

November 4, 2019

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on November 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, April Burke, Jason Cilento, Jessica Dunne, Stacy Narvesen and Joseph Petracca

Absent: Kenneth Bayer

On the motion of Mrs. Burke and seconded by Mrs. Narvesen it was moved to accept the Minutes of October 21, 2019:

Yes: Burke, Cilento, Narvesen and Petracca

Abstain: Dunne, due to her absence

Mayor Seader thanked the residents and guests in the audience for attending tonight to witness the swearing in of two new police officers. He thanked Chief Daniel Smith and the Police Committee for their work in the interview process and for putting the two best candidates forward for tonight.

Mayor Seader then made a presentation on behalf of the Maurer House Committee to the Dunellen Police Department (PBA), Dunellen Fire Department (Fire Company) and Dunellen Rescue Squad. The Maurer House Committee conducts fund raisers for the rehabilitation of the Maurer House located at 500 Mountainview Terrace. Its primary event is the Haunted Trail which is enthusiastically supported by many volunteers and assisted by our emergency service agencies. This year, the eighth, was its best yet and over \$20,000 was raised.

At this point, two officers were sworn in as Dunellen Patrolmen, Joseph Green and Michael Lowder. Mayor Seader praised the Police Department, noting we have a young department, but one that is also filled with experienced officers. Addressing the new officers, he stated that the Council supports them and that all wish them to be safe. Chief Smith made introductions of Mr. Green and Mr. Lowder.

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

11-04-2019: #1

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

Joseph Green is hereby appointed as a probationary police officer in the Dunellen Police Department at an annual salary of \$42,073.00, effective starting date of 4 November 2019.

Yes: Burke, Cilento, Dunne, Narvesen and Petracca

Municipal Clerk William Robins administered the Oath of Office.

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

11-04-2019: #2

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

Michael Lowder is hereby appointed as a probationary police officer in the Dunellen Police Department at an annual salary of \$42,073.00, effective starting date of 4 November 2019.

Yes: Burke, Cilento, Dunne, Narvesen and Petracca

Municipal Attorney John E. Bruder administered the Oath of Office.

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

Ordinance 2019-14

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was 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 October 21, 2019. It is now being further considered for final passage, after public hearing thereon, at a meeting of the governing body being held at the Municipal Council Chambers, in the Borough on November 4, 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 have been available at no cost and during regular business hours at the Clerk's office for the members of the general public who have requested the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF EQUIPMENT FOR THE POLICE DEPARTMENT IN AND BY THE BOROUGH OF DUNELLEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$190,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Purpose: The acquisition of equipment for the Police Department, including, but not limited to portable radios, mobile radios, batteries, and a fingerprint machine and further including all related costs and expenditures incidental thereto

Appropriation: \$200,000

Bonds/Notes Authorized: \$190,000

Grant Appropriated: N/A

Section 20 Costs: \$10,000

Useful Life: 10 years

At this point, Mayor Seader opened the meeting for public comment on the ordinance. No one from the public spoke. This portion was closed.

Yes: Burke, Cilento, Dunne, Narvesen and Petracca

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

11-04-2019: #3

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: Burke, Cilento, Dunne, Narvesen and Petracca

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

11-04-2019: #4

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Borough Council of the Borough of Dunellen, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Middlesex;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Dunellen, County of Middlesex, State of New Jersey, hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Dunellen Municipal Alliance grant for fiscal year 2021 in the amount of:

DEDR	\$14,174.00
Cash Match	\$3,543.50
In-Kind	\$10, 630.50

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Dr. Dunne asked what is the DEDR? Mr. Bruder responded that it is the Drug Enforcement Demand Reduction. For every drug case in the state, those found guilty must pay a number of drug fines and assessments. Monies are paid into a fund which are then used for various things such as drug awareness.

Yes: Burke, Cilento, Dunne, Narvesen and Petracca

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

11-04-2019: #5

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 Interlocal Service Agreement between the Borough of Dunellen and the County of Middlesex for the renewal of the Paint Collection Program. This is a five-year term commencing on January 1, 2020, and expiring on December 31, 2024.

