is adjourned.

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca
