

February 1, 2016

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on February 1, 2016.

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: Mayor Robert J. Seader, Kenneth Baudendistel, Kenneth Bayer, Jason Cilento, Jeremy Lowder and Joseph Petracca

Absent: Kevin Bachorik

On the motion of Mr. Petracca and seconded by Mr. Cilento it was moved to accept the minutes of the Council Meeting on January 11, 2016.

Yes: Bayer, Cilento, Lowder and Petracca
Abstain: Baudendistel

Mr. Baudendistel stated that he is abstaining because he was not in attendance for the January 11, 2016 meeting.

Mayor Seader appointed Marcie Tyson to the Dunellen Public Library Board of Trustees. Municipal Clerk Robins administered the Oath of Office.

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

02-01-2016: #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, Lowder and Petracca

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

02-01-2016: #2

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

A contract is awarded to Wireless Communications and Electronics of West Berlin, NJ, to supply five (5) laptop computers and attendant equipment for the Dunellen Fire Department, at a cost not to exceed \$23,781.92. This contract is pursuant to NJ WSCA Panasonic Contract # A-75583/B27172. Funds for this contract will be taken from Account # 026-6380-610.

Yes: Baudendistel, Bayer, Cilento and Petracca
Abstain: Lowder

Mr. Lowder stated that he is abstaining because he is a member of the Dunellen Fire Department.

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

02-01-2016: #3

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

A contract is awarded to HDM Computers of Green Brook, NJ, to supply and install two (2) desk top computers and Office software for the Dunellen Fire Department, at a cost not to exceed \$1,737.00. Funds for this contract will be taken from Account # 026-6380-610.

Yes: Baudendistel, Bayer, Cilento and Petracca
Abstain: Lowder

Mr. Lowder stated that he is abstaining because he is a member of the Dunellen Fire Department.

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

02-01-2016: #4

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

A contract is awarded to Motorola Solutions, to supply four (4) portable radios and attendant equipment for the Dunellen Fire Department, at a cost not to exceed \$16,282.40. This contract is pursuant to NJ State Contract # 83909. Funds for this contract will be taken from Account # 026-6380-611.

Yes: Baudendistel, Bayer, Cilento and Petracca
Abstain: Lowder

Mr. Lowder stated that he is abstaining because he is a member of the Dunellen Fire Department.

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

02-01-2016: #5

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

A contract is awarded to Pinnacle Wireless of Fair Lawn, NJ, to install a consolette for the Dunellen Fire Department, at a cost not to exceed \$4,424.66; and

Furthermore, a contract is awarded to Motorola Solutions for the purchase of a control station at a cost not to exceed \$5,932.50.

The total amount of the two contracts is \$10,357.16.

The contracts are pursuant to NJ State Contract # 83909. Funds for these contracts will be taken from Account # 026-6380-611.

Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca

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

02-01-2016: #6

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

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

Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca

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

02-01-2016: #7

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

A contract is awarded to Wolfe Communications of Kingston, TN, to supply six (6) portable radios and attendant equipment for the Dunellen Rescue Squad, at a cost not to exceed \$3,028.14. Funds for this contract will be taken from Account # 026-6380-611.

Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca

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

02-01-2016: #8

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

A contract is awarded to Natural Green Lawn Care of Bridgewater, NJ, for turf care maintenance services to the Dunellen Open Space property located at 500 Mountainview Terrace, Dunellen, NJ, at a cost not to exceed \$7,765.00.

Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca

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

02-01-2016: #9

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

The resignation of Kenneth Harris from the Dunellen Public Library Board of Trustees is accepted, effective January 1, 2016.

Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca

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

02-01-2016: #10

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

A contract is awarded to Motorola Solutions to supply one (1) portable radio and attendant equipment for the Dunellen Police Department, at a cost not to exceed \$5,123.75. This contract is pursuant to NJ State Contract # 83909. Funds for this contract will be taken from Account # 026-6380-611.

Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca

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

02-01-2016: #11

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

Approval is granted to the Dunellen Defender Fire Company #1 to hold its annual street fair on Sunday, September 11, 2016.

Yes: Baudendistel, Bayer, Cilento and Petracca
Abstain: Lowder

Mr. Lowder stated that he is abstaining because he is a member of the Dunellen Fire Department.

