

January 22, 2018

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on January 22, 2018.

Mayor Robert J. Seader called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

Municipal Clerk William Robins read the Sunshine Statement and called the Roll.

Present: Robert Seader, Kenneth Baudendistel, Kenneth Bayer, Jason Cilento, Jessica Dunne, Jeremy Lowder and Joseph Petracca

On the motion of Mr. Petracca and seconded by Mr. Baudendistel it was moved to accept the Minutes of December 18, 2017.

Yes: Baudendistel, Bayer, Cilento and Petracca
Abstain: Lowder, due to his absence at that meeting; Dunne, due to her not being a Councilwoman at that time.

On the motion of Mr. Baudendistel and seconded by Mr. Cilento it was moved to accept the Minutes of January 1, 2018.

Yes: Kenneth Baudendistel, Kenneth Bayer, Jason Cilento, Jessica Dunne and Joseph Petracca
Abstain: Lowder, due to his absence at that meeting.

Mayor's Appointments to Commissions and Authorities

Appoint Kenneth Baudendistel and Robert Berg to the Dunellen Shade Tree Commission

Mayor Seader thanked Mr. Baudendistel for his service on the Commission since he founded it in 2002.

At this point, Mr. Baudendistel read a Proclamation regarding Arbor Day:



Whereas, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees,
and

Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

Whereas, Arbor Day is now observed throughout the nation and the world, and

Whereas, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal.

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

01-22-2018: #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.

Mr. Baudendistel asked that the payment on the bills list to Reivax Contracting Corp. not be mailed until CME Associates confirms that all repairs are done or scheduled to be done on the Madison Avenue Roadway Improvement project. This resolution as regarding this bill is so amended.

Yes: Baudendistel, Bayer, Cilento, Dunne, Lowder and Petracca

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

01-22-2018: #2

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

WHEREAS, by Resolution 09-12-2005: #14, the Mayor and Municipal Clerk were authorized to enter in to an agreement with Verizon for telecommunications regarding the laptop computers in police motor vehicles; and

WHEREAS, the cost of this service for 9 laptop computers is \$50.01 each per month, for a total early amount of \$5,402.00; and

WHEREAS, by Resolution 09-25-2006: #10, this contract was extended through June 30, 2008; and

WHEREAS, by Resolution 11-03-2008: #7, this contract was extended through June 30, 2009; and
WHEREAS, by Resolution 07-06-2009: #9, this contract was extended through June 30, 2010; and
WHEREAS, by Resolution 09-07-2010: #7, this contract was extended through December 31, 2010; and
WHEREAS, by Resolution 01-10-2011: #5, this contract was extended through December 31, 2011; and
WHEREAS, by Resolution 02-06-2012: #7, this contract was extended through December 31, 2012; and
WHEREAS, by Resolution 02-04-2013: #15, this contract was extended through December 31, 2013; and
WHEREAS, by Resolution 02-03-2014: #16, this contract was extended through December 31, 2014; and
WHEREAS, by Resolution 02-02-2015: #12, this contract was extended through December 31, 2015; and
WHEREAS, by Resolution 01-11-2016: #3, this contract was extended through December 31, 2016; and
WHEREAS, by Resolution 01-09-2017: \$3, this contract was extended through December 31, 2017; and

WHEREAS, it is advisable and necessary to extend that time period until December 31, 2018, with the cost of this service for 11 laptop computers being \$40.01 each month, and for a term from January 1, 2018 to December 31, 2018, for an amount not to exceed \$5,281.32 plus \$100.00 over usage for a total of \$5,381.32 per year.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Dunellen, that the agreement entered in to by Resolution 09-12-2005: #14 be extended to December 31, 2018 at an amount not to exceed \$5,381.32.

This appropriation is to be charged to Account #7-01-25-240-000-202

Yes: Baudendistel, Bayer, Cilento, Dunne, Lowder and Petracca

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

01-22-2018: #3

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

Whereas, there exists a need to lease a photocopier machine for the Tax Collector's Office; and

Whereas, a quote has been received from:

Wells Fargo -- \$95.00 per month, for a 60 month lease term; and

Whereas Wells Fargo has a New Jersey Business Registration 42-1074725 for the leasing of photocopier machines; and

The funds for this contract have been certified by the Chief Financial Officer, and continuation of the contract is subject to the availability of funds in future fiscal years. The funds are certified from February 1, 2018 to January 31, 2019.

Now, therefore, be it resolved, by the Mayor and Council of the Borough of Dunellen, that a photocopier machine be leased from Wells Fargo, for an amount not to exceed \$95.00 for 60 months.

Funds for this certification are from Account #8-01-20-145-000-205.

