

November 19, 2018

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on November 19, 2018.

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 Baudendistel, Kenneth Bayer, Jason Cilento and Joseph Petracca

Absent: Jessica Dunne and Jeremy Lowder

Mayor Seader noted that Jeremy Lowder as Dunellen Fire Chief was called away to a fire that had just started in Piscataway.

On the motion of Mr. Cilento and seconded by Mr. Petracca it was moved to accept the Minutes of November 5, 2018:

Yes: Bayer, Cilento and Petracca

Abstain: Baudendistel, due to his absence

Mayor's Appointments to Commissions and Authorities

Mayor Seader accepted the resignations of Marcie Tyson and Nancy DeMarco from the Dunellen Public Library Board of Trustees

He thanked them for their service and invited any interested residents who wished to join this Board or others to contact him.

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

ORDINANCE 2018-13

BOROUGH OF DUNELLEN

The following ordinance is 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 November 19, 2018. It will be further considered for final passage, after public hearing thereon, at a meeting of said governing body to be held in Municipal Building, 355 North Avenue, Dunellen, New Jersey, in said County, on December 3, 2018 at 7:00 p.m. During the week prior to and up to and including the date of such meeting copies of the full 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.

Section 269-13 (D), is created as follows:

Section 269-13 (D). Parking Prohibitions.

(1). Construction Office.

Spaces designated for use by those having business at the Dunellen Construction Office are limited to 2-hour parking during regular office hours as posted on the office entryway.

(2). Dunellen Public Library.

Spaces designated for use by Dunellen Public Library customers are limited to 2-hour parking during regular opening hours and announced after-hours programs as posted on the Library entryways.

(3). The Dunellen Parking Authority is designated the enforcement agency for Section 269-13 (D). Penalties for Section 269-13 (D) are as set forth in Dunellen Code Section 269-38.

Yes: Baudendistel, Bayer, Cilento and Petracca

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

ORDINANCE 2018-14

BOROUGH OF DUNELLEN

The following ordinance is being Introduced for first reading on November 19, 2018. It will be presented for Public Hearing and Adoption on December 3, 2018. Copies of this ordinance will be available to the public on the municipal bulletin board and from the Municipal Clerk's Office.

Ordinance 2010-15, adopted on November 1, 2010, amended Chapter 150, Sections 150-3 and 150-4, Building Code and Subcode fees. It was further amended by Ordinance 2016-17, adopted December 19, 2016, and Ordinance 2018-08, adopted September 4, 2018. It is now being presented for further amendment.

BE IT ORDAINED by the Borough Council of the Borough of Dunellen, County of Middlesex, State of New Jersey, that Chapter 150 is amended in part in regard to Section 150-3 and 150-4, Building Code and Subcode Fees as follows:

Section 150-3: **Construction Permit Fees.** The fee for a construction permit shall be the sum of the subcode fees listed in (1) through (6) hereof and shall be paid before the permit is issued.

A. Building Subcode fee shall be:

1. A minimum fee for the building subcode shall be seventy-five (\$75.00) dollars.

2. For new construction volume (cubic feet) multiplied by 0.050.
3. For renovations, alterations and repair thirty five (\$35.00) dollars per one thousand dollars of estimated cost of work.
4. For combinations of renovations and additions, the sum of the fees computed separately as renovations and additions.

5. Flat Fees

a. Tank Removal	\$75.00
b. Shed (Less than 300 square feet)	\$75.00
c. Fireplace	\$75.00
d. Pools Above ground	\$75.00
In-ground	\$120.00
e. Signs	\$5.00 per square feet
f. Demolition One car garage	\$70.00
Two car garage	\$100.00
One family dwelling	\$500.00
Two family dwelling	\$500.00
Multi-family dwelling	\$1,000.00
Commercial Building	\$1,000.00
g. Tents	\$92.00
h. Monitoring Wells	\$60.00 per well

6. Certificate of Occupancy fee is 10% of total permit costs

B. Plumbing Subcode Fee shall be:

1. A minimum fee for the plumbing subcode shall be seventy-five (\$75.00) dollars.
2. The fee shall be in the amount of twenty five (\$25.00) dollars per fixture, piece of equipment or appliance connected to the plumbing system, and for each appliance connected to the gas or oil piping system.

For the purpose of computing this fee, fixtures shall include but not be limited to lavatories, kitchen sinks, slop sinks, urinals, water closets, bath tubs; shower stalls laundry tubs, floor drains, drinking fountains, dishwashers, garbage disposals, hot water heaters, or similar devices.

3. The fee shall be in the amount of Sixty Five (\$65.00) dollars per special devices.

For the purpose of computing this fee, special devices shall include but not be limited to steam boilers, furnaces, A/C units, grease trap, interceptor/separator, water connection, sewer connection, sewer ejector, sewer pumps, backflow preventer, and tank installation.

