

March 18, 2019

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on March 18, 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. Cilento and seconded by Mrs. Narvesen it was moved to accept the Minutes of March 4, 2019:

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:

03-18-2019: #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 Dr. Dunne and seconded by Mr. Cilento it was moved to accept the following:

03-18-2019: #2

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

WHEREAS, the Dunellen Department of Public Works has items of equipment and vehicles no longer in service and wishes to dispose of such items and vehicles; and

WHEREAS, N.J.S.A. 40A:11-36 provides that a governing body may authorize the sale of such property not needed for public use by the various Departments, by public auction; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Dunellen, County of Middlesex, that the Council, in accordance with the provisions of N.J.S.A. 40A:11-36 that a public auction of miscellaneous items and surplus Department of Public Works vehicles will be held on Friday, April 12, 2019.

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

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

03-18-2019: #3

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
31-461-299	Electric & Gas		10,000.00
	Subtotal	\$0.00	\$10,000.00
	Total	\$10,000.00	

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
20-140-299	Information Technology		10,000.00
	Subtotal	\$0.00	\$10,000.00
	Total	\$10,000.00	

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:

03-18-2019: #4

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

The resignation of Dunellen Municipal Court Judge Dennis Fackelman is accepted, effective April 30, 2019.

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

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

03-18-2019: #5

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

Natural Green of Bridgewater, NJ, is awarded a contract for field, lawn, and landscaping of Columbia Park for 2019, at a cost not to exceed \$6,115.00. The contract is awarded per New Jersey State Contract, through the Educational Services Commission of New Jersey, Co-op # 65MCESCCPS, contract # ESCNJ 17/83-43. The Dunellen School District will contribute one-half of the cost of this contract.

Mayor Seader asked if the vendor is aware that the quote is not to include the football field? Mr. Robins responded in the affirmative.

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:

03-18-2019: #6

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

Natural Green of Bridgewater, NJ, is awarded a contract for field, lawn, and landscaping of McCoy Park for 2019, at a cost not to exceed \$2,225.00. The contract is awarded per New Jersey State Contract, through the Educational Services Commission of New Jersey, Co-op # 65MCESCCPS, contract # ESCNJ 17/83-84. The Dunellen School District will contribute one-half of this contract.

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

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

03-18-2019: #7

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

Whereas, there exists a need for certain air card telecommunications requirements for the laptop computers installed in Borough of Dunellen Fire Department vehicles; and

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

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

1. The Mayor and Municipal Clerk are hereby authorized to execute an agreement with Verizon for telecommunications regarding the laptop computers in Fire Department motor vehicles.
2. The cost of this service for 5 laptop computers is \$38.01 each per month, for a total yearly amount of \$2,280.60, with \$50.00 overages, for a total yearly amount of \$2,330.60.
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.
4. Further be it resolved that the cost of this Professional Services Contract will not exceed \$2,330.60. Payment is from Account # 9-01-25-265-000-202
5. Be it further noted that the contract is a one-year contract and funds are hereby authorized only for the term April 1, 2019 through March 31, 2020.
6. A copy of this resolution shall be published in The Courier as required by law within ten days of its passage.

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

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

03-18-2019: #8

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 an Instant Raffle License to the Knights of Columbus, #2544 John Barry Council.

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 Mrs. Narvesen and seconded by Mr. Bayer it was moved to accept the following:

03-18-2019: #9

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 two licenses 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 50/50 Cash Raffle License and a Merchandise Raffle License to the Dunellen PTO.

Further be it resolved that these licenses 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. Bayer and seconded by Dr. Dunne it was moved to accept the following:

03-18-2019: #10

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

Dunellen Borough Council resolution 03-04-2019: #9 is amended as follows:

Robert Venezia is hired as a part-time employee of the Dunellen Department of Public Works to review department policies, procedures and practices, for an amount not to exceed \$5,000.00. This is a position without benefits.

