

January 14, 2019

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on January 14, 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, Stacy Narvesen and Joseph Petracca

Absent: Jessica Dunne

On the motion of Mr. Cilento and seconded by Mr. Bayer it was moved to accept the Minutes of December 17, 2018:

Yes: Bayer, Cilento and Petracca

Abstain: Burke and Narvesen, not being members of that Council in 2018

On the motion of Mr. Petracca and seconded by Mr. Cilento it was moved to accept the Minutes of January 1, 2019:

Yes: Bayer, Burke, Cilento, Narvesen and Petracca

At this point, a Proclamation Celebrating Arbor Day in April 2019 was read:

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. Bayer, it was moved to accept the following:

01-14-2019: #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, Narvesen and Petracca

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

01-14-2019: #2

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF DUNELLEN IN MIDDLESEX COUNTY, STATE OF NEW JERSEY TO ADOPT THE PROVISIONS OF CHAPTER 48 (N.J.S.A. 52:14-17.38) UNDER WHICH A PUBLIC EMPLOYER MAY AGREE TO PAY FOR THE STATE HEALTH BENEFITS PROGRAM (SHBP) COVERAGE AND/OR SCHOOL EMPLOYEES' HEALTH BENEFITS PROGRAM COVERAGE (SEHBP) COVERAGE OF CERTAIN RETIREES.

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

1. The Borough of Dunellen, Middlesex County, SHBP ID Number 037500 hereby elects to adopt the provisions of N.J.S.A. 52:14-17.38 and adhere to the rules and regulations promulgated by the State Health Benefits Commission and School Employees' Health Benefits Commission to implement the provisions of that law.
2. This resolution affects employees as shown on the attached Chapter 48 *Resolution Addendum*. It is effective on the 1st day of January, 2019.
3. We are aware that adoption of this resolution does not free us of the obligation to pay for post-retirement medical benefits of retirees or employees who qualified for those payments under any *Chapter 88 Resolution* or *Chapter 48 Resolution* adopted previously by this governing body.
4. We agree that this *Resolution* will remain in effect until properly amended or revoked with the SHBP and/or SEHBP. We recognize that, while we remain in the SHBP and/or SEHBP, we are responsible for providing the payment for post-retirement medical coverage as listed in the attached *Chapter 48 Resolution Addendum* for all employees who qualify for this coverage while this *Resolution* is in force.
5. We understand that we are required to provide the Division of Pensions and Benefits complete copies of all contracts, ordinances, and resolutions that detail post-retirement

medical payment obligations we undertake. We also recognize that we may be required to provide the Division with information needed to carry out the terms of this *Resolution*.

Yes: Bayer, Burke, Cilento, Narvesen and Petracca

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

01-14-2019: #3

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, by Resolution 01-22-2018: #2, this contract was extended through December 31, 2018; and

WHEREAS, it is advisable and necessary to extend that time period until December 31, 2019, with the cost of this service for 7 laptop computers being \$40.00 each month, and for a term from January 1, 2019 to December 31, 2019, for an amount not to exceed \$3,360.00 plus \$100.00 over usage for a total of \$3,460.00 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, 2019 at an amount not to exceed \$3,460.00.

This appropriation is to be charged to Account #9-01-25-240-000-202

Yes: Bayer, Burke, Cilento, Narvesen and Petracca

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

01-14-2019: #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
17-01	57.01	21.03	Wasilewska, E. &W. 403 South Madison Ave	1,067.35	42.23	800.00	1,909.58
TOTAL REFUNDED							\$1,909.58

Yes: Bayer, Burke, Cilento, Narvesen and Petracca

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

01-14-2019: #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 SLS 1, LLC
21 Robert Pitt Drive # 207
Monsey NY 10952

TSC	Block	Lot	Owner/Address	Principal	Interest	Premium	Total
18-24	66	6.01	Bower, Frederick & William 18 Prospect Ave.	13,066.38	928.22	11,100.00	25,094.60
TOTAL REFUNDED							\$25,094.60

Yes: Bayer, Burke, Cilento, Narvesen and Petracca

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

01-14-2019: #6

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

Jesse Giuliano is hired as an Operator Class F, Probationary Employee, in the Dunellen Department of Public Works, at a salary per the current contract, effective January 15, 2019.