C. Electrical Subcode Fee shall be:

1. A minimum fee for the electrical subcode shall be seventy-five (\$75.00) dollars.

2. For the purpose of computing fees, outlets or fixtures shall include, but not be limited to, lighting fixtures, switches, smoke or heat detectors, convenience receptacles, burglar alarms, intercom panels, thermostats, and motors and devices of less than 1 h.p. or 1 k.w.

From 1 to 25 receptacles or fixtures	\$50.00
For each additional 25 receptacles or fixtures	\$50.00

3. For the purpose of computing these fees, the term service panel, sub-panel, feeder, switches, and switchboards:

Up to 100 amps	\$100.00
101 to 201 amps	\$175.00
Each additional 100 amps	\$50.00

4. For the purpose of computing these fees, all motors except those in plug-in appliances shall be counted, including control equipment, generators, transformers and all heating, cooking or other devices consuming or generating electrical current:

Motors and electrical devices over,	
1 h.p. up to 5 h.p.	\$50.00
6 h.p. up to 25 h.p.	\$75.00
26 h.p. up to 100 h.p.	\$100.00
For each increase of 50 h.p.	\$25.00

Transformers and generators over,	
1 kw up to 5 kw	\$50.00
6 kw up to 25kw	\$75.00
26 kw up to 100 kw	\$100.00
For each increase of 50 kw	\$25.00

5. The fees for pools, fountains and similar installations	
Above ground, includes bonding & motor	\$100.00
In-ground, includes bonding & motor	\$150.00
6. Light standards	\$100.00

D. Fire Subcode fee shall be:

1. Hard wire interconnected smoke detectors (R3 & R5)	\$25.00 per unit
2. For fire sprinkler system the fee shall be as follows:	
20 or fewer heads	\$100.00
21 to 100 heads	\$200.00
101 to 200 heads	\$350.00
201 to 400 heads	\$800.00
401 to 1000 heads	\$1,200.00

Over 1000 heads \$1,500.00

In computing fees for heads and detectors, the number shall be counted separately and two fees, one for heads and one for detectors, shall be charged.

3. Fire standpipe system	\$267.00
4. Independent pre-engineer system	\$250.00
5. Gas or oil fired appliance	\$75.00
6. Kitchen exhaust system	\$100.00
7. Incinerator system	\$426.00
8. Crematorium system	\$426.00
9. Smoke control system	\$300.00

E. CCO Inspection Fees

The following will be a per unit fee:

- a. \$100.00 Initial Inspection
- b. \$80.00 Re-Inspection
- c. \$125.00 Emergency Inspection (less than 72 hours notice)

F. Zoning Fees

- a. \$125.00 Residential
- b. \$200.00 Commercial
- c. \$1,000.00 (annually) Massage Parlor
- d. \$2,000.00 (annually) Tattoo parlor, Body Piercing Establishment (excluding ear piercing) (Proof of active current license)
- e. \$1,000.00 (annually) Microblading
- f. \$150.00 (annually) Tanning Salon

G. Sewer Connection Fee

\$1,800.00 per connection

H. Penalties

Any person or persons who violate any provision of this section is subject to penalties of not more than \$2,000.00.

Yes: Baudendistel, Bayer, Cilento and Petracca

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

11-19-2018: #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.

Yes: Baudendistel, Bayer, Cilento and Petracca

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

11-19-2018: #2

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

WHEREAS, Matthew Rosofsky has successfully completed his one-year probationary period in the Dunellen Police Department.

NOW, THEREFORE, BE IT RESOLVED, that Matthew Rosofsky is appointed as a full-time member of the Dunellen Police Department as of November 6, 2018, salary as determined by the current PBA contract.

Yes: Baudendistel, Bayer, Cilento and Petracca

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

11-19-2018: #3

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

Mayor Robert J. Seader is authorized to sign the “Revize Web Services Sales Agreement” for a new web site for the Borough of Dunellen, at a cost not to exceed \$9,600.00. Funds for this contract will be taken from C-04-18-06G-000-601.

Yes: Baudendistel, Bayer, Cilento and Petracca

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

11-19-2018: #4

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

Mayor Robert J. Seader is authorized to sign the document titled “Shared Services Agreement for Solid Waste Disposal Services for Solid Waste Type 13 and Type 13C” with the Plainfield Municipal Utilities Authority.

Yes: Baudendistel, Bayer, Cilento and Petracca

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

11-19-2018: #5

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

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	\$995.00
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 \$995.00

Yes: Baudendistel, Bayer, Cilento and Petracca

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

11-19-2018: #6

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 Merchandise Raffle on behalf of Jersey Art and Music, Inc., on April 29, 2019, drawing to be held at the Dunellen Theater and Cinema Café.

Yes: Baudendistel, Bayer, Cilento and Petracca

Reports:

Mr. Petracca: the new police hire is undergoing background checks and if all goes well should be ready for Council in early December.