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

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

03-18-2019: #11

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

Be it resolved by the governing body of the Borough of Dunellen, New Jersey, that:

The Treasurer is hereby authorized to issue the following checks to Windels Marx Lane & Mittendorf, LLP., from the Interim Cost Agreement Escrow Account for work done toward redevelopment, subject to the refunding of the Account:

<u>Windels Marx File Number</u>	<u>Bill Number</u>	<u>Amount</u>
0305764-0000001	13110	\$1,269.50
0305764-0000001	13111	\$60.00
	Total	<u>\$1,329.50</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:

03-18-2019: #12

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

The Borough of Dunellen adopts the attached Social Media Policy.

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

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

03-18-2019: #13

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

The Mayor and Council of the Borough of Dunellen authorizes the Dunellen Department of Public Works to issue a Request for Proposals for the purchase of a used garbage truck.

Mrs. Narvesen asked how long the prior truck, also a used truck, lasted? Mr. Safar responded that the truck we obtained from Belmar lasted about 12 years but then we could not get parts for it. The recent truck lasted about 5 years. She asked the cost of a new truck? Mr. Safar responded a new truck could cost about \$265,000. Mr. Olsen noted that this was a request for proposals, and the Finance Committee could still consider bonding for a new truck. Mr. Robins pointed out that there is a "certain urgency" in replacing the burned truck. Mr. Olsen understood that the recommendation is to go ahead with the RFP for a used truck.

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

Reports:

Mr. Petracca: no report.

Mrs. Burke: no report.

Mr. Bayer: 1) the Recreation Commission has received a request from a local family to schedule in the Senior Building a food distribution for the hungry, twice a month. The food would be prepared outside the building but brought to the building for the distribution. The Recreation Commission did not see any objections to this proposal. Mr. Bruder advised that the organization would have to provide a Certificate of Insurance naming the Borough of Dunellen as an additional insured. He further advised that the organization would need to schedule the facility use through the Recreation Director and this form (which would include the Certificate) would be brought to the Council for approval.

Dr. Dunne: 1) thanked the Council for the approval of the Social Media Policy; 2) She, Jason and Bill will be meeting to discuss the new web site design; 3) Solterra has again been awarded the County Recycling contract. She noted that any complaints on their performance should be directed to the Borough Offices which keeps a log and reports them to the County.

Mr. Cilento: 1) Dunellen Downtown Management Organization is starting its conversation on HarvestFest 2019 to be held October 13, 2019 in Washington Memorial Park; 2) Dunellen resident Christina Haftmann has brought an idea to the DDMO regarding a "No Litter Campaign" to clean up the downtown and the DDMO will join with her; 3) he asked if we were hiring a seasonal part-time worker to help with downtown clean-up? Mr. Safar responded that in the past we did have a part-time worker whose duties included downtown clean-up, but this year we are emphasizing the responsibility of local merchants to sweep their own adjacent sidewalks; 4) he has reached out to the County regarding slow-down initiatives and asked the County if they would consider portable speed recording signs; 5) on March 7th he attended the Raritan Valley Mayors' Alliance meeting on the one-seat ride and the new tunnel project. They provided a resolution on the one-seat ride adopted by Fanwood; 6) March 26th, 7:00 pm, the Raritan Valley Coalition will be holding a meeting at the Cranford Community Center with updates on the one-seat ride; 7) reported on an issue of water pooling in certain backyards adjacent to properties off Maple Avenue. He asked if the town could investigate this.

Mrs. Narvesen: 1) she reported on her attendance at a Board of Education meeting and that they spoke of some of their facility expansion plans. Mr. Cilento asked her if they spoke about how much their portion of the property taxes would increase? They did not. Mayor Seader noted that

the District received \$913,000 more in State Aid this year than last year. He is hopeful that with this increase they would keep their budget flat rather than increase the taxes by about \$200.00. . Mayor Seader: 1) asked Ron to attend to pothole repairs. There is one in particular going into Columbia Park; 2) reminded Ron of a broken light and to notify PSE&G; 3) asked Mr. Bruder to review the Police ordinance, especially regarding the sections dealing with detectives.