Yes: Bayer, Burke, Cilento, Narvesen and Petracca

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

01-14-2019: #7

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

Jessica Dunne and Roger Dornbierer are appointed as Dunellen Borough Council liaisons to the Middlesex County Housing & Community Development Agency.

Yes: Bayer, Burke, Cilento, Narvesen and Petracca

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

01-14-2019: #8

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

Resolution 11-19-2018: #5 is amended as follows:

WHEREAS, there is a need for air duct cleaning in the Dunellen Police Department and in the Dunellen Municipal Clerk’s Office; and

WHEREAS, quotes were solicited for the cleaning of the air ducts; and

WHEREAS, the following quotes were received:

DRX Duct, LLC. North Plainfield, NJ	\$1,845.00
Supreme Heating and Air Conditioning. Middlesex, NJ	\$2,500.00

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Dunellen, that a contract be awarded to DRX Duct, LLC., for the cleaning of air ducts in the Dunellen Police Station and Municipal Clerk's Office, at a cost not to exceed \$1,845.00.

Yes: Bayer, Burke, Cilento, Narvesen and Petracca

Reports:

Mr. Petracca: 1) reminded all to submit their respective department's Capital Budget requests.

Mrs. Burke: 1) congratulated the fire officers recently installed at their annual reorganization meeting.

Mr. Bayer: no report.

Mr. Cilento: 1) for the *Dunellen Report*, the deadline is soon for the April edition; 2) first meeting of the Dunellen Arts & Culture Commission is this Thursday at 7 pm in the Recreation Office; 3) everyone should have received the DACC year-end report; 4) on February 8th, Liz Lopez, a commissioner on DACC, will host the first Senior Arts Class; 5) this past Friday, there was a presentation by the Middlesex County Office on Aging to the Seniors at the Senior Center. It was well attended; 6) the Transit Hub study is progressing and should be undertaken this Spring.

Mrs. Narvesen: 1) met with Ron Safar, Dr. Dunne and Mr. Robins at the DPW to meet Jesse Guiliano and to hear some general background information on the Department; 2) thanked the DPW for helping with a huge sheet of ice.

Mayor Seader: 1) noted an increase in our annual CDBG funds availability; 2) asked Ron about the Gertrude Terrace sewer project; 3) informed the Council of a new sewer break on Orange Street; 4) we have an appointment with NJ American Water regarding their possible work on Madison Avenue and the conversation will also encompass some of their other work about town.

PUBLIC HEARING ON ALTICE/CABLEVISION FRANCHISE RENEWAL

Mr. Robins had previously set forth the purpose of this public hearing in a report to the Council:

The purpose of the mandatory public hearings ("hearings") is for the governing body to take comments from the concerned citizens in the municipality about the application submitted by the cable operator.

The community concerns expressed at the public hearings can be incorporated into the issues addressed in any subsequent negotiations with the cable operator. Public hearings support the documentation needed for a successful franchise agreement. If, for example, a municipality is negotiating for equipment to be used for an educational access channel, there should be evidence supporting the request from the community documented in the hearing record.

The cable operator can respond to any questions or concerns raised by the municipal governing body at this time. During these proceedings the cable operator must be allotted time to give a presentation.