Yes: Baudendistel, Bayer, Cilento, Dunne, Lowder and Petracca

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

01-22-2018: #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 Trystone Capital Assets
P O Box 1030
Brick, NJ 08723

TSC	Block	Lot	Owner/Address	Principa1	Interest	Premium	Total
17-8	47	21	Torres, Marcelino 804 front St.	289.37	5.55	800.00	1,094.92
17-4	20	22	Brito, Peter & Gina 414 Fourth St.	472.68	9.21	1,000.0	1,481.89
TOTAL REFUNDED							\$2,576.81

Yes: Baudendistel, Bayer, Cilento, Dunne, Lowder and Petracca

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

01-22-2018: #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 Potter, Violet
367 Dogwood Way

Mountainside, NJ 07092

TSC	Block	Lot	Owner/Address	Principal	Interest	Premium	Total
17-5	24	24	Rosario, Giovanna & Nelson 424 Second St	535.50	9.41	1,400.00	1,944.91
17-24	78	18	Reitz, Loys 239 Maple St.	3102.83	60.76	43,000.00	46,163.59
TOTAL REFUNDED						\$48,108.50	

Yes: Baudendistel, Bayer, Cilento, Dunne, Lowder and Petracca

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

01-22-2018: #6

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

WHEREAS, it has been determined by information obtained from the assessor’s office that the following sewer unit is to be cancelled due to subdivision

NOW, THEREFORE: BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF DUNELLEN;

That the proper municipal officers be and they are hereby authorized and directed to cancel 2017 sewer units.

Block	Lot	Name	Amount
35	14	625 Dunellen Ave. No Refund Required	\$350.00

Yes: Baudendistel, Bayer, Cilento, Dunne, Lowder and Petracca

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

01-22-2018: #7

A RESOLUTION OF THE BOROUGH OF DUNELLEN AMENDING THE CONTRACT WITH REIVAX CONTRACTING CORP., FOR THE "MADISON AVENUE ROADWAY IMPROVEMENTS" CLOSEOUT CHANGE ORDER AND FINAL PAYMENT

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

WHEREAS, the Borough of Dunellen has entered into a Contract with Reivax Contracting Corp. on a project entitled "Madison Avenue Roadway Improvements," in the amount of \$456,672.00; and,

WHEREAS, the project has been satisfactorily completed and due to increases and decreases in quantities within the project, there is a reduction in the contract amount by (\$70,880.68) under the Closeout Change Order, for a final contract amount of \$385,791.32; and

WHEREAS, CME Associates, Engineers for this project, has indicated that the Closeout Change Order reflects reductions and increases in certain as-built quantities incorporated into this project; and

WHEREAS, it is the desire of the Council of the Borough of Dunellen to amend the contract with Reivax Contracting Corp. to reduce the contract amount by \$70,880.68 (Closeout Change Order) for a revised contract of \$385,791.32.

NOW THEREFORE, BE IT RESOLVED, on this 22nd day of January, 2018, the Council of the Borough of Dunellen does hereby accept the work and approve the Closeout Change Order for a final contract amount of \$385,791.32 reflecting a reduction in the contract amount by \$70,880.68; and

NOW THEREFORE BE IT FURTHER RESOLVED, THAT A FINAL PAYMENT BE AUTHORIZED OF \$15,995.51.

I hereby certify that the above Resolution was duly adopted by the Council of the Borough of Dunellen, County of Middlesex, at its meeting held on January 22, 2018.

Funds are not to be released and the Closeout will not go into effect until CME Associates has confirmed that all repairs have been made or have been scheduled to be made by Reivax Contracting Corp.

Yes: Baudendistel, Bayer, Cilento, Dunne, Lowder and Petracca

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

01-22-2018: #8

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

Whereas, an application has been filed for a person to person transfer of Plenary Retail Liquor License Number #1203-33-012-004, from Pamela Zupko Executrix of the Estate of Richard Zupko to Zupko's Tavern LLC, at premises located at 450 – 462 North Avenue; and

Whereas, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

Whereas, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

Whereas, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business.

Now therefore be it resolved that the Governing Body of the Borough of Dunellen does hereby approve, effective January 22, 2018, the person to person transfer of the aforesaid Plenary Retail Liquor License, and does hereby direct the Municipal Clerk to endorse the license certificate as to the new person as follows: "Zupko's Tavern LLC."

Yes: Baudendistel, Bayer, Cilento, Dunne, Lowder and Petracca

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

01-22-2018: #9

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

The Borough of Dunellen is authorized to accept a grant and enter into a contract with the Middlesex County Office of Arts & History in the amount of \$1,200.00 on behalf of the Dunellen Arts and Culture Commission.

Yes: Baudendistel, Bayer, Cilento, Dunne, Lowder and Petracca

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

01-22-2018: #10

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

The Dunellen-Green Brook Rotary Club is hereby approved to hold a 50/50 Cash Raffle on October 9, 2018, drawing to be held at the Dunellen Theater and Cinema Café.