Mr. Baudendistel: no report

Mr. Bayer: getting new prices on the garbage truck for work that needs to be done to repair it. Mayor Seader asked Mr. Bayer about using milling chips for the Yard. Mr. Bayer responded that they had enough now and needs very “fine” chips and if they find they need more they may get some from the Madison Avenue project.

Mr. Cilento: 1) Tree Lighting Ceremony on Sunday, December 2nd, at 6:00 pm, in Washington Memorial Park; 2) Santa Around Town on Christmas Eve begins at 9:30 am; 3) DACC had a meeting at the Library this past Sunday to hear about our Sister-City relationship and that went very well; 4) on November 13th he visited Mrs. O’Neill’s Third Grade class to talk about a pen-pal relationship with our Sister-City; 5) December 1st deadline for the January edition of *The Dunellen Report*; 6) copy for the *Dunellen Report* is due December 1st for the January edition; 7) provided a copy of the DACC Community Survey to the Transit Hub project so they could make use of it. He also asked the Council its thoughts on sharing the Survey with Prism or any other developer? Council thought that a good idea.

Mayor Seader: 1) noted that there will be a bonfire in Columbia Park on 11/20 at 6:30 pm. He will contact the Fire Department tomorrow to make sure all is ready and set up; 2) reported that the Revaluation company has finished their work and he has a meeting scheduled with them for next week to go over their findings. There are over 300 houses they were unable to enter to inspect. The next step is that they will send letters to residents with the new assessed values and a web site for further information.

Mr. Bayer reported that the PBA is having two events, Toys for Tots fund raisers for children. Friday night will be a movie for parents (*Christmas Vacation*) and Saturday night a children’s movie event, (*The Polar Express*).

Mr. Baudendistel reported that based upon a resident statement during public comment at our last meeting regarding noise and odor emanating from the Yard onto Pulaski Street, he did attempt to communicate with the resident but has not yet heard back.

COUNCIL DISCUSSION: Best Practices

Mr. Robins reported that this year there were 61 questions; we were able to answer 50 of them with a Yes or a N/A. We did not lose any state aid.

Questions covered broad areas. A few areas are: web site, budget compliance, shared services reporting, personnel policies, audit compliance, bid publication requirements, municipal authorities, updates to our master plan, and financial disclosure statement compliance.

PUBLIC PORTION

Homer Mosely, 113 Pearl Place. Asked if we had representation at the League of Municipalities. He was also down there, attending to his wife who is in a wheelchair.

Ellen Kelly, 519 Lincoln Avenue. I speak of attendance at these Council Meetings. I went back and looked at the Minutes. What happened to people who get elected and are not showing up at these meetings? [Mr. Petracca has not missed a meeting; Mayor Seader, Mr. Baudendistel and Mr. Cilento missed only one; Mr. Bayer missed three. Mr. Lowder was often called away because of fire calls.] I have a nephew in the US Armed Services who is on his way now to a special mission. He may not come home. His son just got back from Saudi Arabia. My niece died at the time of 9/11, in Cuba. It is very important that when you get elected to a Council, and that includes the people who may not be here, you won, and you could argue What did you win? Because it is a tough job, no question about that. But, for those who come on a regular basis, I am sure that the community thanks you for that. Great sacrifices are made by your own families, your spouses, your children, give up a lot when you serve. But nevertheless, people die in this country overseas for you to serve. And for people to be absent, I do not care if you are Democrat or Republican, you should be here. That includes all sub-meetings. The reason I am in this row is that I never thought I would see the day I would agree with Mayor Seader, but people in town have been blaming the mayor for some of the non-attendance at meetings and sub-committee meetings and that's not right. The mayor is not responsible for each councilperson's attendance. They are responsible for themselves, not the mayor. I don't know how long you have been in office, mayor, but it is an awfully long time [20 years]. Your wife and your children made a sacrifice. But I don't want to hear that people get elected and they don't serve. That is a privilege. Again, I understand that you make a great sacrifice; some people agree with you and some people don't, but I am going to be coming to meetings now on a regular basis; I have the time and I have the money and I am going to be running ads if I hear that people are not attending meetings and sub-committee meetings that are required. But I want to say that it is not right, but I also want to say that the people of this town are grateful to those who serve and they understand the hardship of doing it. So, I will be coming on a regular basis now because I have to honor my family. My grand-nephew in Syria, it is not a pleasant place. And his father and the other people who serve might be giving up their lives; they serve for the right so that we can live free. I remember great prior councilpersons who served, and mayors, not all of whom I agreed with. And I thanks all those here for serving.

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

11-19-2018: #7

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

The Dunellen Borough Council Meeting of November 19, 2018 is adjourned.

Yes: Baudendistel, Bayer, Cilento and Petracca