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

02-01-2016: #12

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 Potter, Violet
367 Dogwood Way
Mountainside, NJ 07092

TSC	Block	Lot	Owner/Address	Principal	Interest	Premium	Total
15-17	44	7	Drake, William & Gina 825 Second Street	854.72	13.48	1,500.00	2,368.20
15-34	77	5.02	Wiggins, John & Geraldine 1896 West Fourth Street	14,875.59	588.92	40,500.00	55,964.51

Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca

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

02-01-2016: #13

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 US Bank Cust for PC5 Sterling National
50 S 16th St., Ste 2050
Philadelphia, PA 19102

TSC	Block	Lot	Owner/Address	Principal	Interest	Premium	Total
14-46	61	31	Salem, Nabil 423 Prospect Ave	1,196.25	48.99	1,300.00	2,545.24

Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca

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

02-01-2016: #14

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

WHEREAS, there is a need to purchase twenty-five (25) pagers for the Dunellen Rescue Squad; and

WHEREAS, the following quotes were received:

Pinnacle Wireless	\$10,289.00
Wolfe Communications	\$9,454.70

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Dunellen, that Wolfe Communications be awarded a contract for the purchase of 25 pagers with programming for the Dunellen Rescue Squad, at an amount not to exceed \$9,454.70. Funds for this contract will be taken from Account # 026-6380-611.

Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca

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

02-01-2016: #15

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

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:

Account	Title	S&W	Other Expenses
014-1113	Dispatchers		1,600.00

From

		Subtotal	1,600.00
		Total	<u>1,600.00</u>

Whereas, there appears to be insufficient funds in the following CY 2014 Operating Accounts over and above the demands to be necessary; viz:

To:

Account	Title	S&W	Other Expenses
014-1011	Legal Advertising		600.00
014-1210	Road Repair		1,000.00
		Subtotal	1,600.00
		Total	<u>1,600.00</u>

Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca

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

02-01-2016: #16

Dunellen Borough Council Resolution 12-21-2015: #15 is to be amended as follows:

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 2017 in the amount of:

DEDR	\$8275.00
Cash Match	\$2068.75
In-Kind	\$6206.25
2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca

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

02-01-2016: #17

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

CME Associates of Parlin, NJ, is awarded a contract to prepare and submit a Hazardous Discharge Site Remediation Fund Grant application for Block 49, Lot 29, the property formerly known as the Strip Joint, at a cost not to exceed \$3,500.00.

Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca

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

02-01-2016: #18

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

A settlement in the amount of \$5,750.00 in the matter of John Zervopoulos, et. al. v. Borough of Dunellen is hereby authorized. In addition, per the settlement, the Borough will appoint a Sewer Utility Liaison, refrain from imposing a sewer use fee on the second floor apartment at 210 North Avenue unless tenanted by a third party, and amend Ordinance 2012-17, Chapter 230-7 (A), to require all sewer system users to be charged equally for extraneous flows if and when such flows are not otherwise chargeable to a particular user.

Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca

REPORTS:

Mr. Petracca: no report.

Mr. Baudendistel: 1) inquired about Reverse 9-1-1 system. Mr. Robins will investigate different companies for prices; 2) noted that Chief Nelson's mother passed away. Council was provided with funeral arrangements; 3) asked Mr. Bruder about different ordinances for revision; new LED lights as part of the Sign Ordinance. Mr. Bruder will consult with Mr. Baudendistel; 4) we received a report from Mr. Luthman about the fire damaged properties. The report indicates that the two properties on Bound Brook Road be taken down. Inquired how to advance this? Mr. Bruder responded that we have the uninhabitable building ordinance or we can resort to property maintenance ordinances; 5) noted the wood frame outside of the Rescue Squad Building.

Mr. Bayer: DPW did a fine job during the recent snow fall.

Mr. Cilento: 1) March of Dimes Tournament started this past Thursday and we had six boys and girls teams on the 7th and 8th grade level; 2) *Dunellen Report* copy needed by March 15.

Mr. Lowder: also commended the DPW on their hard work during the snow storm.

Mayor Seader: 1) DPW did a fine job during the snow storm, as did the Office of Emergency Management who consulted with various agencies and advised on the State of Emergency declaration. Ron did a fine job with only minor incidents with our equipment; 2) noted that the Parking Authority and Peter Riccio are near an agreement on the parking lot.

Ron Safar: thanked the Fire Department for their assistance during the snow storm in providing a generator when there was a temporary power outage. Mayor Seader thanked Mr. Lowder for his assistance as an electrician, specifically helping in getting a supply house to open on a Sunday. He also noted how the Fire Department worked all day Sunday clearing the fire hydrants. We had two men out during the storm: Mr. Madden out, Charlie went home sick, and one of the p/t's went home sick. So, the burden of most of the work fell on just four men.

PUBLIC PORTION:

No one from the public spoke.

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

02-01-2016: #19

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

Whereas, the Open Public Meetings Act (NJSA 10:4-6) permits the closing of meetings to the public under certain circumstances; and

Whereas, there exists such a circumstance; and

Whereas, the Governing Body wishes to enter into Executive Session for the purpose of discussing matters concerning pending litigation or contract negotiation; and

Whereas, minutes of the Executive Session will be kept and will be released when the matters under discussion during the Executive Session are no longer confidential.

Therefore, be it resolved, that the Borough Council will enter in to Executive Session.

Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca

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

02-01-2016: #20

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

The Dunellen Borough Council Meeting of February 1, 2016 is adjourned.

Yes: Baudendistel, Bayer, Cilento, Lowder and Petracca
