

March 7, 2016

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on March 7, 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: Kenneth Baudendistel, Kevin Bachorik, Kenneth Bayer, Jason Cilento, Jeremy Lowder and Joseph Petracca

On the motion of Mr. Bachorik and seconded by Mr. Baudendistel it was moved to accept the Minutes of February 2, 2016:

Yes: Baudendistel, Bachorik, Bayer and Petracca

Abstain: Cilento and Lowder

[Mr. Cilento and Mr. Lowder stated that they were abstaining as they had not been in attendance for that meeting.]

Though on the Agenda, Mr. Desmelyk had a prior obligation and was not able to attend and present at this Council Meeting.

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

03-07-2016: #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, Bachorik, Bayer, Cilento, Lowder and Petracca

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

03-07-2016: #2

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

The resignation of Gloria Pangborn as a School Crossing Guard is accepted, effective March 1, 2016.

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

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

03-07-2016: #3

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

Linda Fleming is hereby hired as a School Crossing Guard, effective March 1, 2016, at an hourly salary of \$11.50. This is a position without benefits.

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

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

03-07-2016: #4

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

WHEREAS, by resolution dated February 4, 2016 (#16-235-R), the County of Middlesex approved and adopted the Pre-Disaster All Hazard Mitigation Plan prepared by Princeton Hydro, LLC for the Middlesex County Department of Public Safety and Health, Office of Emergency Management; and

WHEREAS, said Plan was prepared and submitted to FEMA for approval; and

WHEREAS, the State Office of Emergency Management has advised that said Plan has been approved by FEMA; and

WHEREAS, FEMA requires that the County and each municipality must formally adopt said Plan; and

WHEREAS, the adoption of said Plan is in the best interests of the residents of the Borough of Dunellen, County of Middlesex.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Dunellen, that this body does hereby adopt the attached Middlesex County Multi-Jurisdictional All Hazards Mitigation Plan.

BE IT FURTHER RESOLVED that the Municipal Clerk of the Borough of Dunellen shall forward certified copies of this resolution to the Middlesex County Department of Public Safety and Health, Office of Emergency Management and Preparedness.

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

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

03-07-2016: #5

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 a Bingo License to the Dunellen Defender Fire Company No. 1.

Further be it resolved that these licenses will be issued pending final approval by New Jersey State Legalized Games of Chance Commission.

Yes: Baudendistel, Bachorik, Bayer, Cilento and Petracca

Abstain: Lowder

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

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

03-07-2016: #6

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

The resignation of Jerry Schaefer as Principle Public Works Manager is accepted, effective March 1, 2016.

Mayor Seader praised Jerry for his years of service to Dunellen.

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

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

03-07-2016: #7

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

Ronald L. Safar is appointed temporary Principle Public Works Manager for two successive one-year terms, effective February 26, 2016.

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

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

03-07-2016: #8

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

Whereas, there exists a need to lease photocopier machines, one for the Dunellen Police Department and a second one for the Dunellen Municipal Clerk's Office; and

Whereas, a quote has been received from:

GE Capital:

- 1) Police -- \$87.50 per month, for a 60 month lease term (Account # 024-1110-205)
 - 2) Clerk's Office -- \$117.50 per month, for a 60 month lease term (Account # 024-1018-205)
- Total: \$205.00 per month

Whereas GE Capital has a New Jersey State Contract (#A53090 T2075) for the leasing of photocopier machines; and

The funds for this contract have been certified by the Chief Financial Officer, from April 2016 – March 2017, and continuation of the contract is subject to the availability of funds in future fiscal years.

Now, therefore, be it resolved, by the Mayor and Council of the Borough of Dunellen, that two photocopier machines be leased from GE Capital for an amount not to exceed \$205.00 for two machines per month for 60 months.

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

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

03-07-2016: #9

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

The following FAX Machines and Printer are to be leased through GE Capital for a combined price of \$144.00 per month:

- Clerk’s Office, Account #024-1018-205 (\$37.33 per month) (FAX Machine)
- Police Department, Account #024-1110-205 (\$69.33 per month) (Printer)
- Construction Office, Account #024-1610-205 (\$37.34 per month) (FAX Machine)

With a total amount of \$1,728.00 per year.