PUBLIC PORTION

Scott Olsen: announced that the Sewer Utility billing statements have been mailed and the Budget will be Introduced on April 1st.

Matt Watts, 275 Maple Avenue: his yard is being affected by the water from his neighbor's yard. It looks like a small pond or lake. It has ducks. We've had a rainy winter and his back yard slopes down to this lake and we are getting water quite close to the house. He is worried about children's health with diseases and mosquito spray. It has gotten to the point where the situation is not manageable. He pointed out that if he did something to alter his back yard that affected others, that would be prohibited, and he might be liable. The overflowing water is degrading his property.

Louise Watts: she spoke to George Deene (Code Enforcement) last November. Mr. Deene noted that it has rained a lot and that it is a swampy area. She responded that this is more than moisture. It is a substantial amount of standing water and might not dry up until summer. She calls each summer the County Mosquito Commission and they spray. Finally, the sump pumps are constantly on, discharging into the streets and freezing.

Fred Parcels, 271 Maple Avenue: also has called the town a number of times. His shed is under water and he is unable to get to it. There is natural drainage back there but there is property that no one maintains. The leaves must be three feet deep.

Mayor Seader sked if anyone had a sump pump back there? Mr. Parcels said that he has sump pumps to prevent flooding in his basement, one that probably discharges into the storm system and a second sump pump that discharges into the street.

Dr. Dunne asked if the houses behind him are Dunellen or Piscataway? They are Dunellen. Mayor Seader asked who owns the property that is the location of most of the water? This house is abandoned. Mr. Cilento noted that it is 1848 West Fourth Street; it has a sign that it is under contract.

Mayor Seader: he is not sure what we can do on private property, but he will make a call to engineers to see what can be done. He asked if it is like this every year? Yes, every year, though this year it is worse.

Mr. Bruder asked if there is any borough property back there? Mr. Safar thought that there is not.

Daniel Toth, 244 Walnut Street: this is his first year in the house; he bought it last April. He knew at the time of purchase that there was standing water in the back yard. The previous owners told him that it was “not that bad” and that it drains quickly. But there has been water in his yard for four months now. He had a landscape person review it and this person was to speak to the town regarding where water could be drained to. When he bought the house, the sump pump was draining into the sanitary system which is prohibited so now it is discharging into the back yard. The landscape person gave a quote of \$15-20,000 to install dry wells but even then it probably could not handle the total water.

Louise: asked if she could find out who owns the property? Tax Office would have that information. She wonders if there is a property code or health violation? The residents are asking that the property owner, who might have altered his property with leaf dumping and neglect, be held responsible.

Mayor Seader noted that we cannot simply go on someone’s property, but we will contact the engineers tomorrow morning.

Hal Vandermark, 130 Kline Place, asked if there is a culvert? Mr. Parcels thought there might be a culvert draining into Walnut Street. Mr. Safar was not aware of any such culvert.

Mr. Parcels asked that he be notified when the engineers are coming to look.

General question: so, can we pump into the street? Yes, but it might become a legal issue if it freezes over and people start falling down.

Homer Mosely, 113 Pearl Place: thank you to the Recreation Department for its continued support to the Seniors. We just had a project with the Moms making sun catchers. Seniors are soon to begin a Wise Project consisting of six different presentations. Finally, the Seniors are reaching beyond themselves and will be awarding a \$500 scholarship to a Dunellen High School senior.

Fred Parcels: noted that Natural Green is to do work in Columbia Park. He wondered if any work will be done on the Faber Softball field? Mr. Safar responded that the DPW had worked on it Thursday and Friday. Mayor Seader also noted that we do not own the field. Mr. Parcels commented about the right mixture of infield mix that might be used. He had also heard that the town does not want to help the District.

Mayor Seader emphatically responded: that insults all of us up here and is not true and that we bend over backwards to give the School District help any time they need help. Mr. Safar also commented that we rake the field in preparation for the new season, this year with two machines, ours and one borrowed from Green Brook.

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

03-18-2019: #14

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

The Dunellen Borough Council Meeting of March 18, 2019 is adjourned.

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