Yes: Baudendistel, Bayer, Cilento, Dunne, Lowder and Petracca

CORRESPONDENCE

Mr. Robins distributed letters from Valentino Matti, Lucia Fontana and Pietro Mazzocchi regarding the special relationship between Dunellen and Pianello Val Tidone. These gentlemen are mayors who attended the Alpini Choir presentation last October and who are now inviting members of the High School to visit their cities and they are also proposing a friendship or “sister city” relationship with the Borough of Dunellen.

Reports:

Mr. Petracca: no report

Mr. Baudendistel: 1) the preliminary report on the Strip Joint property show that there is contamination. We should get the report this week; 2) there appears to be an unregistered, abandoned car on that property. Mr. Robins will contact the police; 3) CME wrote a letter to NJ DOT regarding the Streetscape lighting an outlining all they have done to meet their requirements—unsuccessfully. So, CME is asking them to approve the project nonetheless; 4) George Deene will be sending out violation notices to the clothing bin owners who have not applied under the new ordinance on February 1st; 5) he and Roger will be taking a new look at the sign ordinance; 6) noted that some North Avenue businesses have barbed wire and is wondering if there is some legal way we can address these on the six properties he observed.

Mr. Bayer: noted the vandalism that took place in the DPW Yard last weekend—broken mirrors on five trucks and the Senior Bus.

Dr. Dunne: no report

Mr. Cilento: 1) 45 people attended the Senior Holiday Party at St. John’s; 2) Recreation Basketball started on January 6th and has over 70 enrollees, K-6; 3) 66th Annual March of Dimes begins on January 25th; 4) the Playground Committee met on January 16th and are very eager to get started. They are interested in doing clean-ups in Columbia and Morecraft Parks and in participating in the Arbor Day Celebrations this year; 5) the Dunellen Arts and Culture Commission is now working on the Summer Arts Camp; 6) please submit for the next edition of *The Dunellen Report* by February 28th; 7) is looking into placing a stair lift in one of the stair ways in the Municipal Building and asked for the go ahead to get cost estimates. Council agreed.

Mr. Lowder: no report

Dr. Dunne: 1) asked if the Playground Committee could look into having year-round bathrooms in the park; 2) noted that Piscataway is no longer accepting out of town children, so we could make a bigger push for our own summer program to get the information out.

Mayor Seader: 1) asked Mr. Robins to contact CME Associates for a quote on milling and paving Prospect Avenue.

COUNCIL DISCUSSION

Special Improvement Districts

Mr. Cilento had previously distributed literature on Special Improvement Districts (SID) and an opportunity to have our downtown evaluated by the Edward J. Bloustein School of Planning and Public Policy as part of a class project. This would cost us nothing.

A SID is generally the central business district of a downtown that is authorized by state law and created by an ordinance of the local government to collect a special assessment on the commercial properties and/or businesses in that area. The assessment is generally granted to a municipally chosen District Management Corporation (DMC) that is usually a non-profit and separate from the municipality. The DMC controlled DIS uses resources through assessments on properties, sponsorships, membership dues, possible appropriation from the municipality and grants to beautify the designated improvement district, market the downtown, attract and retain new businesses. In effect, it seeks to improve the economic, physical and civic values of its commercial district.

Mr. Baudendistel asked what the evaluators would be looking for and to whom would they be speaking?

Mayor Seader noted that many of our commercial property owners might be resistant to any additional tax or fee burden that would result from a SID. He also asked about the extent of the district and whether it might also include the new Art Color redevelopment? Furthermore, many of the events a SID does for fund raising are already done by our existing volunteer organizations.

Mr. Cilento emphasized that this was only an investigation and evaluation of whether a SID might be beneficial to Dunellen.

Mr. Petracca noted that he is the Treasurer of the Bound Brook SID and he has extensive experience in such a project. He does not believe that at this time Dunellen is ready for a SID. He would prefer to wait for the Art Color Redevelopment to be completed. He agrees that a study might find that it is good for Dunellen, but we must first determine what Dunellen's goals are with a SID. He also pointed out that SIDs have significant administrative costs, that SIDS might be vulnerable to corruption, and that a good committee doing what a SID might do might be sufficient.

After a vigorous and informative back and forth the Council endorsed the plan to approach the Bloustein School for an evaluation.

PUBLIC PORTION

Tom, Prospect Avenue, thanked the Council for extending the two-hour limit all the way on Prospect. He pointed out that some utility work has left litter or rubble in the gutters. He asked about the street sweeper. Mr. Safar replied that it is too cold right now, but it will be brought out when temperatures are warmer.

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

01-22-2018: #11

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

The Dunellen Borough Council Meeting of January 22, 2018 is adjourned.

Yes: Baudendistel, Bayer, Cilento, Dunne, Lowder and Petracca