The initial contract is for the period May 1, 2015 through December 31, 2015.

The term of this resolution is for the period April 1, 2016 through March 31, 2016.

A continuation of the contract is subject to the availability of funds in future fiscal years.

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

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

03-07-2015: #10

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 TWR as Cust for Ebury Fund 1NJ LLC
P O Box 37695
Baltimore, MD 21297-3695

TSC	Block	Lot	Qual	Owner/Address	Principal	Interest	Premium	Total
15-30	74	13.03		Mennella, Stephen 342 Oak Parkway	826.46	12.91	1,300.00	2,139.37
15-07	21	6		Merrill, J & Gonzalez-Urbine	424.63	4.51	400.00	829.14
14-31	42	2		Heilman, Denise 507 Sanford Ave	1,199.35	54.25	1,400.00	2,645.60

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

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

03-07-2015: #11

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 FWDSL & Associates, LP
17 West Cliff Street
Somerville, NJ 08876

TSC	Block	Lot	Qual	Owner/Address	Principal	Interest	Premium	Total
15-05	12	17		Rojas, Laura 216 Third Street	663.33	11.30	1,100.00	1,774.63

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

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

03-07-2016: #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
14-52	66	3	Guzman, Luis & Marlenny 381 North Avenue	19,265.70	3,412.18	4,000.00	26,677.88

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

REPORTS:

Mr. Petracca: had a Finance Committee meeting tonight and will try to have a Budget for next meeting. Money for the revaluation will be put into the Budget.

Mr. Baudendistel: 1) looking into Reverse 9-1-1 systems. Chief Nelson will be talking with Somerset County about joining in with their system; 2) asked about cameras in Columbia Park. Mr. Robins will speak with Mr. Miller.

Mr. Bayer: no report.

Mr. Bachorik: no report.

Mr. Cilento: reminded everyone to submit articles for the next edition of *The Dunellen Report*.

Mr. Lowder: no report.

Mayor Seader: 1) Taste of the Towns on behalf of the Maurer House is coming in April and that there is now electricity at the House; 2) he noted that Joe Keleman's mother passed; 3) commented on how the State's public hearing on revaluation was useless and a "farce." It was by statute limited to holding the hearing, not to answer questions, but their communication with the borough was very poor and misleading.

PUBLIC PORTION

Dennis O'Connor, 409 South Madison Avenue, inquired about the status of the sump pump water from his neighbor at 411 South Madison Avenue that is going in volume into the street and in very cold weather freezing in front of his house where he fell last winter and injured himself. Mayor Seader acknowledged that there was a problem, but we are unsure whether legally we can prevent her from using her current sump pumps the way she is now suing them. Mr. O'Connor thought that the street sloped up and levelling it might be a solution. Mr. Safar agreed that there is a slope, but the problem arises when the weather is so very cold, the water freezes quickly and forms ice in front of your driveway. Mrs. O'Connor stated that there is an elevation just before the curve that stops the water. Mr. Safar will look tomorrow morning. Mrs. O'Connor stated that water from her neighbor's pipes are going on her property. Mr. Bruder inquired whether they had consulted their own private attorney, as he had recommended previously? Mrs. O'Connor wants to resolve this without resorting to a private attorney.

Mr. Bruder reminded the Council that he and Jennifer Beahm (CME Associates) will be appearing before Judge Wolfson on March 16th to participate in a settlement hearing on the affordable housing litigation.

Mayor Seader spoke about Jon Desmelyk's Eagle Scout proposal, to paint reflective decals/icons in the street to help identify adjacent fire hydrants. The idea has the endorsement of the Fire Department. Council agreed that this was a good idea and gave permission and approval.

COUNCIL DISCUSSION

Mr. Cilento presented to an idea to form a Dunellen Arts and Culture Commission. Consisting of nine members appointed by the mayor, the Commission would sponsor arts and culture events in the borough. A draft ordinance was distributed and Council discussed logistics. A \$500 yearly budget was recommended by Mr. Robins. Mr. Robins also commented that the proposed Commission would not involve much time to administer and that the Recreation Director could undertake the added responsibility, with the help of the Clerk's Office.

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

03-07-2016: #13

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

The Dunellen Borough Council Meeting of March 7, 2016 is adjourned.

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