

February 4, 2019

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on February 4, 2019.

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, April Burke, Jason Cilento, Jessica Dunne, Stacy Narvesen and Joseph Petracca

On the motion of Mr. Petracca seconded by Mr. Bayer it was moved to accept the Minutes of January 14, 2019.

Yes: Bayer, Burke, Cilento, Narvesen and Petracca

Abstain: Dunne, being absent from that meeting

At this point, Mayor Seader appointed Mary Kay Breckenridge to the Dunellen Public Library Board of Trustees

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

2019-01

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 February 4, 2019. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Municipal Council Chambers, in the Borough on February 19, 2019 at 7 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 SEWER MAIN REPLACEMENT IN AND BY THE BOROUGH OF DUNELLEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$190,475 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Purpose: The replacement of the sewer main under Orange Street from South Washington Avenue to New Market Road, including all work and materials necessary therefor and incidental thereto

Appropriation: \$200,000

Bonds/Notes Authorized: \$190,475

Grant Appropriated: N/A

Section 20 Costs: \$50,000

Useful Life: 40 years

Yes: Bayer, Burke, Cilento, Dunne, Narvesen and Petracca

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

02-04-2019: #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, Burke, Cilento, Dunne, Narvesen and Petracca

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

02-04-2019: #2

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

A Temporary Capital Budget, per the attached, is hereby adopted.

[Note: a copy of this Budget is available in the Office of the Municipal Clerk.]

Yes: Bayer, Burke, Cilento, Dunne, Narvesen and Petracca

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

02-04-2019: #3

RESOLUTION OF THE BOROUGH OF DUNELLEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY AUTHORIZING AN EMERGENCY TEMPORARY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-20 IN THE AMOUNT OF \$150,000 TO FUND THE REPLACEMENT OF THE SEWER MAIN UNDER ORANGE STREET FROM SOUTH WASHINGTON AVENUE TO NEW MARKET ROAD

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF DUNELLEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The Borough of Dunellen, in the County of Middlesex, New Jersey (the "Borough") hereby authorizes and approves an emergency temporary appropriation pursuant to N.J.S.A. 40A:4-20 in the amount of \$150,000 to fund the replacement of the sewer main under Orange Street from South Washington Avenue to New Market Road, including all work and materials necessary therefor and incidental thereto.

Section 2. The emergency temporary appropriation provided for herein is necessary in order to meet a pressing need for public expenditures to protect or promote the public health, safety, morals or welfare of the inhabitants of the Borough.

Section 3. As required by N.J.S.A. 40A:4-20, the chief financial officer of the Borough shall send a certified copy of this resolution to the Director of the Division of Local Government Services.

Section 4. The emergency temporary appropriation shall be provided for by adoption of a bond ordinance entitled, "Bond Ordinance Providing for Sewer Main Replacement in and by the Borough of Dunellen, in the County of Middlesex, New Jersey, Appropriating \$200,000 Therefor and Authorizing the Issuance of \$190,475 Bonds or Notes of the Borough to Finance Part of the Cost Thereof" and, if not so adopted, by provision in the 2019 Borough budget.

Section 5. This resolution shall take effect immediately.

Yes: Bayer, Burke, Cilento, Dunne, Narvesen and Petracca

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

02-04-2019: #4

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

Finne Building and Investment, Inc., of Watchung, NJ, is awarded a contract for the repair of a sewer break on Orange Street, in an amount not to exceed \$149,479.00.

Yes: Bayer, Burke, Cilento, Dunne, Narvesen and Petracca

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

02-04-2019: #5

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 \$337.50. This award is to come out of Account # 9-01-20-150-000-133.

Yes: Bayer, Burke, Cilento, Dunne, Narvesen and Petracca

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

02-04-2019: #6

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

Mayor Robert J. Seader is authorized to sign the attached Shared Services/Interlocal Agreement between the Borough of Dunellen and the Dunellen Board of Education for the provision of a School Resource Officer.