Most municipalities allow the cable operator to give a brief opening presentation at the beginning of the hearings. Comments from the public may be limited to reasonable time periods. The public may question the cable operator concerning the information required in the

application. (N.J.A.C. 14:18-11.8(c) and (d))

Any written correspondence from individuals, community organizations, or municipal agencies can be read into the record at the hearing. The results from the municipal survey, as well as the municipal report, and any other research documents relating to cable television can be incorporated into the record. A transcript must be made in the method that the municipality causes its other public hearing transcripts to be made. (N.J.A.C. 14:18-11.11)

Mr. Robins introduced Marilyn Davis, a representative from Altice/Cablevision. She spoke briefly about Cablevision and answered questions from Council and the public. The hearing lasted over one hour. Members of the public who wish to listen to the transcript may do so by contacting the Municipal Clerk's Office. The following is a summary of the main questions asked:

Questions from Mayor & Council

1. Where is Dunellen on Altice schedule for FTTH upgrade?
 - a. Does the upgrade require new lines?
 - b. Will the upgrade require closing of streets? Will Altice coordinate with Police?
 - c. How much will the upgrade cost

Marilyn Davis (MD) answered that the cost has not been determined yet.
2. One council member said her bill has doubled, if not due to upgrade then why?

MD responded that she will look into this.
3. Any rate increases scheduled in the near future?
4. Does the BPU approve rate increases?

MD responded that the BPU receives notification when there's a rate increase
5. From Mayor: Complaint on programming, he wants to know what the plans are for upgrading programming?
6. What are the number of subscribers in Dunellen?
7. Question was asked if the 2% franchise fee was negotiable.
8. Is there an opportunity for an educational and/or municipal channel? They do not have a PEG channel because they do not have the facilities or equipment. They piggy back off of Piscataway.

MD responded that they may include financing for equipment in the renewal process
9. Senior Discount – is there an opportunity for this in the renewal and is the % negotiable?
10. Veterans Discount – Is there an opportunity for this in the renewal?
11. What is the length of the contract 10 or 15 years?

Questions from Public

1. Why does Senior discount apply only to basic package?
2. Why does Altice charge for RED ZONE?
3. Why is a la carte not offered?
4. Why don't shows stay longer on ON DEMAND?

5. Why no option to speak to someone when your bill is past due, only automated system?
6. Does Altice sell phone numbers to telemarketers?
7. From a member of a Rescue Squad – Altice needs to have a dedicated number for emergency notification when wires are down. Verizon has a dedicated line for this use only
8. One person suggested for renewal, there should be a Rate Freeze for length of contract.

Ms. Davis was not able to fully respond to most of the questions asked. She offered to reply directly to any member of the public who wished specific questions answered. The process would be to send the questions to Mr. Robins at the Clerk's Office and he would forward them to her. Mr. Robins is in contact with Ms. Davis and has asked her to provide answers to him to the above questions.

PUBLIC PORTION

Adam Gordon, 620 Grove Street, asked for an update on the FEMA flood map. Mayor Seader responded that we are working with the new owners of the property where the Railroad Culvert will be, and they have not been replying to our phone calls and letters. There are also two other projects: Pulaski Street and South Madison Avenue, both of which are being worked on.

Homer Mosely, thanked the Recreation Department for a successful Senior Party and he wanted to compliment Mr. Cilento and Mr. Miller (Recreation Director) for the presentation last Friday at the Senior Center. He appreciates how the Council is taking an increased interest in the Seniors.

Jeff Best, 401 Madison Avenue, noted how at a prior meeting a member of the public had observed the poor attendance at Council Meetings of some members of the Council. He sees that tonight a member is again missing. He encourages Council Members that if you run for public office, you have an obligation to "be here and do the job."

Janine MacNair, 219 Gertrude Terrace, noted that at the last meeting, Councilwoman Dunne was going to attend a meeting of the Green Brook Flood Control Commission and was to report on that meeting to the Council. Mr. Robins responded that he and Councilwoman Dunne did attend a meeting with the Chairman of the GBFCC, Ray Murray. Mr. Murray gave some background to the Commission and showed us a map of the flood plain that illustrated streams that flowed into Dunellen and the various projects (with a timeline) for which preventative measures were being done by the United States Army Corps of Engineers to help alleviate flooding in our region. Mr. Robins offered to provide her with information on how she could attend a meeting of the Commission.

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

01-14-2019: #9

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

The Dunellen Borough Council Meeting of January 14, 2019 is adjourned.

Yes: Bayer, Burke, Cilento, Narvesen and Petracca