Yes: Burke, Cilento, Dunne, Narvesen and Petracca

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

11-04-2019: #6

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

WHEREAS, there is a need to replace a furnace in the Maurer House, 500 Mountainview Terrace, in order to provide first floor heat; and

WHEREAS, Quotes were solicited from area heating and cooling companies; and

WHEREAS, we have received a quote from Edison Heating & Cooling to install a Lennox (or equal) 110,000 BTU 92% AFUE high efficiency furnace for \$14,240.00.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Dunellen, that Edison Heating and Cooling be awarded a contract to replace a furnace in the Maurer House, at a cost not to exceed \$14,240.00.

Yes: Burke, Cilento, Dunne, Narvesen and Petracca

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

11-04-2019: #7

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 2019 Operating 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 Appropriations" be made:

Account	Title	S&W	Other Expenses
20-120-001-299	Elections		\$2,000.00
20-165-000-299	Engineering Services		4,000.00
25-240-000-107	Police	\$4,000.00	
26-290-002-205	Tree Maintenance		10,000.00
27-330-000-205	Board of Health		2,000.00
31-460-000-299	Gasoline		13,500.00

From	36-472-000-299	Social Security		3,000.00
		Subtotal	\$4,000.00	\$34,500.00
		Total		<u>\$38,500.00</u>

Whereas, there appears to be insufficient funds in the following CY 2019 Operating Accounts over and above the demands to be necessary; viz:

To:	Account	Title	S&W	Other Expenses
	26-310-000-111	Public Buildings and Grounds	\$1,500.00	
	28-370-000-101	Recreation	3,000.00	
	42-305-000-299	Intergovernment/Recycling		\$30,000.00
	43-490-000-205	Municipal Court		4,000.00
		Subtotal	\$4,500.00	\$34,000.00
		Total		<u>\$38,500.00</u>

Yes: Burke, Cilento, Dunne, Narvesen and Petracca

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

11-04-2019: #8

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

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Dunellen in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of Calendar Year 2019 in the sum of \$5,003.71, which is now available from the Division of Motor Vehicles Drunk Driving Enforcement Fund.

BE IT FURTHER RESOLVED, that the like sum of \$5,003.71 is hereby appropriated under the caption 2019 Drunk Driving Enforcement Fund.

Yes: Burke, Cilento, Dunne, Narvesen and Petracca

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

11-04-2019: #9

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 the Law Offices of John E. Bruder for work done regarding litigation in the Matter of Edelman & Penn v. Borough of Dunellen.

<u>John E. Bruder</u>	<u>Bill Number</u>	<u>Amount</u>
July 1, 2018 – September 30, 2018	D/E&P-07.18-09.18	\$1,136.00
	Total	<u>\$1, 136.00</u>

Yes: Burke, Cilento, Dunne, Narvesen and Petracca

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

11-04-2019: #10

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

WHEREAS, by Resolution 09-16-2019: #4, Robert Madden, Laborer in the Dunellen Department of Public Works, was granted an unpaid Leave of Absence from October 1, 2019 through October 31, 2019; and

WHEREAS, Robert Madden, for matters regarding his personal health, has requested a further unpaid Leave of Absence from November 1, 2019 through November 30, 2019; and

WHEREAS, Robert Madden has been informed that his return to work, whether on December 1, 2019, or after the expiration of his federal Family Medical Leave Act absence, if such FMLA is granted upon his complete and satisfactory submission of the Act's required paperwork, is conditioned upon his passing of a Fitness for Duty medical examination.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Dunellen, that Robert Madden be granted a further unpaid Leave of Absence, per the terms stated above, from November 1, 2019 through November 30, 2019.

Dr. Dunne asked if the doctor who will conduct his fitness for duty to return to work examination will be selected by Mr. Madden or the borough? Mr. Robins responded that it will be the borough's doctor.