Yes: Bayer, Burke, Cilento, Dunne, Narvesen and Petracca

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

02-04-2019: #7

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: Bayer, Burke, Cilento, Dunne, Narvesen and Petracca

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

02-04-2019: #8

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

Whereas, there exists a need to lease photocopier machines, one for the Dunellen Police Department and a second one for the Dunellen Municipal Clerk's Office; and

Whereas, a quote has been received from:

Wells Fargo:

- 1) Police -- \$87.50 per month, for a 60 month lease term (Account # 9-01-25-240-000-205)
 - 2) Clerk's Office -- \$117.50 per month, for a 60 month lease term (Account # 9-01-20-120-000-205)
- Total: \$205.00 per month

Whereas Wells Fargo has a New Jersey State Contract (#A53090 T2075) for the leasing of photocopier machines; and

The funds for this contract have been certified by the Chief Financial Officer, from April 2019 – March 2020, and continuation of the contract is subject to the availability of funds in future fiscal years.

Now, therefore, be it resolved, by the Mayor and Council of the Borough of Dunellen, that two photocopier machines be leased from Wells Fargo for an amount not to exceed \$205.00 for two machines per month for 60 months.

Yes: Bayer, Burke, Cilento, Dunne, Narvesen and Petracca

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

02-04-2019: #9

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

Whereas, there exists a need to paint and repair portions of the interior of the Dunellen Senior Center; and

Whereas, a quote was received from the following firm:

Thomas Tammaro Painting Co., Dunellen, NJ -- \$2,600.00

The funds for this contract have been certified by the Chief Financial Officer. The funds will be taken from Account # 9-01-26-310-000-254.

Now, therefore, be it resolved, by the Mayor and Council of the Borough of Dunellen, that painting and repairing of the Dunellen Senior Center be done by Thomas Tammaro Painting Co., for an amount not to exceed \$2,600.00.

Yes: Bayer, Burke, Cilento, Dunne, Narvesen and Petracca

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

02-04-2019: #10

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

WHEREAS, a need has been determined for the extraction and analysis of cores regarding the Prospect Avenue Roadway Improvement Project; and

Whereas, a quote has been received from:

Key-Tech, Keyport, NJ	\$1,350.00
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FURTHERMORE, the quote submission has been reviewed by the municipal engineers, CME Associates, and it is their recommendation that the contract be awarded to Key-Tech.

And whereas this award of contract is for an amount below the current quotation threshold (\$2,625.00).

The funds for this contract have been certified by the Chief Financial Officer, from the Dunellen Avenue Account # C-04-18-020-000-601, PO #19-00025.

Now, therefore, be it resolved, by the Mayor and Council of the Borough of Dunellen, that extraction and analysis of cores regarding the improvements to Prospect Avenue Roadway Improvement Project, be awarded to Key-Tech, for an amount not to exceed \$1,350.00.

Yes: Bayer, Burke, Cilento, Dunne, Narvesen and Petracca

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

02-04-2019: #11

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 2018 Operating Reserve 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 Appropriation Reserves” be made:

From

Account	Title	S&W	Other Expenses
20-150-101	Assessment of Taxes	\$300.00	
25-240-101	Police	2,000.00	
26-290-101	Road Repairs	12,000.00	
26-290-002	Tree Maintenance		\$10,000.00
31-460-299	Gasoline		12,500.00
	Subtotal	\$14,300.00	\$22,500.00
	Total	<u>\$36,800.00</u>	

Whereas, there appears to be insufficient funds in the following CY 2018 Operating Reserve Accounts over and above the demands to be necessary; viz:

To:

Account	Title	S&W	Other Expenses
20-150-299	Assessment of Taxes		\$300.00
26-310-111	Road Repairs	\$500.00	500.00
31-461-299	Electric & Gas		27,000.00
36-472-299	Social Security		8,500.00
	Subtotal	\$500.00	\$36,300.00
	Total	<u>\$36,800.00</u>	

Yes: Bayer, Burke, Cilento, Dunne, Narvesen and Petracca

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

02-04-2019: #12

WHEREAS, adjustments to 2018 Preliminary taxes from 2017 Added & Omitted taxes did not accurately post to taxpayers’ accounts following the software conversion undertaken in the Tax Office during 2018, and

WHEREAS said adjustments caused an overbilling to the taxpayers listed below, and

WHEREAS, these taxes were paid in full.

NOW, THEREFORE, BE IT RESOLVED BY THE DUNELLEN BOROUGH COUNCIL, that the Tax Collector be and she is hereby authorized to cancel overbilled 2018 taxes and apply the overpayments created to 1st quarter 2019 taxes or refund the difference, if requested by the taxpayer, as follows:

Block	Lot	Name	Amount
3	6	Kuczynski, Jeffrey 123 Dunellen Ave	64.80
7	6	Kupiec, Vance & Chiara 125 Second St	1,419.12
9	22	Safari, Fedous & Clara 124 Second St	1,598.25
10	20	Ruete, William 238 Second St	259.20
19	4	Walker, Robert 315 Mountainview Terr.	369.36
19	5	Degrezia, Ciro & Nancy 319 Mountainview Terr.	272.16
26	26	Macmath, Donald & Lindsey 412 First St	453.60
36	21	Lockhart, Leah 624 Dunellen Ave	1,043.28
37	2	Amorim, Armando & Maria 419 Madison Ave	2,118.96
47	8.01	Timko, Mark 729 Dunellen Ave	4,328.64
48	22	Paucar-Zhagui 726 Bound Brook Rd	97.20
57.01	15	Zurkowski, Kamil 706 Center St	356.40
62	23	Barlow, Mark 422 New Market Rd	246.24
62	27	Semmens, Scott & Krystal 424 Center St	926.64
76	15.01	Patel, Ashwinkumar & Sonam 343 Walnut St	<u>4,218.48</u>
Total to be cancelled and applied or refunded:			<u>\$17,772.33</u>

Yes: Bayer, Burke, Cilento, Dunne, Narvesen and Petracca

On the motion of Mrs. Burke and seconded by Mrs. Narvesen, it was moved to accept the following:

02-04-2019: #13

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 attached Interlocal Services Agreement with Middlesex County designating the Middlesex County Fire Marshal's Office as the Local Enforcement Agency for the Borough of Dunellen.

Yes: Bayer, Burke, Cilento, Dunne, Narvesen and Petracca

Reports:

Mr. Petracca: 1) need to set up a Finance Committee meeting to discuss the 2019 Budget.

Mrs. Burke: 1) there was a Library Board meeting on the 17th and one topic discussed was ways to increase programs for seniors; 2) Mr. Robins asked if they were now again looking for a Manager: Yes.

Mr. Bayer: 1) the Planning Board had their reorganization meeting. They decided that Lauren Staats will forthwith be posting the Minutes on the web site.

Dr. Dunne: 1) reported on the telephone conference she, Mr. Cilento and Mr. Robins had with REVIZE regarding the new website; 2) asked after the status of the Social Media Policy. Mr. Robins responded that he was incorporating the new suggestions and would be re-distributing the draft shortly; 3) noted that she had attended a meeting on the Green Brook Flood Control Commission that Mr. Robins had reported on last meeting; 4) asked whose responsibility it is for the water running into the streets from residential sump pumps? Mr. Robins responded that there is no Code section or ordinance that prohibits such run-off. In order for newer construction to receive Certificates of Occupancies, they must not discharge into the streets, but older dwellings were permitted to do so. That is about 90% of the houses in Dunellen. We have very little recourse against these people other than to encourage them to be good neighbors. We have no leverage. If anyone has a solution, please advance it. Mayor Seader noted that it has been a very wet year and sump pumps have been very active, constantly. Mr. Bruder noted that residents could inform their neighbor that if someone falls on the ice caused by their sump pump discharge, they might be involved in a law suit; 5) trying to set up a meeting with Julie Grof with the Middlesex County Transportation Coordinating Committee; 6) she noted that there were comments in the Minutes from the last meeting about her absence at Council Meetings. She apologized but the entire Council, and the Mayor and Borough Clerk, knew that she was travelling for work. Sometimes these things are unavoidable. She will also be missing the next meeting but delayed her trip to Australia until tomorrow morning to attend tonight's meeting. Some of these things are out of her control but she is doing her best to be here when she can be. She is working hard behind the scenes and the Meetings are only about 5-10% of all that we do.