Yes: Burke, Cilento, Dunne, Narvesen and Petracca

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

11-04-2019: #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 check to the Law Offices of John E. Bruder, from the Interim Cost Agreement Escrow Account for work done toward redevelopment, subject to the refunding of the account:

<u>John E. Bruder</u>	<u>Bill Number</u>	<u>Amount</u>
October 1, 2018 – December 31, 2018	RD-10-12-18	\$1,360.00
April 1, 2018 – June 30, 2018	RD-04-06-18	\$1,340.00
	Total	<u>\$2,700.00</u>

Yes: Burke, Cilento, Dunne, Narvesen and Petracca

Reports:

Mr. Petracca: 1) Construction Office has taken in \$115,893 in permit fees so far this year and there are two months to go.

Mrs. Burke: 1) Dunellen Public Library still has its Community Survey on its web site and it can also be accessed through social media or at the library where the staff can assist you. It is designed to find out what the community wants; 2) the Library also has a Veterans Display in its showcase; 3) the Fire Company will be having Christmas Trees for sale; 4) Ladder #1 is currently out of service. Chief Lowder is obtaining estimates for repair. She noted the truck is 26 years old. Mayor Seader stated that we generally try to keep our fire trucks about 30 years; 4) she thanked the Police Department for placing the light on North Washington Avenue on Halloween night.

Dr. Dunne: 1) thanked the borough for enabling her to attend a course at Rutgers on the Powers and Duties of Local Elected Officials. She found the sessions very useful and encourages other councilpersons to attend one of them; 2) she had sent a note, and here thanks, Chief Smith for the perceived increased police presence during Halloween; 3) asked about a deer hunting hut at the

end of Jackson Avenue. She was concerned about the safety of children. John Bruder responded that they are legal if they have the permission of the property owner and as long as they are bow hunting and are not within 150 feet of any occupied structure; 4) reported that some residents near Columbia Park were upset about the closures of some entrances to the park during the construction. There appears to be a lack of consistent communication and information; 5) last Friday night, she met with Stacy and Jason to develop a FAQ regarding the School Bond referendum. A draft copy is in all councilpersons' packets. For the public, the FAQ is an information presentation on bonding and how the school bonding might affect the borough's ability to bond or its own projects; 6) asked about updates on the website. Mr. Robins responded that he and Lauren have been working on it and we believe that it is ready to go. He asked that she and Jason have a look at it before he notifies REVIZE to "go live." On Thursday or Friday, he will give them the signal to switch from the old site to the new site. Dr. Dunne responded affirmatively.

Mr. Cilento: 1) please submit copy for *The Dunellen Report* by December 13th; 2) for the Raritan Valley Line Mayor's Alliance, off-peak hours one-stop trains on the Raritan Valley Line started today, November 4th, to go into New York City, midtown. The organization will still be fighting for peak hour direct trains and for the Gateway Project; 3) the Finance Committee needs to talk with Chief Smith about increasing the starting hourly salary for Substitute Crossing Guards; 4) he is continuing his communication with New Jersey Transit regarding improvements to the Dunellen Station, including making the station compliant with Americans with Disabilities Act. He has contacted the Governor's Office on this matter. Dr. Dunne asked if NJ Transit has any plans for when the new development occurs and there are many new riders? He replied that he does not know, but it is one of the topics he is raising.

Mrs. Narvesen: 1) next Board of Education meeting is November 12th at 7:30 at the High School where there will be another Facilities Enhancement presentation; 2) in Columbia Park, the concrete slab has been poured for the Gazebo and the Gazebo should begin construction on Wednesday.

Mayor Seader: 1) noted that he had also received some resident concerns about the locks on the gates at Columbia Park and stated that something needed to be done. He asked about the construction timeline. Ron Safar responded with some details on the sprinkler system and the work that will ensue after that. Mayor Seader directed Ron to consult with Alex and the engineers and the contractor to develop a procedure for entrance/closing of the park during the construction; 2) John Bruder has contacted the new owners of the property on North Avenue Extension with an end of obtaining easements for the Railroad Culvert Project.

PUBLIC PORTION

Homer Mosley, 113 Pearl Place, asked if there will still be access to the Senior Center during Columbia Park construction? Yes, the Senior Center will be open to senior programs.

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

11-04-2019: #12

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

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

Yes: Burke, Cilento, Dunne, Narvesen and Petracca