Mr. Cilento: 1) the Police Committee interviewed for the Chief position and we have interviews remaining for Lieutenant and Sergeant. With everyone moving up, it means we will probably have to interview a patrolman also; 2) the Chief is meeting with Somerset County regarding new radio equipment for which we will probably have to bond; 3) the Dunellen Arts and Culture Commission was awarded \$3,300 for a Summer Arts Camp; 4) this Friday, the Seniors will be having an arts class with Liz Lopez, a commissioner on DACC; 5) please have copy for *The Dunellen Report* by March 1st; 6) the Dunellen Downtown Management Organization will be meeting tomorrow night. Stacy Narvesen will attend and then he and Stacy will both be going to the Board of Education meeting; 7) he is in communication with the Raritan Valley Railroad Coalition and is seeking their meeting dates; 8) he is setting up a meeting with the Dunellen Municipal Court personnel; 9) asked about the invoice from the Fire Department to the DDMO for trees? Mr. Robins asked him to resend it and he will take care of it; 10) asked for an update on the Cablevision Franchise Renewal. Mr. Robins responded that Marilyn will shortly be sending the answers to questions raised during the public hearing; 11) Transit Hub Study

is ongoing. We have a Facebook page and are educating the public on what a Transit Hub is and this Saturday we will be meeting with the team undertaking the study to walk about town; 12) he met today with the BID study class at Bloustein and talked about the history of Dunellen and our redevelopment projects and he and the class talked about potential parameters of the town.

Mrs. Narvesen: nothing to report that was not already covered by other Councilpersons.

Mayor Seader: 1) attended an award ceremony in Green Brook where two of our officers, Sgt. Dougherty and Patrolman Robbins, were honored. They chased a person who was apparently high and saved his life. A good ceremony with good representation from Dunellen; 2) street lights on North Washington Avenue and North Avenue are done and we are now awaiting PSE&G to turn them on; 3) our SRO officer starts at the schools on March 1st. That will be Sgt. Chin; 4) the environmental cleanup at Art Color found only four small contaminated spots and they have been remedied; 5) Asked Ron when they would begin work on the Orange Street Sewer problem? Probably next week; 6) he is working with John Bruder on the easement for the Railroad Culvert Project and we learned today that the property is being sold. So, after the closing in about two weeks we will explain to the new owners what we have been trying to do for the last 6-7 years; 7) asked Mr. Robins about the street excavation ordinance. Mr. Robins will have it by next Council Meeting.

PUBLIC PORTION

Ellen Kelly, 519 Lincoln Avenue, 1) asked about the overall condition of the sewer pipes in town. Mayor Seader responded that the pipes are clay, and many are over 100 years old. The pumping stations were rebuilt about 12 years ago and the developers will be again replacing the Washington Avenue Ejector Station to handle the additional flow and building a third pumping station on the new development. We will also need to rebuild the force main from that Ejector Station to the Intercept in Green Brook. Our situation is no different than other nearby municipalities and nobody has any money to fix the problem; 2) asked, are we interviewing for a new Police Chief? Mayor Seader responded that we are interviewing, only from inside the department; 3) asked: overall, are we satisfied with the Assessors we hired for the Revaluation? Mayor Seader responded that the company had told us that the assessments would come in about 95% to 98% of assessed value. Every house that has been sold since the revaluation (about 20-25 houses) have come in "right on the money." She said that she meant about "how they did it." Mayor Seader stated that he had heard no complaints nor had the Tax Assessor. Ellen said that she had heard several complaints about the process, especially regarding seniors. She also referenced Manchester, NJ, which petitioned the State to allow their own assessors rather than hiring an outside company. Mr. Bruder noted that revaluation is a substantial undertaking and the people must inspect all the property in town. So, unless the assessor is part of a large organization, it would be difficult to perform such an assessment in a timely fashion. She questioned some of the company's findings and wondered if there might not be a better way of doing the entire process. Both John Bruder and Mayor Seader noted that there is the appeals process and also that there was an opportunity for residents who were dissatisfied with their assessment to speak to the company and discuss their concerns, which could lead to a modified assessment.

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

02-04-2019: #14

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

The Dunellen Borough Council Meeting of February 4, 2019 is adjourned.

Yes: Bayer, Burke, Cilento, Dunne, Narvesen and Petracca
